



Florida Department of Environmental Protection

Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

Mr. Ike Rainey, Manager
Rainey Asphalt, LLC
4477 East CR 462
Wildwood, FL 34785

Re: Project No. 1190050-001-AC
Wildwood Plant #1
Minor Air Construction Permit
Project Name: Asphalt Concrete Plant

Dear Mr. Rainey:

On November 9, 2009, you submitted an application requesting to construct an asphalt concrete plant. This facility is located in Sumter County at 4477 East CR 462 in Wildwood, Florida. Enclosed are the following documents: the Technical Evaluation and Preliminary Determination; the Draft Permit and Appendices; the Written Notice of Intent to Issue Air Permit; and the Public Notice of Intent to Issue Air Permit. The Public Notice of Intent to Issue Air Permit is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the project engineer, Jim McDonald, at 813-632-7600 extension 106.

Sincerely,

Mara Grace Nasca

Mara Grace Nasca
District Air Program Administrator
Southwest District

Enclosures

MGN/JLM/pp

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

*In the Matter of an
Application for Air Permit by:*

Rainey Asphalt, LLC
4477 East CR 462
Wildwood, FL 34785

Project No. 1190050-001-AC
Minor Air Construction Permit
Sumter County, Florida

Authorized Representative:
Mr. Ike Rainey, Manager

Wildwood Plant #1
Project Name: Asphalt Concrete
Plant

Facility Location: Rainey Asphalt, LLC proposes to construct a new asphalt concrete plant to be located in Sumter County at 4477 East CR 462 in Wildwood, Florida.

Project: The applicant proposes to construct a stationary drum mix asphalt concrete plant. The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of Title 40, Code of Federal Regulations, Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities. Details of the project are provided in the application and the enclosed Technical Evaluation and Preliminary Determination.

Permitting Authority: Applications for air construction and operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Management Section in the Southwest District Office. The Permitting Authority's physical address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's mailing address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's telephone number is 813/632-7600.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet 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 Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 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 (in a proceeding initiated by another party) 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 Permitting Authority'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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged,

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

Executed in Hillsborough County, Florida.

Mara Grace Nasca

Mara Grace Nasca
District Air Program Administrator
Southwest District

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, the Technical Evaluation and Preliminary Determination and the Draft Permit) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 12/21/2009 to the persons listed below.

Mr. Ike Rainey, Manager
Rainey Asphalt, LLC
irainey@raineyconstruction.com

Mr. Edward Abshier, P.E.
Abshier Engineering Inc.
eabshier@cfl.rr.com

Clerk Stamp

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

Carol S. Moore 12/21/2009
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Air Resource Management, Southwest District Office
Draft Minor Air Construction Permit
Project No. 1190050-001-AC
Rainey Asphalt, LLC, Wildwood Plant #1
Sumter County, Florida

Applicant: The applicant for this project is Rainey Asphalt, LLC. The applicant's authorized representative and mailing address is: Mr. Ike Rainey, Manager, Rainey Asphalt, LLC, 4477 East CR 462, Wildwood, Florida, 34785.

Facility Location: Rainey Asphalt, LLC proposes to construct an asphalt concrete plant to be located in Sumter County at 4477 East CR 462 in Wildwood, Florida.

Project: This project is for the construction of a stationary drum mix asphalt concrete plant. The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of Title 40, Code of Federal Regulations, Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities.

Permitting Authority: Applications for air construction and operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Management Section in the Southwest District Office. The Permitting Authority's physical address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's mailing address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's telephone number is 813/632-7600.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site:
<http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written

comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 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 (in a proceeding initiated by another party) 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 Permitting Authority'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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.



Florida Department of Environmental Protection

Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

DRAFT PERMIT

PERMITTEE

Rainey Asphalt, LLC
4477 East CR 462
Wildwood, FL 34785

Air Permit No. 1190050-001-AC
Permit Expires: 08/30/2011
Site Name : Wildwood Plant #1
Minor Air Construction Permit
Project Name: Asphalt Concrete Plant

Authorized Representative:
Mr. Ike Rainey, Manager

This is the final air construction permit, which authorizes the construction of a drum mix asphalt concrete plant. The proposed work will be conducted at Rainey Asphalt, LLC's Wildwood Plant #1, (Standard Industrial Classification No. 2951). The facility is located in Sumter County at 4477 East CR 462 in Wildwood, Florida. The UTM coordinates are Zone 17, 399.56 km East, and 3195.43 km North. As noted in the Final Determination provided with this final permit, no changes or only minor changes and clarifications were made to the draft permit.

This final permit is organized by the following sections:

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Facility-Wide Common Conditions
- Section 4. Emissions Unit Specific Conditions
- Section 5. Appendices

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 5 of this permit.

This air pollution construction permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it 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 (Mail Station #35, 3900 Commonwealth Boulevard, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Hillsborough County, Florida

DRAFT

Mara Grace Nasca Effective Date
District Air Program Administrator
Southwest District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination and the Final Permit) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on _____ to the persons listed below.

Mr. Ike Rainey, Manager
Rainey Asphalt, LLC
irainey@raineyconstruction.com

Mr. Edward Abshier, P.E.
Abshier Engineering Inc.
eabshier@cfl.rr.com

Clerk Stamp

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

(Clerk)

(Date)

SECTION 1. GENERAL INFORMATION (DRAFT)

FACILITY AND PROJECT DESCRIPTION

Project Description and Proposed Emission Unit

This project is for the construction of a stationary drum mix asphalt concrete plant manufactured by Gencor Industries. The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of 40 CFR Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities.

The project will create the following emission unit.

Facility ID No. 1190050	
ID No.	Emission Unit Description
001	Drum Mix Asphalt Concrete Plant

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

Exempt Emission Units/Activities

Hot oil heater exempt per Rule 62-210300(3)(a)33., F.A.C.

FACILITY REGULATORY CLASSIFICATION

- The facility is not a major source of hazardous air pollutants (HAP).
- The facility has no units subject to the acid rain provisions of the Clean Air Act (CAA).
- The facility is not a Title V major source of air pollution in accordance with Chapter 213, F.A.C.
- The facility is not a major stationary source in accordance with Rule 62-212.400(PSD), F.A.C.
- This facility is a synthetic non-Title V source for particulate matter with an aerodynamic diameter less than or equal to a nominal 10 micrometers (PM₁₀), sulfur dioxide (SO₂), carbon monoxide (CO) and hazardous air pollutants (HAPs).
- The drum mix asphalt concrete plant is regulated under New Source Performance Standards (NSPS) - 40 CFR 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities and the general provisions of 40 CFR 60, Subpart A - General Standards, where applicable.
- This facility is regulated under Rule 62-210.300(3)(c)2., F.A.C., Conditional Exemptions from Title V Permitting.

PERMIT HISTORY/AFFECTED PERMITS

This is the first air pollution permit for this facility

SECTION 2. ADMINISTRATIVE REQUIREMENTS (DRAFT)

1. Permitting Authority: The permitting authority for this project is the Florida Department of Environmental Protection (Department), Southwest District's Air Resource Management Section. The Southwest District's mailing address and phone number is:

Florida Department of Environmental Protection
Southwest District Office
Air Resource Management Section
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-632-7600

All documents related to applications for permits shall be submitted to the above address.

2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the Southwest District Office's Air Resource Management Section (see above mailing address and phone number).
3. Appendices: The following Appendices are attached as part of this permit:
 - a. Appendix A. - Citation Formats and Glossary of Common Terms;
 - b. Appendix B. - General Conditions;
 - c. Appendix C. - Common Conditions; and
 - d. Appendix D. - Common Testing Requirements.
4. Applicable Regulations, Forms and Application Procedures: Unless otherwise specified in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403, F.S.; and Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations.
5. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time.
[Rule 62-4.080, F.A.C.]
6. Modifications: Unless otherwise exempt by rule, the permittee shall not initiate any construction, reconstruction, or modification at the facility and shall not install/modify any pollution control device at the facility without obtaining prior authorization from the Department. Modification is defined as: Any physical change or changes in the method of operations or addition to a facility that would result in an increase in the actual emissions of any air pollutant subject to air regulations, including any not previously emitted, from any emission unit or facility.
[Rules 62-210.200 - Definition of "Modification" and 62-210.300(1)(a), F.A.C.]

SECTION 2. ADMINISTRATIVE REQUIREMENTS (DRAFT)

7. Rule Compliance: A facility or emissions unit subject to any standard or requirement of 40 CFR. Part 60, 61, 63 or 65, adopted and incorporated by reference at Rule 62-204.800, F.A.C., shall comply with such standard or requirement.
[Rule 62-296.100(3) F.A.C.]
8. Annual Operating Report - On or before **April 1** of each year, the permittee shall submit a completed DEP Form 62-210.900(5), "Annual Operating Report for Air Pollutant Emitting Facility" (AOR) for the preceding calendar year. The report may be submitted electronically in accordance with the instructions received with the AOR package sent by the Department, or a hardcopy may be sent to the Compliance Authority. The sulfur dioxide emissions from using fuel oil when producing asphalt product shall be determined using the US EPA's document AP-42, Table 1.3-1 and a reduction of 0.1 lbs. of sulfur dioxide for each ton of asphalt product produced.
[Rules 62-4.070(3) and 62-210.370(3), F.A.C.]
9. Application for Non-Title V Air Operation Permit: This permit authorizes the construction and initial operation of the asphalt concrete plant. A non-Title V air operation permit is required for continued operation of the permitted emissions unit. The permittee shall apply for a non-Title V air operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after the asphalt concrete plant commences operation. To apply for a non-Title V air operation permit, the applicant shall submit the following:
- the appropriate permit application form (*see current version of Rule 62-210.900, F.A.C. (Forms and Instructions), and/or FDEP Division of Air Resource Management website at: <http://www.dep.state.fl.us/air/>*);
 - the appropriate operation permit application fee from Rule 62-4.050(4)(a), F.A.C.;
 - a copy of the most recent compliance test reports required by Specific Condition No. A.12.
- The application shall be submitted to the Permitting Authority.
[Rules 62-4.030, 62-4.050, 62-4.220, F.A.C.]

SECTION 3. FACILITY-WIDE COMMON CONDITIONS (DRAFT)

1. Fuel Type Limitations: The facility is allowed to use the following types of fuel:
 - a. natural gas;
 - b. new No. 2 fuel oil;
 - c. new No. 3 fuel oil;
 - d. new No. 4 fuel oil;
 - e. new No. 5 fuel oil;
 - f. on-specification reclaimed fuel oil; and
 - g. new No. 6 fuel oil

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

2. Fuel Usage Limitation: The facility, including the exempt hot oil heater, shall not consume (burn) more than 1.2 million gallons of fuel oil per any consecutive 12-month period.

[Rule 62-210.300(3)(c)2.b., F.A.C.]

3. Fuel Usage Recordkeeping Requirements: The permittee shall monthly record the following:
 - a. Facility Name, Facility ID No. (1190050)
 - b. Date: Month/Year
 - c. For the exempt hot oil heater: the amount of each type of fuel oil (e.g., new No. 2 fuel oil, on-specification reclaimed fuel oil, etc.) consumed in gallons.
 - d. For the asphalt concrete plant: the amount of each type of fuel (e.g., natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, etc.) consumed in cubic feet or gallons, as appropriate.
 - e. For the asphalt concrete plant: the total amount of each type of fuel (e.g., natural gas, new No. 2 fuel oil, on-specification reclaimed fuel oil, etc.) consumed for the most recent consecutive 12-month period in cubic feet or gallons, as appropriate.
 - f. For the asphalt concrete plant: the total combined amount of all types of fuel oil consumed for the most recent consecutive 12-month period in gallons.
 - g. For fuel oil, the total combined amount consumed for both the hot oil heater and asphalt concrete plant in gallons.
 - h. For fuel oil, the total combined amount consumed for both the hot oil heater and asphalt concrete plant for the most recent consecutive 12-month period in gallons.

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

4. Fuel Oil Sulfur Content Limitation: The sulfur content for all fuel oils, including fuel oils consumed (burned) in the exempt hot oil heater, shall not exceed 1.0% by weight.

[Rule 62-210.300(3)(c)2.c., F.A.C.]

5. Fuel Sulfur Content Record: In order to document continuing compliance with the fuel oil sulfur content limitation, the permittee shall keep records on either vendor provided as-shipped analysis or on analysis of as-received samples taken at the plant. The analysis shall be determined by appropriate ASTM methods.

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

SECTION 3. FACILITY-WIDE COMMON CONDITIONS (DRAFT)

6. **Reclaimed Fuel Oil Specifications and Requirements:** The facility shall not burn off-specification reclaimed fuel oil. For each delivery of on-specification reclaimed fuel oil, the vendor shall provide an analysis documenting the fuel oil meets the following requirements of 40 CFR 761.20(e)(2) and (3) and 40 CFR 279.11 (July 1, 2004):

Constituent/Property	Allowable Level
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	Shall not exceed 1000 ppm
Flash Point	100 degrees F minimum
PCB's	Shall be less than 2 ppm

[Rules 62-4.070(3), and 62-710.210, F.A.C.]

7. **Asbestos Containing Materials:** This facility shall **not** process Asbestos Containing Materials (ACM), whether regulated asbestos containing material (RACM), category I or category II, and whether friable or non-friable when received at the facility.
- a. "Asbestos" means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite and includes trade acronym products such as amosite.
 - b. "Asbestos-containing materials", ACM, means any materials which contain more than one percent asbestos as determined by Polarized Light Microscopy. Based on a representative composite sample.
 - c. "Asbestos removal project" means renovation or demolition operation in a facility that involves the removal of a threshold amount of regulated asbestos-containing material.
 - d. "Category I Nonfriable Asbestos-Containing Material (ACM)" means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy.
 - e. "Category II Non-friable ACM" means any material, excluding Category I Nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

[40 CFR 61, Subpart M; Chapter 62-257, F.A.C.; and Rules 62-730.300 and 62-701.520, F.A.C.]

SECTION 3. FACILITY-WIDE COMMON CONDITIONS (DRAFT)

8. Unconfined Emissions of Particulate Matter: In addition to the conditions in Appendix C., Condition 9., the following reasonable precautions shall be followed:
- a. Paved parking and traffic areas shall be maintained and kept free of particulate matter build-up.
 - b. Sprinkling with water shall be used as necessary on paved areas, unpaved areas, stockpiles, and during loading/unloading operations.

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

9. Unconfined Particulate Matter Opacity Requirement: In order to provide reasonable assurance that the precautions and practices taken at the plant are adequate, visible emissions of unconfined particulate matter at the plant's property line should not exceed 10% opacity. Exceedance of this limit shall not be considered a violation in and of itself, but an indication that additional control precautions and/or practices may be necessary.

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

10. Records Retention: All records shall be recorded in a permanent form suitable for inspection by the Department upon request and shall be kept at the facility for a minimum of the most recent five (5) year period.

[Rules 62-4.070(3) and 62-210.300(3)(c)2.g., F.A.C.]

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

This section of the permit addresses the following emissions unit.

ID No.	Emission Unit Description
001	<p>This emission unit consists of a stationary drum mix asphalt concrete plant manufactured by Gencor Industries (Gencor 300 Ultraplant). The plant is allowed to produce a maximum of 300 tons/ hr., based on a daily average, and 475,000 tons per any consecutive 12-month period of asphalt concrete. The raw materials to the asphalt concrete plant may consist of recycle asphalt pavement (RAP). The plant’s dryer is fired with natural gas, new No. 2 through No. 6 fuel oil, or on-specification reclaimed fuel oil at a maximum design heat input rate of 68.2 MMBTU/hr. (based on 487 gallons/hour and 140,000 BTUs/gallon) The fuel oil is limited to a maximum sulfur content of 1.0% by weight. Particulate matter emissions from the asphalt concrete plant are controlled by a Gencor Ultraflow baghouse with a design airflow rate of 42,871 acfm and 25,197 dscfm. Associated with the asphalt concrete plant is an exempt (see Section 1 above) hot oil heater, which is used to heat liquid asphalt.</p> <p>The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of 40 CFR 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facilities, which is adopted by reference in Rule 62-204.800(8), F.A.C.</p> <p>The asphalt concrete plant is electrically powered, drawn from the overhead mains (not powered by a diesel generator).</p>

PERFORMANCE RESTRICTIONS

- A.1. Federal Regulatory Requirements: This emission unit is subject to the requirements of 40 CFR 60, Subpart I – Standards of Performance for Hot Mix Asphalt Facilities and the general provisions of 40 CFR 60, Subpart A, where applicable, which are adopted by reference in Rule 62-204.800(8), F.A.C.
[Rule 62-204.800(8), F.A.C.; 40 CFR 60, Subparts A and I]
- A.2. Permitted Capacity: This emission unit is limited to the following operating parameters:

Daily Average Maximum Production Rate of Hot Mix Asphalt Concrete (tons/hour)	Maximum Production of Hot Mix Asphalt Concrete (tons/any consecutive 12-month period)	Hours of Operation (hours/ any consecutive 12-month period)
300	475,000	8,760

[Rules 62-210.200 (“Potential to Emit”) and 62-210.300(3)(c)2., F.A.C.]

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

EMISSIONS STANDARDS

- A.3. Visible Emission (VE) Limit: Visible emissions from the asphalt concrete plant's baghouse shall not be equal to or greater than 20% opacity.
[40 CFR 60 Subpart I, 60.92(a)(2) and adopted by reference in Rule 62-204.800(8)(b), F.A.C.]
- A.4. Particulate Matter (PM) Limitation: Particulate emissions from the asphalt concrete plant's baghouse shall not exceed 0.04 grains per dry standard cubic foot averaged over a three (3) hour period.
(Permitting Note: Based on a design airflow rate of 25,197 dscfm and 8,760 hours/year of operation, the equivalent PM emissions are 8.64 lbs./hour and 37.84 tons/year)
[40 CFR 60 Subpart I, 60.92(a)(1) and adopted by reference in Rule 62-204.800(8)(b), F.A.C.]

TESTING REQUIREMENTS

- A.5. Initial Testing Requirements: The emissions unit shall be tested to demonstrate initial compliance with the emissions standards for particulate matter and visible emissions. The initial tests shall be conducted within 60 days after reaching the maximum permitted capacity, but no later than 180 days after its initial startup.
[40 CFR 60.8(a); Rules 62-4.070(3) and 62-204.800(8), F.A.C.]
- A.6. Compliance Tests After Initial Testing: During each federal fiscal year (October 1st to September 30th), the emissions unit shall be tested to demonstrate compliance with the emissions standards for particulate matter and visible emissions.
[Rule 62-210.300(3)(c)2.i., F.A.C.]
- A.7. Additional Emissions Testing Requirements: The facility shall comply with the following:
- A compliance test submitted when the dryer is fired with a natural gas will allow the dryer to be only fired with natural gas and up to a total of 400 hours on new No. 2, No. 3, No. 4, or No. 5 fuel oils, on-specification reclaimed fuel oil, or new No. 6 fuel oil. Within 30 days of exceeding the 400th hour of firing the dryer with new No. 2, No. 3, No. 4 or No. 5 fuel oils, on-specification reclaimed fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted when the dryer is fired with new No. 2, No. 3, No. 4 or No. 5 fuel oils, on-specification reclaimed fuel oil, or new No. 6 fuel oil.
 - A compliance test submitted when the dryer is fired with new No. 2 fuel oil will allow the dryer to be only fired with natural gas and new No. 2 fuel oil and up to 400 hours of firing new No. 3, No. 4 or No. 5 fuel oils, on-specification reclaimed fuel oil, or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400th hour of firing the dryer with new No. 3, No. 4 or No. 5 fuel oils, on-specification reclaimed fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with new No. 3, No. 4 or No. 5 fuel oils, on-specification reclaimed fuel oil, or new No. 6 fuel oil.
 - A compliance test submitted when the dryer is fired with new No. 3 fuel oil will allow the dryer to be only fired with natural gas and new No. 2 fuel oil, new No. 3 fuel oil, and up to 400 hours of firing new No. 4 or No. 5 fuel oil, on-specification reclaimed fuel oil, or new

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

No. 6 fuel oil. Within thirty (30) days of exceeding the 400th hour of firing the dryer with new No. 4 or No. 5 fuel oil, on-specification reclaimed fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with new No. 4 or No. 5 fuel oil, on-specification reclaimed fuel oil, or new No. 6 fuel oil.

- d. A compliance test submitted when the dryer is fired with new No. 4 fuel oil will allow the dryer to be only fired with natural gas, new No. 2, No. 3 fuel oil, new No. 4 fuel oil, and up to 400 hours of firing new No. 5 fuel oil, on-specification reclaimed fuel oil, or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400th hour of firing the dryer with new No. 5 fuel oil, on-specification reclaimed fuel oil, or new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with new No. 5 fuel oil, on-specification reclaimed fuel oil, or new No. 6 fuel oil.
- e. A compliance test submitted when the dryer is fired with new No. 5 fuel oil will allow the dryer to be only fired with natural gas, new No. 2, No. 3, No. 4 fuel oil, new No. 5 fuel oil, and up to 400 hours of firing on-specification reclaimed fuel oil or new No. 6 fuel oil. Within thirty (30) days of exceeding the 400th hour of firing the dryer with new on-specification reclaimed fuel oil or No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with on-specification reclaimed fuel oil or No. 6 fuel oil.
- f. A compliance test submitted when the dryer is fired with on-specification reclaimed fuel oil will allow the dryer to be fired with natural gas, new No. 2, No. 3, No. 4, No. 5 fuel oil, on-specification reclaimed fuel oil, and up to 400 hours of firing new No. 6 fuel oil. Within thirty (30) days of exceeding the 400th hour of firing the dryer with new No. 6 fuel oil, a new compliance test shall be conducted with the dryer being fired with new No. 6 fuel oil.
- g. A compliance test submitted when the dryer is fired with new No. 6 fuel oil will allow the dryer to be fired with natural gas, new No. 2, No. 3, No. 4 or No. 5 fuel oil, on-specification reclaimed fuel oil, or new No. 6 fuel oil.
- h. A compliance test submitted when processing RAP shall limit the plant to processing only RAP. If the plant is so limited, within thirty (30) days upon processing virgin materials (conventional hot mix asphalt), a new compliance test shall be conducted using only virgin materials.
- i. A compliance test submitted when processing only virgin materials shall also allow the plant to process RAP.

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

A.8. Test Requirements: Tests shall be conducted in accordance with the applicable requirements specified in Appendix D (Common Testing Requirements) of this permit.

[Rule 62-297.310(7)(a)9., F.A.C.]

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

A.9. Test Method(s): Required tests shall be performed in accordance with the following reference method(s).

Method(s)	Description of Method and Comments
1-4	Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content
5 or 5A	Determination of Particulate Matter Emissions from Stationary Sources
9	Visual Determination of the Opacity of Emissions from Stationary Sources

The above method(s) are described in Appendix A of 40 CFR 60 and are adopted by reference in Rule 62-204.800, F.A.C. No other method(s) may be used unless prior written approval is received from the Department.

[Rules 62-210.300(3)(c)2.i., 62-204.800, and 62-297.401, F.A.C.; Appendix A of 40 CFR 60]

NOTIFICATION REQUIREMENTS

A.10. Test Notification: The permittee shall comply with all of the following:

- a. For only the initial emission compliance tests, the permittee shall notify the Compliance Authority in writing at least 30 days prior to any performance tests. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and the telephone number of the person conducting the test.

{Permitting Note: The notification should also include the relevant emission unit ID No(s)., test method(s) to be used, and pollutants to be tested.}

[40 CFR 60.8(d) and Rule 62-4.070(3), F.A.C.]

- b. After the initial emission compliance tests, the permittee shall notify the Compliance Authority in writing at least 15 days prior to any tests. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and the telephone number of the person conducting the test.

{Permitting Note: The notification should also include the relevant emission unit ID No(s)., test method(s) to be used, and pollutants to be tested.}

[Rules 62-4.070(3) and 62-297.310(7)(a)9., F.A.C.]

A.11. Notification of Initial Startup: The permittee shall provide written notification to the Compliance Authority of the actual date of initial startup, postmarked within 15 days after such date.

[40 CFR 60.7(a)(3)]

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

RECORDS AND REPORTS

- A.12. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix D (Common Testing Requirements) of this permit. All test reports shall be submitted within 45 days of testing. The initial test reports shall also be submitted by the 180th day after initial startup. Include the following for the test period in the test report submittal*:
- a. facility name, facility ID, and Emission Unit number;
 - b. date;
 - c. production rate of hot mix asphalt concrete in tons/hour and whether RAP is used in the mix or not;
 - d. type and amount (cubic feet, gallons) of fuel burned;
 - e. fuel oil analysis of the sulfur content of the fuel oil used (if applicable);
 - f. on-specification reclaimed fuel oil analysis to document compliance with the on-specification reclaimed fuel oil limits (if applicable); and
 - g. a copy of the daily records for the day the test was conducted and the monthly records for the month the test was conducted as required by Specific Condition No. A.13.

* *Failure to submit this information may invalidate the test.*
[Rules 62-4.070(3) and 62-297.310(8), F.A.C.; 40 CFR 60.8(a)]

- A.13. Operation Records: In order to document continuing compliance with Specific Condition No. A.2., the following records shall be kept:

Daily:

- a. facility name, facility ID No., emission unit ID No., and description (i.e., Rainey Asphalt, LLC, 1190050, 1190050, EU No. 001, drum mix asphalt plant);
- b. date;
- c. total virgin asphalt concrete production (tons);
- d. total asphalt concrete containing RAP production (tons);
- e. total of both types (c. and d. above) of asphalt concrete production combined (tons);
- f. total hours of operation while producing asphalt concrete (including RAP);

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

- g. calculation of the daily average (tons/hour) production rate of asphalt concrete based on e. and f. above;

Monthly:

- h. facility name, facility ID No., emission unit ID No., and description (i.e., Rainey Asphalt, LLC, 1190050, 1190050, EU No. 001, drum mix asphalt plant);
- i. date (month/year);
- j. total tons of both types of asphalt concrete produced for the month (tons);
- k. most recent consecutive 12-month period total of asphalt concrete produced based on j. above ;
- l. total hours of operation for the month (hours/month); and
- m. most recent consecutive 12-month period total of hours of operation;

Daily records shall be completed within 3 business days and monthly records shall be completed by the end of the following month.

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

- A.14. Additional Fuel Oil Usage Recordkeeping: In order to determine compliance with Specific Condition No. A.7. the following records shall be kept:

- a. If the last dryer compliance test was conducted while the dryer was fired with natural gas, the permittee shall keep a daily record of dryer's operating hours while firing new No. 2, No. 3, No. 4, or No. 5, on-specification reclaimed fuel oil, or new No. 6 fuel oil, along with a cumulative total of fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using fuel oil in the dryer since the last compliance test exceeds 400 hours, then additional compliance testing is required (see Specific Condition No. A.7.a).}
- b. If the last dryer compliance test was conducted while the dryer was fired with new No. 2 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 3, No. 4, No. 5, on-specification reclaimed fuel oil, or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.7.b).}
- c. If the last dryer compliance test was conducted while the dryer was fired with new No. 3 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 4, No. 5, on-specification reclaimed fuel oil, or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test.

SECTION 4. EMISSIONS UNIT SPECIFIC CONDITIONS (DRAFT)

Emission Unit No. 001 – Drum Mix Asphalt Concrete Plant

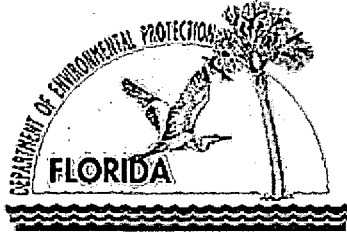
{Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.7.c.)}

- d. If the last dryer compliance test was conducted while the dryer was fired with new No. 4 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 5, on-specification reclaimed fuel oil, or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.7.d.)}

- e. If the last dryer compliance test was conducted while the dryer was fired with new No. 5 fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing on-specification reclaimed fuel oil or new No. 6 fuel oil, along with a cumulative total of these fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.7.e.)}

- f. If the last dryer compliance test was conducted while the dryer was fired with on-specification reclaimed fuel oil, the permittee shall keep a daily record of dryer's operating hours while firing new No. 6 fuel oil, along with a cumulative total of new No. 6 fuel oil operating hours since the last dryer compliance test. {Note: When the operating hours of using these fuel oils in the dryer since the last compliance test exceed 400 hours, then additional compliance testing is required (see Specific Condition No. A.7.f.)}

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



**TECHNICAL EVALUATION
&
PRELIMINARY DETERMINATION**

APPLICANT

Rainey Asphalt, LLC
4477 East CR 462
Wildwood, FL 34785

Wildwood Plant #1

Facility ID No. 1190050

PROJECT

Project No. 1190050-001-AC
Application for Minor Air Construction Permit
Project Name: Asphalt Concrete Plant

COUNTY

Sumter, Florida

PERMITTING AUTHORITY

Florida Department of Environmental Protection
Air Resource Management
Southwest District Office
Temple Terrace, Florida 33637-7600

December 7, 2009

Prepared by Jim McDonald

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

GENERAL PROJECT INFORMATION

Air Pollution Regulations

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following applicable chapters: 62-4 (Permits); 62-204 (Air Pollution Control - General Provisions); 62-210 (Stationary Sources - General Requirements); 62-212 (Stationary Sources - Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources - Emissions Monitoring). Specifically, air construction permits are required pursuant to Rules 62-4, 62-210 and 62-212, F.A.C.

In addition, the U. S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

Glossary of Common Terms

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of this permit.

I. Project Description:

A. Applicant:

Mr. Ike Rainey, Manager
Rainey Asphalt, LLC
4477 East CR 462
Wildwood, FL 34785

B. Professional Engineer:

Mr. Edward Abshier, P.E.
Abshier Engineering Inc.
5614 SE 111th Street
Bellevue, FL 34420

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

C. Project Location:

4477 East CR 462

D. Project Summary:

For the construction of an asphalt concrete plant as further described in the permit.

E. Application Information:

Application Received on: November 9, 2009
 Additional Information Requested on: N/A
 Additional Information Received on: N/A
 Application Complete: November 9, 2009

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes and Chapters 62-204 through 62-297, Florida Administrative Code (F.A.C.), as indicated below.

Subject to:	Y/N	Comments
Rule 62-210.300, F.A.C. - Project Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C.	Y	Not exempt from general permitting requirements
Rule 62-212.400, F.A.C. - Prevention of Significant Deterioration	N	facility is not a PSD major source
Rule 62-296.320(4), F.A.C. - General Particulate Emission Limiting Standards	Y	facility is a source of unconfined particulate matter emissions
Rules 62-296.320(1) and (2), F.A.C. - General Pollutant Emission Limiting Standards (VOCs and Odor)	Y	facility is a source of VOC and odors
Rule 62-296.400, F.A.C. - Stationary Source Emission Standards	N	there is no applicable source category
Rule 62-296.500, F.A.C. - Reasonably Available Control Technology (VOC)	N	Sumter County is an attainment area for ozone
Rule 62-296.700, F.A.C. - Reasonably Available Control Technology (PM)	N	facility located in a county where PM RACT is not applicable
Rule 62-204.800, F.A.C. - Standards of Performance for New Stationary Sources (NSPS)	Y	Facility is subject to 40 CFR 60, Subpart I
Rule 62-204.800, F.A.C. National Emission Standard for Hazardous Air Pollutants	N	there is no applicable source category

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Subject to:	Y/N	Comments
(NESHAPS - 40 CFR 61)		
Rule 62-204.800, F.A.C. National Emission Standard for Hazardous Air Pollutants for Source Categories a.k.a. MACT (NESHAPS - 40 CFR 63)	N	There is no applicable source category
Chapter 62-213, F.A.C. - Operation Permits for Major Sources of Air Pollution	N	facility is a synthetic non-Title V source
Rule 62-297.310, F.A.C. - General Compliance Test Requirements, F.A.C.	Y	VE and PM testing is required for EU No. 001

III. Summary of Emissions

Pollutant	EU No. or Source	Potential Emissions			Allowable Emissions		
		gr/dscfm	lbs/hr.	tpy	gr/dscfm	lbs/hr.	tpy, opacity
PM	001	0.04	8.64	37.84	0.04	n/a	n/a
	Fugitive	n/a	n/a	4.57	n/a	n/a	n/a
	Facility Total	0.04	8.64	42.41		n/a	
VOC	001	n/a	9.60	7.6		n/a	
	Facility Total	n/a	9.60	7.6		n/a	
NOx	001	n/a	16.50	13.06		n/a	
	Facility Total	n/a	16.50	13.06		n/a	
SO2	001	n/a	41.38	70.45		n/a	
	Facility Total	n/a	41.38	70.45		n/a	
CO	001	n/a	39.00	30.88		n/a	
	Facility Total	n/a	39.00	30.88		n/a	
HCl ^a	Facility Total	n/a	n/a	4.0		n/a	
VE	001						<20

^a Based on burning 1.2 million gallons of on -specification reclaimed fuel oil at 1,000 ppm total halogens and considering all halogens are converted to HCl which is a HAP.

IV. Conclusions

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204 through 297, 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.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

V. Preliminary Determination

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. Additional details of this analysis may be obtained by contacting the project engineer at the Florida Department of Environmental Protection Air Resource Management, Southwest District 13051 North Telecom Parkway, Temple Terrace, Florida 33637-7600.

Pursuant to Section 403.087, Florida Statutes and Section 62-4.070, 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).



Florida Department of Environmental Protection

Southwest District
13051 N. Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

P.E. CERTIFICATE STATEMENT

PERMITTEE
Rainey Asphalt, LLC

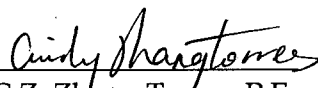
Air Permit No. 1190050-001-AC
Sumter County

Project Type: AC1C

Project Description: for the construction of a new drum mix asphalt concrete plant.

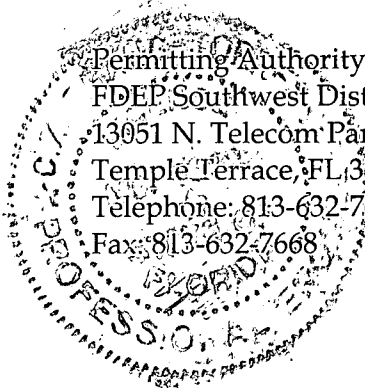
The Department's full review of the project and rationale for issuing the draft permit is provided in the Technical Evaluation and Preliminary Determination.

I HEREBY CERTIFY that the air pollution control 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 meteorological features).


C.Z. Zhang-Torres, P.E.
License Number: 58222

12/17/09
Date

Permitting Authority:
FDEP Southwest District
13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926
Telephone: 813-632-7600
Fax: 813-632-7668



Proof of Publication

from the
SUMTER COUNTY TIMES
Bushnell, Sumter County, Florida
PUBLISHED WEEKLY

STATE OF FLORIDA
COUNTY OF SUMTER

Before the undersigned authority personally appeared

Mary Ann Naczi

Of the Sumter County Times, a newspaper published weekly at Bushnell, in Sumter County, Florida, that the attached copy of advertisement being a public notice in the matter of the

648-1231 SCT PUBLIC NOTICE PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT Florida Department of Environmental Protection Air Resource Management, Southwest District Office Draft Minor Air Construction Permit Project No. 1190050-001-AC Rainey Asphalt, LLC, W

Court, was published in said newspaper in the issues of December 31st, 2009,

Affiant further says that the Sumter County Times is a Newspaper published at Bushnell in said Sumter County, Florida, and that the said newspaper has heretofore been continuously published in Sumter County, Florida, each week and has been entered as second class mail matter at the post-office in Bushnell in said Sumter County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she 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 the said newspaper.

Mary Ann Naczi

The forgoing instrument was acknowledged before me

This 31st day of Dec 2009

By: Mary Ann Naczi

who is personally known to me and who did take an oath.

Deborah L. McPherson

Notary Public

DEBORAH L. MC PHERSON
Comm# DD0833193
Expires 10/22/2012
Florida Notary Assn., Inc

648-1231 SCT

PUBLIC NOTICE

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT
Florida Department of Environmental Protection
Air Resource Management, Southwest District Office
Draft Minor Air Construction Permit
Project No. 1190050-001-AC
Rainey Asphalt, LLC, Wildwood Plant #1
Sumter County, Florida

Applicant: The applicant for this project is Rainey Asphalt, LLC. The applicant's authorized representative and mailing address is: Mr. Ike Rainey, Manager, Rainey Asphalt, LLC, 4477 East CR 462, Wildwood, Florida, 34785.

Facility Location: Rainey Asphalt, LLC proposes to construct an asphalt concrete plant to be located in Sumter County at 4477 East CR 462 in Wildwood, Florida.

Project: This project is for the construction of a stationary drum mix asphalt concrete plant. The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2., F.A.C. and the requirements of Title 40, Code of Federal Regulations, Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities.

Permitting Authority: Applications for air construction and operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Management Section in the Southwest District Office. The Permitting Authority's physical address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's mailing address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's telephone number is 813/632-7600.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mall Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 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 (in a proceeding initiated by another party) 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.

ated by another party) 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 Permitting Authority'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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority'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 Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Published one (1) time in the Sumter County Times, Dec. 31, 2009.

Dept. Of Environmental Protection

JAN 13 2010

Southwest District

McDonald, Jim

From: Edward Abshier [eabshier1@cfl.rr.com]
Sent: Wednesday, January 06, 2010 9:36 AM
To: McDonald, Jim
Subject: Rainey Asphalt Plant Proof of Publication
Attachments: Proof of Publication.pdf

Jim,

Attached is a scan on the proof of publication for the Rainey Asphalt Plant. Let me know what else you need.

Ed

Proof of Publication

from the
SUMTER COUNTY TIMES
Bushnell, Sumter County, Florida
PUBLISHED WEEKLY

STATE OF FLORIDA
COUNTY OF SUMTER

Before the undersigned authority personally appeared

Mary Ann Naczi

Of the Sumter County Times, a newspaper published weekly at Bushnell, in Sumter County, Florida, that the attached copy of advertisement being a public notice in the matter of the

648-1231 SCT PUBLIC NOTICE PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT Florida Department of Environmental Protection Air Resource Management Southwest District Office Draft Minor Air Construction Permit Project No. 1190050-001-AC Rainey Asphalt, LLC, W

Court, was published in said newspaper in the issues of December 31st, 2009.

Affiant further says that the Sumter County Times is a Newspaper published at Bushnell in said Sumter County, Florida, and that the said newspaper has heretofore been continuously published in Sumter County, Florida, each week and has been entered as second class mail matter at the post office in Bushnell in said Sumter County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he/she 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 the said newspaper.

Mary Ann Naczi
The forgoing instrument was acknowledged before me

This 31st day of Dec 2009

By: Mary Ann Naczi

who is personally known to me and who did take an oath.

Deborah L. McPherson

Notary Public

DEBORAH L. MC PHERSON
Comm# DD0833193
Expires 10/22/2012
Florida Notary Assn., Inc

648-1231 SCT

PUBLIC NOTICE

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT
Florida Department of Environmental Protection
Air Resource Management, Southwest District Office
Draft Minor Air Construction Permit
Project No. 1190050-001-AC
Rainey Asphalt, LLC, Wildwood Plant #1
Sumter County, Florida

Applicant: The applicant for this project is Rainey Asphalt, LLC. The applicant's authorized representative and mailing address is: Mr. Ike Rainey, Manager, Rainey Asphalt, LLC, 4477 East CR 462, Wildwood, Florida 34785.

Facility Location: Rainey Asphalt, LLC proposes to construct an asphalt concrete plant to be located in Sumter County at 4477 East CR 462 in Wildwood, Florida.

Project: This project is for the construction of a stationary drum mix asphalt concrete plant. The asphalt concrete plant is subject to Rule 62-210.300(3)(c)2, F.A.C. and the requirements of Title 40, Code of Federal Regulations, Part 60, Subpart I - Standards of Performance for Hot Mix Asphalt Facilities.

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initiated by another party) 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 upon which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file 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 explanation of how the petitioner's substantial right will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact, there are none, the petition must so state; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the 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 Permitting Authority'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 Permitting Authority's final action will be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application: the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Published one (1) time in the Sumter County Times, Dec. 31, 2009.