

In the Matter of an  
Application for Permit:

Pan American Construction Company-APAC Florida  
7600 NW 69<sup>th</sup> Avenue  
Medley, Florida 33166

FID No.: 7770010  
Permit No.: 7770010-005-AC  
SIC No.: 32  
Expires: *December 31, 2006*

**NOTICE OF FINAL AIR CONSTRUCTION PERMIT**

Enclosed is the Final Air Construction Permit, No. 7770010-005-AC, for a relocatable drum mix plant, that will be operated at sites in those counties throughout Florida as designated in Appendix PC. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

*C.H. Fancy*  
C.H. Fancy, P.E., Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the final permit) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 1/31/02 to the person(s) listed:

Mr. John D. Parker \*, Vice President, Pan American Construction Company-APAC Florida  
H. Patrick Wong, Dade County Department of Environmental Resources Management

Clerk Stamp

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

*Barbara J. Friday* 1/31/02  
(Clerk) (Date)

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:  
 Mr. John D. Parker  
 Vice President  
 Pan American Construction Company  
 APAC Florida  
 7600 NW 69th Avenue  
 Medley, Florida 33166

2. Article Number (Copy from service label)  
 7000 0520 0020 9371 2622

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) \_\_\_\_\_ B. Date of Delivery 2/4/05  
 C. Signature [Signature]  Agent  
 Addressee  
 D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

**U.S. Postal Service  
 CERTIFIED MAIL RECEIPT  
 (Domestic Mail Only; No Insurance Coverage Provided)**

7000 0520 0020 9371 2622

Mr. John D. Parker, Vice President

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
 Here

Recipient's Name (Please Print Clearly) (To be completed by mailer)  
 Mr. John D. Parker, Vice President  
 Street, Apt. No., or PO Box No.  
 7600 NW 69th Avenue  
 City, State, ZIP+4  
 Medley, Florida 33166

**Final Determination**

**Pan American Construction Company-APAC Florida**

**Relocatable Asphalt Plant and Associated Equipment**

**Permit No.: 7770010-005-AC**

**I. Public Notice.**

An "INTENT TO ISSUE AIR CONSTRUCTION PERMIT" to Pan American Construction Company-APAC Florida, 7600 NW 69<sup>th</sup> Avenue, Medley, Dade County, Florida 33166, for a relocatable asphalt plant and associated equipment, was clerked on December 4, 2001. The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT" was published in The Miami Herald on December 10, 2001. The Draft Air Construction Permit was available for public inspection at all of the Department's District offices, seven (7) Local Program offices (Broward, Dade, Duval, Hillsborough, Orange, Palm Beach, Pinellas and Sarasota Counties), and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT" was received on December 14, 2001.

**II. Public Comment(s).**

There were no comments received during the Public Notice period.

**III. Conclusion.**

The permitting authority will issue the final air construction permit, No. 7770010-005-AC, with no changes noted.

**State of Florida**  
**Department of Environmental Protection**

**Memorandum**

TO	Howard Rhodes
THRU	Scott Sheplak <i>sm</i>
FROM	Bruce Mitchell <i>BM</i>
DATE	January 7, 2002
SUBJECT	Pan American Construction Company Relocatable Asphalt Plant and Associated Equipment Air Construction Permit: 7770010-005-AC (Facility ID: Formerly 0250010)
Day 90	February 3, 2002

This air construction permit is for a relocatable drum mix asphalt plant, presently located in Miami, Dade County, Florida. The relocatable drum mixer asphalt plant is a minor facility, since the applicant requested to be permitted under the conditional exemption provided at Rule 210.300(3)(c)1., F.A.C. The applicant requested permission to use "on spec" used oil for heating; and, appropriate permit conditions have been included to limit heavy metals, sulfur and PCBs. Process particulate matter emissions from the dryer/mixer operation are controlled by a cyclone and a baghouse.

Unconfined fugitive particulate matter emissions from the aggregate handling process and crusher unit operation will be controlled by a water spray dust suppression system; and, unconfined fugitive non-process particulate emissions from the roadways, stockpiles and work-yard, will be controlled by watering and/or application of some effective dust suppressant(s).

I recommend that the attached Air Construction Permit be signed.



Jeb Bush  
Governor

# Department of Environmental Protection

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

## PERMITTEE

Mr. John D. Parker, Vice President  
Pan American Construction Company-APAC Florida  
7600 NW 69<sup>th</sup> Avenue  
Medley, Florida 33166

FID No.: 7770010  
Permit No.: 7770010-005-AC  
SIC No.: 2951  
Expires: December 31, 2006  
Project: Relocatable Asphalt Plant No. 6

## AUTHORIZED REPRESENTATIVE

Mr. John Parker, Vice President

## PROJECT

This permit allows the applicant to construct a relocatable drum mix asphalt concrete plant, which will include a crusher/screener operation.

## STATEMENT OF BASIS

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297. The above named permittee is authorized to construct the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

## APPENDICES

The attached appendices are a part of this permit:

Appendix GC – General Permit Conditions  
Appendix PC – Permitted Counties

Howard L. Rhodes, Director  
Division of Air Resources Management

**SECTION II. FACILITY DESCRIPTION**

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**FACILITY DESCRIPTION**

Pan American Construction Company-APAC Florida plans to construct a 300 TPH counter flow drum mix asphalt plant with a Haucks Ecostar II-125 burner. The asphalt plant includes an AutoPulse2 Model SAF 4800 high temperature baghouse system, a 2.1 MMBTU/hr fuel oil and asphalt cement heating system, and provisions for a relocatable crusher, with associated vibrating screen, conveyors and hoppers. The facility will stockpile fine and coarse aggregate and recycled asphalt pavement (RAP). It may, from time to time, crush off specification stone or recycled concrete aggregates. The asphalt plant burner will be allowed to fire new and/or "on-specification" used fuel oil(s) (No. 5 or lighter), with a maximum sulfur content limit of 1.0%, by weight, propane and natural gas. The liquid asphalt heating system will be allowed to fire natural gas, propane, and new No. 2 fuel oil, with a maximum sulfur content limit of 0.5%, by weight. Any internal combustion engines are allowed to burn only new No. 2 diesel fuel oil, or better. The mechanical aspects of the asphalt plant are run by electric motors using commercial grid power. The crushing unit has a 300 tons per hour capacity, and will be limited to a maximum throughput of 250,000 tons in any consecutive twelve-month period. The crusher/screener unit may be provided by the owner or a contractor and shall operate under this permit while on site with this asphalt plant. Water sprays shall be used to control fugitive particulate matter emissions from stockpiles and unpaved roads, as needed.

**REGULATORY CLASSIFICATION**

This facility is subject to regulations under 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities; 40 CFR 60, Subpart OOO, Standards of Performance for Non-metallic Mineral Processing Plants; Rule 62-210.300(3)(c)1., F.A.C., Conditional Exemption for Asphalt Concrete Plants; and, Rule 62-296.704, F.A.C., Asphalt Concrete Plants. The drum mixer asphalt heating system is regulated under Rule 62-210.300, F.A.C., Permits Required.

**RELEVANT DOCUMENTS**

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

- o Application for an air construction permit received October 25, 2001.
- o Revised application for an air construction permit and processing fee received November 5, 2001.
- o Additional information received November 5, 2001, via the Fax.

**PERMITTED COUNTIES**

Please see Appendix PC - Permitted Counties for a list of counties in which the facility is currently permitted to operate.

**OPERATING LOCATION**

The facility will begin initial construction/operation at: 12201 NW 41<sup>st</sup> Street, Miami, Dade County, Florida, with UTM coordinates: Zone 17; 560.95 km East; and, 2854.89 km North.

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

The following Specific Conditions apply:

## ADMINISTRATIVE

1. Regulating Agencies: All documents relating to the initial application for a permit to operate and all initial compliance tests shall be submitted to the Department's Bureau of Air Regulation in Tallahassee. Subsequent applications for permit renewals, reports, tests, minor modifications, and notifications shall be submitted to the district office or local program that has permitting/compliance jurisdiction over the current or proposed operating location.
2. General Conditions: In addition to the specific conditions of this permit, the owner and operator are subject to and shall operate under the General Permit Conditions G.1 through G.15, contained in the attached Appendix GC - General Permit Conditions. General Permit Conditions are binding and enforceable pursuant to Chapter 403, Florida Statutes (F.S.).  
[Rule 62-4.160, F.A.C.]
3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code (F.A.C.).
4. Forms and Application Procedures: The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C., and follow the application procedures in Chapter 62-4, F.A.C.  
[Rule 62-210.900, F.A.C.]
5. Extension of Expiration Date: This air construction permit shall expire five years from date of issue. The permittee may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least 60 days prior to the expiration date of the permit and shall include the appropriate processing fee.  
[Rules 62-210.300(1), 62-4.050, 62-4.070(4) and 62-4.210, F.A.C.]
6. Notification of Intent to Relocate: An air permit for a relocatable facility shall be amended upon each change of location of the facility. The owner or operator of the facility must submit a Notification of Intent to Relocate Air Pollutant Emitting Facility [DEP Form No. 62-210.900(6)] to the Department's District office and/or, if appropriate, the local program office, at least seven (7) days prior to the change, if the facility would be relocated to a county in which public notice of the proposed operation of the facility had been given within the previous five years pursuant to Rule 62-210.350(1), F.A.C., or otherwise thirty (30) days prior to the change. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated.  
The notification shall be submitted to the Department's District office and any approved local program office using DEP Form No. 62-210.900(6), along with the appropriate processing fee, and a USGS topographic map showing all potential sites in such county.  
[Rule 62-210.370(1), F.A.C.]
7. Additional Public Notice: The Department, or its District and designated local permitting authorities, may require additional public notice at the time of renewal or revision of this construction, or any operating permit, if the facility is materially changed from that described in this permit. Additional public notices may be required by zoning and land use authorities that are not contemplated by this permit.  
[Rule 62.210.350(4)(a), F.A.C.]
8. Operation Permit Required: This permit authorizes construction and/or installation of the permitted emissions unit and initial operation for testing purposes in order to determine compliance with Department rules. An operation permit is required for continued commercial operation of the permitted emissions units. The owner or operator shall timely apply for and receive an operation permit prior to expiration of this permit. To apply for an operation permit, the applicant shall submit the appropriate application fee and, in quadruplicate, the appropriate application form, a certification that construction was completed with a notation of any deviations from the conditions in the construction permit, compliance test results, and such additional information as the Department may by law require. A copy of the compliance test results must be submitted to the Department's Tallahassee office, as well as the District office or local program that has compliance jurisdiction over the location where the test took place.  
[Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2), F.A.C.]

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

9. Applicable Regulations: Unless otherwise indicated 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.; Chapters 62-4, 62-204, 62-210, 62-296 and 62-297, F.A.C.; and, the Code of Federal Regulations Title 40, Parts 60 and 61, adopted by reference in Chapter 62-204, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting regulations.  
[Rules 62-204.800 and 62-210.300, F.A.C.]

## EMISSION LIMITING STANDARDS

10. General Visible Emissions Standard: Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions elsewhere in this permit, no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20% opacity). If a special compliance test is required, the test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.  
[Rule 62-296.320(4)(b)1., F.A.C.]
11. Unconfined Emissions of Particulate Matter:
- (a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.
  - (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
  - (c) Reasonable precautions committed to by the permittee:
    - Paving and maintenance of roads, parking areas and yards.
    - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
    - Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stockpiles and similar activities.
    - Removal of particulate matter from roads or other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
    - Landscaping or planting of vegetation.
    - Use of hoods, fans, filters and similar components to contain, capture, and/or vent particulate matter.
    - Confining abrasive blasting where possible.
    - Enclosure or covering of conveyor systems.
    - Substitution of powdery materials with granular or pelletized materials, where possible.
  - (d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.  
[Rule 62-296.320(4)(c), F.A.C.]
12. General Pollutant Emission Limiting Standards:
- (a) No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.  
Such controls include:
    - Tightly close all VOC containers when they are not in use.
    - Tightly cover all open tanks, which contain VOC's when they are not in use.
    - Maintain all piper, valves, fittings, etc, which handle VOC's in good condition.
    - Immediately confine and clean up all VOC spills and make sure that wastes are placed in closed containers for reuse, recycling or proper disposal.
 [Note: Nothing was deemed necessary at the time of issuance.]



SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

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- (b) No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Note: An objectionable odor is defined in Rule 62-210.200(198), F.A.C., as 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 62-296.320(1)(a) & (2), F.A.C.]

**OPERATIONAL REQUIREMENTS**

13. Modifications: No emissions unit or facility subject to this rule shall be constructed or modified without obtaining an air construction permit from the Department. Such permit must be obtained prior to the beginning of construction or modification.

[Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

14. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department's District office and, if applicable, appropriate local program. The notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.

[Rule 62-4.130, F.A.C.]

15. Circumvention: No person shall circumvent any air pollution control device or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

**REPORTING AND RECORDKEEPING REQUIREMENTS**

16. Annual Operating Report for Air Pollutant Emitting Facility: The owner or operator shall submit an Annual Operating Report for Air Pollutant Emitting Facility (DEP Form 62-210.900(5)) to the Department annually pursuant to Rule 62-210.370(3), F.A.C.

[Rules 62-210.300(3)(c)1. and 62-210.370(3), F.A.C.]

SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

The following Specific Conditions apply to the following emissions units/points/activities after construction:

EMISSIONS UNIT/POINT/ACTIVITY	DESCRIPTION
001	300 TPH relocatable drum mix asphalt plant w/Haucks burner and baghouse <sup>1</sup>
002	Oil Heating System at 2.1 MMBTU/hr Heat Input
003	Aggregate Conveyors and Scalper
004	Fugitive Emissions from Paved and Unpaved Roads
005	Fugitive Emissions from Conveyors and Stockpiles
006	Relocatable Crusher/Screening Unit Operation

<sup>1</sup> The volumetric flow rate is stated to be 40,000 dscfm (application received 11/01/2001).

ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS.

1. Hours of Operation: The asphalt plant, oil heating system, and crusher/screening unit operation are allowed to operate continuously (8760 hours per calendar year).  
[Rule 62-210.200, F.A.C., Definitions-Potential to Emit (PTE); and, applicant requested]
2. Permitted Capacity: The asphalt plant is allowed to process a maximum of 300 TPH and 500,000 tons in any consecutive twelve-month period of asphaltic concrete hot mix (total). The crusher/screening unit operation is allowed to process a maximum of 300 TPH and 250,000 tons in any consecutive twelve-month period of RAP or other aggregate.  
[Rules 62-210.300(3)(c)(1) and 62-210.200, F.A.C., Definitions-PTE; and, applicant requested]
3. Fuel Limitation: The asphalt plant and associated unit operations are allowed to burn a maximum of 1.2 million gallons of fuel oil in any consecutive twelve-month period. The asphalt plant's drum dryer is allowed to burn new and/or "on-specification" used fuel oil(s) (No. 5 or lighter), propane, and natural gas. The liquid asphalt heating system is allowed to fire natural gas, propane, and new No. 2 fuel oil. Any internal combustion engines are allowed to burn only new No. 2 diesel fuel oil, or better.  
[Rules 62-210.300(3)(c)(1) and 62-210.200, F.A.C., Definitions-PTE; and, applicant requested]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

4. Particulate Matter: Particulate matter emissions from the hot mix drum's baghouse stack shall not exceed 0.04 gr/dscf averaged over a three hour period. Reasonable precautions shall be taken to eliminate any emissions from the drum mixer collar or ductwork between the mixer and the baghouse.  
[40 CFR 60.92; and, Rule 62-210.300(3)(c)1., F.A.C.]
5. Visible Emissions:
  - a. Asphalt Drum Dryer. Visible emissions from the hot mix drum dryer stack and any screening operation shall not be equal to or greater than 20 percent opacity.
  - b. Relocatable Crusher/Screening Operation. Visible emissions from the crusher operation that uses no capture system shall not exceed 15 percent opacity. Visible emissions from any transfer point on belt conveyors or from any other affected facility (e.g., screens) shall not exceed 10 percent opacity. When operating within a particulate matter air quality maintenance area where more stringent visible emissions standards apply (see below), then the more stringent limit takes precedence.  
[40 CFR 60.92; and, Rule 62-210.300(3)(c)1., F.A.C.]

(1) In Hillsborough County: The following area is designated as an air quality maintenance area for particulate matter:

That portion of Hillsborough County which falls within the area of the circle having a centerpoint at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers.

(a) When operating in Hillsborough County, the permittee shall not cause, permit, or allow any visible emissions (five percent opacity). This includes, but is not limited to any receiving hopper, crusher, screener, mixer, heater, belt conveyor and truck loading/unloading.

[Rule 62-204.340, F.A.C.; Rule 1-3.61, Rules of the Environmental Protection Commission of Hillsborough County]

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

(2) **In Jacksonville/Duval County:** The following area is designated as an air quality maintenance area for particulate matter:

The downtown Jacksonville area in Duval County located within the following boundary lines: south and then west along the St. Johns River from its confluence with Long Branch Creek, to Main Street; north along Main Street to Eighth Street; east along Eighth Street to Evergreen Avenue; north along Evergreen Avenue to Long Branch Creek; and east along Long Branch Creek to the St. Johns River. Including any emissions unit of unconfined particulate matter which is located [at or within] fifty kilometers outside the boundary of a particulate matter air quality maintenance area.

(b) When operating in Duval County, the permittee shall not cause, permit, or allow any visible emissions (five percent opacity). This includes, but is not limited to any receiving hopper, crusher, screener, mixer, heater, belt conveyor and truck loading/unloading.

[Rule 62-204.340, F.A.C.; and, Rule 2.201, Jacksonville Environmental Protection Board]

6. **Fuel Sulfur Content Limit:** Fuel oil burned in the asphalt dryer, whether new or used, shall not contain more than 1.0 percent sulfur content, by weight. The liquid asphalt heating system is allowed to fire new No. 2 fuel oil having a maximum sulfur content limit of 0.5%, by weight.

[Rules 62-210.300(3)(c)(1), 62-4.070(3) and 62-210.200, Definitions - PTE, F.A.C.]

7. **Excess Emissions:** The following excess emissions provisions can not be used to vary any NSPS requirements (from any subpart of 40 CFR 60).

(a) Excess emissions resulting from start-up, shutdown or malfunction of any emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

(b) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

8. **Unconfined Emissions of Particulate Matter:**

(a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

(b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.

(c) Reasonable precautions committed to by the permittee:

- Unconfined fugitive particulate matter emissions that might be generated from various emission points throughout the crushing operation shall be controlled by a water suppression system with spray bars located at the various emissions points of the operation including, but not limited to, feeders, the entrance and exit of the crusher, the classifier screens and conveyor drop points.
- All stockpiles, roadways and work-yard, where this crushing operation is located, shall apply water (by water trucks equipped with spray bars) and/or an effective dust suppressant(s) on a regular basis to control any unconfined fugitive particulate matter emissions that may be generated by vehicular traffic or prevailing winds.
- All conveyor drop points shall be fitted with tremmies or chutes to minimize the entrainment of dust by prevailing winds.

(d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

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

SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

USED OIL LIMITATIONS

9. Used Oil. The burning of on-specification used oil is allowed in this emissions unit in accordance with all other conditions of this permit and the following conditions:
- a. On-specification Used Oil Emissions Limitations: This emissions unit is permitted to burn "on-specification" used oil, which contains a PCB concentration of less than 50 ppm. "On-specification" used oil is defined as used oil that meets the specifications of 40 CFR 279 - Standards for the Management of Used Oil, listed below. "Off-specification" used oil shall not be burned. Used oil, which fails to comply with any of these specification levels, is considered "off-specification" used oil.

CONSTITUENT/PROPERTY	ALLOWABLE LEVEL
Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Total Halogens	1000 ppm maximum
Flash point	100 degrees F minimum

- b. Quantity Limited: The maximum quantity of used oil that may be burned by the asphalt plant is 1.2 million gallons in any consecutive 12-month period.
- c. PCB Limitation: Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.
- d. Operational Requirements: On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown. Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to less than 50 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device and must identify the class of combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities shall be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400.

[40 CFR 279.61 and 761.20(e)]

10. Used Oil Certification Required: The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results. **Used oil to be burned for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the used oil fuel does not contain quantifiable levels of PCBs.** Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

[40 CFR 761.20]

11. Used Oil Testing Required: If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:
- (a) Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs\*, percent sulfur content by weight, ash, and BTU value (BTU per gallon).

SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

- (b) Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.
- (c) Analysis for PCBs is not required for each lot of on spec fuel, if the vendor certifies that the used oil does not contain quantifiable levels of PCBs. If the owner or operator relies on certification from the vendor as described above, the owner or operator shall, at a minimum, for each calendar quarter, sample one load of used oil received, selected at random by the owner or operator, and analyze the sample for the above parameters. If the analytical results show that the used oil **does not meet** the specification for on-specification used oil, or that it contains a PCB concentration of **50 ppm or greater**, the owner or operator shall:
  - a. immediately notify the appropriate District or local program office;
  - b. provide the analytical results for the above parameters; and,
  - c. indicate the proposed means of disposal of the used oil.

[Rule 62-4.070(3), F.A.C.; 40 CFR 279; and, 40 CFR 761]

12. Used Oil Recordkeeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department:
- (a) The gallons of on-specification used oil received and burned each month. This record shall be completed no later than the fifteenth day of the succeeding month.
  - (b) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. This record shall be completed no later than the fifteenth day of the succeeding month.
  - (c) The name and address of all marketers delivering used oil to the facility.
  - (d) Copies of the marketer certifications, if obtained, and any supporting information.
  - (e) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
  - (f) Results of the analyses required above.
  - (g) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
  - (h) The total amount of lead emitted from burning used oil each month (calculated from the amount burned, the specific gravity of the used oil and the concentration of lead in the used oil), and the total amount of lead emitted in the preceding consecutive 12-month period. This record shall be completed no later than the fifteenth day of the succeeding month.

[Rule 62-4.070(3), F.A.C.; 40 CFR 279.61; and, 40 CFR 761.20(e)]

13. Used Oil Reporting Required: The owner or operator shall submit to the appropriate District or local program, within thirty days of the end of each calendar quarter, the analytical results and the total amount of on-specification used oil received and burned during the quarter.

[Rule 62-4.070(3), F.A.C.; 40 CFR 279; and, 40 CFR 761]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

14. Test Frequency: Prior to obtaining an operation permit for this facility, the owner or operator shall conduct visible emissions and particulate matter emissions compliance tests to demonstrate compliance with the standards of this permit. Subsequent compliance testing shall be in accordance with Rule 62-297.310(7)(a)4., F.A.C.

[Rules 62-297.310(7)(a)1. and 62-297.310(7)(a)4., F.A.C.]

- (a) The owner or operator of the facility shall conduct visible emissions tests annually during each federal fiscal year (October 1 – September 30).

[Rules 62-210.300(3)(c)1. and 62-297.310(7)(a)4.a., F.A.C.]

- (b) The owner or operator shall conduct an initial particulate matter emissions test that demonstrates compliance with the standards of this permit and prior to obtaining a renewed operation permit (i.e., once every five years, unless otherwise requested by the Department pursuant to Rule 62-297.310(7)(b), F.A.C.).

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

15. Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.

[Rule 62-297.310(2), F.A.C.]

16. Testing Requirements for Initial and Subsequent Compliance Testing: The owner or operator shall determine compliance with the particulate matter emissions and visible emissions standards, as follows:
- EPA Method 5 or 5A shall be used to determine the particulate matter concentration in accordance with 40 CFR 60, Appendix A. The sampling time and sampling volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf), respectively.
  - EPA Method 9 and the procedures of 40 CFR 60.11 shall be used to determine opacity.
  - Calculation of Emission Rate: The indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule.
- [40 CFR 60.93; and, Rule 62-297.310(3)(c)1., F.A.C.]
17. Requirements for Annual Testing: The owner or operator shall meet all applicable requirements of Rule 62-297.310(4), F.A.C., Applicable Test Procedures.  
[Rule 62-297.310(4), F.A.C.]
18. Determination of Process Variables:
- Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
  - Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
- [Rule 62-297.310(5), F.A.C.]
19. Required Stack Sampling Facilities: Sampling facilities include sampling ports, work platforms, access to work platforms, electrical power, and sampling equipment support. All stack sampling facilities must meet any Occupational Safety and Health Administration (OSHA) Safety and Health Standards described in 29 CFR Part 1910, Subparts D and E. Sampling facilities shall also conform to the requirements of Rule 62-297.310(6), F.A.C.  
[Rule 62-297.310(6), F.A.C.]
20. Test Notification: The owner or operator shall notify the Department's District office and, if applicable, appropriate local program, at least 15 days prior to the date on which each formal compliance test is to begin. Notification shall include the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.  
[Rule 62-297.310(7)(a)9., F.A.C.; and, 40 CFR 60.8]
- [Note: The federal requirements of 40 CFR 60.8 require 30 days notice of the initial test and any tests required under section 114 of the Clean Air Act, but the Department rules require 15 days notice for the annual compliance tests. Unless otherwise advised by the Department, provide 15 days notice prior to conducting annual tests, except for the initial test when 30 days notice is required.]
21. Fuel Oil Sulfur: The owner shall maintain records to demonstrate that each shipment of fuel oil (all types) has 1.0 percent or less, by weight, and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in Rule 62-297.440(1), F.A.C.

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[Rule 62-210.300(3)(c)1., F.A.C.]

22. 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 facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units 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 REQUIREMENTS

23. Log: The permittee shall maintain a log showing the annual hours of operation and fuel consumption. Operators shall keep a log to include, at a minimum, the following information:

- (a) The daily location and production rate. Including the initial and final cumulative readings on any aggregate conveyor scales and the number of cubic yards or tons of product delivered by batch weighing scales on mix delivery silo, or the number and capacity of dump trucks.
  - (b) The daily hours of operation of the crusher system, and whether crushing aggregate or recycled asphalt pavement.
  - (c) Maintenance and repair logs for any work performed on the permitted emissions units.
  - (d) Daily logs regarding the use of wetting agents to control fugitive dust.
  - (e) Any visible emissions observations of smoke or dust from any point on the facility.
  - (f) Any bag changes in the baghouse, including the manufacturer and material of the bags installed.
  - (g) Any fuel deliveries, including the supplier; the amount delivered; storage tank locations; type of fuel; and, any laboratory analysis information. If any natural gas is used, provide daily meter readings.
  - (h) Any asphalt cement deliveries, including the supplier, the amount delivered, location of storage tank.
- This data shall be made available to the Department or county upon request and retained for a minimum three period.

[Rules 62-4.070(3) and 62-4.160, F.A.C.]

24. Operation and Maintenance (O&M): The permittee shall keep an O&M plan for the air pollution control equipment with the facility. The O&M log shall include the list of the parameters being monitored, the frequency of the check/maintenance, observations, and comments.

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

25. Test Reports:

- (a) The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department or its agent on the results of each such test.
- (b) The required test report shall be filed with the Department or its agent as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department or its agent to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA Method 9 test, shall provide the following information:
  1. The type, location, and designation of the emissions unit tested.
  2. The facility at which the emissions unit is located.
  3. The owner or operator of the emissions unit.
  4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
  5. The method, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
  6. The type of air pollution control devices installed on the emissions unit, its general condition, their normal operating parameters (pressure drops and other operating parameters during each test run).
  7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
  8. The date, starting time and duration of each sampling run.

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9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
  10. The number of points sampled and configuration and location of the sampling plane.
  11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
  12. The type, manufacturer and configuration of the sampling equipment used.
  13. Data related to the required calibration of the test equipment.
  14. Data on the identification, processing and weights of all filters used.
  15. Data on the types and amounts of any chemical solutions used.
  16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
  17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
  18. All measured and calculated data required to be determined by each applicable test procedure for each run.
  19. The detailed calculations for one run that relate the collected data to the calculated emission rate.
  20. The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.
  21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.
- [Rule 62-297.310(8), F.A.C.]**
26. **Recordkeeping:** This facility shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to the various specific conditions of this permit.  
**[Rules 62-4.070(3) and 62-4.160(14), F.A.C.]**
  27. **Duration of Recordkeeping:** 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. 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 records shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.  
**[Rules 62-4.160(14)(a) & (b), F.A.C.]**
  28. **Excess Emissions Report:** If excess emissions occur, the owner or operator shall notify the Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. Pursuant to the Standards of Performance for New Stationary Sources, excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A.  
**[Rule 62-4.130, F.A.C.]**
  29. **Excess Emissions Report - Malfunctions:** In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate local program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report if requested by the Department.  
**[Rule 62-210.700(6), F.A.C.]**
  30. **Fuel Oil (all types):** The owner shall maintain records to demonstrate that each shipment of fuel oil (all types) has 1.0 percent or less, by weight, and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in Rule 62-297.440(1), F.A.C.  
**[Rule 62-210.300(3)(c)1., F.A.C.]**



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**NSPS: GENERAL PROVISIONS**

[Note: The numbering of the original rules in the following conditions has been preserved for ease of reference. In cases where the state requirements are more restrictive than the NSPS general requirements, the state requirements shall prevail.]

**31. Notification and Recordkeeping:**

- (a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:
- (b) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (c) The owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- (d) The owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least three years following the date of such measurements, maintenance, reports, and records.

**[40 CFR 60.7]****32. Performance Tests:**

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.
- (c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
- (d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present.
- (e) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows: (1) Sampling ports adequate for test methods applicable to such facility. This

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includes (i) constructing the air pollution control system such that volumetric flow rates and pollutant emission rates can be accurately determined by applicable test methods and procedures and (ii) providing a stack or duct free of cyclonic flow during performance tests, as demonstrated by applicable test methods and procedures. (2) Safe sampling platform(s). (3) Safe access to sampling platform(s). (4) Utilities for sampling and testing equipment.

- (f) Unless otherwise specified in the applicable subpart, each performance test shall consist of three separate runs using the applicable test method. Each run shall be conducted for the time and under the conditions specified in the applicable standard. For the purpose of determining compliance with an applicable standard, the arithmetic means of results of the three runs shall apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions, or other circumstances, beyond the owner or operator's control, compliance may, upon the Administrator's approval, be determined using the arithmetic mean of the results of the two other runs.

[40 CFR 60.8]

33. Compliance with Standards and Maintenance Requirements:

- (a) Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
- (b) Compliance with opacity standards in 40 CFR 60.11 shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of 40 CFR 60.11, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5). For purposes of determining initial compliance, the minimum total time of observations shall be 3 hours (30 6-minute averages) for the performance test or other set of observations (meaning those fugitive-type emission sources subject only to an opacity standard).
- (c) The opacity standards set forth in 40 CFR 60.11 shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
- (d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11]

34. Circumvention: No owner or operator subject to the provisions of 40 CFR 60.12 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

35. General Notification and Reporting Requirements:

- (a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification

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shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.

- (c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (f)(1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.
  - (ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.
- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.
- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

**[40 CFR 60.19]**

36. **Prohibited Operations: 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 nonfriable when received at the facility.
- (1) "Asbestos" means the asbestiform varieties of serpentine (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite and includes trade acronym products such as amosite.
  - (2) "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.
  - (3) "Asbestos removal project" means renovation or demolition operation in a facility that involves the removal of a threshold amount of regulated asbestos-containing material.
  - (4) "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.
  - (5) "Category II Nonfriable 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

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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.]

37. Admixtures and extenders authorized: The use of ground rubber, latex, emulsifiers, and mineral fiber (excluding asbestos) admixtures or extenders in the asphaltic concrete is authorized up to the amounts allowed or required by Florida DOT paving mixture specifications.

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

APPENDIX GC – GENERAL CONDITIONS

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The following general conditions apply to all permits pursuant to Rule 62-4.160, F.A.C.:

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, 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.
- G.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 or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.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 or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.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.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
  - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
  - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance; and
  - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

## APPENDIX GC – GENERAL CONDITIONS

- 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.
- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, 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.
- G.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.
- G.11 This permit is transferable only upon Department approval in accordance with Rules 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.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology ( );
  - (b) Determination of Prevention of Significant Deterioration ( ); and,
  - (c) Compliance with New Source Performance Standards (X).
- G.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.
  - (c) 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 or 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.
  - (d) 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; and,
    - 6. The results of such analyses.
- G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

**APPENDIX PC - PERMITTED COUNTIES**

The permittee is authorized to operate in the following counties where public notice has been published:

Permitted Counties:	Date of Publication:	Permitted Counties:	Date of Publication:	Permitted Counties:	Date of Publication:
Alachua		Hamilton		Okeechobee	
Baker		Hardee		Orange	
Bay		Hendry		Osceola	
Bradford		Hernando		Palm Beach	
Brevard		Highlands		Pasco	
Broward		Hillsborough		Pinellas	
Calhoun		Holmes		Polk	
Charlotte		Indian River		Putnam	
Citrus		Jackson		St. Johns	
Clay		Jefferson		St. Lucie	
Collier		Lafayette		Santa Rosa	
Columbia		Lake		Sarasota	
Dade	12/10/2001	Lee		Seminole	
DeSoto		Leon		Sumter	
Dixie		Levy		Suwannee	
Duval		Liberty		Taylor	
Escambia		Madison		Union	
Flagler		Manatee		Volusia	
Franklin		Marion		Wakulla	
Gasden		Martin		Walton	
Gilchrist		Monroe		Washington	
Glades		Nassau			
Gulf		Okaloosa			