
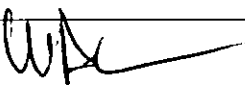


**State of Florida**  
**Department of Environmental Protection**

**Memorandum**

TO	Clair Fancy
THRU	Bruce Mitchell 
FROM	William Leffler, P.E. 
DATE	November 16, 2000
SUBJECT	Intent to Issue Package: Ajax Paving Industries, Inc. Relocatable drum mixer asphalt plant and associated equipment Draft permit 7770060-004-AC
Day 90	November 29, 2000

This draft air construction permit is for relocatable drum asphalt batch plant, presently in Moore Haven, Florida. The application history is as follows:

- On August 2, 2000, an application for an Air Operating Permit was received and rejected, because the underlying construction permit had expired. The applicant was given leave to withdraw the application for an operating permit and apply the fees to a new construction permit application.
- On August 31, 2000, an application for an air construction permit was received. The fee previously paid was applied to this application. The clock was reset.
- On October 11, 2000, the applicant requested the addition of a crushing unit not to exceed 200 TPH and 500 hours per calendar year.

The relocatable drum mixer asphalt plant is a minor facility. It will have limited operation except for the asphalt tank heating system. The applicant has requested permission to use "on spec" used oil for heating; and, appropriate permit conditions have been included to limit heavy metals, sulfur and PCB's.

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

I recommend that the attached Intent to Issue an 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

November 16, 2000

CERTIFIED MAIL - Return Receipt Requested

Mr. Michael Horan, President  
Ajax Paving Industries, Inc.  
510 Gene Green Road  
Nokomis, Florida, 34275-3624

Re: Draft Air Construction Permit No.: 7770060-004-AC  
Relocatable Drum Mix Asphalt Plant

Dear Mr. Horan:

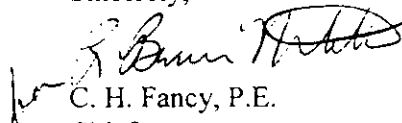
Enclosed is one copy of the Draft Air Construction Permit for a relocatable Drum Mix Asphalt Plant, oil heating system, RAP screening operation and provision for use of a crusher unit, and will be based at 1740 U.S. Highway 27 South, Moore Haven, Glades County, Florida. The air construction permit will allow the permittee to advertise in counties, to construct/install the permitted facility, to conduct performance testing, and to support an application for an air operating permit or subsequent air operating permit amendments when relocating notification is received. The Technical Evaluation and Preliminary Determination, the Department's Intent to Issue Air Construction Permit, and the "Public Notice of Intent to Issue Air Construction Permit" are also included.

The "**Public Notice of Intent to Issue Air Construction Permit**" must be published one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area in which you propose to set up or operate this facility. The publication must meet the requirements of Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven (7) days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit. Please do not confuse the "Public Notice" part with the "Intent to Issue" part of this section.

Please note the addition of a specific condition prohibiting the crushing of asbestos containing material. Crushing, grinding, or abrading of asbestos materials is prohibited by state and federal law.

Please submit any written comments you wish to have considered concerning the Department's proposed action to William Leffler, P.E., at the above letterhead address. If you have any other questions, please contact him at 850/921-9522.

Sincerely,

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

CHF/wl  
Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an  
Application for Permit by:

Ajax Paving Industries, Inc.  
510 Gene Green Road  
Nokomis, Florida 34275-3624

Draft Air Construction Permit No.: 7770060-004-AC  
Relocatable Drum Mix Asphalt Plant and Associated Equipment  
Statewide Operation

### INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit (copy of Draft permit attached) for the proposed project, detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, Ajax Paving Industries, Inc., applied to the Department on August 31, 2000, for an air construction permit for a relocatable drum mix asphalt plant and associated equipment to allow the permittee to advertise in counties for the purpose of construction/installation, performance testing, and to support an application for an air operating permit or subsequent air operating permit amendments when relocating notification is received.

Ajax Paving Industries, Inc., maintains its primary Florida office at 510 Gene Green Road, Nokomis, Florida 34275-3624. The relocatable facility will be based at 1740 U.S. Highway 27 South, Moore Haven, Glades County, Florida, at UTM coordinates Zone 17; 488.9 km East; and, 2967.9 km North.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above action is not exempt from permitting procedures. The Department has determined that an air construction permit is required in order for the relocatable drum mixer asphalt plant to relocate to sites throughout the state by publishing the Public Notice in the counties desired for construction/installation, performance testing, and potential operation.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of this facility will not adversely impact air quality, and the facility will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed "**Public Notice of Intent to Issue Air Construction Permit.**" The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in Section 50.051, F.S., to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

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

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen days from the date of publication of the "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the Draft permit and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

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

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

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The


relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

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

Executed in Tallahassee, Florida.

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

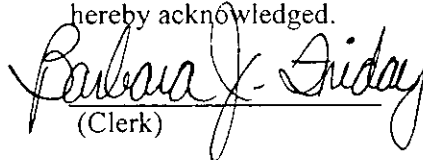
**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE, Technical Evaluation and Preliminary Determination, and the Draft permit) was sent by certified mail (\*) and copies were mailed by U.S. Mail, or electronic mail (as noted) before the close of business on 11/16/00 to the person(s) listed:

Michael Horan \*, President, Ajax Paving Industries, Inc., 510 Gene Green Road, Nokomis, FL 34275  
Bernard Ball Jr., Central Florida Testing Laboratories, Inc., 12625 40<sup>th</sup> Street, Clearwater, FL 33762  
Len Kozlov, DEP, Central District  
Chris Kirts, DEP, Northeast District  
Sandra Veazey, DEP, Northwest District  
Bill Thomas, DEP, Southwest District  
Ron Blackburn, DEP, South District  
Isidore Goldman, DEP, Southeast District  
Daniela Banu, Broward County Department of Natural Resource Protection  
H. Patrick Wong, Dade County Department of Environmental Resources Management  
Richard Robinson, Regulatory and Environmental Services Department  
Jerry Campbell, Hillsborough County Environmental Protection Commission  
James E. Stormer, Palm Beach County Health Department  
Peter Hessling, Pinellas County Department of Environmental Management  
Kent Kimes, Sarasota County Natural Resources Department  
Marie Driscoll, Orange County Environmental Protection Department

Clerk Stamp

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

  
(Clerk) 11/16/00  
(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. Michael Horan, President  
 Ajax Paving Industries, Inc.  
 510 Gene Green Road  
 Nokomis, Florida 34275-3624

2. Article Number (Copy from service label)

7099 3400 0000 1449 2914

PS Form 3811, July 1999

**COMPLETE THIS SECTION ON DELIVERY**

A. Received by (Please Print Clearly) B. Date of Delivery

Rachelle Gudeman 11-20

C. Signature

x Rachelle Gudeman

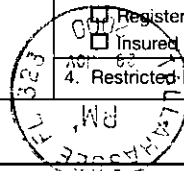
- Agent  
 Addressee

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



PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

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

Article Sent To:

Mr. Michael Horan, President

7099 3400 0000 1449 2914

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

Postmark  
 Here

Name (Please Print Clearly) (to be completed by mailer)

Mr. Michael Horan, President

Street, Apt. No., or PO Box No.

510 Gene Green Road

City, State, ZIP+4

Nokomis, Florida 34275-3624

PS Form 3800, July 1999

See Reverse for Instructions

## PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit No. 7770060-004-AC  
Ajax Paving Industries, Inc.

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Ajax Paving Industries, Inc., for a relocatable drum mixer asphalt plant and crusher. The permittee plans to operate the facility at construction and industrial sites throughout Florida. The facility is a minor source of air pollution. It is subject to New Source Performance Standards, 40 CFR 60, Subparts I and OOO. It is not subject to the Prevention of Significant Deterioration (PSD) regulations, Rule 62-212.400, Florida Administrative Code (F.A.C). A Best Available Control Technology determination was not required for this facility. The applicant's name and address is Ajax Paving Industries, Inc., 510 Gene Green Road, Nokomis, Florida 32457-3624. The facility is located at 1740 U.S. Highway 27 South, Moore Haven, Glades County, Florida. The UTM coordinates are: Zone 17; 488.9 km East; and, 2967.9 km North.

The facility has been reviewed for potential operation in all counties of Florida. The facility will emit fugitive particulate matter from the asphalt mixer, the RAP screening operation, on-site traffic, material handling, material piles and a crusher unit; and, will emit the products of combustion from the diesel engines, which power the crusher, and from the oil fired heating system, which heats both the asphalt mixer and the liquid asphalt storage tanks. Control of process unconfined fugitive particulate matter emissions shall be accomplished by wetting the material using water spray bars as needed at unloading, at the RAP screener screen and conveyor transfer points, and at conveyor transfer points; and, non-process unconfined fugitive particulate matter emissions shall be controlled using watering and/or application of some dust suppressant(s) on the haul roads, work-yards and stockpiles. Because of the low emissions estimates and limited time of operation at any one site, the asphalt plant and its related equipment will not cause or contribute to any violation of an ambient air quality standard or increment.

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

The Department will accept written comments concerning the proposed Draft permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft permit, the Department shall issue a revised Draft permit and require, if applicable, another Public Notice.

The Department will issue the Final permit with the conditions of the Draft permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). Mediation is not available for this action. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative 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 (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (telephone: 850/488-9370, fax: 850/487-4938). Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Numbers and the county in which the project is proposed;



(b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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

Copies of the proposed air construction permit and the technical evaluation are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Florida Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114	Florida Dept. of Environmental Protection Central District Office 3319 Maguire Boulevard, Suite 232 Orlando, Florida 32803 Telephone: 407/894-7555	Orange County Environmental Protection Department - Air Program Section 800 Mercy Drive Orlando, Florida 32808 Telephone: 407/836-1400
Florida Dept. of Environmental Protection Northwest District Office 160 Governmental Center Pensacola, Florida 32501 Telephone: 850/595-8300	Florida Dept. of Environmental Protection Northeast District Office 7825 Baymeadows Way, Suite 200B Jacksonville, Florida 32256 Telephone: 904/448-4300	Florida Dept. of Environmental Protection Southwest District Office 3804 Coconut Palm Drive Tampa, Florida 33619 Telephone: 813/744-6100
Florida Dept. of Environmental Protection Southeast District Office 400 North Congress Avenue West Palm Beach, Florida 33416 Telephone: 561/681-6755	Florida Dept. of Environmental Protection South District Office 2295 Victoria Avenue, Suite 364 Fort Myers, Florida 33902 Telephone: 941/332-6975	Broward County Department of Natural Resource Protection 218 Southwest First Avenue Fort Lauderdale, Florida 33301 Telephone: 954/519-1202
Dade County Department of Environmental Resources Management 33 Southwest Second Avenue Suite 900 Miami, Florida 33130 Telephone: 305/372-6925	Regulatory and Environmental Services Department 117 West Duval Street, Suite 225 Jacksonville, Florida 32202 Telephone: 904/630-3484	Hillsborough County Environmental Protection Commission 1410 North 21 Street Tampa, Florida 33605 Telephone: 813/272-5530
Palm Beach County Health Department 901 Evernia Street Post Office Box 29 West Palm Beach, Florida 33401 Telephone: 561/355-3070	Pinellas County Department of Environmental Management 300 South Garden Avenue Clearwater, Florida 33756 Telephone: 727/464-4422	Sarasota County Natural Resources Department 1301 Cattleman Road, Building A Sarasota, Florida 34232 Telephone: 941/378-6128

The complete project file, which includes the application, technical evaluation, Draft air construction permit, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S., is available in the office of the permitting authority in Tallahassee. Interested persons may contact William Leffler, P.E., project engineer, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-9522, for additional information.

TECHNICAL EVALUATION  
AND  
PRELIMINARY DETERMINATION

Ajax Paving Industries, Inc.

Relocatable Drum Mix Asphalt Plant and Crusher Unit  
State Wide Operation

Air Construction Permit No.: 7770060-004-AC  
Facility ID No.: 7770060

Department of Environmental Protection  
Division of Air Resources Management  
Bureau of Air Regulation

**1. APPLICATION INFORMATION****1.1 *Applicant's Name and Address***

Mr. Michael Horan, President  
 Ajax Paving Industries, Inc.  
 510 Gene Green Road  
 Nokomis, Florida 34275

**1.2 *Reviewing and Processing Schedule***

August 31, 2000: Date of Receipt of Complete Application.

October 11, 2000: Fax received requesting addition of a crusher unit.

**2. FACILITY INFORMATION****2.1 *Relocatable drum mix asphalt plant operating throughout Florida.***

Ajax Paving Industries, Inc., plans to operate a 250 TPH drum mix asphalt plant, manufactured by Bitumina Construction & Engineering Company (BCE), at construction and industrial sites in Florida. Major components of the asphalt plant are a primary dry cyclone separator on the mixer drum, which is vented to a BCE Model 400 baghouse system.

A Gentec/Hy-way Model HGYO 200 oil heating system rated at 2.0 MMBtu/hr, firing new No. 2 diesel fuel, will operate continuously. The oil heating system operated at full heat for plant operation and at a standby (lower heat) level for maintaining fuel and asphalt cement in a molten state when the plant is not in production.

A BCE Vibrating Screener is used to grade reclaimed asphalt paving, which is crushed or chipped off site, and will operate not more than 4000 hours per calendar year. There are additional conveyors and hoppers. Water sprays will be used to control unconfined particulate emissions as needed.

**2.2 *Crusher unit to operate at same site as this facility***

A crusher unit will be used to process Recycled Asphalt Pavement (RAP). It will be limited to 200 TPH throughput and 500 hours per calendar year operation.

**2.3 *Standard Industrial Classification Code (SIC)***

Major Group No.	29	Petroleum Refining and Related Industries
Group No.	2951	Asphalt Paving Mixtures and Blocks

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

**2.4 Facility Category**

The asphalt plant emits particulate matter from the handling of asphalt material and the normal products of combustion from the diesel fuel burned in the asphalt plant and fuel oil used for heating the asphalt mix and asphalt cement.

The asphalt plant is classified as a synthetic minor air pollutant emitting facility. Air pollutant emissions are less than 100 TPY of any single criteria air pollutant, less than 10 TPY of any single HAP, and less than 25 TPY of all HAPs combined. This facility is not on the list of the 28 Major Facility Categories, Table 62-212.400-1. The facility is classified as a synthetic minor source due to permit restrictions taken for throughput and hours of operation.

**3. PROJECT DESCRIPTION****3.1 This permit addresses the following emissions units/points/activities:**

NO.	SYSTEM	DESCRIPTION
001	Drum Mix Asphalt Plant	250 TPH Bitumina Construction & Engineering Company (BCE) Drum Mix Asphalt Plant with cyclone and baghouse (4000 hrs/calendar year limit) (Subject to 40 CFR 60, Subpart I)
002	Gentec/Hi-Way Oil Heating System	Model HGYO oil heating system to heat asphalt cement in storage tanks (will fire new No. 2 Diesel Fuel) (8760 hrs/calendar year limit)
003	RAP Vibrating Screener	Bitumina Model RAP 100 Vibrating Screener to scalp and classify Recycled Asphalt Pavement (RAP) for use as aggregate in hot mix asphaltic concrete (Capacity 90 TPH) (4000 hrs/calendar year limit)
004	Unconfined emissions from paved and unpaved roads	Unconfined PM emissions to be controlled by housekeeping and water sprinkling (subject to Rule 62-296.310(3)(b)c.2., F.A.C.)
005	Unconfined emissions from stockpiles and conveyor drop points	Unconfined PM emissions to be controlled by housekeeping and water sprinkling (subject to Rule 62-296.310(3)(b)c.2., F.A.C.)
006	Crusher Unit	Crusher unit provided by owner or contractor. Throughput limited to 200 tons per hour and 500 hrs/per calendar year. (Subject to 40CFR60, Subpart 000)

**4. PROCESS DESCRIPTION****4.1 General Information**

- The Bituma Construction and Engineering Company (BCE) Drum Mix Asphalt Plant is rated at 250 tons per hour. The burner for heating the aggregate and asphaltic concrete is rated at 110 MMBTU. It will burn approximately 750 gallons per hour of either "on spec" used No. 5 oil or new No. 2 diesel. The applicant has applied for an annual operating limit of 4000 hours per calendar year. The exhaust from the drum mixer passes through a dry cyclone for the removal of larger particulate matter and a baghouse for the removal of 99.9% of the remaining particulate matter from the mixer and its burner.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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- A 2.00 MMBTU heater is used to maintain the asphalt cement and heavy fuel oil in a molten state. Full heat is limited to 4000 hours per calendar year; but, it will be allowed to operate on standby 8760 hours per calendar year.
- A 90 TPH vibrating screen will be used to scalp and classify RAP aggregate when RAP is specified in the mix. Its use is limited to 4000 hours per calendar year.
- A crusher unit will be used on site to process RAP. Operation is limited to 200 TPH and 500 hours per calendar year.
- Water spray bars are to be used at conveyor drop points and on the classifier screens to prevent loss of unconfined dust.
- There will be dust and fine aggregate unconfined particulate emission from the stockpiles, material handling equipment and roadways within the site. These sources will be controlled by housekeeping and water spray.

**5. RULE APPLICABILITY**

The proposed project is subject to pre-construction review requirements under the provisions of Chapter 403, Florida Statutes, and Chapters 62-4, 62-204, 62-210, and 62-212, Florida Administrative Code (F.A.C.).

This relocatable facility may operate in more than one county in Florida. The proposed project is not subject to review under Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD), because it is a minor facility.

A determination of Best Available Control Technology (BACT) is not required for this minor facility. No analysis of the air quality impact of the proposed project's impacts on soils, vegetation and visibility, along with air quality impacts resulting from associated commercial, residential and industrial growth, is required for a minor facility.

The asphalt plant and associated equipment are subject to 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; and, Rule 62-296.704, F.A.C., Asphalt Concrete Plants. The potential emissions are limited by a requested restriction on the allowable hours of operation as well as the use of a baghouse system, which controls particulate matter emissions. Annual tests are required to determine compliance with visible emissions and particulate matter standards.

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The facility shall be in compliance with all applicable provisions of the Florida Administrative Code and, specifically, the following Chapters and Rules:

Chapter 62-4	Permits
Rule 62-4.070(3)	Special Conditions Necessary Reasonable Assurance of Compliance with Department Rules
Rule 62-4.160(14)(a)	Records Retention
Rule 62-204.340	Designation of Attainment, Nonattainment & Maintenance Areas
Rule 62-204.800	Federal Regulations Adopted by Reference
Rule 62-210.300	Permits Required
Rule 62-210.350	Public Notice and Comments
Rule 62-210.370	Reports
Rule 62-210.650	Circumvention
Rule 62-210.700	Excess Emissions
Rule 62-210.900	Forms and Instructions
Rule 62-212.300	General Preconstruction Review Requirements
Rule 62-296.320	General Pollutant Emission Limiting Standards
Rule 62-296.320	General Pollutant Emission Limiting Standards
Rule 62-296.320(b)	General Visible Emissions Standard
Rule 62-296.320(c)	Unconfined Emissions of Particulate Matter
Rule 62-296.704	Asphalt Concrete Plants
Rule 62-297.310	General Test Requirements
Rule 62-297.310(4)	Applicable Test Procedures
Rule 62-297.310(7)(a)	Frequency of Compliance Tests: General Compliance Testing
Rules 62-297.310(8)(b)&(c)	Test Reports
Rule 62-297.400	EPA Methods Adopted by Reference
Rule 62-297.401	EPA Test Procedures
Rule 62-297.700	RACT Control Technology for Particulate Matter
40 CFR 60.7	Notification and Recordkeeping
40 CFR 60.8	Performance Test
40 CFR 60.11	Compliance Standards and Maintenance Requirements
40 CFR 60.12	Circumvention
40 CFR 60.19	General Notification and Reporting
40 CFR 60, Subpart I	NSPS Standards for Hot Mix Asphalt Facilities
40 CFR 60, Subpart OOO	Nonmetallic Mineral Processing (applies to crusher)
40 CFR 269.61	Standards for the Management of Used Oil
40 CFR 761	Polychlorinated Biphenyls Manufacture, distribution and use; etc.
HCEPC Rule 1-3.61	Hillsborough County EPC (Particulate Maintenance Area)

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The maximum allowable visible emissions limits for the various emission points/activities are:

EMISSIONS POINT/ACTIVITY	DESCRIPTION	MAXIMUM VISIBLE EMISSIONS (% OPACITY)	MAXIMUM VISIBLE EMISSIONS (% OPACITY) AIR QUALITY MAINTENANCE AREA*
001	250 TPH BCE relocatable drum mix asphalt plant	20 per 40CFR60, Subpart I	<5
002	GENTEC Hi-Way Oil Heating System 2MM BTU (fuel analysis standard)		
003	BCE Reclaimed Asphalt Screener 90 TPH	20 per 40CFR60, Subpart I	<5
004	Fugitive Emissions from Paved and Unpaved Roads (work-practice standard)		
005	Fugitive Emissions from Conveyors and Stockpiles (work-practice standard)		
006	Crusher unit limited to 200 TPH and 500 hours per calendar year	≤15 per 40CFR60, Subpart 000	<5

\* Hillsborough County (HCEPC Rule 1-3.61)

**6. FUEL SPECIFICATIONS**

*6.1 Use of 'On Spec' Used Oil as Fuel for Asphalt Mixer*

- a. On-specification Used Oil Emissions Limitations: The drum mixer 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

## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

- b. Quantity Limited: The maximum quantity of used oil that may be burned by the asphalt plant is 3.0 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 ppm to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 ppm to less than 50 ppm shall not be burned during periods of startup or shutdown.

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)]**

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 does not contain quantifiable levels of PCB's.

**[40 CFR 761.20]**Used Oil Testing Required:

- a. The owner or operator shall test for: arsenic, cadmium, chromium, lead, total halogens, flash point, PCB's, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).
- 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).

**[Rule 62-4.070(3), F.A.C.; and, 40 CFR 279 and 40 CFR 761]****6.2 *Fuel for Asphalt Heater and Internal Combustion Engines***

The asphalt heating units and the diesel engines on the crusher or any portable electric generators shall burn only new No. 2 diesel fuel, or better.

**7. SOURCE IMPACT ANALYSIS****7.1 *Emission Limitations***

The proposed relocatable drum mix asphalt plant and crusher unit will emit the following PSD pollutants: particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide. Since used oil will be burned by the facility, arsenic, cadmium, chromium, lead, and halogens emissions are limited by a limitation on fuel constituents and usage. A fuel analysis will be required. The requirement that used oil for the aggregate dryer be "on spec" grades and the limitation of operating hours on this plant, coupled with the use of a cyclone/baghouse pollution control devices on the mixer-dryer, provide reasonable assurance that operation will comply with the federal regulations governing used oil usage (40 CFR 379.61 and 40 CFR 761.20) and the



## TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

emissions of the heavy metals (arsenic, cadmium, chromium and lead) will not exceed regulatory thresholds.

### 7.2 Emission Summary

The facility is a minor source for all criteria and hazardous air pollutants. The following are the combined estimated pollutant emissions, which are based on 4,000 hours per calendar year of operation for the asphalt plant, 500 hours per calendar year for the crusher, and 8,760 hours per calendar year of operation for the hot oil heating system. In addition, particulate matter emissions include estimates for fugitive emissions at the site.

### 7.3 Emission Estimates

The emissions estimates in lbs/hr and TPY are as follows:

EMISSION POINT/ACTIVITY	Particulate As TSP**	SOx	NOx	CO	TOC
001 drum mixer	10	14	18.75	9	17.25
002 heating system	0.02	1.42	0.2	0.22	0.003
003 vibrating screen *	0.44				
004 roadway losses *					
005 stockpile losses *	2.03				
006 crusher *	4.04	1.0	15.21	3.28	1.24
<b>Total pounds per hour</b>	<b>16.53</b>	<b>16.42</b>	<b>54.95</b>	<b>12.5</b>	<b>18.493</b>

EMISSION POINT/ACTIVITY	Particulate As TSP**	SOx	NOx	CO	TOC
001 drum mixer 4000 hrs/calendar year)	20	28	37.5	18	34.5
002 heating system 4000 hrs/calendar year, (plus standby)	0.008	6.22	0.88	0.22	0.013
003 vibrating screen *4000 hrs/calendar year	0.90				
004 roadway losses *	3.28				
005 stockpile losses *	0.41				
006 crusher *500 hrs/calendar year	6	0.25	3.45	0.82	0.31
<b>Total TPY</b>	<b>30.598</b>	<b>34.47</b>	<b>41.83</b>	<b>19.04</b>	<b>34.823</b>

\* presumes water spray dust suppression in use

\*\* TSP (total suspended particulate) includes PM<sub>10</sub>; for combustion sources (all is presumed to be PM<sub>10</sub>); and, for material handling sources (about half is PM<sub>10</sub>)

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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**Note:** These estimates have been reviewed and appear reasonable with respect to the U.S.EPA *Compilation of Air Pollutant Emission Factors*, AP-42 (5<sup>th</sup> edition) emission factors.

#### 7.4 *Control Technology Review*

Particulate emissions from the drum mix asphalt plant, arising from the heating and mixing of aggregate, and the application of the asphalt cement are separated by a dry cyclone and BCE Model 400 baghouse control system operating in tandem. This combination of control technology represents the current state of generally available controls for particulate matter from the asphalt mixer/dryer and its burner. The low operating temperature of the baghouse further assures capture of the metallic constituents in the 'on spec' used oil. Sulfur emissions are limited by fuel specifications. Nitrogen oxide and total hydrocarbon emissions are not directly regulated by permit, but have been minimized by design factors, including burner design and dryer baffling. Particulate emissions from the crusher unit, material piles and site traffic are subject to specific visual emission standards as well as specific work practices, including water spray dust suppression, to minimize emissions.

In addition to the limitations on fuel quality, the applicant has requested a limit of 4000 hours per calendar year on the operation for the asphalt drum mixer and heater. The oil heating system will operate continuously, at a standby level, to keep asphalt cement molten in tanks. The applicant has requested a 500 hours per calendar year operating limit on the crusher unit.

The asphalt tank and fuel oil heating system and the diesel engines on the crusher and its portable generators will emit products of combustion. Compliance with fuel quality limits and restrictions operating hours will limit emissions from these units.

The vibrating screener, conveyors, hoppers, and the portable crushing operation are sources of unconfined process particulate matter emissions. These emissions will be controlled by a water spray dust suppression system.

Wetting the material being processed, as well as the storage piles and yard/roads, shall the unconfined particulate emissions, when needed.

Aggregate storage operations may result in unconfined particulate emissions. These emissions will be controlled by the use of area sprinklers or other dust suppressant systems.

#### 7.5 *Air Quality Analysis*

An air quality analysis was not conducted for this project. The Department does not expect the low emissions from this operation to have a significant impact on the ambient air quality.

### 8. **CONCLUSION**

Based on the foregoing technical evaluation of the application, the Department has made a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations provided the Department's restrictions

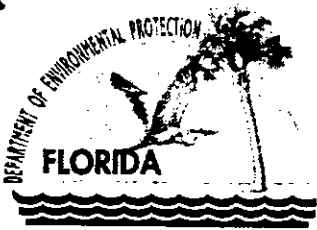
TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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described in the Specific Conditions of the proposed permit are met. The General and Specific Conditions are listed in the attached permit.

*W. Deffler* 15 NOV 2000

William Deffler, P.E.  
Permit Engineer:



# Department of Environmental Protection

Jeb Bush  
Governor

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

David B. Struhs  
Secretary

## P.E. Certification Statement

Ajax Paving Industries, Inc.	DEP File No.: 7770060-004-AC
1740 U.S. Highway 27, South Moore Haven, Florida 33471	Facility ID No.: 7770060

**Project:** Relocatable Drum Mixer Asphalt Plant and Associated Equipment

I HEREBY CERTIFY that the engineering features described in the above referenced application and related additional information submittals, if any, 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, 62-204, 62-210, 62-296 and 62-297, and analogous federal regulations, with the following exception:

**The co-location of this relocatable drum mix asphalt plant, oil heating system and RAP screening operation on another site with another stationary or relocatable air pollution source may cause emissions from such a site to exceed the 100 tons per year threshold of Title V of the Clean Air Act. It will be incumbent upon the permittee to coordinate with permitting authorities to avoid excessive emission contributions on a site otherwise classified as a minor facility.**

I have not evaluated, nor do I certify the compliance of this facility regarding any application beyond the scope of my discipline and training in air quality engineering (expressly excluding, but not limited to the electrical, mechanical, structural, personnel safety, hydrological, and geological features).

William J. Effler, P.E.  
Registration Number: FLPE 41972

Date

Permitting Authority:

Florida Department of Environmental Protection  
Division of Air Resources Management, Bureau of Air Regulation  
2600 Blair Stone Road, Mail Station #5505  
Tallahassee, Florida 32399-2400

Telephone: 850/921-9522  
Fax: 850/922-6979

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# Department of Environmental Protection

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

David B. Struhs  
Secretary

## PERMITTEE

Ajax Paving Industries, Inc.  
510 Gene Green Road  
Nokomis, Florida 34275

**FID No.:** 7770060  
**Permit No.:** 7770060-004-AC  
**SIC No.:** 2951  
**Expires:** November 16, 2005

## AUTHORIZED REPRESENTATIVE

Mr. Michael Horan, President

## PROJECT

This permit allows the applicant to construct a drum mix asphalt plant, which will include a crusher unit 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

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Howard L. Rhodes, Director  
Division of Air Resources  
Management

**SECTION II. FACILITY-DESCRIPTION AND INFORMATION**

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**FACILITY DESCRIPTION**

Ajax Paving Industries, Inc., plans to operate a 250 TPH Bitumina Construction & Engineering Company (BCE) drum mix asphalt plant at sites in Florida. Major components of the asphalt plant are a primary dry cyclone separator, BCE Model 400 baghouse system, Gentec/Hy-Way Model HGYO 200 oil heating system rated at 2.0 MMBTU/hr, BCE Reclaimed Asphalt Vibrating Screener, crusher, conveyors, hoppers, and stockpiles.

The asphalt plant burner is fired using No. 5 used fuel oil with a 0.5% sulfur limit, by weight. No. 2 virgin diesel fuel oil with a sulfur limit of 0.5%, by weight, can be used as an alternate fuel. The liquid asphalt heating system is fired with No. 2 virgin diesel fuel oil having a maximum sulfur limit of 0.5%, by weight.

The mechanical aspects of the asphalt plant and the vibrating screener are run by electric motors using commercial grid power. The crushing unit is a 200 tons per hour capacity, and will be limited to 500 hours per calendar year. The crusher may be provided by the owner or a contractor and shall operate under this permit while on site with this asphalt plant.

Water sprays will be used to control fugitive particulate matter emissions from stockpiles and unpaved roads as needed.

**REGULATORY CLASSIFICATION**

This facility is subject to regulation under 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities; and 40 CFR 60 Subpart OOO, Standards of Performance for Non-metallic Mineral Processing Plants; and, Rule 62-296.704, F.A.C., Asphalt Concrete Plants. The oil heating system portion of the facility is regulated under Rule 62-210.300, F.A.C., Permits Required, however there are no unit specific regulatory requirements that apply.

**RELEVANT DOCUMENTS**

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

Air Construction Permit, 7770060-003-AC, expired May 31, 2000  
Application for Air Operating Permit, 7770060-004-AO, received August 3, 2000 (withdrawn)  
Application for Air Construction Permit, 7770060-004-AC, received August 31, 2000  
Letter requesting inclusion of a crusher received October 16, 2000

**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 operation at 1740 U.S. 27 South, Moore Haven, Glades County, Florida. The UTM coordinates of this location are Zone 17; 488.9 km E; and, 2967.9 km N.

SECTION III. FACILITY WIDE CONDITIONS

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The following specific conditions apply to all emissions units at this facility.

**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 of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes.  
[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.
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 on 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 prior to 60 days before the expiration of the permit.  
[Rules 62-210.300(1), 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.]

## SECTION III. FACILITY WIDE CONDITIONS

7. 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 unit. The owner or operator shall 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, which 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.]
8. 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 the Florida Administrative Code. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations.  
[Rules 62-204.800 and 62-210.300, F.A.C.]

## EMISSION LIMITING STANDARDS

9. 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 (see specific condition 21), 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.]
10. Unconfined Emissions of Particulate Matter:
- 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.
  - 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.
  - Reasonable precautions committed to by the permittee:
    - Emissions that might be generated from various emission points throughout the crushing unit operation shall be controlled by a water suppression system with spray bars located at the various emissions points located throughout the plant.
    - All stockpiles and roadways where this crushing unit is located shall be watered on a regular basis by water trucks equipped with spray bars, to control any fugitive emissions that may be generated by vehicular traffic or prevailing winds.



## SECTION III. FACILITY WIDE CONDITIONS

- (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.; and, permit application received 8/31/2000]

11. 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.

[Note: Nothing was deemed necessary at the time of issuance.]

- (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**

12. 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.]

13. 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.]

14. 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**

15. Annual Operating Report for Air Pollutant Emitting Facility: The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form 62-210.900(5)) shall be completed each year for facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) tons per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area. Therefore, the form Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed for each year that the facility exceeds 1,175 hours of operation in any one of the following counties: Broward, Dade, Duval, Hillsborough, Orange, Palm Beach, or Pinellas. The form shall be submitted to the Department's district office or local program which has permitting/compliance jurisdiction over the facility, by March 1 of the following year.

[Rule 62-210.370(3)(a), F.A.C.]

SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions points/activities after construction:

EMISSIONS POINT/ACTIVITY	DESCRIPTION
001	250 TPH BCE relocatable drum mix asphalt plant
002	GENTEC Hi-Way Oil Heating System 2MM BTU
003	BCE Reclaimed Asphalt Screener 90 TPH
004	Fugitive Emissions from Paved and Unpaved Roads
005	Fugitive Emissions from Conveyors and Stockpiles
006	Crusher Unit

**ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS**

1. **Hours of Operation:** The asphalt plant, with the exception of the oil heating system, is allowed to operate for 4,000 hours per calendar year. The oil heating system is allowed to operate continuously (8760 hours per calendar year). The crusher unit is allowed to operate 500 hours per calendar year. **[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]**
2. **Permitted Capacity:** The asphalt plant is allowed to process up to 250 TPH and up to 1,000,000 tons per calendar year of asphaltic concrete hot mix (total). The crusher may process 200 TPH of RAP or other aggregate (100,000 tons per calendar year.) **[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]**
3. **Fuel Limitation:** The asphalt plant is allowed to burn a maximum of 3.0 million gallons of fuel oil during any consecutive 12-month period. The asphalt plant is allowed to burn either on-specification used fuel oil or No. 2 virgin diesel fuel oil. Used oil shall not be burned during periods of startup or shutdown. The oil heating system and any internal combustion engines shall burn only new No. 2 diesel fuel oil, or better.

**EMISSION LIMITATIONS AND PERFORMANCE STANDARDS**

4. **Particulate Matter:** Particulate matter emissions from the hot mix drum stack shall not exceed 90 mg/dscm (0.04 grains/dscf). **[40 CFR 60.92; and, Rule 62-296.704 F.A.C.]**
5. **Visible Emissions:** Visible air quality emissions from the hot mix drum stack and any screening operation shall not exceed 20 percent opacity. Visible emissions from the crusher unit that uses no capture system shall not exceed 15 percent opacity. The exception is when operating within a particulate matter maintenance area. More stringent visible emissions standards apply in air quality maintenance areas. When subject to both limits, the more stringent limit takes precedence. **[40 CFR 60.92; and Rule 62-296.704, F.A.C.]**

**In Hillsborough County:** The following area is designated maintenance 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.*

**Note:** 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.

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

6. Fuel Sulfur Limit Fuel oil burned, whether new or used, at this facility shall not contain more than 0.5 percent sulfur, by weight.
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, the Grizzly feeder, the entrance and exit of the impact 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.
- (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. ; and, application received 8/31/2000 and applicant's letter received 10/13/2000]

## USED OIL LIMITATIONS

9. Used Oil. 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

SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

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 3.0 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:

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

- (a) Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs\*, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).
- (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 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:
- (1) 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.)
  - (2) 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).
  - (3) The name and address of all marketers delivering used oil to the facility.
  - (4) Copies of the marketer certifications, if obtained, and any supporting information.
  - (5) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
  - (6) Results of the analyses required above.
  - (7) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
  - (8) 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]**

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

**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 compliance tests to demonstrate compliance with the standards of this permit, in accordance with the conditions listed below.
- [Rule 62-297.310(7)(a)1., F.A.C.]
- (a) The owner or operator of the facility shall conduct visible emissions tests annually, in accordance with the conditions listed below.
- [Rule 62-297.310(7)(a)4.a., F.A.C.]
- (b) The owner or operator shall conduct a particulate matter test that demonstrates compliance with the standards of this permit prior to obtaining a renewed operation permit in accordance with the conditions listed below.
- [Rule 62-297.310(7)(a)3., 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 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. Requirements for Initial Testing: The owner or operator shall determine compliance with the particulate matter standards of 40 CFR 60.92 as follows:
- (a) EPA Method 5 shall be used to determine the particulate matter concentration. The sampling time and sampling volume for each run shall be 60 minutes and 31.8 dscf.
- (b) EPA Method 9 and the procedures of 40 CFR 60.11 shall be used to determine opacity.
- (c) 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), 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.
- [Rule 62-297.310(4), F.A.C.]
18. Determination of Process Variables:
- (a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
- (b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

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. Sulfur: ASTM D129-91, Standard Test Method for Sulfur in Petroleum Products, shall be used to determine compliance with the sulfur limit for the fuel. Certification of the sulfur content in the diesel fuel from the supplier is also acceptable. Records of the sulfur content of each delivery shall be maintained.

[Rule 62-210.200, 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 per year and fuel consumption. Operators shall keep a log to include, at a minimum, the following information:
- The daily location and production rate.
  - The daily hours of operation of the crusher system.
  - Maintenance and repair logs for any work performed on the permitted emissions units.
  - Daily logs regarding the use of wetting agents to control fugitive dust.

This data shall be made available to the Department or county upon request.

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

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

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: The owner or operator shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR 60.92, including reports of opacity observations made using Method 9 to demonstrate compliance with 40 CFR 60.92.
- (a) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.
  - (b) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. 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, total operating current and GPM scrubber water), and their operating parameters during each test run.
- [Rules 62-297.310(8)(b) & (c)1. - 6., F.A.C.]
26. Records Retention: 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 62-4.160(14)(a) & (b), 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.]



## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

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.]

## 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.]

30. 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]

31. 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

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

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 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]****32. 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

**SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS**

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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]**

33. 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]**

34. 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 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.

## SECTION IV. EMISSION UNIT SPECIFIC CONDITIONS

- (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]

35. **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 serpentinite (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 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.]

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.

APPENDIX GC – GENERAL CONDITIONS

- 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.

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

APPENDIX GC – GENERAL CONDITIONS

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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		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			