### Central Florida Testing Laboratories, Inc.

Jesting Development and Research

12625 - 40th Street North · Clearwater, Florida 33762

PINELLAS / HILLSBOROUGH (813) 572-9797

FLORIDA 1-800-248-CFTL

FAX (813) 299-0023

November 4, 1999

Mr. Jonathan Holtom, P.E. State of Florida Department of Environmental Protection 2600 Blair Stone Road Tallahassee, Florida 32399-2400 RECEIVED

NOV 08 1999

**BUREAU OF AIR REGULATION** 

Subject:

Ajax Paving Industries, Inc.

**FDEP File Number 7770060-003-AC** 

Notice of Intent

Dear Mr. Holtom:

Attached, please find the affidavit of Public Notice published in the Ft. Myers News Press on October 30th, 1999 for Ajax Paving Industries construction and relocation of their portable asphalt plant in Moore Haven, Glades County, Florida.

Should you receive any public comment regarding the issuance of the permit for this construction, please inform us as to the nature of the comment(s) so we can resolve any problems that might arise.

Thank you for your cooperation in this matter. Should you have any questions or require any additional information to issue the permit for this facility, do not hesitate to contact our office.

Sincerely,

CENTRAL FLORIDA TESTING LABORATORIES, INC.

Bernard A. Ball, Jr.

Environmental Engineer

BaB/bAb

enclosure: Affidavit of Public Notice

copies to: Mr. Robert Ray - Ajax Paving Industries, Inc.

Mr. Michael Horan - Ajax Paving Industries, Inc.

### **NEWS-PRESS**

Published every morning — Daily and Sunday Fort Myers, Florida

### Affidavit of Publication

STATE OF FLORIDA COUNTY OF LEE

| Before the undersigned author  | ority, personally appeared   |
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| Suzanne Crav   | wford  |
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| Public Notic   | e of Intent to Issure A  |
| in the matter of   |  |
| DEP Air Perm   | nit to Ajax Paving   |
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| was published in said news   | paper in the issues of   |
| October 30.  | 1999   |
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| been entered as a second said Lee County, Florida, publication of the attached that he/she has neither pa discount, rebate, commis advertisement for publication.  Sworn to and su | ed in said Lee County; Florida, each day, and had class mail matter at the post office in Fort Myers for a period of one year next preceding the first copy of the advertisement; and affiant further satisfied nor promised any person, firm or corporation as sion or refund for the purpose of securing the principle of the purpose of securing the pu |
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| Suzanne Craw   | ford .   |
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| as identification, and who Notary Public  Print Name  My Commission Expires:   | did or did not take an oath.   |
| CLASS-16   | Brenda Leighton MY COMMISSION # CC688905 EXPIRES FOBRUARY 14, 2003 RONGED THEIR TORS MAIN INSERBANCE, INC.   |

PUBLIC NOTICE

OF INIT PERMIT

STATE OF FLORIDA

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DRAFT PERMIT NOTICE

DEPAR TO SEVEN HATAL

DRAFT PERMIT NOTICE

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# Department of Environmental Protection

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

David B. Struhs Secretary

October 20, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael Horan, President Ajax Paving Industries, Inc. 510 Gene Green Road Nokomis, Florida 33416

Re: Corrections to DRAFT Permit No. 7770060-003-AC Drum Mix Asphalt Plant

Dear Mr. Horan:

Enclosed are replacement pages for the Draft Air Construction Permit that was sent to you recently. These changes have been made at the request of Mr. Bernie Ball to reflect your desire to commence the initial operation of this unit at 1740 U.S. 27 South, Moore Haven, Glades County. This facility will be allowed to operate at sites in all counties of the state provided that the proper public notice requirements are satisfied. Please replace the appropriate pages of the Department's Intent to Issue Air Construction Permit, the "Public Notice of Intent to Issue Air Construction Permit", and the draft permit, with the enclosed pages.

As a reminder, 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 affected, pursuant to 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 submit any written comments you wish to have considered concerning the Department's proposed action to me at the above letterhead address. If you have any other questions, please contact Ross Pollock at 850/921-8968.

Sincerely.

Jonathan Holtom, P.E.

Bureau of Air Regulation

/jh

Enclosures

cc: Bernard A.Ball Jr., Central Florida Testing Laboratories, Inc.

Bill Thomas, DEP, Southwest District

Phil Barbaccia, DEP, South District

Kent Kimes, Sarasota County Natural Resources Department

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

In the Matter of an Application for Permit by:

Ajax Paving Industries, Inc. 510 Gene Green Road Nokomis, Florida 34275 DRAFT Permit No.: 7770060-003-AC Drum Mix Asphalt Plant

Statewide Operation

4

### 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 on July 29, 1999, to the Department for an air construction permit for statewide operation of its Drum Mix Asphalt Plant which will initially be located at 1740 U.S. 27 South, Moore Haven, Glades County. 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 actions are not exempt from permitting procedures. The Department has determined that an air construction permit is required in order for the drum mix asphalt plant to relocate to sites throughout the state.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units 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 "Public Notice of Intent to Issue Air 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 proposed permit and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must

Draft Permit No.: 7770060-003-AC

Page 2 of 2

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 of the Florida Administrative Code.

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 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

Sarasota County Natural Resources Dept. Pollution Control Division 1301 Cattleman Road, Building A Sarasota, Florida 34232

Telephone: 941/378-6128

Florida Dept. of Environmental Protection

Southwest District Office 3804 Coconut Palm Drive Tampa. Florida 33619 Telephone: 813/744-6100 Florida Dept. of Environmental Protection

South District Office

2295 Victoria Avenue, Suite 364 Fort Myers, Florida 33901 Telephone: 941/332-6969

The complete project file, which includes the permit application, technical evaluation, proposed construction permit, and the information submitted by the responsible official, 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 either Jonathan Holtom, P.E., or Ross Pollock, project engineer, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

### PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit No.: 7770060-003-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 drum mix asphalt plant that will initially be operated at 1740 U.S. 27 South. Moore Haven, Glades County. It will be authorized to operate at other sites throughout Florida upon satisfaction of all public notice requirements. The asphalt plant is a synthetic non-Title V source of air pollution and not subject to the Prevention of Significant Deterioration (PSD) regulations, Rule 62-212.400, F.A.C. A Best Available Control Technology determination was not required for this facility. The applicant's name and address are: Ajax Paving Industries, Inc., 510 Gene Green Road, Nokomis, Florida 34275.

The applicant proposes to operate the facility in the following counties: Collier, Glades, Hendry and Sarasota. The unit will emit fugitive particulate matter and the products of combustion from the diesel fuel. Control of fugitive particulate matter is accomplished of a primary dry cyclone separator followed by a baghouse system.

Total emissions of pollutants from this facility are estimated to be:

| <u>Pollutant</u>                         | Hourly Emissions | Annual Emissions |
|--|------------------|------------------|
|  | pounds per hour  | tons per year    |
| Particulate Matter(PM/PM <sub>10</sub> ) | 11.5             | 23.0             |
| Nitrogen Oxides (NOx)                    | 19.0             | 38.5             |
| Carbon Monoxide (CO)                     | 9.0              | 18.0             |
| Sulfur Dioxide (SO <sub>2</sub> )        | 15.5             | 34.0             |
| Volatile Organic Compounds (VOC)         | 17.0             | 34.5             |
| Arsenic                                  | 0.03             | 0.06             |
| Cadmium                                  | 0.01             | 0.02             |
| Chromium                                 | 0.06             | 0.12             |
| Lead                                     | 0.6              | 1.2              |
| Total Halogens                           | 6.0              | 12.0             |

Because of the low emissions and limited time of operation at any one site, the asphalt plant will not cause or contribute to any violation of an ambient air quality standard.

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 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

### SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

### **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/HyWay Model HGYO 200 oil heating system rated at 2.0 MMBtu/hr, BCE Reclaimed Asphalt Vibrating Screener, conveyors, hoppers, and stockpiles. The asphalt plant burner is fired using No. 5 used fuel oil with a 0.5% sulfur limit. No. 2 virgin diesel fuel oil with a sulfur limit of 0.5% 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%. Water sprays will be used to control fugitive 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. 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.

Application received (Bureau of Air Regulation) July 29, 1999

#### 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 1470 U.S. 27 South, Moore Haven, Glades County. The UTM coordinates of this location are Zone 17; 488.9 km E; 2967.9 km N.

| the reverse side?  | SENDER:  Complete items 1 and/or 2 for additional services.  Complete items 3, 4a, and 4b.  Print your name and address on the reverse of this form so that we can return this card to you.  Attach this form to the front of the mailpiece, or on the back if space does not permit.  Write "Return Receipt Requested" on the mailpiece below the article number.  The Return Receipt will show to whom the article was delivered and the date delivered. |   | - I also wish to receive the following services (for an extra fee):  1. |                          |
|--|--|---|---|--------------------------|
| 5  | 3. Article Addressed to:   | 4a. Article N   | lumber  | 90                       |
| ed<br>G  | Mr. Michael Horan, President   | Z 094 212 687   |   |                          |
| ESS completed  | Ajax Paving Industries, Inc.<br>510 Gene Green Road<br>Nokomis, Florida 33416  | 4b. Service Type Registered Express Mail Return Receipt for Merchandise |   | AD Certified Insured COD |
| ADDE   |  |   | 0.29.99   |                          |
| 5. Received By: (Print Name)  (St.)  8. Addressee's Add and fee is paid) |  |   | if requested 🔾  |                          |
| our BE   | 6. Signature: (Addressee or Agent)  X  VCV  (1)  | ،<br>   |   |                          |
| <u>s</u>   | PS Form <b>3811</b> , December 1994  | 2595- <b>98-B-022</b> 9   | Domestic Ret  | urn Receipt              |

### Z-094 212 687

US Postal Service

## Receipt for Certified Mail No Insurance Coverage Provided.

Do not use for international Mail (See reverse)

Sent to
Mr. Michael Horan, President
Street & Number
510 Gene Green Road
Post Office, State, & ZIP Code
Nokomis, Florida 33416

Postage \$
Certified Fee
Special Delivery Fee
Restricted Delivery Fee
Restricted Delivery Fee
Return Receipt Showing to Whom.
Date, & Addressee's Address
TOTAL Postage & Fees
Postmark or Date 10/21/99
Corrections to DRAFT Permit
No. 7770060-003-AC
Drum Mix Asphalt Plant

## Central Florida Testing Laboratories, Inc.

Jesting Development and Research 12625 - 40th STREET NORTH, CLEARWATER, FLORIDA 33762

PINELLAS / HILLSBOROUGH (727) 572-9797

FLORIDA 1-800-248-CFTL

FAX (727) 299-0023

October 27, 1999

### VIA FAX ONLY

Ms. Brenda Leighton
Legal Advertising Desk
The News Press
2442 Dr. Martin Luther King, Jr. Boulevard
Ft. Myers, Florida 33901-3987

RECEIVED

OCT 29 1999

**BUREAU OF AIR REGULATION** 

Subject:

Ajax Paving Industries, Inc.

FDEP Notice of Intent – Portable Asphalt Plant

Dear Ms. Leighton:

Please have the attached legal notice published as soon as possible in the area that circulates in the Glades, Lee, Charlotte, Collier and Hendry County circulation area of the News Press. The notice needs to appear for only one (1) day in the newspaper.

After the legal notice has appeared in the paper, please forward an affidavit for proof of publication for the notice to this office at the following address:

Bernard A. Ball Central Florida Testing Laboratories, Inc. 12625 – 40<sup>th</sup> Street North Clearwater, Florida 33762

The invoice for the legal ad should then be forwarded to:

Mr. Robert Ray Ajax Paving Industries, Inc. 510 Gene Green Road Nokomis, Florida 34275-3624 (941) 650-4897

Thank you for your prompt attention to this request. Please call me at (727) 572-9797 to confirm your receipt of this request.

Sincerely,

CENTRAL FLORIDA TESTING LABORATORIES, INC.

Bernard A. Ball, Jr.

Environmental Engineer

BaB/bAb

enclosure: FDEP public notice of intent

Copy to: Mr. Robert Ray - Ajax Paving Industries, Inc.

Mr. Jonathan Holtom - FDEP (Tallahassee)

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