



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

In the Matter of an
Application for Permit

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

DEP File No. 7770060-003-AC

NOTICE OF FINAL PERMIT

Enclosed is Final Permit Number 7770060-003-AC for a drum mix asphalt plant that will be operated at sites throughout Florida. This permit is issued pursuant to Chapter 403, Florida Statutes.

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

Executed in Tallahassee, Florida.

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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11/22/99 to the person(s) listed:

Mr. Michael Horan, President, Ajax Paving Industries, Inc.*
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

11/22/99 cc - Reading File

Department Clerk Stamp

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

Barbara J. Routhell
(Clerk) 11/22/99
(Date)

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

Florida Department of
Environmental Protection

Memorandum

TO: Howard L. Rhodes

THRU: Clair Fancy
Jonathan Holtom *J.H.*

FROM: Ross Pollock *R.P.*

DATE: November 15, 1999

SUBJECT: Ajax Paving Industries, Inc.
Construction Permit for a Relocatable Drum Mix Asphalt Plant
Final Permit No. 7770060-003-AC

Attached is the Final air construction permit for a relocatable drum mix asphalt plant. The facility has been operating as a stationary source under permit number 7770060-002-AO. This permit allows the facility to operate statewide once the public notice requirements have been satisfied.

The application for this source is being processed by BAR because it is a relocatable unit that may operate in different Districts. This facility is a synthetic minor source of air pollution.

I recommend your approval and signature of the Final Permit.

Enclosures

/RJP

Earl Baker

fax 941 332 6969

FINAL DETERMINATION

Ajax Paving Industries, Inc.
Relocatable Drum Mix Asphalt Plant

Permit No. 7770060-003-AC

An Intent to Issue an air construction permit for a relocatable drum mix asphalt plant belonging to Ajax Paving Industries, Inc. was distributed on October 7, 1999. The Public Notice of Intent to Issue Air Construction Permit was published in The Fort Myers News-Press at Fort Myers in Lee County on October 30, 1999. The facility will not be authorized to operate in counties other than Charlotte, Collier, Glades, Hendry, and Lee until the public notice requirements are met in the other counties and the permit is amended to authorize operation in other counties.

No comments were submitted by the general public in response to the public notice for this facility. In addition, no comments were submitted by the Department's district offices or any local agencies.

The final action of the Department will be to issue the permit for the counties covered by the public notice as proposed.



Department of Environmental Protection

Jeb Bush
Governor

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.: 7770060-003-AC
SIC No.: 2951
Expires: May 31, 2000

AUTHORIZED REPRESENTATIVE

Mr. Michael Horan, President

PROJECT

This permit allows the applicant to construct a drum mix asphalt plant.

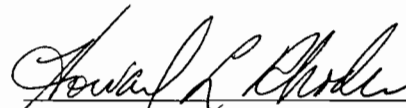
STATEMENT OF BASIS

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

APPENDICES

The attached appendices are a part of this permit:

Appendix GC – General Permit Conditions
Appendix PC – Permitted Counties


Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION II. FACILITY-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
- Draft Permit issued October 7, 1999
- Public Notice of Intent published October 30, 1999 in the Fort Myers News-Press

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. The UTM coordinates of this location are Zone 17; 488.9 km E; 2967.9 km N.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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 May 31, 2000. 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. Relocation Notification: At least 7 days prior to relocating the plant to an approved county where public notice was published within the last 5 years, the permittee shall notify the air program administrator for the Department's district office and/or, if applicable, appropriate local program. The notification shall be submitted using DEP Form 62-210.900(3), F.A.C., along with the appropriate processing fee. All potential operation sites shall be shown on a USGS topographic map. A county license, a discretionary public notice, or additional restrictions for the operation at a specific site may be imposed by the district office or local program. If the public notice for a proposed county is more than 5 years old, or if the proposed county was never covered by a public notice, this form shall be submitted at least 30 days in advance of the move and a public notice shall be published prior to operating in the proposed county. Each time that the permittee submits a Notice to Relocate, the operation permit shall be revised to reflect the new location.
[Rule 62-210.370(1), F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC 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.
[F.A.C. Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2)]
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. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. 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:
- (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:
 - Emissions that might be generated from various emission points throughout the crushing unit shall be controlled by a water suppression system with spray bars located at the various emissions points located throughout the plant.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- 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.
- (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 7/29/99.]

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.
- (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.]

[Rule 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.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

REPORTING AND RECORD KEEPING 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 III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	This unit consists of a drum mix asphalt plant and associated components

[NOTE: Emissions unit 001 is subject to 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities (40 CFR 60.90 - 60.93) and 40 CFR 60 Subpart A, revised as of July 1, 1997.]

Emissions unit 001 is a relocatable BCE drum mix asphalt plant. Major components of this system include a GENTEC/HyWay Model HYGO 200 oil heating system rated at 2.0 MMBtu/hr, a BCE reclaimed asphalt screener, conveyors, hoppers and stockpiles.

ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS

1. Hours of Operation: The asphalt plant with the exception of the oil heating system may operate for 4,000 hours per year. The oil heating system may operate continuously (8760 hours per year).
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]
2. Permitted Capacity: The asphalt plant may process up to 250 TPH and 1,000,000 TPY of material (total).
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]
3. Fuel Limitation: The asphalt plant may burn a maximum amount of 3.0 million gallons of fuel oil during any consecutive 12-month period. The asphalt plant may 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 will only burn No. 2 virgin diesel fuel oil.

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

4. Particulate Matter: Particulate matter emissions shall not exceed 90 mg/dscm (0.04 gr/dscf).
[40 CFR 60.92]
5. Visible Emissions: Visible emissions shall not exceed 20 percent opacity.
[40 CFR 60.92]
6. 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.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

USED OIL LIMITATIONS

7. 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 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 may 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)]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

8. 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]

9. 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:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

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.

* Analysis for PCBs is not required if a claim is made that the used oil does not contain quantifiable levels of PCBs.

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, 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;
- b. provide the analytical results for the above parameters; and
- c. indicate the proposed means of disposal of the used oil.

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

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

10. Used Oil Record Keeping 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.; and 40 CFR 279.61 and 40 CFR 761.20(e)]

11. 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.; and, 40 CFR 279 and 40 CFR 761]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

12. Test Frequency:

(a) 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 62-297.30(7)(a)1., F.A.C.]

(b) 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.]

(c) 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.]

13. 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.]

14. Requirements for Initial Testing: The owner or operator shall determine compliance with the particulate matter standards of 40 CFR 60.92 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 31.8 dscf.

(2) Method 9 and the procedures of 40 CFR 60.11 shall be used to determine opacity.

[40 CFR 60.93]

15. 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.]

16. 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.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

(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 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.]

17. 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., 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.]

18. 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 RECORD KEEPING REQUIREMENTS

19. 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:

- (a) The daily location and production rate.
- (b) The daily hours of operation of the crusher system.
- (c) Maintenance and repair logs for any work performed on the permitted emissions units.
- (d) Daily logs regarding the use of wetting agents to control fugitive dust.

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

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

20. 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.]

21. 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).

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (b) 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.
- (c) 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.

[Rule 62-297.310(8)(b)&(c)1. - 6., F.A.C.]

22. 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.

[Rule 62-4.160(14)(a)&(b), F.A.C.]

23. Duration of Record Keeping: 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.

[Rule 62-4.160(14)(a)&(b), F.A.C.]

24. 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.]

25. 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.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

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.]

26. Pursuant to 40 CFR 60.7 Notification And Record Keeping:

- (a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:
- (4) 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.
- (b) 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.
- (f) 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]

27. Pursuant to 40 CFR 60.8 Performance Tests:

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (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.

[40 CFR 60.8]

28. Pursuant to 40 CFR 60.11 Compliance With Standards And Maintenance Requirements:

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

[40 CFR 60.11]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

29. Pursuant to 40 CFR 60.12 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]**30. Pursuant to 40 CFR 60.19 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.
- (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.

APPENDIX GC – GENERAL PERMIT CONDITIONS

[F.A.C. 62-4.160]

- 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, Florida Statutes. 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), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance; and

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (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]

APPENDIX GC – GENERAL PERMIT CONDITIONS
[F.A.C. 62-4.160]

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

APPENDIX GC – GENERAL PERMIT CONDITIONS

[F.A.C. 62-4.160]

(c) Records of monitoring information shall include:

1. The date, exact place, and time of sampling or measurements;
2. The person responsible for performing the sampling or measurements;
3. The dates analyses were performed;
4. The person responsible for performing the analyses;
5. The analytical techniques or methods used; 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 applicant has published the proper public notices and is authorized to operate in the following counties:

Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:
Alachua		Hamilton		Okeechobee	
Baker		Hardee		Orange	
Bay		Hendry	Oct. 30, 2004	Osceola	
Bradford		Hernando		Palm Beach	
Brevard		Highlands		Pasco	
Broward		Hillsborough		Pinellas	
Calhoun		Holmes		Polk	
Charlotte	Oct. 30, 2004	Indian River		Putnam	
Citrus		Jackson		St. Johns	
Clay		Jefferson		St. Lucie	
Collier	Oct. 30, 2004	Lafayette		Santa Rosa	
Columbia		Lake		Sarasota	
Dade		Lee	Oct. 30, 2004	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	Oct. 30, 2004	Nassau			
Gulf		Okaloosa			

Is your RETURN ADDRESS completed on 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. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

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

5. Received By: (Print Name)
 Sharon Wilson

6. Signature: (Addressee or Agent)
 X Sharon Wilson

4a. Article Number
 Z 094212 699

4b. Service Type
 Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 12-3-99

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

PS Form 3811, Domestic

Z 094 212 699

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	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 11/22/99	
Permit No. 7770060-003-AC	
Ajax Paving Industries, Inc.	

PS Form 3800, April 1995

Central Florida Testing Laboratories, Inc.

Testing 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 authority, personally appeared _____

Suzanne Crawford

who on oath says that he/she is the Assistant Legal
Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the
 attached copy of advertisement, being a _____

Public Notice of Intent to Issue Air Permit

in the matter of _____

DEP Air Permit to Ajax Paving

in the _____ Court

was published in said newspaper in the issues of _____

October 30, 1999

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement; and affiant further says that he/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Suzanne Crawford

Sworn to and subscribed before me this
1st day of _____

November, 19 99 by

Suzanne Crawford

who is personally known to me or who has produced

as identification, and who did or did not take an oath.

Notary Public Brenda Leighton

Print Name _____

My Commission Expires:

CLASS-16



Brenda Leighton
 MY COMMISSION # CC808905 EXPIRES
 February 14, 2003
 BONDED THROUGH TROY PAIN INSURANCE, INC

**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:

Pollutant - Hourly Emissions (pounds per hour) - Annual Emissions (tons per year)
Particulate Matter (PM/PM10) - 11.5 - 23.0
Nitrogen Oxides (NOx) - 19.0 - 38.5
Carbon Monoxide (CO) - 9.0 - 18.0
Sulfur Dioxide (SO2) - 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 re-

ceived 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 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 ac-

tion, 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, 9:00 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, 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,

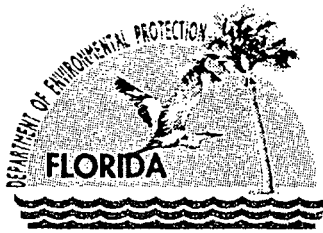
Florida 33901 Telephone: 941/332-6969 Sarasota County Natural Resources Dept., Pollution Control Division, 1301 Cattleman Road, Building A, Sarasota, Florida 34232 Telephone: 941/378-6128

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 Holton, 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.

Oct 30 No. 29749

NEWS-PRESS

"Serving Southwest Florida Since 1884"



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

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

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

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

Sarasota County Natural Resources Dept.
Pollution Control Division
1301 Cattleman Road, Building A
Sarasota, Florida 34232
Telephone: 941/378-6128

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>	<u>Hourly Emissions</u> pounds per hour	<u>Annual Emissions</u> tons per year
Particulate Matter(PM/PM ₁₀)	11.5	23.0
Nitrogen Oxides (NOx)	19.0	38.5
Carbon Monoxide (CO)	9.0	18.0
Sulfur Dioxide (SO ₂)	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.

Is your RETURN ADDRESS completed on 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. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Mr. Michael Horan, President Ajax Paving Industries, Inc. 510 Gene Green Road Nokomis, Florida 33416	4a. Article Number Z 094 212 687	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) <i>Sharon Wilson</i>		
6. Signature: (Addressee or Agent) <input checked="" type="checkbox"/> <i>Sharon Wilson</i>	7. Date of Delivery <i>10-29-99</i>	
8. Addressee's Address (Only if requested and fee is paid)		

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 102595-98-B-0229 Domestic Return 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	
Return Receipt Showing to Whom & Date Delivered	
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	

PS Form 3800, April 1995

Central Florida Testing Laboratories, Inc.

Testing 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:

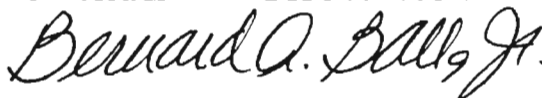
**Bernard A. Ball
Central Florida Testing Laboratories, Inc.
12625 – 40th Street North
Clearwater, Florida 33762**

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)

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>	<u>Hourly Emissions</u> pounds per hour	<u>Annual Emissions</u> tons per year
Particulate Matter(PM/PM ₁₀)	11.5	23.0
Nitrogen Oxides (NOx)	19.0	38.5
Carbon Monoxide (CO)	9.0	18.0
Sulfur Dioxide (SO ₂)	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.

Florida Department of
Environmental Protection

Memorandum

TO: Clair Fancy
THRU: Jonathan Holtom *J.H.*
FROM: Ross Pollock *RP*
DATE: September 23, 1999
SUBJECT: Intent Package for Draft Permit No.: 7770060-003-AC
Ajax Paving Industries, Inc.
Relocatable Drum Mix Asphalt Plant

This permit is for the construction of a relocatable drum mix asphalt plant. This facility is currently operating as a stationary source under permit number 7770060-002-AO. This permit will allow the facility to operate statewide once the public notice requirements can be satisfied.

The application for this construction permit was received on July 29, 1999 and was complete the same day. This facility is a synthetic minor source of air pollution.

I recommend that this Intent to Issue be sent out as attached.

CHF/rjp



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

October 4, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

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

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

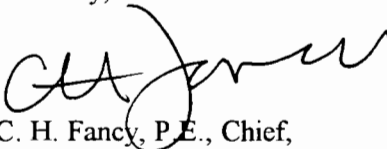
Dear Mr. Horan:

Enclosed is one copy of the Draft Air Construction Permit for a drum mix asphalt plant which will initially be located at 510 Gene Green Road, Nokomis, Sarasota 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. 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 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 Jonathan Holtom, P.E., at the above letterhead address. If you have any other questions, please contact Ross Pollock or Mr. Holtom at 850/488-0114.

Sincerely,



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

CHF/rjp

Enclosures

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

Printed on recycled paper.

Is your RETURN ADDRESS completed on 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. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.
3. Article Addressed to: Mr. Michael Horan, President Ajax Paving Industries, Inc. 510 Gene Green Road Nokomis, Florida 33416	4a. Article Number P 263 585 253	4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD
5. Received By: (Print Name) SHARON WILSON	7. Date of Delivery 10-19-99	8. Addressee's Address (Only if requested and fee is paid)
6. Signature: (Addressee or Agent) X Sharon Wilson		

Thank you for using Return Receipt Service.

PS Form 3811, December 1994 102595-97-B-0179 Domestic Return Receipt

P 263 585 253

US Postal Service
Receipt for Certified Mail
 No Insurance Coverage Provided.
 Do not use for International Mail (See reverse)

Sent to	
Mr. Michael Horan	
Street & Number	
510 Gene Green Road	
Post Office, State, & ZIP Code	
Nokomis, Florida 33416	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date 10/7/99	
DRAFT PERMIT No.: 7770060-003-AC	
Drum Mix Asphalt Plant	

PS Form 3800, April 1995



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

P.E. Certification Statement

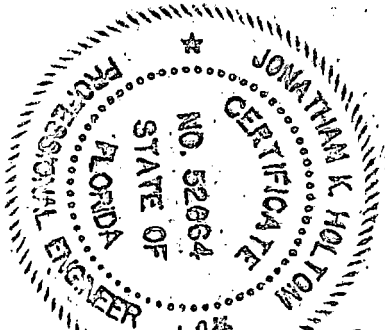
Ajax Paving Industries, Inc.
Initial Project Site:
510 Gene Green Road
Nokomis, Sarasota County

DEP File No.: 7770060-003-AC
Facility ID No.: 7770060

Project: Relocatable Source Air Construction Permit

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 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

This review was conducted by Ross Pollock under my responsible supervision.



Jonathan K. Holtom
Jonathan K. Holtom, P.E.
Registration Number: 0052664

9/29/99
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: 850/488-0114
Fax: 850/922-6979

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

Printed on recycled paper.

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

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 510 Gene Green Road Nokomis, Sarasota 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

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

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

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

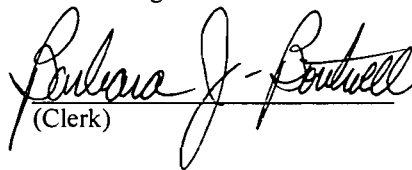
CERTIFICATE OF SERVICE

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 10/7/99 to the person(s) listed:

Mr. Michael Horan, President, Ajax Paving Industries, Inc.*
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

Clerk Stamp

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


(Clerk) 10/7/99
(Date)

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 be operated at sites throughout Florida. 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, 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>	<u>Hourly Emissions</u> pounds per hour	<u>Annual Emissions</u> tons per year
Particulate Matter(PM/PM ₁₀)	11.5	23.0
Nitrogen Oxides (NO _x)	19.0	38.5
Carbon Monoxide (CO)	9.0	18.0
Sulfur Dioxide (SO ₂)	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 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

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

Sarasota County Natural Resources Dept.
Pollution Control Division
1301 Cattleman Road, Building A
Sarasota, Florida 34232
Telephone: 941/378-6128

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.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

Ajax Paving Industries, Inc.

Relocatable Drum Mix Asphalt Plant
State Wide Operation

Air Construction Permit No.: 7770060-003-AC

Facility ID No.: 7770060
Unit No. 01 Drum Mix Asphalt Plant

Relocatable Unit

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

September 23, 1999

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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*

July 29, 1999 Date of Receipt of Complete Application

2. FACILITY INFORMATION

2.1 *Relocatable drum mix asphalt plant operating throughout Florida.*

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. Water sprays will be used to control fugitive emissions as needed.

2.2 *Standard Industrial Classification Code (SIC)*

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

2.3 *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 the oil heating system.

The asphalt plant operated by the applicant is classified as a synthetic minor air pollutant emitting facility. Air pollutant emissions are less than 100 TPY of any single criteria air pollutant and less than 25 TPY of HAP emissions from the fuel oil.

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 because without the baghouse system the particulate matter emissions from the facility may make the facility a major source of air pollution.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

3. PROJECT DESCRIPTION

3.1 *This permit addresses the following emissions units:*

EMISSION UNIT NO.	SYSTEM	EMISSION UNIT DESCRIPTION
001	Drum Mix Asphalt Plant	250 TPH Bitumina Construction & Engineering Company (BCE) Drum Mix Asphalt Plant

4. PROCESS DESCRIPTION

4.1 *General Information*

This Bituma Construction and Engineering Company (BCE) Drum Mix Asphalt Plant is rated at 250 tons per hour. The asphalt plant burner is fired with No. 5 used fuel oil with a 0.5% sulfur limit. No. 2 virgin diesel fuel oil with a 0.5% sulfur limit can be used as an alternate fuel. The Gentec/HyWay Mode HGYO Model 200 liquid asphalt oil heating system is fired with No. 2 virgin diesel fuel oil having a maximum sulfur content not to exceed 0.5% by weight.

5. RULE APPLICABILITY

The proposed project is subject to preconstruction review requirements under the provisions of Chapter 403, Florida Statutes, and Chapters 62-4, 62-204, 62-210, and 62-212, of the 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 unit and the potential emission increases for all criteria pollutants do not exceed the significant emission rates given in Chapter 62-212, Table 62-212.400-2, F.A.C.

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 and 62-296.704. Its potential emissions are limited by a requested restriction on the allowable hours of operation as well as the 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 emission unit affected by this permit shall comply with all applicable provisions of the Florida Administrative Code and, specifically, the following Chapters and Rules:

Chapter 62-4	Permits.
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 62-297.310	General Test Requirements
Rule 62-297.400	EPA Methods Adopted by Reference
Rule 62-297.401	EPA Test Procedures

6. SOURCE IMPACT ANALYSIS

6.1 *Emission Limitations*

The proposed relocatable drum mix asphalt plant will emit the following PSD pollutants (Table 212.400-2): particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide. Since used oil can be burned by the facility, the following pollutants will also be emitted: arsenic, cadmium, chromium, lead, and halogens. The estimated emissions for these emission units are summarized in the following table.

6.2 *Emission Summary*

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

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Pollutants	Estimated Hourly Emissions lb/hr	Estimated Annual Emissions TPY
PM/PM ₁₀	11.5	23.0
NO _x	19.0	38.5
SO ₂	15.5	34.0
CO	9.0	18.0
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

6.3 Control Technology Review

The vibrating screener, conveyors, hoppers and stockpiles are potential sources of fugitive particulate matter emissions. Emissions are controlled by the use of a primary dry cyclone separator followed by a BCE Model 400 baghouse system. Wetting the material being processed, as well as the storage piles and yard/roads shall control other fugitive emissions, when needed.

The asphalt plant heater and the oil heating system will emit products of combustion. Compliance with fuel usage limits and restrictions on the fuels that may be used at the facility will limit emissions from the heaters.

In addition to the limitations on fuel the applicant has requested a limit on the hours of operation for the asphalt plant. However, the oil heating system will be allowed to operate continuously.

6.4 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.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

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

Permit Engineer: Ross Pollock

Reviewed and Approved by: Jonathan Holtom, P.E.



Department of Environmental Protection

Jeb Bush
Governor

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.: 7770060-003-AC

SIC No.: 2951

Expires: 6 months from date of issuance

AUTHORIZED REPRESENTATIVE

Mr. Michael Horan, President

PROJECT

This permit allows the applicant to construct a drum mix asphalt plant.

STATEMENT OF BASIS

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

APPENDICES

The attached appendices are a part of this permit:

Appendix GC – General Permit Conditions

Appendix PC – Permitted Counties

Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION II. FACILITY-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 510 Gene Green Road Nokomis, Sarasota County. The UTM coordinates of this location are Zone 17; 362.3 km E; 3004.0 km N.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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 *(six months from date of issuance)*. 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. Relocation Notification: At least 7 days prior to relocating the plant to an approved county where public notice was published within the last 5 years, the permittee shall notify the air program administrator for the Department's district office and/or, if applicable, appropriate local program. The notification shall be submitted using DEP Form 62-210.900(3), F.A.C., along with the appropriate processing fee. All potential operation sites shall be shown on a USGS topographic map. A county license, a discretionary public notice, or additional restrictions for the operation at a specific site may be imposed by the district office or local program. If the public notice for a proposed county is more than 5 years old, or if the proposed county was never covered by a public notice, this form shall be submitted at least 30 days in advance of the move and a public notice shall be published prior to operating in the proposed county. Each time that the permittee submits a Notice to Relocate, the operation permit shall be revised to reflect the new location.
[Rule 62-210.370(1), F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC 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.

[F.A.C. Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2)]

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. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. 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:

(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:

- Emissions that might be generated from various emission points throughout the crushing unit shall be controlled by a water suppression system with spray bars located at the various emissions points located throughout the plant.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- 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.
- (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 11/2/98.]

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.
- (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.]

[Rule 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.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

REPORTING AND RECORD KEEPING 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.]

DRAFT

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	This unit consists of a drum mix asphalt plant and associated components

[NOTE: Emissions unit 001 is subject to 40 CFR 60, Subpart I, Standards of Performance for Hot Mix Asphalt Facilities (40 CFR 60.90 - 60.93) and 40 CFR 60 Subpart A, revised as of July 1, 1997.]

Emissions unit 001 is a relocatable BCE drum mix asphalt plant. Major components of this system include a GENTEC/HyWay Model HYGO 200 oil heating system rated at 2.0 MMBtu/hr, a BCE reclaimed asphalt screener, conveyors, hoppers and stockpiles.

ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS

- Hours of Operation: The asphalt plant with the exception of the oil heating system may operate for 4,000 hours per year. The oil heating system may operate continuously (8760 hours per year).
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]
- Permitted Capacity: The asphalt plant may process up to 250 TPH and 1,000,000 TPY of material (total).
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]
- Fuel Limitation: The asphalt plant may burn a maximum amount of 3.0 gallons of fuel oil during any consecutive 12-month period. The asphalt plant may burn either No. 5 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 will only burn No. 2 virgin diesel fuel oil.

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

- Particulate Matter: Particulate matter emissions shall not exceed 90 mg/dscm (0.04 gr/dscf).
[40 CFR 60.92]
- Visible Emissions: Visible emissions shall not exceed 20 percent opacity.
[40 CFR 60.92]
- Excess Emissions: The following excess emissions provisions can not be used to vary any NSPS requirements (from any subpart of 40 CFR 60).
 - 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.]
 - 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.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

USED OIL LIMITATIONS

7. 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 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 may 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)]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

8. 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.

9. 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:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

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.

* Analysis for PCBs is not required if a claim is made that the used oil does not contain quantifiable levels of PCBs.

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, 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;
- b. provide the analytical results for the above parameters; and
- c. indicate the proposed means of disposal of the used oil.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

10. Used Oil Record Keeping 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.; and 40 CFR 279.61 and 40 CFR 761.20(e)]

11. 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.; and, 40 CFR 279 and 40 CFR 761]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

12. Test Frequency:

- (a) 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 62-297.30(7)(a)1.,F.A.C.]

- (b) 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.]

- (c) The owner or operator shall conduct a particulate matter compliance test to demonstrate 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.]

- 13. 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.]

- 14. Test Procedures** shall meet all applicable requirements of Rule 62-297.310(4), F.A.C.

[Rule 62-297.310(4), F.A.C.]

15. 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 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.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

16. 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., 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.]

17. Test Methods: The owner or operator shall determine compliance with the particulate matter standards of 40 CFR 60.92 as follows:

(1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 31.8 dscf.

(2) Method 9 and the procedures of 40 CFR 60.11 shall be used to determine opacity.

[40 CFR 60.93]

18. 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 RECORD KEEPING REQUIREMENTS

19. 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:

(a) The daily location and production rate.

(b) The daily hours of operation of the crusher system.

(c) Maintenance and repair logs for any work performed on the permitted emissions units.

(d) Daily logs regarding the use of wetting agents to control fugitive dust.

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

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

20. 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.]

21. 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).

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (b) 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.
- (c) 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.

[40 CFR 60.676(f), Rule 62-297.310(8)(b)&(c)1. - 6., F.A.C.]

22. 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.

[Rule 62-4.160(14)(a)&(b), F.A.C.]

23. Duration of Record Keeping: 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.

[Rule 62-4.160(14)(a)&(b), F.A.C.]

24. 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.]

25. 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.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

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.]

26. Pursuant to 40 CFR 60.7 Notification And Record Keeping:

- (a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:
- (4) 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.
- (b) 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.
- (f) 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]

27. Pursuant to 40 CFR 60.8: Performance Tests:

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (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.

[40 CFR 60.8]

28. Pursuant to 40 CFR 60.11 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). [Under certain conditions (40 CFR 60.675(c)(3)&(4)), Method 9 observation time may be reduced from 3 hours to 1 hour. Some affected facilities are exempted from Method 9 tests (40 CFR 60.675 (h)). See specific conditions 8 and 9, Section III, above for test duration requirements.]
- (c) The opacity standards set forth in 40 CFR 60.11 shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
- (d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

29. Pursuant to 40 CFR 60.12 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]

30. Pursuant to 40 CFR 60.19 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.
- (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.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (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]

DRAFT

APPENDIX GC – GENERAL PERMIT CONDITIONS

[F.A.C. 62-4.160]

- 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, Florida Statutes. 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), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance; and

APPENDIX GC – GENERAL PERMIT CONDITIONS
[F.A.C. 62-4.160]

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

APPENDIX GC – GENERAL PERMIT CONDITIONS
[F.A.C. 62-4.160]

(c) Records of monitoring information shall include:

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

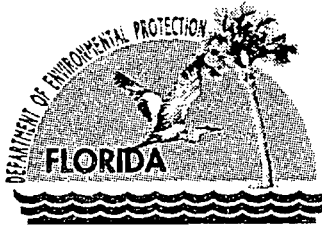
G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

DRAFT

APPENDIX PC – PERMITTED COUNTIES

The applicant has published the proper public notices and is authorized to operate in the following counties:

Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:
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			



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

August 16, 1999

Mr. Michael Horan
Ajax Paving Industries, Inc. of Florida
909-C Tamiami Trail
Port Charlotte, Florida 33952-0220

Dear Mr. Horan:

The Department has determined that the processing fee submitted with your July 29, 1999, application for a statewide relocatable asphalt plant is excessive, and you are due a refund of \$250. Please date and sign on the Applicant's Signature line the enclosed Application for Refund form and return it to me. If you have any questions, please call me at (850) 921-9505.

Sincerely,

Patty Adams
Bureau of Air Regulation

/pa

Enclosure

cc: Ross Pollock

APPLICATION FOR REFUND FORM
THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA, COUNTY OF _____

Pursuant to the provisions of Section 215.26, or Section _____*, Florida Statutes,
I hereby apply for a refund and request that a State Warrant be drawn in favor of:

NAME: AJAX PAVING INDUSTRIES, INC. OF FLORIDA
ADDRESS: 909-C TAMiami TRAIL PORT CHARLOTTE, FL 33952-0220
FEID OR SS NUMBER: 7770060
AMOUNT: \$250.00 DEPOSIT DATE: 10-AUG-1999 DEPOSIT: 200074
DOCUMENT NUMBER: SYS RECEIPT#: 294586
REV OBJECT CODE: 2222 AIR CONSTRUCT

which represents moneys I paid into the State Treasury subject to refund, and to substantiate such claim the following facts are submitted:

REASON FOR CLAIM: OVER PAYMENT

CERTIFIED TRUE AND CORRECT this _____ day of _____, 19__.

Applicant's Signature

*Must be completed if authority is other than Section 215.26, Florida Statutes.

(FOR AGENCY USE ONLY)

(1) Agency recommends denial of above claim based on the following facts, including statutory authority for collection:

OR

(2) Agency recommends approval of above claim and submits the following information to substantiate such claim. \$250.00 was originally deposited into the State Treasury, Receipt _____, dated _____.

NAME OF ACCOUNT:

SAMAS ACCOUNT CODE
3720252600137_____0000000020000

Statutory Authority for Collection _____

It is requested that payment be made from:

NAME OF ACCOUNT:

SAMAS ACCOUNT CODE
3720252600137_____00000022000000

CERTIFIED TRUE AND CORRECT this _____ day of _____, 19__.

Signature and Title of Authorized Person

SECTION 215.26 STATES, IN PART: "APPLICATION FOR REFUNDS AS PROVIDED BY THIS SECTION SHALL BE FILED WITH THE COMPTROLLER, EXCEPT AS OTHERWISE PROVIDED HEREIN, WITHIN 3 YEARS AFTER THE RIGHT TO SUCH REFUND SHALL HAVE ACCRUED ELSE SUCH RIGHT SHALL BE BARRED." Three years is interpreted as meaning three years from the date of payment into State Treasury.