

MEMORANDUM

TO: Clair Fancy, P.E.
FROM: Ross Pollock *R.P.*
THRU: Jonathan Holtom, P.E. *JH*
DATE: January 21, 1999
Re: Intent package for DRAFT Permit No.: 7770210-001-AC
John Carlo, Inc.
Relocatable Concrete Batch Plant

Permit Clock: Today is ARMS Day 80
Day 90: January 31, 1999

This permit is for the construction of a relocatable concrete batch plant. The permit will allow the plant to operate in the following counties after the proper proof of publication has been received: Baker, Bradford, Citrus, Clay, Columbia, Desoto, Duval, Hardee, Hernando, Highlands, Hillsborough, Manatee, Nassau, Pasco, Pinellas, Polk, Putnam, Sarasota, St. Johns, Sumter, Union.

The application for this construction permit was received on November 2, 1998 and was complete the same day.

This facility was previously permitted as a stationary facility in Orange County. The facility was then moved out of the state by John Carlo, Inc. The permittee now wants to operate the facility in the state as a relocatable facility.

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

CHF/rjp

[electronic file name: xxxxxxx1.mem]



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

John Carlo, Inc.
Initial Project Site:
4700 Hoover Drive
Tampa International Airport
Tampa, Hillsborough County, 33634

DEP File No.: 7770210-001-AC
Facility ID No.: 7770210-001

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

1/22/99

Date

Permitting Authority:

Florida Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation
Mail Station #5505
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
Telephone: 850/488-0114
Fax: 850/922-6979

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



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

January 22, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. David Ammon, Project Manager
John Carlo, Inc.
P. O. Box 1297
East Yulee, Florida 32041-1297

Re: DRAFT Permit No. 7770210-001-AC
Air Construction Permit for a Relocatable Concrete Batch Plant

Dear Mr. Ammon:

Enclosed is one copy of the Draft Air Construction Permit for a relocatable concrete batch plant for which authorization to operate has been requested for the following counties: Baker, Bradford, Citrus, Clay, Columbia, Desoto, Duval, Hardee, Hernando, Highlands, Hillsborough, Manatee, Nassau, Pasco, Pinellas, Polk, Putnam, Sarasota, St. Johns, Sumter, Union. It will initially be located at Tampa International Airport. 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 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"

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 by electronic mail as noted, before the close of business on 1/28/99, to the person(s) listed:

- Mr. David Ammon, Project Manager, John Carlo, Inc.*
- Mr. Russell B. Keith, E.I., Environmental Engineer, Central Florida Testing Laboratories, Inc.

The following persons were sent copies via. E-Mail:

- Jerry Campbell, Hillsborough County Environmental Protection Commission
- Peter Hessling, Pinellas County Department of Environmental Management
- Kent Kimes, Sarasota County Natural Resources Department
- Gerald Kissell, DEP, Southwest District
- Chris Kirts, DEP, Northeast District
- James Manning, Regulatory and Environmental Services Department
- David Knowles, DEP, South District

*1/28/99 cc: Ross Pollock
Reading File*

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.

Barbara J. Boutwell 1/28/99
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit No.: 7770210-001-AC
John Carlo, Inc.

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to John Carlo, Inc., for a relocatable concrete batch plant which will initially be located at located at Tampa International Airport, Tampa, Hillsborough County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: John Carlo, Inc., P. O. Box 1297, East Yulee, Florida 32041.

The applicant proposes to operate the facility in the following counties covered by this notice: Baker, Bradford, Citrus, Clay, Columbia, Desoto, Duval, Hardee, Hernando, Highlands, Hillsborough, Manatee, Nassau, Pasco, Pinellas, Polk, Putnam, Sarasota, St. Johns, Sumter, Union. Air pollution control is accomplished by using a baghouse system.

An air quality impact analysis was not conducted. Emissions from the facility will not consume PSD increment and will not significantly contribute to or cause a violation of any state or federal ambient air quality standards.

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 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the 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.

A copy 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: 850/488-0114

Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256
Telephone: 904/448-4300

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619
Telephone: 813/744-6100

Hillsborough County Environmental
Protection Commission
1900 Ninth Avenue
Tampa, Florida 33605
Telephone: 813/272-5960

Regulatory and Environmental
Services Department
117 W. Duvall Street, Suite 225
Jacksonville, Florida 32202
Telephone: 904/630-3484

Department of Environmental Protection
South District
2295 South Victoria Drive
Fort Myers, Florida 33901
Telephone: 813/332-6975

Air Quality Division
Pinellas County Division of
Environmental Management
300 South Garden Avenue
Clearwater, Florida 34616
Telephone: 727/464-4422

Sarasota County Natural
Resources Department
Building A 1301 Cattleman Road
Sarasota, Florida 34232
Telephone: 941/378-6113

The complete project file includes the application, technical evaluations, draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may write to Jonathan Holtom, P.E. at 2600 Blair Stone Road, Mail Station 5505, Tallahassee, Florida 32399-2400, or call 850/921-9531, for additional information.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

John Carlo, Inc.

Relocatable Concrete Batching Plant
State Wide Operation

Air Construction Permit No.: 7770210-001-AC

Facility ID No.: 7770210
Unit No.: 01

Relocatable Unit

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

January 22, 1999

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. APPLICATION INFORMATION

1.1 Applicant Name and Address

John Carlo, Inc.
P. O. Box 1297
East Yulee, Florida 32041-1297

1.2 Authorized Representative

Mr. David Ammon
Project Manager

1.3 Reviewing and Processing Schedule

November 2, 1998 Date of Receipt of Application

1.4 Type of Permit Requested

This facility qualifies to operate under the provisions of the General Permit for Concrete Batching Plants provided in Rule 62-210.300(4)(a)7., Florida Administrative Code (F.A.C.). However, the applicant feels that the requirement to publish a new public notice every time the facility moves, as required by the general permit, would cost more over the course of a five-year permit than it would to obtain a construction and an operation permit that requires the publishing of a public notice only once every five years (per county). Therefore, at the applicant's request, the application that was submitted for an operation permit renewal (\$1,000) and minor modification to allow state-wide operation (\$250), is being processed as a new construction permit for an emissions unit having potential emissions of less than 5 tons per year (\$250). This will be followed by an operation permit for an emissions unit required to measure actual emissions by a method other than stack sampling (\$1,000) once the proper test results, certifications and operation permit application are submitted.

2. FACILITY INFORMATION

2.1 Facility Location

The applicant proposes to obtain an air permit for a relocatable concrete batching plant. The applicant has requested a permit that will allow the unit to operate near construction sites anywhere in Florida. The initial location of the facility will be at 4700 Hoover Drive at Tampa International Airport, Tampa, Hillsborough County, 33634.

The facility is rated at a production capacity of 200 cubic yards per hour (CY/hr) of ready-mix concrete.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The relocatable plant will use an outside storage area for aggregate and sand. The plant contains a hopper for the sand and aggregate, an enclosed silo for the Portland cement, conveyors, weigh hopper, and mixer. Particulate matter emissions from the processing equipment are controlled by a 99.8 percent efficient C & W (Model No. CW-RA-140) baghouse. A payloaders transfers the sand and aggregate to the plant. Enclosed trucks haul the wet concrete mix from the plants. Pneumatic unloading trucks bring cement to the plant. Other trucks bring sand, aggregate, and water to the plant.

2.2 Standard Industrial Classification Code (SIC)

Major Group No.	32	Concrete, Gypsum, and Plaster Products
Group No.	3273	Concrete batching
SCC No.	3-05-011-12	Mixing: Wet (CY Concrete Produced)

2.3 Facility Category

This concrete batching plant is classified as a minor air pollutant emitting facility. Air pollutant emissions are less than 100 TPY for particulate matter (PM/PM₁₀). This facility is not on the list of the 28 Major Facility Categories, Table 62-212.400-1.

Based on the specific conditions in the draft permit and the physical restrictions of the equipment, this facility is classified as a *minor source* of air pollution and is not subject to Title V permitting.

3. PROJECT DESCRIPTION

3.1 This permit addresses the following emissions unit:

EMISSION UNIT NO.	SYSTEM	EMISSION UNIT DESCRIPTION
001	Unit 1	200 CY/hr Relocatable Concrete Batching Plant

The applicant has requested an air construction permit for this facility.

4. PROCESS DESCRIPTION

4.1 General Information

This plant produces ready-mix concrete by mixing sand, aggregate, cement, and water. The flow diagram in the application shows the process used by the plant.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The operation of a relocatable concrete batching plant produces fugitive particulate matter emissions. The vehicles operated in conjunction with the plant emit the products of combustion of the fuel. Fugitive particulate matter emissions from handling of the sand and aggregate in the yard will be controlled by wetting as needed. Particulate matter emissions from the batching plant are controlled by a baghouse. The product (ready-mix concrete) is wet and not a source of emissions. Emissions of the products of combustion from vehicles are not regulated by this permit.

5. RULE APPLICABILITY

The proposed project is subject to Chapters 62-4, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.).

This facility may, upon fulfillment of the applicable Public Notice requirements, operate in any county in Florida.

Some of the rules the unit is subject to are: Rule 62-296.414, F.A.C., Concrete Batching Plants; Rule 62-296.320(4)(c), F.A.C., Unconfined Emissions of Particulate Matter; and Rule 62-210.370, F.A.C., Reports. Other applicable regulations are listed below.

Chapter 62-4	Permits
Rule 62-204.220	Ambient Air Quality Protection
Rule 62-204.240	Ambient Air Quality Standards
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 62-212.400	Prevention of Significant Deterioration (PSD)
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

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

6. SOURCE IMPACT ANALYSIS

6.1 *Control Technology Review*

The allowable emission limit from concrete batching plants is 5 percent opacity. The process equipment in the applicant's batching plant is ducted to a high efficiency baghouse. The efficiency of the baghouse will be demonstrated after initial setup by conducting a visible emissions test, as specified in the permit regulations.

The regulations require the applicant to employ reasonable precautions to control unconfined emissions from the yard. The measures employed at this facility include use of water sprays on the aggregate storage area, watering trucks on the roadways and plant structures, and cleaning the surfaced areas around the plant as needed.

6.2 *Air Quality Analysis*

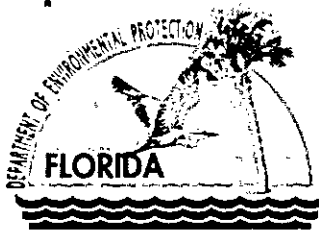
An air quality analysis was not conducted on this plant. Based on experience, the Department believes the emissions from this plant will not cause a violation of the ambient air quality standard for particulate matter.

7. CONCLUSION

Based on the foregoing technical evaluation of the application, the Department has made a preliminary determination that the operation of this facility will comply with all applicable state and federal air pollution regulations, provided the reasonable precautions proposed in the application are implemented and certain conditions are met. Upon the fulfillment of the applicable public notice requirements specified within the permit, and provided that no prohibitions arise as a result of public comments, this facility may operate anywhere within the state. The General and Specific Conditions are listed in the attached draft conditions of approval.

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:

John Carlo, Inc.
Relocatable Concrete Batching Plant
P.O. Box 1297
Yulee, Florida 32041-1297

Facility ID No.: 7770210
Permit No.: 7770210-001-AC
SIC No.: 3273
Expiration Date:

AUTHORIZED REPRESENTATIVE:

Mr. David Ammon, Project Manager

PROJECT:

This permit allows the applicant to construct a relocatable concrete batching 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).

APPENDIX:

The attached appendix is a part of this permit:

Appendix GC, General Permit Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

Air Construction Permit 7770210-001-AC
SECTION I. FACILITY INFORMATION

FACILITY DESCRIPTION:

This facility consists of a relocatable REX Central Mix concrete batching plant with a cement silo capacity of 600 barrels and a batcher with a maximum rate of 200 cubic yards of concrete per hour. The emissions from the facility are controlled by a C & W Manufacturing Company baghouse system, Model Number RA 140.

REGULATORY CLASSIFICATION:

This facility is subject to regulation under Rule 62-296.414, F.A.C., Concrete Batching Plants.

RELEVANT DOCUMENTS:

The document listed below is the basis of this permit. It is specifically related to this permitting action. This document is on file with the Department.

- Application received (Bureau of Air Regulation) November 2, 1998.
- Technical Evaluation and Preliminary Determination dated January 22, 1999.

PERMITTED COUNTIES:

Upon proper publication of the required public notices, the applicant will be authorized to operate in the following counties for a period not to exceed five years from the date of publication: Baker, Bradford, Citrus, Clay, Columbia, Desoto, Duval, Hardee, Hernando, Highlands, Hillsborough, Manatee, Nassau, Pasco, Pinellas, Polk, Putnam, Sarasota, St. Johns, Sumter, Union.

OPERATING LOCATION:

The facility will begin initial operation at 4700 Hoover Drive at Tampa International Airport, Tampa, Hillsborough County, 33634.

SECTION II. FACILITY WIDE 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. The owner and operator are subject to and shall operate under the attached General Permit Conditions G.1 through G.15 listed in Appendix GC 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 *(6 months from issuance date)*. 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, 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 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.]
7. Operation Permit Required. This permit authorizes construction and/or installation of the permitted emissions unit and initial operation to determine compliance with Department rules. An operation permit is required for regular 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.
[Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2), F.A.C.]

SECTION II. FACILITY WIDE CONDITIONS

8. Applicable Regulations: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit 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. 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. Visible Emissions. Emissions from silos, weigh hoppers (batchers), and other enclosed storage and conveying equipment shall be controlled to the extent necessary to limit visible emissions to 5 percent opacity.
[Rule 62-296.414(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) The owner or operator shall take reasonable precautions to control unconfined emissions from hoppers, storage and conveying equipment, conveyor drop points, truck loading and unloading, roads, parking areas, stock piles, and yards as required by Rule 62-296.320(4)(c), F.A.C. Reasonable precautions committed to by the permittee include the following:
- Application of water to unpaved roads, yards, open stock piles and similar activities.
 - Use of a baghouse system to contain, capture and/or vent particulate matter.

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

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.]

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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.]
15. Hours of Operation. This facility is allowed to operate up to 8,760 hours during any calendar year.
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE) and applicant request.]
16. Excess Emissions.
 - (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.
 - (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.[Rules 62-210.700(1) & (4), F.A.C.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS:

17. Frequency of Compliance Tests. Prior to obtaining an air operation permit, and annually thereafter, each dust collector exhaust point shall be tested for compliance with the visible emission limiting standard of Rule 62-296.414(1), F.A.C., in accordance with the conditions listed below.
[Rules 62-296.414(1), 62-297.310(7)(a)1. & 4.a. F.A.C.]
18. 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

SECTION II. FACILITY WIDE CONDITIONS

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.]

19. Test Methods and Procedures. All emissions tests performed pursuant to the requirements of this rule shall comply with the following requirements.

(a) The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.

(b) Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.

(c) Visible emissions tests of silo dust collector exhaust points shall be conducted while loading the silo at a rate that is representative of the normal silo loading rate. The minimum loading rate shall be 25 tons per hour unless such rate is unachievable in practice. If emissions from the weigh hopper (batcher) operation are also controlled by the silo dust collector, the batching operation shall be in operation during the visible emissions test. The batching rate during the emissions test shall be representative of the normal batching rate and duration. Each test report shall state the actual silo loading rate during emissions testing and, if applicable, whether or not batching occurred during emissions testing.

(d) If emissions from the weigh hopper (batcher) operation are controlled by a dust collector which is separate from the silo dust collector, visible emissions tests of the weigh hopper (batcher) dust collector exhaust point shall be conducted while batching at a rate that is representative of the normal batching rate and duration. Each test report shall state the actual batching rate during emissions testing.

[Rule 62-296.414(3), F.A.C.]

20. 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.]

21. 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.]

SECTION II. FACILITY WIDE CONDITIONS

22. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units and to provide a report on the results of said tests to the Department.
[Rule 62-297.310(7)(b), F.A.C.]

REPORTING AND RECORD KEEPING REQUIREMENTS:

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 materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
[Rules 62-4.160(14)(a)&(b), F.A.C.]
24. Test Reports. The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. 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. 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 or DEP Method 9 test, shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C.
[Rule 62-297.310(8), F.A.C.]
25. 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.]
26. 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.]

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
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

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.
 - (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.