

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

THRU: Jonathan Holtom *JH*

FROM: Ross Pollock *R.P.*

DATE: April 1, 1999

SUBJECT: Ranger Construction Industries, Inc.
Amendment to Air Operation Permit for a relocatable asphalt crusher
Draft Permit No. 7770253-007-AO

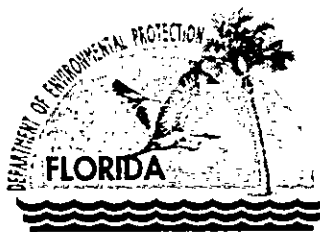
Attached is the Draft amendment to an air permit for a relocatable asphalt crusher which is used at sites throughout Florida.

The permit amendment for this minor source is being processed by BAR because it is a relocatable unit that operates in different Districts. This facility was previously issued an operation permit which allowed statewide operation. This permit amendment is to allow the facility to operate in counties for which public notice requirements had not previously been met.

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

Enclosures

/RJP



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

March 31, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael Slade, President
Ranger Construction Industries, Inc.
P.O. Box 15065
West Palm Beach, Florida 33416-5056

Re: Permit No. 7770253-007-AO
Portable Recyclable Asphalt Crusher


Dear Mr. Slade:

One copy of the Draft Amended Air Operation Permit for a portable recyclable asphalt crusher currently located at 4510 Glades Cut-Off Road, Ft. Pierce, St. Lucie County, is enclosed. The permitting authority's "INTENT TO ISSUE AMENDED AIR OPERATION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR OPERATION PERMIT" are also included.

The "Public Notice of Intent to Issue Amended Air Operation 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 amendment.

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

cc: Mr. Bernard A. Ball, Jr., Environmental Specialist, Central Florida Testing Laboratories, Inc.
Jerry Campbell, Hillsborough County Environmental Protection Commission
Peter A. Hessling, Pinellas County Department of Environmental Management
Gerald Kissel, DEP, Southwest District

Enclosures

4/1/99 cc - Reading File

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

Printed on recycled paper.

In the Matter of an
Application for Permit Amendment by:

Ranger Construction Industries, Inc.
P.O. Box 15065
West Palm Beach, Florida 33416-5056

DRAFT Permit No.: 7770253-007-AO
Portable Recyclable Asphalt Crusher
Relocation

INTENT TO ISSUE AMENDED AIR OPERATION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an amended air operation permit (copy of Draft Permit Amendment attached) for the proposed project, detailed in the Notification of Intent to Relocate specified above, for the reasons stated below.

The applicant, Ranger Construction Industries, Inc., applied on March 23, 1999, to the Department for an amendment to air operation permit 7770253-006-AO for its Portable Recyclable Asphalt Crusher which will be permitted to operate at 12955 40th Street North, Clearwater, Pinellas County and 6701 East Hanna Avenue, Tampa, Hillsborough 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 amended air operation permit is required in order for the Portable Recyclable Asphalt Crusher to relocate to this site.

The Department intends to issue this amended air operation 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 Amended Air Operation 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 amendment 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 amendment 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

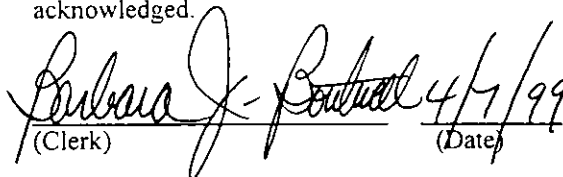
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AMENDED AIR OPERATON PERMIT (including the PUBLIC NOTICE, and the DRAFT AMENDED PERMIT) was sent by certified mail (*) and copies were mailed by U.S. Mail, before the close of business on 4/7/99 to the person(s) listed:

Mr. Michael Slade, President, Ranger Construction Industries, Inc.*
Mr. Bernard A. Ball, Jr., Environmental Specialist, Central Florida Testing Laboratories, Inc.
Jerry Campbell, Hillsborough County Environmental Protection Commission
Peter A. Hessling, Pinellas County Department of Environmental Management
Gerald Kissel, DEP, Southwest District

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) 4/7/99
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AMENDED AIR OPERATION PERMIT

**STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**Draft Permit Amendment No.: 7770253-007-AO
Ranger Construction Industries, Inc.**

The Department of Environmental Protection (Department) gives notice of its intent to issue an amendment to the air operation permit for Ranger Construction Industries, Inc., 101 Sansbury's Way, P.O. Box 15065, West Palm Beach, Florida 33416-5065. The unit is currently permitted to operate at sites in Brevard, Broward, Dade, Duval, St. Lucie, Orange, Palm Beach, Pasco, and Polk Counties. The amendment will allow the portable recyclable asphalt crusher facility to operate at 12955 40th Street North, Clearwater, Pinellas County, Florida, and at other sites in Pinellas County provided that proper notice is provided to the Department's Southwest District Office and the Pinellas County Department of Environmental Management. The amendment will also allow operation at 6701 East Hanna Avenue, Tampa, Hillsborough County, Florida, and at other sites in Hillsborough County as long as proper notice is provided to the Hillsborough County Environmental Protection Commission. This amendment does not require a Best Available Control Technology (BACT) determination.

The unit consists of a 150 ton per hour crusher, a screen, conveyors, a 402 hp diesel engine and associated equipment. Particulate matter emissions are controlled by wetting of asphalt materials being processed.

The Department will issue the final permit amendment 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 Operation Permit Amendment." 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 amendment 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 operation permit amendment is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

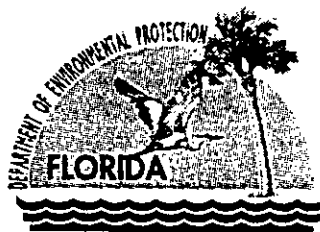
Department of Environmental
Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114

Hillsborough County Environmental
Protection Commission
Air Management Division
1410 North 21 Street
Tampa, Florida 33605
Telephone: 813/272-5530

Pinellas County Department of
Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 33756
Telephone: 727/464-4422

Department of Environmental
Protection
Southwest District
3864 Coconut Palm Drive
Tampa, Florida 33619
Telephone: 813/744-6100

The complete project file includes the application, technical evaluations, construction permit, operation permit, relocation notification, 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.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

March 31, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Michael Slade, President
Ranger Construction Industries, Inc.
P.O. Box 15065
West Palm Beach, Florida 33416-5056

Re: Draft Permit Amendment No. 7770253-007-AO
Portable Recyclable Asphalt Crusher

Dear Mr. Slade:

The Department has reviewed your letter dated March 17, 1999 requesting the referenced air permit for the portable recyclable asphalt crusher plant located at 4510 Glades Cut-Off Road, Fort Pierce, St. Lucie County, Florida, be amended to authorize operation at 12955 40th Street North, Clearwater, Pinellas County, Florida and 6701 East Hanna Avenue, Tampa, Hillsborough County. These requests are acceptable and permit No. 7770253-006-AO is amended as follows:

FROM

Authorization to operate a portable Astec recyclable asphalt crusher plant (Model 45R, Serial No. 121M 5761) consisting of a 150 MPH crusher, Tyler screen, associated conveyors, 402 hp Caterpillar diesel engine, and associated equipment. Fugitive particulate matter emissions will be controlled by wetting the asphalt material being processed.

The plant is permitted to operate at:

95th Avenue, Royal Palm Beach, Palm Beach County, FL
4510 Glades Cut-Off Road, Ft. Pierce, St. Lucie County, FL
4210 Old Dixie Hwy., Grant, Brevard County, FL
2600 State Road 60 W, Bartow, Polk County, FL
18300 Northwest 122 Ave., Medley, Dade County, FL
2501 Northwest 48th Street, Pompano Beach, Broward County, FL
1200 Elboc Way, Winter Garden, Orange County, FL
1050 Heckscher Drive, Jacksonville, Duval County, FL
2315 Marathon Road, Odessa, Pasco County, FL

This plant may operate at other industrial and road/parking lot replacement sites within Florida after completing the public notice requirements for the new site(s) and obtaining an amendment for the facility's permit.

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

Printed on recycled paper.

The plant shall be operated in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

TO

Authorization to operate a portable Astec recyclable asphalt crusher plant (Model 45R, Serial No. 121M 5761) consisting of a 150 TPH crusher, Tyler screen, associated conveyors, 402 hp Caterpillar diesel engine, and associated equipment. Fugitive particulate matter emissions will be controlled by wetting the asphalt material being processed.

Permitted Counties:	Public Notice Valid Until:
95th Avenue, Royal Palm Beach, Palm Beach County, FL	December 9, 2000
4510 Glades Cut-Off Road, Ft. Pierce, St. Lucie County, FL	December 9, 2000?
4210 Old Dixie Hwy., Grant, Brevard County, FL	August 26, 2001
2600 State Road 60 W, Bartow, Polk County, FL	January 11, 2001
18300 Northwest 122 Ave., Medley, Dade County, FL	December 9, 2000?
2501 Northwest 48th Street, Pompano Beach, Broward County, FL	December 9, 2000?
1200 Elboc Way, Winter Garden, Orange County, FL	August 26, 2001
1050 Heckscher Drive, Jacksonville, Duval County, FL	February 24, 2004
2315 Marathon Road, Odessa, Pasco County, FL	February 22, 2004
12955 40 th Street North, Clearwater, Pinellas County, FL	5 years from date of publication
6701 East Hanna Avenue, Tampa, Hillsborough County, FL	5 years from date of publication

This plant may operate at other industrial and road/parking lot replacement sites within Florida after completing the public notice requirements for the counties that the proposed new site(s) will be located in and obtaining an amendment for the facility's permit, to reflect the new site of operation.

The plant shall be operated in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

A copy of this letter shall be filed with permit No. 7770253-006-AO and shall become a condition of that permit.

Sincerely,

Howard L. Rhodes, Director,
Division of Air Resources Management

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):

- ☐ Addressee's Address
- ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:
Mr. Michael Slade, President
Ranger Construction Industries,
P.O. Box 15065
West Palm Beach, Florida
33416-5056

4a. Article Number
P 263 585 206

4b. Service Type

☐ Registered ☒ Certified
☐ Express Mail ☐ Insured
☐ Return Receipt for Merchandise ☐ COD

7. Date of Delivery
APR 7 1995

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)
X *Patricia S. Slade*

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

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

Thank you for using Return Receipt Service.

P 263 585 206

US Postal Service

Receipt for Certified Mail

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to Mr. Michael Slade, President	
Street & Number P.O. Box 15065	
Post Office, State, & ZIP Code West Palm Beach, FL 33416	
Postage	\$ 5056
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 4/7/99	
Permit No. 7770253-007-A0	
Portable Recyclable Asphalt	

PS Form 3800, April 1995