

In the Matter of an
Application for Permit

Kearney Development Co., Inc.
8621 M. L. King Blvd., East
Tampa, Florida 33610

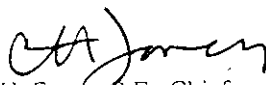
FID No.: 7770380
Permit No.: 7770380-002-AO
SIC No.: 32
Expires: July 31, 2005

NOTICE OF AIR OPERATION PERMIT

Enclosed is the Final Operating Permit, No. 7770380-002-AO, for a diesel engine powered soil cement pugmill mixer with associated portland cement silos and baghouse systems that will be operated at sites in those counties throughout Florida as designated in Appendix PC to the permit. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.).

Any party to this order (permit) has the right to seek judicial review of the permit 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, P.E., Chief
Bureau of Air Regulation

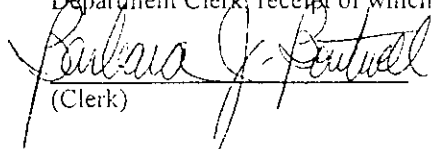
CERTIFICATE OF SERVICE

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 8/16/08 to the person(s) listed:

Alan G Payne, Vice President Kearney Development Co., Inc.
Len Kozlov, DEP, Central District
Chris Kirts, DEP, Northeast District
Ed Middleswart, DEP, Northwest District
Bill Thomas, DEP, Southwest District
David Knowles, DEP, South District
Isidore Goldman, DEP, Southeast District
Daniela Banu, Broward County Department of Natural Resource Protection
H. Patrick Wong, Dade County Department of Environmental Resources Management
Richard Robinson, Regulatory and Environmental Services Department
Jerry Campbell, Hillsborough County Environmental Protection Commission
James E. Storner, Palm Beach County Health Department
Peter Hessling, Pinellas County Department of Environmental Management
Kent Kimes, Sarasota County Natural Resources Department
Marie Driscoll, Orange County Environmental Protection Department

Clerk Stamp

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


(Clerk) 8/16/08 (Date)

Z 333 638 222

US Postal Service
Receipt for Certified Mail

No Insurance Coverage Provided.
Do not use for International Mail (See reverse)

Sent to Mr. Alan G. Payne	
Street & Number 8621 M.L. King Blvd., East	
Post Office, State, & ZIP Code Tampa, Florida 33610	
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 8/16/00 Kearney Develop. Co., Inc Permit No. 7770380-002-A0	

PS Form 3800 April 1995

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. Alan G. Payne
Vice President
Kearney Development Co., Inc.
8621 M.L. King Boulevard, East
Tampa, Florida 33610

5. Received By: (Print Name)
S. H. Schmidt

6. Signature: (Addressee or Agent)
X [Signature]

4a. Article Number
Z 333 638 222

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
8/28/00

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

Thank you for using Return Receipt Service.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

PERMITTEE

Kearney Development Company, Inc.
8621 M. L. King Blvd., East
Tampa, Florida 33610

FID No.:	7770380
Permit No.:	7770380-002-AO
SIC No.:	32
Expires:	July 31, 2005

AUTHORIZED REPRESENTATIVE:

Mr. Alan Payne, Director of Pugmill Operation

PROJECT:

Renewal of an air operation permit for an existing portable soil cement plant, including a diesel generator and an auxiliary cement silo. The former air operation permit was AO 29-272066, which was redesignated 7770380-001-AO.

STATEMENT OF BASIS:

This air operation 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 was authorized to operate 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).

Compliance testing was completed on April 10, 2000.

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 INFORMATION AND CONDITIONS

FACILITY DESCRIPTION

This facility is a continuous pugmill mixer for producing a portland cement enriched soil mixture for roadway and parking lot subgrade. It handles a gross throughput of 550 tons per hour of mixed soil cement product. Soil is excavated either on the mixer site or elsewhere and transported to storage piles adjacent to the mixer. The mixer and pugmill are enclosed screw conveyors with a positive displacement cement feeder. The mixed product is loaded and transported to a remote construction site in dump trucks.

The emission units include:

EMISSIONS UNIT NO.	DESCRIPTION OF EMISSION UNIT
001	Aran continuous mixing plant (Model No. ASR-280B, Serial No. 053), including a 47 ton cement silo equipped with a DCE Volkes Series DLMV 10110 baghouse, an aggregate hopper, a water tank, a pugmill mixer, and a conveyor.
002	Caterpillar diesel engine (Model No. 3208, Serial No. 90N68A12) and associated equipment.
003	A relocatable cement silo with associated baghouse system [only one cement silo may be in operation (receiving, or transferring cement) at any given time].

REGULATORY CLASSIFICATION

This is a renewal of a statewide operating permit for a transportable continuous pugmill soil cement mixer. The facility has specific visual emission standards that were established by prior permitting, which apply at all locations. Additionally, there are process through-put limits that apply in maintenance areas designated for particulate matter.

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.

- AO29-272066
- 7770380-001-AO: ARMS tracking number incorporating AO29-272066
- Application for an air operation permit renewal received April 14, 2000
- Willard Hanks' letter dated March 14, 1997, amending 7770380-001-AO (authorizing auxiliary cement silo)
- Visible emission testing report dated April 10, 2000
- Extension of 90 day clock to August 18, 2000, received (faxed) July 12, 2000

PERMITTED COUNTIES

See Appendix PC, Permitted Counties, for tabulation of newspaper publication affidavits.

OPERATING LOCATION

The facility is presently located in Orange County.

SECTION II. FACILITY-WIDE INFORMATION AND CONDITIONS

THE FOLLOWING FACILITY-WIDE CONDITIONS APPLY TO THE 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. This permit does not eliminate the necessity for obtaining any other federal, state or local permits that may be required, or allow the permittee to violate any more stringent standards established by any government agency.
[AO29-272066]
2. General Conditions: The owner and operator are subject to 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, F.S.
[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 F.A.C.
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. Notification of Intent to Relocate Air Pollutant Emitting Facility: The air operation permit for a relocatable facility shall be amended upon each change of location of the facility. The owner or operator of the facility must submit a Notification of Intent to Relocate Air Pollutant Emitting Facility [DEP Form No. 62-210.900(6)] to the Department's District office and/or, if appropriate, the local program office, at least seven (7) days prior to the change, if the facility would be relocated to a county in which public notice of the proposed operation of the facility had been given within the previous five years pursuant to Rule 62-210.350(1), F.A.C., or otherwise thirty (30) days prior to the change.
All potential operation sites, shown on a USGS topographic map, and the appropriate fee shall be transmitted with the notice.
[Rules 62-210.370(1) and 62-210.900, F.A.C.; and, AO29-272066]
6. Operation Permit Renewal: Four applications to renew this operation permit [DEP Form No. 62-210.900(4)] shall be submitted to the Department of Environmental Protection, Bureau of Air Regulation, MS # 5505, 2600 Blair Stone Road, Tallahassee, FL., 32399-2400, 60 days prior to the expiration of this permit.
[Rules 62-210.300(1), 62-210.900, 62-4.070(4) and 62-4.210, F.A.C.]
7. Operation Permit Required: This document is an operation permit, which is required for the regular operation of the permitted facility. It does not authorize any construction, reconstruction, modification, or change that will materially affect the operating capacity of the facility or the potential to emit increase in any air pollutants. The permittee is authorized to operate in each of the counties specified in Appendix PC for which public notice has been published.
[Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2), F.A.C.]

SECTION II. FACILITY-WIDE INFORMATION AND CONDITIONS

8. Applicable Regulations: Unless otherwise indicated in this permit, the 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 Chapters 62-4, 62-204, 62-210, 62-296, 62-297, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting regulations. [Rules 62-204.800 and 62-210.300, F.A.C.]

REPORTING AND RECORDKEEPING REQUIREMENTS

9. Log: The permittee or operator shall maintain a daily log showing, at a minimum, the following information:
- The hours of operation.
 - The location and production rate.
 - Diesel fuel usage.
 - Maintenance and repair logs for any work performed on the facility.
 - 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.]
10. Annual Operating Report: Submit to the Bureau of Air Regulation for this facility, each calendar year, on or before March 1, an annual operation report for the preceding calendar year containing the following information pursuant to Rule 62-210.370(3), F.A.C.:
- Annual amount of materials and/or fuels utilized.
 - Annual emissions (provide calculation basis).
 - Emissions test report(s)
 - Any changes in the information contained in the permit application.
- [Rules 62-210.370(3) and 62-210.900, F.A.C.]
11. Duration of Recordkeeping: Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These records shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule. [Rules 62-4.160(14)(a) & (b), F.A.C.]
12. The Department or its designee shall be notified in writing at least 15 days in advance of any compliance test scheduled to be conducted on this facility. [Rule 62-297.310(7)(a)9., F.A.C.]
13. Test Reports: The owner or operator of an emissions facility 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

SECTION II. FACILITY-WIDE INFORMATION AND CONDITIONS

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.; and, AO29-272066]

14. 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. [Rule 62-4.130, F.A.C.]
15. 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.]
16. 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.]

OPERATIONAL REQUIREMENTS

17. Operation and Maintenance (O&M) Log and Plan: The permittee shall keep a daily log and have an O&M plan for the air pollution control equipment with the facility. The log shall include the list of the parameters being monitored, the frequency of the check/maintenance, observations, and comments. At a minimum, the O&M plan shall include the elements specified at General Condition G-14 in Appendix GC. [Rule 62-4.070(3), F.A.C.; and, AO29-272066]
18. 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.]
19. Control of Unconfined Emissions: Reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alterations, or industrial related activities such as loading, unloading, storing, and handling of materials. Wetting the material with water to minimize dust is considered a reasonable precaution for this facility. [Rule 62-296.310(3), F.A.C.; and, AO29-272066]

SECTION II. FACILITY-WIDE INFORMATION AND CONDITIONS

20. 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.

{Permitting Note: Nothing has been deemed necessary at the time of issuance of this permit.}

- (b) No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

{Permitting Note: An objectionable odor is defined in Rule 62-210.200, F.A.C., Definitions, as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.}

[Rules 62-210.200, 62-296.320(1)(a) and 62-296.320(2), F.A.C.]

21. Prohibited Operations: Asbestos Containing Materials, 40 CFR 61, Subpart M: This facility shall **not** process Asbestos Containing Materials (ACM), whether regulated asbestos containing material (RACM), Category I or Category II, and whether friable or nonfriable when received at the facility.

- "Asbestos" means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite and includes trade acronyms products such as amosite.
- "Asbestos-containing materials", ACM, means any materials which contain more than one percent asbestos as determined by Polarized Light Microscopy. Based on a representative composite sample.
- "Asbestos removal project" means renovation or demolition operation in a facility that involves the removal of a threshold amount of regulated asbestos-containing material.
- "Category I Nonfriable Asbestos-Containing Material (ACM)" means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1 percent asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy.
- "Category II Nonfriable ACM" means any material, excluding Category I Nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

[40 CFR 61, Subpart M; Chapter 62-257, F.A.C.; and, Rules 62-730.300 and 62-701.520, F.A.C.]

SECTION III. EMISSION UNIT SPECIFIC CONDITIONS

EMISSION STANDARDS

1. Visible emissions from the cement silos, aggregate hopper, aggregate storage area, and plant conveyors shall not exceed 5 percent opacity.
[Rule 62-297.620(4)(b), F.A.C.; and, AO29-272066]
296.414 (c)
2. Visible emissions from the diesel engine shall be less than 20 percent opacity.
[Rule 62-296.320(4)(b) 1., F.A.C.; and, AO29-272066]
3. In order to be exempt from RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), F.A.C., emissions of particulate matter from the cement silo baghouse shall not exceed 4.9 pounds per hour and 2.9 TPY. To ensure that these emission limits are met, the loading time of the cement silo shall not exceed 4.5 hours per day (equivalent to unloading six 27 ton loads of cement from trucks or 162 tons of cement per day), 5 days per week, and 52 weeks per year. Not more than 200,000 tons of aggregate shall be processed by this facility during any 12 month period. If there is a good reason to believe the particulate matter emission standard is not being met, the Department may require that compliance with the particulate matter standard be demonstrated using EPA Method 5 as described in 40 CFR 60, Appendix A, in accordance with Rule 62-297.340(2), F.A.C. A written log of daily cement transfer shall be kept for minimum of two years and available for inspection to the Department.

This specific condition is intended to apply only within the Hillsborough County and Duval County particulate maintenance areas described below:

- Hillsborough County Particulate Maintenance Area:
That portion of Hillsborough County which falls within the area of the circle having a centerpoint at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers.
[Rule 1-3.61, Rules of the Environmental Protection Commission of Hillsborough County]
- Duval County Particulate Maintenance Area:
The downtown Jacksonville area in Duval County located within the following boundary lines: south and then west along the St. Johns River from its confluence with Long Branch Creek, to Main Street; north along Main Street to Eighth Street; east along Eighth Street to Evergreen Avenue; north along Evergreen Avenue to Long Branch Creek; and east along Long Branch Creek to the St. Johns River; and.
Any emissions unit of unconfined particulate matter which is located [at or within] five kilometers outside the boundary of a particulate matter air quality maintenance area.
[Rule 2.820, Jacksonville Environmental Protection Board]
[Rules 62-296.700(2)(a) and 62-297.620(4), F.A.C.; and, AO29-272066]

TEST REQUIREMENTS

4. Visible Emission Test Duration – Annual: Each dust collector and emissions point/activity shall be tested for visible emissions on an annual basis.
[Rule 62-297.310(7)(a)4.a., F.A.C.; and, AO29-272066]
5. Visible Emissions Testing: Visible emissions testing shall be conducted using EPA Method 9 as described in 40 CFR 60, Appendix A.
[AO29-272066]

SECTION III. EMISSION UNIT SPECIFIC CONDITIONS

6. Visible Emissions Testing - Cement Silos: For each cement silo, testing shall be conducted while cement is being transferred at a rate of approximately 36 TPH. Minimum test time is 30 minutes. The baghouse systems shall be inspected and repaired, if needed, prior to installation of the silo at any location. The results of each inspection and any maintenance done on any of the baghouse systems shall be recorded in the plant operation log. These records shall be kept for a minimum of two years for inspection by the Department.

[Rule 62-297.310(7)(a)4.a., F.A.C.; and, AO29-272066]

SECTION IV. APPENDIX GC – GENERAL CONDITIONS

The following general conditions apply to all air permits:

- G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
- G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
- G.3 As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
- G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
- G.5 This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
- G.6 The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
- G.7 The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
- (a) Have access to and copy and records that must be kept under the conditions of the permit;
 - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

SECTION IV. APPENDIX GC – GENERAL CONDITIONS

- G.8 If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
- (a) A description of and cause of non-compliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

- G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
- G.10 The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
- G.11 This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
- G.12 This permit or a copy thereof shall be kept at the work site of the permitted activity.
- G.13 This permit also constitutes:
- (a) Determination of Best Available Control Technology ()
 - (b) Determination of Prevention of Significant Deterioration (); and
 - (c) Compliance with New Source Performance Standards ().
- G.14 The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (c) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

SECTION IV. APPENDIX GC – GENERAL CONDITIONS

(d) Records of monitoring information shall include:

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

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

SECTION V. APPENDIX PC - PERMITTED COUNTIES

The permittee is authorized to operate in the following counties where public notice has been published:

Permitted Counties:	Public Notice Published on:	Permitted Counties:	Public Notice Published on:	Permitted Counties:	Public Notice Published on:
Alachua	February 15, 1995	Hamilton	March 9, 1995	Okeechobee	February 24, 1995
Baker	February 22, 1995	Hardee	February 12, 1995	Orange	February 11, 1995
Bay	February 15, 1995	Hendry	February 23, 1995	Osceola	February 11, 1995
Bradford	February 15, 1995	Hernando	February 12, 1995	Palm Beach	February 23, 1995
Brevard	February 11, 1995	Highlands	February 12, 1995	Pasco	February 12, 1995
Broward	February 23, 1995	Hillsborough	February 12, 1995	Pinellas	February 12, 1995
Calhoun	February 15, 1995	Holmes	February 15, 1995	Polk	February 12, 1995
Charlotte	February 23, 1995	Indian River	February 23, 1995	Putnam	February 15, 1995
Citrus	February 12, 1995	Jackson	February 15, 1995	St. Johns	February 22, 1995
Clay	February 15, 1995	Jefferson	February 15, 1995	St. Lucie	February 23, 1995
Collier	February 23, 1995	Lafayette	March 2 1995	Santa Rosa	February 14, 1995
Columbia	February 15, 1995	Lake	February 11, 1995	Sarasota	February 12, 1995
Dade	February 23, 1995	Lee	February 23, 1995	Seminole	February 11, 1995
DeSoto	February 12, 1995	Leon	February 19, 1995	Sumter	February 12, 1995
Dixie	February 24, 1995	Levy	February 15, 1995	Suwannee	February 15, 1995
Duval	February 22, 1995	Liberty	February 15, 1995	Taylor	February 15, 1995
Escambia	February 14, 1995	Madison	February 15, 1995	Union	February 15, 1995
Flagler	February 25, 1995	Manatee	February 12, 1995	Volusia	February 11, 1995
Franklin	February 15, 1995	Marion	February 23, 1995	Wakulla	February 19, 1995
Gasden	February 15, 1995	Martin	February 24, 1995	Walton	February 14, 1995
Gilchrist	February 15, 1995	Monroe	February 23, 1995	Washington	February 14, 1995
Glades	February 23, 1995	Nassau	February 22, 1995		
Gulf	February 15, 1995	Okaloosa	February 14, 1995		

This table reflects all affidavits of publication furnished to the Department.

State of Florida
Department of Environmental Protection

Interoffice

Memo

BAR

To: Howard Rhodes

Through: Clair Fancy *CAD*

Through: Bruce Mitchell *BM*

From: William Leffler *WAL*

Re: ~~Renewal of Operating Permit: Kearney Development Company, Inc.~~ 7
~~Relocatable Soil Cement Pugmill Mixing Plant ,~~
Permit No.: 7770380-002-AO

Date: August 10, 2000

Day-90: Extended to August 18, 2000

Attached is a renewal of an air operating permit No. AO29-272066 for Kearney Development Company, Inc.'s relocatable soil cement plant.

Compliance testing was completed on April 10, 2000.

An operation amendment was issued in March 1997, authorizing the use of an auxiliary portland cement silo. The air operation permit No. AO29-272066 was redesignated No. 7770380-001-AO, when the Division converted from APIS to ARMS.

The plant is presently located in Orange County.

I recommend issuing the attached air operating permit.

INTEROFFICE MEMORANDUM

Sensitivity: COMPANY CONFIDENTIAL

Date: 16-Oct-2000 10:06am

From: Yi Zhu TAL
ZHU_Y

Dept: Air Resources Management

Tel No: 850/921-9558

To: Bruce Mitchell TAL (MITCHELL_B)

Subject: Re: ARMS update for Kearney Development Co., Inc.

Everything looks good. Thanks. Yi

*9/6/2000

*

*Dear Yi,

*

*Please review the above referenced project update in ARMS and advise. Many

*thanks.

*

*Bruce

*

INTEROFFICE MEMORANDUM

(Draft)

Date: 06-Sep-2000 10:04am
From: Bruce Mitchell TAL
Dept:
Tel No:

To: Yi Zhu TAL (ZHU_Y)
To: Clair Fancy TAL (FANCY_C)
To: Scott Sheplak TAL (SHEPLAK_S)
To: William Leffler TAL (LEFFLER_W)

Subject: ARMS update for Kearney Development Co., Inc.

9/6/2000

Dear Yi,

Please review the above referenced project update in ARMS and advise. Many thanks.

Bruce

FUEP

Fax:850-922-6979

Jul 12 '00 15:01

P.01/01

Alan Payne

Kearney Development Co Inc.

~~8621 Martin Luther King Boulevard~~

Tampa Florida 33610

Fax 813 630 2715

William Leffler P. E.

Division of Air Resource Management

Florida Department of Environmental Protection

2600 Blair Stone Road

Tallahassee Florida 32399

Fax 850 922 6979

625 Alonzo Rd
iverview, FL
33569

Agreement Extending Time for Processing Air Permit

Alan Payne for applicant Kearney Development Co Inc, Inc and William Leffler for the Florida Department of Environmental Protection agree to extend the Departments 90 day deadline for processing the pending permit application no. 77703801.002 Relocatable Soil Cement Pugmill Mixer.

This facility may continue to operate under it's existing permit within Hillsborough County Florida and such other locations as authorized in its present operating permit

The "clock" is extended until August 18, 2000, for agency action on the applicants request renew this permit for a relocatable facility. And to consider the reformation of various permit conditions to make various permits concerning identical equipment the same between permits issued at various times

Dated July 12, 2000



For Applicant Kearney Development Inc



For the Department of Environmental Protection

7.24-2000 2:15 PM
To: Bill

KEARNEY

DEVELOPMENT CO., INC.

P.O. BOX 76009 ★ TAMPA, FLORIDA 33675-6009

TAMPA (813) 621-0855
PINELLAS (813) 443-3809
ORLANDO (407) 856-4076
FAX (813) 626-8894

9826 ALONZO ROAD RIVERVIEW, FLORIDA 33589 (LOCATED 7/10 Mile South of Leroy Selmon Expressway (Crosstown) Off U. S. Hwy. 301)

Underground Utilities ★ Site Development ★ Since 1956

FAX TRANSMITTAL

OUR FAX NO.: (813) 830-2715

TRANSMISSION DATE: July 24, 2000

TO: Department of Environmental Protection

ATTN: Bill Lefler

FAX # SENDING TO: 850/922-6979

FROM: Alan Payne

PROJECT: Copies & revisions to Permit No 7770380-001 AO & 7774801-004-AO

RE: _____

NUMBER OF PAGES (INCLUDING THIS TRANSMITTAL SHEET)

26 LETTER

_____ LEGAL

26 TOTAL

IF YOU DO NOT RECEIVE ALL OF THE PAGES OR IF THEY ARE NOT COMING IN CLEARLY, PLEASE CALL US BACK IMMEDIATELY AT (813) 664-1615.

ORIGINAL TO FOLLOW VIA U.S. MAIL: YES NO

CONFIDENTIALITY NOTE

The information contained in this facsimile message is legally privileged and confidential information intended only for the exclusive use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any use, dissemination, distribution or copying of this telecopy is strictly prohibited. If you have received this telecopy in error, please immediately notify us by telephone and return the original message to us at the address above via the United States Postal Service.

RECEIVED

JUL 14 1995

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

KEARNEY DEVELOPMENT
COMPANY, INC.

In the matter of an
Application for Permit by:
Operation

DEP File No. AO 29-272066
Statewide


Mr. Alan G. Payne
Manager - Pugmill Operation
Kearney Development Company, Inc.
8621 Martin Luther King Blvd. E.
Tampa, Florida 33610

Enclosed is Permit Number AO29-272066 for the operation of a portable soil cement plant. This permit authorizes operation in any county within Florida. This permit is issued pursuant to Section 403, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 14 days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.


STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed by certified mail before the close of business on 7-12-95 to the listed persons.

Clerk Stamp
FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52(11), Florida Statutes,
with the designated Department
Clerk, receipt of which is hereby
acknowledged.


Kevin Jober
Clerk
7-12-95
Date

Copies furnished to:

District Air Program Administrators
County Air Program Administrators
Joseph Kowalski, K² Engineering, Inc.

Operating Permit Review and Evaluation

**Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, FL 33610**

**Portable Soil Cement Plant
Statewide Operation**

Permit No.: AO 29-272066

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

July 12, 1995

Operating Permit Review and Evaluation
Kearney Development Company, Inc.
A029-272066

On June 6, 1995, Kearney Development Company, Inc. applied for a permit to operate an existing portable soil cement plant throughout the state.

The construction permit, AC29-261151 issued on March 24, 1995, limits visible emissions from the cement silo and diesel engine to 5 percent and 20 percent opacity, respectively. The June 2, 1995 test results for both units were 0 percent opacity as measured using EPA Method 9. These results document that the plant is capable of operating in compliance with construction permit No. AC29-261151.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

PERMITTEE:

Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, Florida 33610

Permit Number: AO 29-272066
Expiration Date: June 23, 2000
County: Statewide
Project: Portable Soil
Cement Plant
APIS No. 40HIL29038001

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 212, 272, 275, 276, and 297, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the emission unit shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department of Environmental Protection (Department) and specifically described as follows:

For the operation of an existing portable soil cement plant. Major components of the Aran continuous mixing plant (Model No. ASR-280B, Serial No. 053) are a 47 ton cement silo equipped with a DCE Volkes Series DLMV 10/10 baghouse, aggregate hopper, water tank, pugmill mixer, conveyers, Caterpillar diesel engine (Model No. 3208, Serial No. 90N68412), and associated equipment.

The plant may be operated in any county in Florida that the public notice requirements have been met and at any construction site that the permittee has listed in the Notification of Intent to Relocate Air Pollutant Emitting Facility.

The operation of this source shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application received June 6, 1995.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: AO29-272066
Expiration Date: June 23, 2000

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of 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.
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.
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.
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.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: AO29-272066
Expiration Date: June 23, 2000

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 any 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.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

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

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

PERMITTER:
Kearney Development Co., Inc.

Permit Number: AO29-272066
Expiration Date: June 23, 2000

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-30.300, 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. 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 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.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

14. 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.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: A029-272066
Expiration Date: June 23, 2000

SPECIFIC CONDITIONS:

MODIFICATION

1. No alterations shall be made to the portable soil cement plant that have the potential to increase air pollutant emissions without prior approval from the Department's Bureau of Air Regulation.

EMISSIONS STANDARDS, TESTING, AND RECORD REQUIREMENTS

2. Visible emissions from the cement silo, aggregate hopper, aggregate storage area, and plant conveyers shall not exceed 5 percent opacity.

3. Visible emissions from the diesel engine shall not exceed 20 percent opacity pursuant to Rule 62-296.310(2), F.A.C.

4. The silo baghouse and diesel engine shall be tested annually for visible emissions by EPA Method 9 as described in 40 CFR 60, Appendix A (July 1, 1994) while cement is being transferred at a rate of approximately 36 TPH. Minimum test time is 30 minutes. The baghouse shall be inspected and repaired, if needed, prior to erection of the silo at any location. The results of each inspection and any maintenance done on the baghouse shall be recorded in the plant operation log. These records shall be kept for a minimum of two years for inspection by the Department.

5. In order to be exempt from RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), F.A.C., emissions of particulate matter from the cement silo baghouse shall not exceed 4.9 pounds per hour and 2.9 TPY. To ensure these emission limits are met, the loading time of the cement silo shall not exceed 4.5 hours per day (equivalent to unloading six 27 ton loads of cement from trucks or 162 tons of cement per day), 5 days per week, and 52 weeks per year. Not more than 200,000 tons of aggregate shall be processed by this facility during any 12 month period. If there is a good reason to believe the particulate matter emission standard is not being met, the Department may require that compliance with the particulate matter standard be demonstrated using EPA Method 5 as described in 40 CFR 60, Appendix A (July 1, 1993), in accordance with Rule 62-297.340(2), F.A.C. A written log of daily cement transfer shall be kept for a minimum of two years and available for inspection to the Department.

6. The Department's District Air Program Administrator and the County Air Program Administrator that have jurisdiction over the site the plant will be tested, and the Bureau of Air Regulation shall be notified in writing at least 15 days in advance of any compliance test scheduled to be conducted on this plant.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: AO29-272066
Expiration Date: June 23, 2000

7. Reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.310(3), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alterations, or industrial related activities such as loading, unloading, storing, and handling of materials. Wetting the material with water to minimize dust is considered a reasonable precaution for this plant.

8. Operation of this facility shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. (Rule 62-296.320(2), F.A.C.)


9. At least 7 days prior to relocating the plant, the permittee shall notify the Department's District Air Program Administrator and, if applicable, the County Air Program Administrator along with the Bureau of Air Regulations all potential sites that the plant may be operated at in the next 30 days. The notification will be on DEP Form 62-210.900(3). All potential construction sites may be shown on a USGS topographic map. Unless notified otherwise by an environmental agency, the plant may be relocated and operated at any site on the list.

10. Submit to the Bureau of Air Regulation for this plant, each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following information pursuant to Section 403.061(13), Florida Statutes:

- (A) Annual amount of materials and/or fuels utilized.
- (B) Annual emissions (note calculation basis).
- (C) Emissions test report.
- (D) Any changes in the information contained in the permit application.

11. Four applications to renew this operation permit (DEP Form No. 62-210.900(2)) shall be submitted to the Department of Environmental Protection, Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, 60 to 90 days prior to the expiration of this permit.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**


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

KEARNEY

DEVELOPMENT CO., INC.

8621 M. L. KING BLVD. E. • TAMPA, FLORIDA 33610

TAMPA (813) 821-0855
 PINELLAS (813) 443-3809
 ORLANDO (407) 858-4076
 FAX (813) 820-0001

AGP

Underground Utilities * Site Development * Since 1956

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 13, 1995

Mr. Willard Hanks
 Florida Department of Environmental Protection
 Twin Towers Office Building
 2800 Blair Stone Road
 Tallahassee, FL 32399-2400

RE: DEP FILE NUMBER AC 29-261151

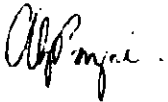
Dear Mr. Hanks:

As required, please find attached the proofs of publication as follows:

NEWSPAPER OF GENERAL CIRCULATION	DATE OF PUBLICATION	FLORIDA COUNTIES PUBLISHED IN
The Orlando Sentinel	02/11/95	Orange, Lake, Osceola, Volusia, Brevard, Seminole.
The Tampa Tribune	02/12/95	Citrus, Sumter, Hernando, Pasco, Pinellas, Polk, Hillsborough, Manatee, Hardee, DeSoto, Highlands, Sarasota.
Pensacola News Journal	02/14/95	Escambia, Santa Rosa, Okaloosa, Walton, Washington.
The Gainesville Sun	02/15/95	Alachua, Bradford, Union, Levy, Suwannee, Clay, Putnam, Columbia, Gilchrist.
Tallahassee Democrat	02/19/95	Calhoun, Gadsden, Franklin, Jefferson, Leon, Bay, Jackson, Madison, Liberty, Washington, Gulf, Taylor, Holmes, Suwannee.
The Florida Times Union	02/22/95	Duval, Baker, Clay, Nassau, St. Johns.
The Miami Herald	02/23/95	Dade, Broward, Monroe, Brevard, Pinellas, Palm Beach, Martin, St. Lucie, Hendry, Lee, Collier, Indian River, Hillsborough.
News-Press	02/23/95	Lee, Charlotte, Collier, Glades, Hendry.
The Okeechobee News	02/24/95	Okeechobee.
The Ocala Star-Banner	02/24/95	Manion, Citrus, Levy, Sumter.
Flager/Palm Coast News-Tribune	02/25/95	Flager.
The Mayo Free Press	03/02/95	Lafayette.
The Jasper News	03/09/95	Hamilton.
Dixie County Advocate	03/09/95	Dixie.

I trust this information is acceptable. Please contact me if you require any further information.

Respectfully,



Alan G. Payne

Manager-Pugmill Operations

AGP/agg

Cc: Bing Kearney, KDC

Bryan Kearney, KDC

Joseph Kowalski, K² Engineering, Inc.

Attachments: 14 Proofs Of Publication.



Department of Environmental Protection

RECEIVED

JAN 2 2 1996

KEARNEY DEVELOPMENT
COMPANY, INC.

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PERMIT

AGP

Pugmill File

S.F.

In the matter of an
Application for Permit by:

DEP File No. 7774801-002-AO
Statewide Operation

Mr. Alan G. Payne
Manager - Pugmill Operation
Kearney Development Company, Inc.
8621 Martin Luther King Blvd. E.
Tampa, Florida 33610

Enclosed is Permit Number 7774801-002-AO for the operation of a portable soil cement plant. This permit authorizes operation in any county within Florida where the public notice requirements for this unit have been met. This permit is issued pursuant to Section 403, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, 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 14 days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed by certified mail before the close of business on 1-18-96 to the listed persons.

Clerk Stamp
FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52(11), Florida Statutes,
with the designated Department
Clerk, receipt of which is hereby
acknowledged.

Kim Joken 1-18-96
Clerk Date

Copies furnished to:

District Air Program Administrators
County Air Program Administrators
Joseph Kowalski, K² Engineering, Inc.

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

Printed on recycled paper.

Operating Permit Review and Evaluation

Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, FL 33610

Portable Soil Cement Plant
Statewide Operation

Permit No.: 7774801-002-A0

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

January 11, 1996

Operating Permit Review and Evaluation
Kearney Development Company, Inc.

On December 18, 1995, Kearney Development Company, Inc. applied for a permit to operate an existing portable soil cement plant throughout the state. The permittee has completed the the public notice requirements for this unit in 37 counties in Florida. The permit to operate limits operation to these counties.

The permittee requested that Specific Condition No. 5 of the construction permit be amended. By complying with Specific Condition No. 2 of the permits (visible emission standard in Rule 62-296.414, F.A.C.), this unit is in compliance with the Reasonably Available Control Technology (RACT) for particulate matter (Rule 62-296.700(3), F.A.C.). Therefore, the requirements to be exempt from RACT that were in the construction permit have been removed from this permit to operate. Also, the process weight and operation time limits from the application have been added to Specific Condition No. 1 of this permit.

The construction permit, 0950255-002-AC issued on November 27, 1995, limits visible emissions from the cement silo and diesel engine to 5 percent and 20 percent opacity, respectively. The December 13, 1995 test results, measured using EPA Method 9, were 0 percent opacity for the cement silo baghouse and 3.75 percent opacity for the diesel engine. These results document that the plant is capable of operating in compliance with construction permit No. 0950255-002-AC.



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

PERMITTEE:
Kearney Development Co., Inc.
8621 M. L. King Blvd. E.
Tampa, Florida 33610

Permit Number: 7774801-002-AO
Expiration Date: January 15, 2001
County: Statewide
Project: Portable Soil
Cement Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 62-212, 62-272, 62-275, 62-276, and 62-297, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the emission unit shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department of Environmental Protection (Department) and specifically described as follows:

For the operation of a portable soil cement plant. Major components of the Aran continuous mixing plant (Model No. ASR-280D, Serial No. 054) are a 47 ton cement silo equipped with a DCE Volkes Series DLMV 10/10 baghouse, aggregate hopper, water tank, pugmill mixer, conveyers, Cummins diesel engine, and associated equipment.

The plant may operate in Bay, Brevard, Calhoun, Citrus, Desoto, Escambia, Franklin, Gadsden, Gulf, Hamilton, Hardee, Hernando, Highlands, Hillsborough, Holmes, Jackson, Jefferson, Lake, Leon, Levy, Liberty, Madison, Manatee, Marion, Orange, Osceola, Pasco, Pinellas, Polk, Sarasota, Seminole, Sumter, Suwannee, Taylor, Volusia, Wakulla, and Washington Counties.

The plant may be operated in other counties in Florida after the public notice requirements have been met, the permit for the unit amended, and at any construction site that the permittee has listed in the Notification of Intent to Relocate Air Pollutant Emitting Facility.

Completion of construction of this source shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application received December 18, 1995.

Page 1 of 6

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

Printed on recycled paper.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: 7774801-002-AO
Expiration Date: January 15, 2001

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of 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.
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.
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.
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.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: 7774801-002-AO
Expiration Date: January 15, 2001

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 any 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.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

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

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: 7774801-002-AO
Expiration Date: January 15, 2001

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-30.300, 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. 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 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.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

14. 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.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: 7774801-002-AO
Expiration Date: January 15, 2001

SPECIFIC CONDITIONS:

MODIFICATION

1. No alterations shall be made to the portable soil cement plant that have the potential to increase air pollutant emissions without prior approval from the Department's Bureau of Air Regulation. The unit shall not operate more than 8,736 hours per year and shall not process more than 314,496 TPY cement.

EMISSIONS STANDARDS, TESTING, AND RECORD REQUIREMENTS

2. Visible emissions from the cement silo, aggregate hopper, aggregate storage area, and plant conveyers shall not exceed 5 percent opacity.

3. Visible emissions from the diesel engine shall not exceed 20 percent opacity pursuant to Rule 62-296.310(2), F.A.C.

4. The silo baghouse and diesel engine shall be tested annually for visible emissions by EPA Method 9 as described in 40 CFR 60, Appendix A (July 1, 1994) while cement is being transferred at a rate of approximately 36 TPH. Minimum test time is 30 minutes. The baghouse shall be inspected and repaired, if needed, prior to erection of the silo at any location. The results of each inspection and any maintenance done on the baghouse shall be recorded in the plant operation log. These records shall be kept for a minimum of two years for inspection by the Department.

5. If there is a good reason to believe the emission standard is not being met, the Department may require that compliance with the standard be demonstrated using EPA Method 9 as described in 40 CFR 60, Appendix A (July 1, 1995), in accordance with Rule 62-297.340(2), F.A.C. A written log of daily cement transfer shall be kept for a minimum of two years and available for inspection to the Department.

6. The Department's District Air Program Administrator and the County Air Program Administrator that have jurisdiction over the site where the plant will be tested, shall be notified in writing at least 15 days in advance of any compliance test scheduled to be conducted on this plant.

7. Reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.310(3), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction,

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: 7774801-002-AO
Expiration Date: January 15, 2001

alterations, or industrial related activities such as loading, unloading, storing, and handling of materials. Wetting the material with water to minimize dust is considered a reasonable precaution for this plant.

8. Operation of this facility shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor (Rule 62-296.320(2), F.A.C.).

ADMINISTRATIVE REQUIREMENTS


9. At least 7 days prior to relocating the plant, the permittee shall notify the Department's District Air Program Administrator and, if applicable, the County Air Program Administrator of all potential sites that the plant may be operated at in the next 30 days. The notification will be on DEP Form 62-210.900(3). All potential construction sites may be shown on a USGS topographic map. Unless notified otherwise by an environmental agency, the plant may be relocated and operated at any site on the list.

10. Submit to the Bureau of Air Regulation for this plant, each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following information pursuant to Section 403.061(13), Florida Statutes:

- (A) Annual amount of materials and/or fuels utilized.
- (B) List of sites where the unit operated during the year.
- (C) Emissions test report.
- (D) Any changes in the information contained in the permit application.

11. Four applications to renew this operation permit (DEP Form No. 62-210.900(2)) shall be submitted to the Department of Environmental Protection, Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, 60 to 90 days prior to the expiration of this permit.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**


Howard L. Rhodes, Director
Division of Air Resources
Management

KEARNEY

DEVELOPMENT CO., INC.

8621 M. L. KING BLVD. E. • TAMPA, FLORIDA 33610

TAMPA (813) 821-0865
 PINELLAS (813) 443-3808
 ORLANDO (407) 856-4078
 FAX (813) 820-0001

Underground Utilities * Site Development * Since 1956

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

October 10, 1995

Mr. Willard Hanks
 Florida Department of Environmental Protection
 Twin Towers Office Building
 2600 Blair Stone Road
 Tallahassee, FL 32399-2400

RE: DEP FILE NUMBER 0950255-002-AC

Dear Mr. Hanks:

As required, please find attached the proofs of publication as follows:

NEWSPAPER OF GENERAL CIRCULATION	FLORIDA COUNTIES PUBLISHED IN
The Orlando Sentinel	Orange, Lake, Osceola, Volusia, Brevard, Seminole.
The Tampa Tribune	Citrus, Sumter, Hernando, Pasco, Pinellas, Polk, Hillsborough, Manatee, Hardee, Desoto, Highlands, Sarasota.
Pensacola News Journal	Escambia, Santa Rosa, Okaloosa, Walton, Washington.
The Gainesville Sun	Alachua, Bradford, Union, Levy, Suwannee, Clay, Putnam, Columbia, Gilchrist.
Tallahassee Democrat	Calhoun, Gadsden, Franklin, Jefferson, Leon, Bay, Jackson, Madison, Liberty, Washington, Gulf, Taylor, Holmes, Suwannee.
The Florida Times Union	Duval, Baker, Clay, Nassau, St. Johns.
The Miami Herald	Dade, Broward, Monroe, Brevard, Pinellas, Palm Beach, Martin, St. Lucie, Hendry, Lee, Collier, Indian River, Hillsborough.
News-Press	Lee, Charlotte, Collier, Glades, Hendry.
The Okeechobee News	Okeechobee.
The Ocala Star-Banner	Marion, Citrus, Levy, Sumter.
Flager/Palm Coast News-Tribune	Flager.
The Mayo Free Press	Lafayette.
The Jasper News	Hamilton.
Dixie County Advocate	Dixie.

I trust this information is acceptable. Please contact me if you require any further information.

Respectfully,



Alan C. Payne

Manager-Pugmill Operations

AGP/agp

Cc. Bing Kearney, KDC

Bryan Kearney, KDC

Joseph Kowalski, K² Engineering, Inc.

Attachments: 14 Proofs Of Publication.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT MODIFICATIONS ISSUANCE

RECEIVED

MAR 20 1997

KEARNEY DEVELOPMENT
COMPANY, INC.

In the Matter of an
Application for Permit Modifications

Mr. Alan G. Payne
Manager Pugmill Operation
Kearney Development Company, Inc.
P. O. Box 760091
Tampa, Florida 33675-6009

DEP File Nos. 7770380-001-AO
7774801-004-AO
Relocatable Soil Cement Units

Enclosed is a letter for Permit Modifications Numbered 7770380-001-AO and 7774801-004-AO to allow operation of an additional cement silo with two existing relocatable soil cement plants. The modifications are issued pursuant to Section 403, Florida Statutes.

A person whose substantial interests are affected by this permit 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: 904/488-9730, fax: 904/487-4938, within fourteen days of receipt of the permit modifications. 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.

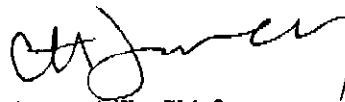
A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's 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 action or proposed action addressed in these modifications.

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 these modifications. 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.

These permit modifications are final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time these permit modifications will not be effective until further Order of the Department.

When the Order (permit modifications) is final, any party to the order has the right to seek judicial review of the Order 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, P.E., Chief
Bureau of Air Regulation


CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that these permit modifications were sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 3-18-97 to the person(s) listed:

Mr. Alan G. Payne, Kearney Development Company, Inc.*
District Air Program Administrators
County Air Program Administrators

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.


(Clerk)

3-18-97
(Date)



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

March 14, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Alan G. Payne, Manager
Pugmill Operations
Kearney Development Company, Inc.
P. O. Box 76009
Tampa, Florida 33675-6009

Re: Permit Modification Request - Mobile Cement Silo
File Nos. 7770380-001-AO & 7774801-004-AO

Dear Mr. Payne:

The Department has reviewed your letter dated February 17, 1997 requesting a modification to permits for two relocatable soil cement plants. The modification will allow a mobile cement silo system to be operated with each relocatable soil cement plant. This request is acceptable, with conditions, and the permits are hereby amended as follows:

Insert on page 1 of each permit after description of the plant:

An Aran ACSM-50 mobile silo system may be operated in conjunction with this plant. Only one cement silo is in operation (receiving or transferring cement) at any given time. Each silo is subject to all the requirements (emission standard, testing, inspection, record keeping and other requirements) of this permit.

The Department is also deleting the requirements that a copy of the notification of a scheduled compliance test (Specific Condition No. 6) and a copy of the relocation notice (Specific Condition No. 9) be sent to the Bureau of Air Regulation. The compliance test and relocation notifications shall continue to be submitted to the District and county having jurisdiction over the site the unit is operating at.

All other conditions of the permit to operate this unit remain in effect. A copy of this letter shall be filed with the referenced permits and shall become part of those permits.

Sincerely,

Howard L. Rhodes, Director
Division of Air Resources
Management

HLR/wht

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

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Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

PERMITTEE:

Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, Florida 33610

Permit Number: AO 29-272066
Expiration Date: June 23, 2000
County: Statewide
**Project: Portable Soil
Cement Plant**
APIS No. 40HIL29038001

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 212, 272, 275, 276, and 297, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the emission unit shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department of Environmental Protection (Department) and specifically described as follows:

For the operation of an existing portable soil cement plant. Major components of the Aran continuous mixing plant (Model No. ASR-280B, Serial No. 053) are a 47 ton cement silo equipped with a DCE Volkes Series DLMV 10/10 baghouse, aggregate hopper, water tank, pugmill mixer, conveyers, Caterpillar diesel engine (Model No. 3208, Serial No. 90N68412), and associated equipment.

The plant may be operated in any county in Florida that the public notice requirements have been met and at any construction site that the permittee has listed in the Notification of Intent to Relocate Air Pollutant Emitting Facility.

The operation of this source shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application received June 6, 1995.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: A029-272066
Expiration Date: June 23, 2000

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of 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.
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.
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.
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.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: AO29-272066
Expiration Date: June 23, 2000

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 any 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.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

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

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

PERMITTEE:

Kearney Development Co., Inc.

Permit Number: A029-272066

Expiration Date: June 23, 2000

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-30.300, 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. 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 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.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.

14. 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.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: AO29-272066
Expiration Date: June 23, 2000

SPECIFIC CONDITIONS:

MODIFICATION

1. No alterations shall be made to the portable soil cement plant that have the potential to increase air pollutant emissions without prior approval from the Department's Bureau of Air Regulation.

EMISSIONS STANDARDS, TESTING, AND RECORD REQUIREMENTS

2. Visible emissions from the cement silo, aggregate hopper, aggregate storage area, and plant conveyers shall not exceed 5 percent opacity.

3. Visible emissions from the diesel engine shall not exceed 20 percent opacity pursuant to Rule 62-296.310(2), F.A.C.

4. The silo baghouse and diesel engine shall be tested annually for visible emissions by EPA Method 9 as described in 40 CFR 60, Appendix A (July 1, 1994) while cement is being transferred at a rate of approximately 36 TPH. Minimum test time is 30 minutes. The baghouse shall be inspected and repaired, if needed, prior to erection of the silo at any location. The results of each inspection and any maintenance done on the baghouse shall be recorded in the plant operation log. These records shall be kept for a minimum of two years for inspection by the Department.

5. In order to be exempt from RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), F.A.C., emissions of particulate matter from the cement silo baghouse shall not exceed 4.9 pounds per hour and 2.9 TPY. To ensure these emission limits are met, the loading time of the cement silo shall not exceed 4.5 hours per day (equivalent to unloading six 27 ton loads of cement from trucks or 162 tons of cement per day), 5 days per week, and 52 weeks per year. Not more than 200,000 tons of aggregate shall be processed by this facility during any 12 month period. If there is a good reason to believe the particulate matter emission standard is not being met, the Department may require that compliance with the particulate matter standard be demonstrated using EPA Method 5 as described in 40 CFR 60, Appendix A (July 1, 1993), in accordance with Rule 62-297.340(2), F.A.C. A written log of daily cement transfer shall be kept for a minimum of two years and available for inspection to the Department.

6. The Department's District Air Program Administrator and the County Air Program Administrator that have jurisdiction over the site the plant will be tested, and the Bureau of Air Regulation shall be notified in writing at least 15 days in advance of any compliance test scheduled to be conducted on this plant.

PERMITTEE:
Kearney Development Co., Inc.

Permit Number: A029-272066
Expiration Date: June 23, 2000

7. Reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.310(3), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alterations, or industrial related activities such as loading, unloading, storing, and handling of materials. Wetting the material with water to minimize dust is considered a reasonable precaution for this plant.

8. Operation of this facility shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. (Rule 62-296.320(2), F.A.C.)

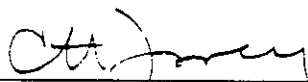
9. At least 7 days prior to relocating the plant, the permittee shall notify the Department's District Air Program Administrator and, if applicable, the County Air Program Administrator along with the Bureau of Air Regulations all potential sites that the plant may be operated at in the next 30 days. The notification will be on DEP Form 62-210.900(3). All potential construction sites may be shown on a USGS topographic map. Unless notified otherwise by an environmental agency, the plant may be relocated and operated at any site on the list.

10. Submit to the Bureau of Air Regulation for this plant, each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following information pursuant to Section 403.061(13), Florida Statutes:

- (A) Annual amount of materials and/or fuels utilized.
- (B) Annual emissions (note calculation basis).
- (C) Emissions test report.
- (D) Any changes in the information contained in the permit application.

11. Four applications to renew this operation permit (DEP Form No. 62-210.900(2)) shall be submitted to the Department of Environmental Protection, Bureau of Air Regulation, MS 5505, 2600 Blair Stone Road, Tallahassee, FL 32399-2400, 60 to 90 days prior to the expiration of this permit.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


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

Check Sheet

Company Name: Kearney Development, CO.
 Permit Number: A029-272066
 PSD Number: _____
 Permit Engineer: _____

Application:

- | | |
|---------------------------------------------------------|--------------------------|
| <input checked="" type="checkbox"/> Initial Application | Cross References: |
| <input type="checkbox"/> Incompleteness Letters | <input type="checkbox"/> |
| <input type="checkbox"/> Responses | <input type="checkbox"/> |
| <input type="checkbox"/> Waiver of Department Action | <input type="checkbox"/> |
| <input type="checkbox"/> Department Response | |
| <input checked="" type="checkbox"/> Other | |

Intent:

- Intent to Issue
- Notice of Intent to Issue
- Technical Evaluation
- BACT or LAER Determination
- Unsigned Permit
- Correspondence with:
 - EPA
 - Park Services
 - Other
- Proof of Publication
 - Petitions - (Related to extensions, hearings, etc.)
 - Waiver of Department Action
 - Other

Final

Determination:

- Final Determination
- Signed Permit
- BACT or LAER Determination
- Other

Post Permit Correspondence:

- Extensions/Amendments/Modifications
- Other

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- 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:
 Alan G. Payne - Mgr. P.O.
 Kearney Development Co.
 8621 Martin Luther K. Blvd E.
 Tampa, FL 33610

4a. Article Number: 2 392 979 054

4b. Service Type

<input type="checkbox"/> Registered	<input type="checkbox"/> Insured
<input checked="" type="checkbox"/> Certified	<input type="checkbox"/> COD
<input type="checkbox"/> Express Mail	<input type="checkbox"/> Return Receipt for Merchandise

7. Date of Delivery

5. Signature (Addressee)

6. Signature (Agent): *[Signature]*

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

PS Form 3811, December 1991 U.S. GPO: 1993-352-714 **DOMESTIC RETURN RECEIPT**

Is your RETURN ADDRESS completed on the reverse side?

Thank you for using Return Receipt Service.

2 392 979 054



Receipt for Certified Mail

No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

PS Form 3800, March 1993

Send to:	Alan Payne	
Street and No.:	Kearney Devel.	
P.O., State and ZIP Code:	Tampa, FL	
Postage		\$
Certified Fee		
Special Delivery Fee		
Restricted Delivery Fee		
Return Receipt Showing to Whom & Date Delivered		
Return Receipt Showing to Whom, Date, and Addressee's Address		
TOTAL Postage & Fees		\$
Postmark or Date	AD 27-272066 7-12-95	

Memorandum

**Florida Department of
Environmental Protection**

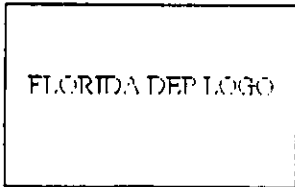
TO: Howard L. Rhodes
FROM: Clair H. Fancy *Issued*
DATE: July 12, 1995
SUBJECT: Operation Permit Issuance
Kearney Development Company, Inc.

Attached for your approval and signature is a permit to operate a portable soil cement plant in any county in Florida.

Permits for mobile units used throughout the state are processed by the Bureau of Air Regulation. The Bureau issued a construction permit for this portable soil cement plant on February 3, 1995. The application for permit to operate was submitted to the Bureau on June 6, 1995. Test results showed compliance with the air regulations.

I recommend your approval and signature of the operation permit.

CHF/wh/t
attachment



Department of Environmental Protection

DIVISION OF AIR RESOURCES MANAGEMENT

NOTIFICATION OF INTENT TO RELOCATE AIR POLLUTANT EMITTING FACILITY

See Instructions for Form No. 62-210.900(3)
Submit to DEP district office for the area in which the facility is to be relocated.

Current Facility Information

1. Facility ID: Unknown	2. Permit Number: AC 29-261151	
3. Facility Owner or Operator: KEARNEY Development Company, Inc		
4. Facility Name: ARAN Portable Soil Cement Plant		
5. Facility Street Address or Location Description: 41150 Yonkers Boulevard		
6. City: Zephyrhills	7. County: Pasco	
8. Shutdown Date at This Location: 06/29/95		

Proposed New Facility Location

1. Facility Street Address or Location Description: 13621 Rhodine Road			
2. City: Riverview	3. County: Hillsborough	4. Zip Code: 33569	
5. Facility Coordinates:			
UTM Zone	UTM East or Latitude: 27° 48.856'	UTM North or Longitude: 82° 15.645'	
6. Startup Date at New Location: 07/17/95			
7. Facility Comment:			


Owner/Authorized Representative or Responsible Official

Name and Title of Owner/Authorized Representative or Responsible Official: Mr. Alan G. Payne		
Organization/Firm: KEARNEY Development Company, Inc.		
Street Address or P. O. Box: 8621 M.L. King Blvd. East		
City: Tampa	State: Florida	Zip: 33610
Telephone: (813) 621-0855	Fax: (813) 620-0001	

Facility Contact

Name and Title of Facility Contact: Alan G. Payne: Manager, Pugmill Operations		
Organization/Firm: KEARNEY Development Company, Inc.		
Street Address or P. O. Box: 8621 M.L. King Blvd. East		
City: Tampa	State: Florida	Zip: 33610
Telephone: (813) 621-0855	Fax: (813) 620-0001	

Certification

Statement by Owner/Authorized Representative or Responsible Official:	
<i>I hereby certify that the information given in this report is correct to the best of my knowledge.</i>	
	
Alan G. Payne Manager, Pugmill Operations	<u>07/08/95</u> Date

Supplemental Requirements

1. Provide a scale map (e.g., the relevant portion of a USGS topographic map) showing the proposed new location of the facility and points of air pollutant emissions in relation to residences, roads, and other features of the surrounding area.
2. If relocating to a different DEP district, provide a copy of the most recent compliance test report.


Owner/Authorized Representative or Responsible Official

Name and Title of Owner/Authorized Representative or Responsible Official: Mr. Alan G. Payne			
Organization/Firm: KEARNEY Development Company, Inc.			
Street Address or P. O. Box: 8621 M.L. King Blvd. East			
City: Tampa	State: Florida	Zip: 33610	
Telephone: (813) 621-0855		Fax: (813) 620-0001	

Facility Contact

Name and Title of Facility Contact: Alan G. Payne; Manager, Pugmill Operations			
Organization/Firm: KEARNEY Development Company, Inc.			
Street Address or P. O. Box: 8621 M.L. King Blvd. East			
City: Tampa	State: Florida	Zip: 33610	
Telephone: (813) 621-0855		Fax: (813) 620-0001	

Certification

Statement by Owner/Authorized Representative or Responsible Official:	
<i>I hereby certify that the information given in this report is correct to the best of my knowledge.</i>	
	
Alan G. Payne Manager, Pugmill Operations	<u>07/08/95</u> Date

Supplemental Requirements

1. Provide a scale map (e.g., the relevant portion of a USGS topographic map) showing the proposed new location of the facility and points of air pollutant emissions in relation to residences, roads, and other features of the surrounding area.
2. If relocating to a different DEP district, provide a copy of the most recent compliance test report.

FLORIDA DEP LOGO

Department of Environmental Protection

DIVISION OF AIR RESOURCES MANAGEMENT

NOTIFICATION OF INTENT TO RELOCATE AIR POLLUTANT EMITTING FACILITY

See Instructions for Form No. 62-210.900(3)
Submit to DEP district office for the area in which the facility is to be relocated.

Current Facility Information

1. Facility ID: Unknown	2. Permit Number: AC 29-261151
3. Facility Owner or Operator: KEARNEY Development Company, Inc.	
4. Facility Name: ALAN Portable Soil Cement Plant	
5. Facility Street Address or Location Description: 41150 Yonkers Boulevard	
6. City: Zephyrhills	7. County: Pasco
8. Shutdown Date at This Location: 06/29/95	

Proposed New Facility Location

1. Facility Street Address or Location Description: 25800 East Colonial Blvd.			
2. City: Christmas	3. County: Orange	4. Zip Code: 32709	
5. Facility Coordinates: UTM Zone UTM East or Latitude: 28/31/56 UTM North or Longitude: 81/59/00			
6. Startup Date at New Location: 07/18/95			
7. Facility Comment:			


Owner/Authorized Representative or Responsible Official

Name and Title of Owner/Authorized Representative or Responsible Official:		
Mr. Alan G. Payne		
Organization/Firm: KEARNEY Development Company, Inc.		
Street Address or P. O. Box: 8621 M.L. King Blvd. East		
City: Tampa	State: Florida	Zip: 33610
Telephone: (813) 621-0855	Fax: (813) 620-0001	

Facility Contact

Name and Title of Facility Contact: Alan G. Payne, Manager, Pugmill Operations		
Organization/Firm: KEARNEY Development Company, Inc.		
Street Address or P. O. Box: 8621 M.L. King Blvd. East		
City: Tampa	State: Florida	Zip: 33610
Telephone: (813) 621-0855	Fax: (813) 620-0001	

Certification

Statement by Owner/Authorized Representative or Responsible Official:	
<i>I hereby certify that the information given in this report is correct to the best of my knowledge.</i>	
	
Alan G. Payne Manager, Pugmill Operations	<u>07/08/95</u> Date

Supplemental Requirements

1. Provide a scale map (e.g., the relevant portion of a USGS topographic map) showing the proposed new location of the facility and points of air pollutant emissions in relation to residences, roads, and other features of the surrounding area.
2. If relocating to a different DEP district, provide a copy of the most recent compliance test report.

To: Alan Zahm

From: Willard Hanks

Date: July 11, 1995

Subject: Kearney Development Company, Inc.

There are circumstances where relocatable plants have to have their permit amended prior to moving the plant. This is not the case for Kearney Development Company.

On March 24, 1995, BAR issued Kearney a construction permit that authorized the operation of a portable soil cement plant anywhere in Florida. During the processing of this application, a public notice was published in newspapers having circulation in every county in Florida. The permit allows operation in every county. No amendment of the permit is needed to relocate this plant.

A condition of the permit was that a Notification of Intent to Relocate Air Pollutant Emitting Facility be submitted 7 days prior to relocating the plant. No fee is required for this Notification because the permit already authorizes operation in the county.

Were the plant to operate in some manner not authorized by the construction permit, then an amendment or modification to the permit which would include a fee would be appropriate.

(also)

If you have any questions or comments on when a fee is needed to relocate a plant, please contact BAR.

Patty - What is your opinion?
We would rather not get into minutiae of minor amendments + changes

7/11/95

AX,

Alan wants a \$50 fee for each site this relocatable plant will operate at.

Sammy George said the Notification form does not require a fee.

Kearney contacted me on this issue yesterday.

This draft is my proposed response.

Any comments/suggestions?

Do what Patty says so far as anything related to work

BAR.

Operating Permit Review and Evaluation

Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, FL 33610

Portable Soil Cement Plant
Statewide Operation

Permit No.: AO 29-272066

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

July 12, 1995

KEARNEY

DEVELOPMENT CO., INC.

8621 M. L. KING BLVD. E. • TAMPA, FLORIDA 33610

TAMPA (813) 821-0001
PINELLAS (813) 443-7600
ORLANDO (407) 254-4171
FAX (813) 820-0001

Underground Utilities Site Development Since 1955

June 2, 1995

Mr. Leroy Shelton
Environmental Protection Commission
of Hillsborough County
1900 9th Avenue
Tampa, FL 33605

RE: KEARNEY DEVELOPMENT CO., INC. PERMIT NO. AC29-261151
METHOD 9 COMPLIANCE TEST

Dear Mr. Shelton:

Please find enclosed the results of the subject EPA Method 9 compliance testing conducted on 6/02/95, on both the silo baghouse and diesel engine. Note that the opacity was 0% for both tests and this demonstrates compliance with the maximum permitted allowable of 5% and 20% respectively.

Should you have any questions, please do not hesitate to call me.

Respectfully,

KEARNEY DEVELOPMENT CO., INC.



Alan G. Payne
Manager-Pugmill Operations

AGP/cc
Enclosure

cc: Thomas Ellison, Jr., DEP
A.A. Linero, DEP
Bing Kearney, KDC
Bryan Kearney, KDC

KEARNEY
DEVELOPMENT CO., INC.

8621 M. L. KING BLVD. E. • TAMPA, FLORIDA 33610

TAMPA (813) 871-0865
PINELLAS (813) 443-8888
TAMPA/SPRING (813) 986-4871
FAX (813) 820-0001

Underground Utilities • Site Development = Since 1936

PROCESS DATA SHEET

DATE June 2, 1995 TESTING TIME FROM: Start 11:00 pm
Finish 11:49 pm

SOURCE INFORMATION

COMPANY NAME: Kearney Development Co., Inc.

ADDRESS: 8621 M.L. King Blvd., E., Tampa, FL 33610

SOURCE IDENTIFICATION: Permit No. AC29-261151 Portable Soil Cement Plant

SOURCE LOCATION (IF DIFFERENT FROM ABOVE):

41150 Yonkers Boulevard, Zephyrhills, FL 33540

STATEMENT OF PROCESS WEIGHT

INPUT PROCESS RATE DURING TESTING TIME 24.82 tons/hr

PRODUCTION RATE DURING TESTING TIME N/A


Assumptions

Cement dust product = 24.82 tons
Tanker unloading time = 49 minutes
Pneumatic pressure on tanker during silo loading = 10 psi

Calculations

(24.82 tons / 49 minutes) (60 min/hr) = 30.40 tons/hr

I certify that the above statement is true to the best of my knowledge and belief.


Alan Payne

Production Manager
Title

6/2/95
Date Signed

EPA

VISIBLE EMISSION OBSERVATION FORM 1

Measurement Method (1 or 2) Method 1 204 208 Other

Company Name Kearney Development Co. Inc.
 Facility Name Same As Above
 Facility Address 4150 Yonkers Blvd. (Plaza Materials)
 City Zephyrhills State FL Zip 33560

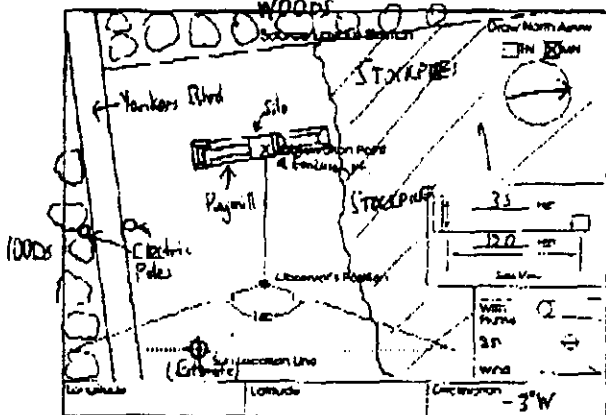
Process Portable Paymill Unit # 700 Silo Reduce
 Capacity Baghouse - Full Capacity Operating Mode Automatic

Describe Emission Point Square hatch on top of silo
Round pop off valve
 Height of stack ft. 35 ft and 35 ft Distance to base ft. 120 ft and 120 ft
 Direction to base ft. 260° and 260°

Vertical Angle to Obs Pt. 16.3° and 16.3° Direction to Obs. Pt. (Degrees) 260° and 260°
 Azimuth and Elevation to Observation Point from Emission Point Same Point and Same Point

Observed Frequency None and None
 Emission Color N/A and N/A
 Type N/A and N/A

Thermal Plume Background
 Color Gray Sky and Gray
 Background Color Gray and Gray
 Wind Speed 3 mph and 3 mph
 Ambient Temp 71°F and 71°F
 Wet Bulb Temp - and 92%



Additional Information
24" P" Tex cement powder. Pneumatic Unloading
Pressure = 10psi. Opacity Average = 0%

VE01.1

Form Number 00013 Page 1 of 2
 Use it with an VES Form number: 000114

Obs. No.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Observed	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Comments																														

Observer's Name (Print) Alan G. Payne
 Observer's Signature [Signature] Date 6/2/95
 On behalf of Kearney Developmental Company Inc.
 Certified by Eastern Technical Assoc. Date 2/28/95

CPA

VISIBLE EMISSION OBSERVATION FORM 1

Form Number: 00016 Page 2 of 2
 Use this for VES Form Number

APR 11 Unit (Circle One) 2034 2038 0384

Company Name
 Facility Name
 Street Address
 City State Zip

Process Unit # Cooling Mode
 Primary Equipment Operating Mode

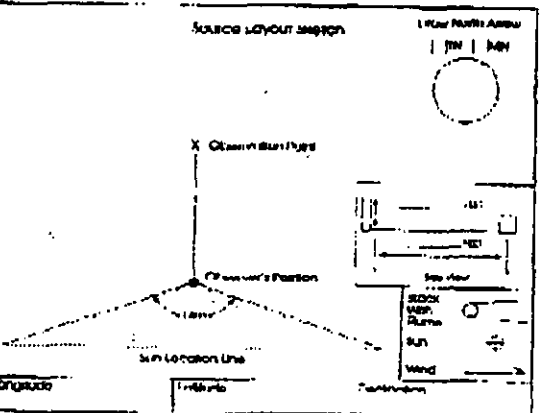
Describe Emission Area

Height of Stack ft. Start End Direction to Area ft. (Degree)
 Distance to Area ft. Start End Direction to Area ft. (Degree)

Vertical Angle to Obs. Pt. Start End Direction to Obs. Pt. (Degree)
 Distance and Direction to Observation Point from Emission Point
 Start End

Obstacle Emission Start End
 Obstacle Type Start End
 Start End Allow/Not Allow Unobscured None

Describe Flame Background Start End
 Background Type Start End Sky Conditions
 Wind Speed Start End Wind Direction
 Ambient Temp Start End Wet Bulb Temp Air Pressure
 Start End



Observer's Name
 Observer's Signature
 Organization
 Certified By

Min	Time of Day				Observed
	0	15	30	45	
1	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
2	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
3	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
4	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
5	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
6	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
7	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
8	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
9	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
10	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
11	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
12	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
13	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
14	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
15	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
16	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
17	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
18	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
19	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	
20					
21					
22					
23					
24					
25					
26					
27					
28					
29					
30					
31					

Observer's Name (Print)
 Observer's Signature
 Organization
 Certified By

VEOF 1.1

EPA

VISIBLE EMISSION OBSERVATION FORM

Method used (Ref to CFR) (40 CFR 50.1) 701A 701B Other _____

Company Name Kearney Development Co., Inc.
 Street Address Same As Above
1150 Yankee Blvd. (Phase M Term.)
Zephyrhills FL 33560

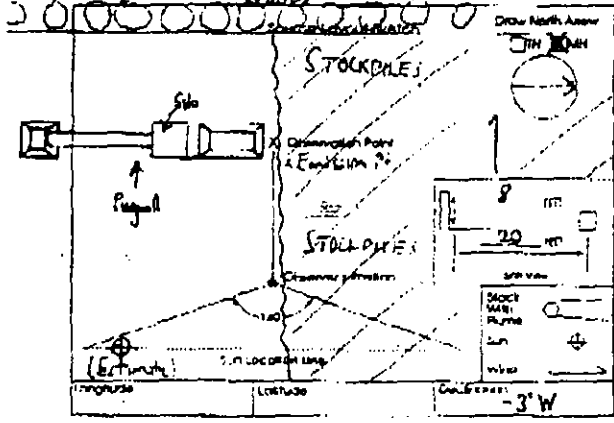
Process Portable Pumps Units 700 Cooling Water 2200 GPM
 Engine Type Isol Engine Operating Mode Variable

Description of Emission Point Iron exhaust pipe extending horizontally from engine at rear of portable pump.
 Height of stack ft. 8 ft Height of stack ft. to 100 ft. 8 ft
 Distance to line ft. 20 ft end 22 ft Angle to line ft. 270° end 270°

Distance to OBS Pt. 21.5' Direction to OBS Pt. (Degrees) 270°
 Distance and Direction to Observation Point from Process Point Same Point

Color of Emission None None
 Emission Color None None
 Rate N/A N/A

Description of Background
 Sky Condition Clear Blue Same
 Background Color Clear Blue Same
 Wind Speed 3 mph 3 mph Wind Direction 90° 90°
 Air Temp 77°F 77°F Wet Bulb Globe Temp 72% 92%



Additional Information Cat. Diesel Engine running at 2200 rpm.

Form Number 000115 Page 1 of 1
 Continued on VEO Form Number _____

Observation Log #	Date	Time	Wind Dir	Wind Spd	Wind Dir	Wind Spd	Comments
1	6/2/95	12:25	0	0	0	0	
2	0	0	0	0	0	0	
3	0	0	0	0	0	0	
4	0	0	0	0	0	0	
5	0	0	0	0	0	0	
6	0	0	0	0	0	0	
7	0	0	0	0	0	0	
8	0	0	0	0	0	0	
9	0	0	0	0	0	0	
10	0	0	0	0	0	0	
11	0	0	0	0	0	0	
12	0	0	0	0	0	0	
13	0	0	0	0	0	0	
14	0	0	0	0	0	0	
15	0	0	0	0	0	0	
16	0	0	0	0	0	0	
17	0	0	0	0	0	0	
18	0	0	0	0	0	0	
19	0	0	0	0	0	0	
20	0	0	0	0	0	0	
21	0	0	0	0	0	0	
22	0	0	0	0	0	0	
23	0	0	0	0	0	0	
24	0	0	0	0	0	0	
25	0	0	0	0	0	0	
26	0	0	0	0	0	0	
27	0	0	0	0	0	0	
28	0	0	0	0	0	0	
29	0	0	0	0	0	0	

Observer's Name (Print) Alan G. Payne
 Observer's Signature Alan G. Payne Date 6/2/95
 Company Name Kearney Development Company, Inc.
 Location Hydram Technical Assets Date 2/20/95

VEOF 1.1