

Brooks & Associates, Inc.

Engineering and Environmental Consulting

May 25, 2001

William Leffler, P.E.
Permit Engineer
Department of Environmental Protection
Division of Air Resources Management
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Re: Response to "Second Incompleteness Letter" dated

Dear Mr. Leffler:

This will respond to your "second incompleteness letter" of May 14, 2001 regarding Conrad Yelvington Distributor Inc.'s (CYDI's) request for an air construction permit for a relocatable portable screening device known as the "Powerscreen Chieftain 510" Transportable Scalping/Screening Unit. The Department initially issued an Intent to Issue and draft permit for the screening unit to be used for crushed stone, sand and gravel. Subsequently in October 2000 CYDI requested a modification of the draft Intent to Issue and permit in order to allow the screening unit to be used for spent Abrasive Blasting Media ("ABM"). On October 16, 2000, the Department requested additional information, and CYDI provided its response to this request on February 28, 2001, which response was engineer certified and re-submitted on April 6, 2001.

The Department's "second incompleteness letter" of May 14, 2001, did not number the specific items of requested information. In order to provide a clear response to all of the information requested, we have responded to each of the issues raised in your letter as follows:

1. **Information Requested:** *"The abrasive blast media... is not sufficiently consistent in its composition, nor have you submitted adequate sampling and material handling protocols to (sic) reasonable assurance that there will not be excessive dust emissions from the screener, that the dust from the screener, and from the associated materials stockpiles, will not contain unsafe levels of heavy metals."*

Response: CYDI believes that it has provided reasonable assurance of the characteristics of the ABM to be screened. CYDI has also proposed a specific testing protocol to ensure that no hazardous or toxic materials are accepted by CYDI. Finally, CYDI has provided calculations of the minimal emissions expected from this emission source. Specifically:

a. CYDI previously provided to you the calculated emission estimates for the ABM Materials. (Copy attached and highlighted.) Further assurances on emission

limiting factors are provided in response to Item 2 below in the form of limitations on material volumes, throughput rates, and hours of operation.

b. We previously submitted laboratory data from representative samples of the ABM material. This data was included in our prior submission dated February 28, 2001. (Copy attached and highlighted)

c. The laboratory data submitted by CYDI is consistent with other reported technical literature on ABM materials including:

i. "Technical Memorandum TM-2178-ENV RECYLING AND REUSE OPTIONS FOR SPENT ABRASIVE BLASTING MEDIA AND SIMILAR WASTES. (1996);

ii. "Leaching Characteristics and Assessment of Abrasive Blasting Waste from Ship Maintenance Facilities and Sandblasting Sites" (Jenna Jambeck Carlson, University of Florida, 1998);

iii. "Best Management Practices for Waste Abrasive Blast Media (Tim Townsend, Florida Center for Solid and Hazardous Waste Research, 1998).

Together, these reports indicate the range of total metals, as well as TCLP metals detected in typical samples of ABM.

d. In order to provide additional assurances that no hazardous or toxic materials will be accepted at CYDI, a sampling and testing protocol has been proposed. Each source of material will be tested prior to being transported to a CYDI facility. CYDI will not accept any waste that is characteristically hazardous for toxicity using the TCLP analysis. (This protocol for testing of individual source materials was included in the February 28, 2001 response to your first incompleteness letter.)

2. **Information Requested:** *"Additionally, data from industrial studies is predominately based on TCLP data which provides some insight as to the leaching characteristics of this material if placed in a landfill, but very little data on the gross analysis of spent abrasive blast media nor the gross analysis of the dust that will be emitted as uncontrolled particulate emissions."*

Response: The literature and lab data referenced above includes both total metals and TCLP metals analysis for ABM materials. The relatively low concentrations of total metals found in these materials, combined with the low emission rates described above, provide reasonable assurance that the emissions from this source will not result in any violation of air quality standards. As further assurance, CYDI also proposes the

following conditions on the available volume of ABM material for processing, a throughput rate for screening ABM, and limited hours of operations for screening of ABM materials:

Available Volume shall not exceed 23000 tons per year of ABM.

The throughput rate for ABM materials shall not exceed 80 per hour.

The hours of operation will be limited to 200 hrs/year.

Information Requested: *"Without the solid waste permit application, which you represented as forthcoming in your March 6 response, I do not have sufficient information to assess the impact of the screener with proposed materials, at this location."*

Response: CYDI is seeking an air permit for its proposed portable screening unit to be used at CYDI's terminals as well as possible other locations (shipyards) throughout the state. Review of this permit application should not be dependent upon other permits that may be required at various locations where the screening unit may be used. CYDI has previously indicated that it will also comply with any applicable solid waste-regulations applicable to its operations.

The Department's Tampa District office has expressed some concerns over the issue of management of coal "bottom ash" at the CYDI Tampa terminal. This bottom ash material will not be screened with the portable screening unit sought through this permit application. The bottom ash material qualifies for an exemption from solid waste regulation as an industrial byproduct, and will be managed accordingly.

The materials that will be screened using the portable screening unit include crushed stone, sand, and gravel which are raw materials and are not subject to DEP solid waste regulations. Additionally, ABM materials will be screened and will be managed as an industrial byproduct subject to exemption from solid waste regulation. The ABM materials will be managed according to appropriate Best Management Practices required for such reuse materials.

3. **Information Requested:** *"Please advise as your intention to provide information to questions 3, 4, 5, 6, 7, 8, 9 and 10 of the October 6, 2000 request for additional information, and whether CYDI intends to publish the public notice attached to the Department's Intent to Issue Air Construction of August 10, 2000."*

William Leffler, P.E.
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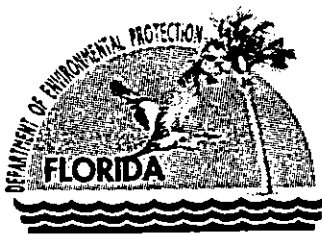
Response: We have previously responded to each of the items requested in the October 16, 2001 Request for Information. The information requested for Item 7 concerning emission-estimating protocols, was included in the emission estimates set forth in the Response to Item No. 4. Please let us know if there is a specific response that you believe was inadequate so that we may address it directly. Once the Department finalizes its review, and issues a modified Intent, CYDI will publish the required public notice.

Conclusion: We trust that this additional response, which has been sealed by the permit engineer of record, adequately provides you with information to provide sufficient assurances to issue the permit as requested. The proposed activity will generate only minimal particulate emissions, has sufficient emission limiting conditions, and is not likely to cause any violation of any applicable air emission standard. The de minimus nature of the type of activity proposed is indicated by the fact that the Department has proposed a categorical exemption for portable screening devices. While the proposed activity may ultimately qualify for such an exemption, CYDI has provided reasonable assurances that the proposed permit should be issued. Please let us know whether you require any additional information.

Sincerely,

Stephanie S. Brooks, P.E.
Brooks & Associates

cc: Clair Fancy, DARM
Gary Yelvington, CYDI
William C. Thomas, CYDI
Alex Padva, Ph.D
Geoffrey D. Smith, Esq.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

April 04, 2001

CERTIFIED MAIL RETURN RECEIPT REQUESTED

Mr. William C. Thomas, III
Vice President of Industrial Development & Operations
Conrad Yelvington Distributors, Inc.
Post Office Box 1686
Daytona Beach, Florida 32115

Re: Second Completeness Review for an Amended Application for an Air Construction Permit
Powerscreen Sand and Gravel Classifier: Permit No.: 7770473-001-AC

Dear Mr. Thomas:

On March 6, 2001, Conrad Yelvington Distributors, Inc., through its engineering consultant, Stephanie Brooks, P.E., submitted a letter and a package of supporting documents in reply to our October 6, 2000 incompleteness letter. The last paragraph of our October 6, 2000 letter and Rule 62-4.050(3), F.A.C., require that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department's requests for additional information of an engineering nature. Therefore, this responses is deficient in the following aspect:

The response letter received March 6, 2001, and supporting attachments were not submitted under the Professional Engineer's seal. This deficiency was reported to Ms. Brooks on March 20, 2001.

The Department will resume processing your amended application after receipt of the requested information. You are again advised that Rule 62-4.055(1), F.A.C., requires applicants to respond to requests for information within 90 days, with processing time on the permit tolled during the actual time taken for the response. If you have any questions, please call me at (850) 921-9522.

Sincerely,

William Leffler, P.E.
Permitting Engineer

cc:

Stephanie S. Brooks, P.E., Brooks and Associates, Inc.
Clair Fancy, BAR
Bruce Mitchell, BAR
Jerry Campbell, E.P.C.H.C.
Richard B. Tedder, Division of Waste Management
Robert Butera, P.E., Southwest District Solid Waste

"More Protection, Less Process"

Printed on recycled paper.

Leffler, William

From: Butera, Robert
Sent: Wednesday, May 02, 2001 3:18 PM
To: Leffler, William
Cc: Ford, Kim
Subject: Conrad Yelvington

ext-353

Due to powers above me I have been instructed not to follow up relating to the permitting of the transfer station for the ash taken from TECO until we receive the sampling analysis of the ash from TECO which we anticipate within the next few weeks. There is some question as to whether the ash is treated as an industrial by-product or a waste once it leaves the TECO facility at Big Bend. I believe Bill Kutash (my supervisor) wants to have some analyticals to better back our position on whether they require a permit. As far as the sand-blast grit is concerned they (Conrad Yelvington) have informed us they no longer accept such material and based on our last visit to the site it was all removed or containerized in roll-offs ready to be removed. Hope this assists you with an update. Sorry for not getting back to you sooner.