

Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

NOTICE OF PERMIT AMENDMENT

CERTIFIED MAIL

Mr. Dennis C. Kenney, P.G. - Vice President
Florida Crushed Stone Co.
P.O. Box 490300
Leesburg, FL 34749-0300

Dear Mr. Kenney:

Re: Permit Application to Amend Limestone Processing Plant Air Operation Permit to Include #4 Belt Conveyor and #13 Top-Off Hopper, St. Catherine Mine
Operation Permit No.: 1190017-001-AO
DEP File No.: 1190017-005-AO

On June 18, 1999, the Department received the referenced application to amend the existing air operation permit to include the recently constructed #4 Belt Conveyor and #13 Top-Off Hopper. The Department hereby amends Permit No. 1190017-001-AO as follows:

Change Description From:

For the operation of a limestone quarry and processing plant. Limestone is excavated and then processed to produce crushed stone. Process unconfined emission sources include 1 crusher, 1 feeder screen, 3 belt conveyors and 2 hoppers. Non-process unconfined emission sources include blasting, roadways, stockpiles, and truck loadout.

Change Description To:

For the operation of a limestone quarry and processing plant. Limestone is excavated and then processed to produce crushed stone. Process unconfined emission sources include 1 crusher, 1 feeder screen, 4 belt conveyors and 2 hoppers. Non-process unconfined emission sources include blasting, roadways, stockpiles, and truck loadout. The plant uses no particulate matter control equipment. However, particulate matter emissions are expected to be minimal due to the inherent moisture of the limestone.

Limestone processed in the crusher production line is stored in hoppers or stockpiles. The crusher production line includes the crusher and other equipment directly connected together by a conveying system (i.e., #1 Feeder Belt, #2 Under Crusher Belt, #3 Stacker Belt, #11 Top-Off Hopper, and the #12 Crusher-Feeder). Crushed stone that has been stockpiled may be loaded

Handwritten notes: "EUS 8" and "5 EUS for Line Process" with arrows pointing to the "Change Description To" and "Change Description From" sections respectively.

onto a belt conveyor by a front-end loader and conveyed to top-off hoppers for loadout to commercial haul trucks. The stockpile loadout equipment includes the #4 Belt Conveyor and the #13 Top-Off Hopper.

Change Specific Condition No. 3. From:

The maximum throughput of the operation shall not exceed 500 tons per hour (monthly average basis) and 1,000,000 tons per consecutive 12-month period.
[Rule 62-210.200(PTE), F.A.C.; Permit No. AC60-275105]

Change Specific Condition No. 3. To:

The maximum permitted throughput (determined by loadout receipts) of the crusher production line, which includes the crusher and equipment directly connected together by a conveying system, is 500 tons per hour (monthly average basis) and 2,000,000 tons per consecutive 12-month period. The maximum permissible throughput of the stockpile loadout equipment (as determined by counting bucket loads to the belt conveyor preceding #4 Belt Conveyor) is 500 tons per hour (monthly average basis).
[Rule 62-210.200(PTE), F.A.C.; Permit No. 1190017-004-AC]

Permitting Note: The loadout of material from stockpiles onto the #4 Belt Conveyor and into the #13 Top-Off Hopper is limited to 220 tons per hour, based on the rate achieved during the compliance tests conducted on June 15, 1999, plus 10% (ref. Specific Condition No. 12). Due to the negligible visible emissions from the stockpile loadout equipment, recordkeeping for its hourly throughput is not required, unless requested by the Department.

Add to Specific Condition No. 4, Table 1: Subpart OOO Emission Sources-10 Percent Visible Emissions Limit:

E.P. No.	Identifier	Manufacturer
7	#4 Belt Conveyor	in-house fabrication
8	#13 Top-Off Hopper	in-house fabrication

Change Specific Condition No. 12. From:

Testing of emissions shall be conducted with the emissions unit operation at permitted capacity as defined below. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit (i.e., 500 tons throughput per hour).
[Rules 62-297.310(2) and (2)(b), F.A.C.]

Change Specific Condition No. 12. To:

Test Operation Rate. Testing of emissions shall be conducted with the emissions unit operation at permitted capacity as defined below. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit (500 tons throughput per hour for the crusher production line and 500 tons throughput per hour for the stockpile loadout equipment).
[Rule 62-297.310(2), F.A.C.]

* * * * *

Procedures for administrative hearing and variance/waiver are described below.

Administrative Hearing

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this permit. 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 of the Florida Statutes, 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:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 the 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 permit.

Because the administrative action or proposed action addressed in this hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Variance/Waiver

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under section 120.542 of the Florida Statutes. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to this permit.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in section 120.542(2) of the Florida Statutes, and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.


Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permit amendment is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing 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 to file the petition, this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, 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 Office of General Counsel, Douglas Building, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000; 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 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

FOR 

W.C. Thomas, P.E.
District Air Administrator
Southwest District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT AMENDMENT was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on JUL 14 1999 to the person(s) listed or as otherwise noted:

*Mr. Dennis C. Kenney, P.G., Florida Crushed Stone Co.
Mr. Steven C. Cullen, P.E., Koogler & Associates, Inc.

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


Clerk

JUL 14 1999
Date


Z 222 897 671

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

Mr. Dennis C. Kenney, P.G/V Pres
Florida Crushed Stone Co.
P.O. Box 490300
Leesburg, FL 34749-0300

PS Form 3800, April 1995	Return Receipt Showing to Whom & Date Delivered	
	Return Receipt Showing to Whom, Date, & Addressee's Address	
	TOTAL Postage & Fees	\$
	Postmark or Date	7/14/99


MEMORANDUM

TO: Jerry Kissel, P.E., District Air Engineer
FROM: Eric Peterson, P.E., Air Permit Engineer 
DATE: July 8, 1999
SUBJECT: Florida Crushed Stone, Inc. (St. Catherine Mine)
Project: Amendment to Facility-Wide Operation Permit (Non-Title V)
County: Sumter
Operation Permit No.: 1190017-001-AO
Operation Permit Amendment Project No.: 1190017-005-AO
Day 90: September 16, 1999

From the information below, I recommend the attached operation permit amendment for Florida Crushed Stone, Inc./St. Catherine Mine be signed.

On June 18, 1999, the Department received an application for the above air operation permit amendment from Florida Crushed Stone, Inc. (FCS). The application was complete as received. FCS operates a limestone processing plant at the St. Catherine Mine. The application is for a "COCOC" for the recently constructed Belt Conveyor #4 and Top-Off Hopper #13 (Construction Permit No. 1190017-004-AC). This operation permit amendment supplements the current facility-wide operation permit.

The limestone processing plant is subject to 40 CFR 60 Subpart OOO, *Standards of Performance for Nonmetallic Mineral Processing Plants*, which establishes visible emission limitations (15% opacity or less for crushers, 10% or less for conveyors, screens, and hoppers). The plant crushes and sorts limestone to meet various sizing specifications. It is not equipped with particulate matter control equipment. Particulate matter emissions are minimal due to the natural moisture content of the mined limestone. The limestone moisture levels are in the range of 10 - 15%; AP-42, Table 11.19.2-2, considers material with a moisture content of ~3% as "controlled".

Visible emissions tests for Belt Conveyor #4 and Top-Off Hopper #13 were conducted on June 15, 1999. The tests were conducted at a throughput rate that was less than 90% of the equipment's permitted capacity of 500 tons per hour. The test throughput rate was 200 tons per hour. Therefore, the permit limits the current permitted capacity for this equipment to the test rate plus 10% (i.e., 220 tons per hour). However, previous opacity tests conducted at this facility were performed on similar equipment while operating at a throughput rate of 450 tons per hour. Zero opacity was observed over a three hour test period for the previous tests, with the exception of one 6-minute period where the opacity averaged 0.6%. Recordkeeping for the Belt Conveyor #4 and Top-Off Hopper #13 is not required in the amendment. It would be possible to track the loadout throughput by counting bucket loads into the system, however, this seems excessive, given the low level of emissions expected from this operation.