

REGULATORY & ENVIRONMENTAL  
SERVICES DEPARTMENT  
Air & Water Quality Division

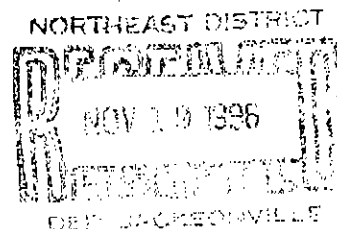


NOTICE OF PERMIT ISSUANCE

CERTIFIED - RETURN RECEIPT

Mr. Milton Lane  
Ballenger Paving Company, Inc.  
900 West Lee Road  
Greenville, SC 29602

Re: Duval County - Air Pollution  
Ballenger Paving Company, Inc.  
Relocatable Concrete Batch Plant  
Permit No. 777-5018-001-AC



Dear Mr. Lane:

Enclosed is Permit Number 777-5018-001-AC for the subject air pollution source, issued pursuant to Section 403.087, Florida Statutes (FS).

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, FS, 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, City of Jacksonville, 1300 City Hall, 220 E. Bay Street, Jacksonville, FL 32202, 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 this Notice is filed with the Clerk of the Department.

Executed in Jacksonville, Florida.

City of Jacksonville  
Regulatory and Environmental Services Department  
Air & Water Quality Division

*James L. Manning*  
James L. Manning, P.E.  
Chief

Postnet	Date	# of pages
Fax Note #7873	7/21	8
To	BILL LIEFFLER	
Fax#	850-922-6979	
From	RICK BANKS	
Phone#		

JLM/bc



421 West Church Street - Suite 422  
Jacksonville, Florida 32202-4111

Air Quality	630-3484
Water Quality	630-3461
Ground Water	630-4900
Hazardous Materials	630-3404

Mr. Milton Lane  
Ballenger Paving Company, Inc.  
Permit No: 777-5018-001-AC  
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Copies furnished to: Mr. Gregory K. Radlinski, OGC, Environmental Law Section  
Mr. Robert Leetch, P.E., FDEP, Northeast District  
Mr. David Robb, RTP Environmental Associates, Inc.

**CERTIFICATE OF SERVICE**

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on 11/7/96 to the listed persons.

**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.

Beverly Comy 11/7/96  
Clerk Date

# FINAL DETERMINATION

## I. GENERAL INFORMATION

### A. APPLICANT

Ballenger Paving Company, Inc.  
P.O. Box 127  
Greenville, SC 29602

File 777-5018-001-AC

### B. PROJECT

On August 27, 1996 the applicant submitted an application to construct a relocatable concrete batch plant. The Rex Model S relocatable concrete batch plant shall be positioned at three locations along Florida Interstate 95 for the purpose of repairing the Interstate's concrete pads.

## II. FINAL DETERMINATION

The Technical Evaluation and Preliminary Determination for the project described above was distributed on October 16, 1996. The Notice of Intent To Issue was published in the Florida Times Union on October 18, 1996.

Copies of the evaluation were available for public inspection at the Regulatory and Environmental Services Department, Air & Water Quality Division (Department) and the Department of Environmental Protection, Northeast District offices.

Comments were submitted on the Draft Construction Permit by RTP Environmental Associates, Inc. on behalf of Ballenger Paving Co. Based on the comments submitted, the Final Permit shall incorporate the following revision.

Specific Condition 13 shall be changed as follows:

**From:** Operation shall be limited to 5710 hours per year.

**To:** Operation shall be limited to 8760 hours per year.

The final action of the Department will be to issue construction permit 777-5018-001-AC as proposed in the Technical Evaluation and Preliminary Determination except for the change referenced above.

S:\PERMITN\7775018\FD

**REGULATORY & ENVIRONMENTAL  
SERVICES DEPARTMENT**  
Air & Water Quality Division



<b>Permittee:</b>	<b>Permit Number:</b>	777-5018-001-AC
Ballenger Paving Company, Inc.	<b>Expiration Date:</b>	April 30, 1997
P.O. Box 127	<b>County:</b>	Duval
Greenville, SC 29602	<b>Latitude/Longitude:</b>	30°07'35" N / 81°30'14" W
	<b>UTM: Zone 17</b>	E-443.8 N-3345.0
	<b>Project:</b>	Relocatable Concrete Batch Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 62-209, 62-210, 62-212, 62-272, 62-275, 62-296, 62-297 and 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Regulatory and Environmental Services Department, Air & Water Quality Division (Department), and made a part hereof and specifically described as follows:

For the construction of a Rex Model S Relocatable Concrete Batch Plant.

Emission Unit(s) (EU) and Control Equipment shall be as follows:

<u>EU No.</u>	<u>EU Description</u>	<u>Control Equipment</u>
001	Rex Model S Relocatable Concrete Batch Plant	CW-RA-200 Baghouse
002	Aggregate Storage Areas	Water Spray

Located at Interstate 95 between J. Turner Butler Boulevard and Baymeadows Road.

Supporting documents shall be as follows:

Department of Environmental Protection application for Air Permit - Long Form received August 27, 1996.



Permittee:  
Ballenger Paving Company, Inc.

Permit Number: 177-5018-001-AC  
Expiration Date: April 30, 1997

### GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth herein are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific process 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), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement 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 and 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.
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 reasonable times, 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 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 non-compliance, 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 revocation of this permit.

Permittee:  
Ballenger Paving Company, Inc.

Permit Number: 777-5018-001-AC  
Expiration Date: April 30, 1997

9. In accepting this permit, the permittee understands and agrees that all reports, 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 Section 403.111 and 403.73, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
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.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, FAC, 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. This permit constitutes:
  - ( ) Determination of Best Available Control Technology (BACT)
  - ( ) Determination of Prevention of Significant Deterioration (PSD)
  - ( ) Certification of Compliance with State Water Quality Standards (Section 401, PL. 92-500)
  - ( ) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
  - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
  - b. The permittee shall hold at the facility, or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by this 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:
    1. the date, exact place, and time of sampling measurements;
    2. the person responsible for performing the sampling or measurements;
    3. the date(s) analyses were performed;
    4. the person responsible for performing the analyses;
    5. the analytical techniques or methods used;
    6. the results of such analyses
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.

Permittee:  
Ballenger Paving Company, Inc.

Permit Number: 777-5018-001-AC  
Expiration Date: April 30, 1997

**SPECIFIC CONDITIONS:**

1. Permittee shall notify the Department fifteen (15) days prior to Emission Unit (EU) testing in accordance with Rule 62-297.310(7)(a)(9), Florida Administrative Code (FAC), and Rule 2.1001, Jacksonville Environmental Protection Board (JEPB).
2. Copies of the test report(s) shall be submitted to the Department within forty-five (45) days of completion of testing in accordance with Rule 62-297.310(8)(b), FAC, and Rule 2.1001, JEPB.
3. Testing of emissions shall be conducted with the EU operating at permitted capacity. Permitted capacity is defined as 90-100 percent of the maximum operating rate allowed by the permit. If it is impracticable to test at permitted capacity, then EUs may be tested at less than capacity, in this case subsequent EU operation is limited to 110 percent of the test load until a new test is conducted. Once the EU is so limited, then operation at higher capacities is allowed for no more than 15 consecutive days for the purposes of additional compliance testing to regain the permitted capacity in this permit. [Rule 62-297.310(2), FAC, and Rule 1001, JEPB]
4. Any revision(s) to a permit (and application) shall be submitted to and approved by the Department prior to implementing.
5. Control equipment shall be provided with a method of access that is safe and readily accessible.
6. Stack sampling ports and platforms shall not be required.
7. The construction shall reasonably conform to the plans and schedule submitted in the application. If the permittee is unable to complete construction on schedule, the Department must be notified in writing sixty (60) days prior to the expiration of the construction permit. A new schedule and request for an extension of the construction permit must be submitted.
8. To obtain a permit to operate, the permittee must demonstrate compliance with the conditions of the construction permit and submit a complete application for an operating permit, including the application fee, along with compliance records and test results, to the Department ninety (90) days prior to the expiration date of the construction permit. The permittee may continue to operate in compliance with all terms of the construction permit until its expiration date. Operation beyond the construction permit expiration date requires a valid permit to operate.
9. If the construction permit expires prior to the permittee requesting an extension or obtaining a permit to operate, then all activities at the project must cease and the permittee must apply for a new permit to construct, which can take up to ninety (90) days to process a complete application.
10. The applicable emission limiting rules shall be as follows:

<u>EU. No.</u>	<u>Pollutant</u>	<u>FAC</u>	<u>JEPB</u>	<u>Other</u>
001	Visible Emissions (VE)	62-296.414(1)	Rule 2.901	
002	Unconfined Emissions of Particulate Matter (UE)	62-296.320(4)(c)	Rule 2.901	

Permittee:  
Ballenger Paving Company, Inc.

Permit Number 777-5018-001-AC  
Expiration Date: April 30, 1997

11. The maximum allowable emissions shall be as follows:

<u>EU No.</u>	<u>Pollutant</u>	<u>lbs/hr</u>	<u>T/yr</u>	<u>Other</u>	<u>Opacity</u>
001	VE				5%
002	UE			Reasonable Precautions	

12. Reasonable precautions shall include, but shall not be limited to the following:

Aggregate storage areas - Maintain sufficient moisture content of material through use of water sprays or similar devices to minimize unconfined emissions.

Yard and road area - Remove particulate matter and wet these areas in such a manner as to prevent re-entrainment of particulate matter into the atmosphere.

13. Operation shall be limited to 8760 hours per year.

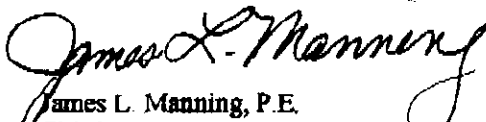
14. The maximum process weight shall be limited as follows:

Sand and Aggregate Transfer to Elevated Bin	211.95 yd <sup>3</sup> /hr
Cement and Flyash to Ground Storage Tankers	33.75 yd <sup>3</sup> /hr
Cement and Flyash to Silos	33.75 yd <sup>3</sup> /hr
Weigh hopper loading	270 yd <sup>3</sup> /hr
Mixer loading	270 yd <sup>3</sup> /hr

15. Testing for demonstration of compliance with the visible emission limiting standard shall be performed in accordance with DEP Method 9, as described in FAC, Chapter 62-297, (effective date November 23, 1994) and JEPB Rule 2.1001, (effective date January 11, 1995).

Executed in Jacksonville, Florida

City of Jacksonville  
Regulatory and Environmental Services Department  
Air & Water Quality Division

  
James L. Manning, P.E.  
Chief

JLM/DH/be

S:\Permit\N\7775018AC



Permittee:  
Ballenger Paving Company, Inc.

Permit Number: 777-5018-01-AC  
Expiration Date: April 30, 1997

**FILING AND ACKNOWLEDGMENT**

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

*Suzette Kinsal*  
Clerk

11/7/96  
Date