

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

March 17, 1997

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Milton Lane, Director
Environmental, Health, and Safety
Ballenger Paving Company, Inc.
Post Office Box 127
Greenville, South Carolina 29602

Re: DRAFT Permit Nos. 7775018-002-AC, 7775027-001-AC, and 7775028-001-AC
Statewide Construction Permits for Three Relocatable Concrete Batch Plants

Dear Mr. Lane:

Enclosed is one copy of the Draft Air Construction Permits for three relocatable concrete batch plants to operate in any county in Florida. The Technical Evaluation and Preliminary Determination, the Department's Intent to Issue Air Construction Permit and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT" must be published in a newspaper having general circulation in each county you intend to operate in within 30 (thirty) days of receipt of this letter. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any other questions, please contact Willard Hanks or Mr. Linero at 904/488-1344.

Sincerely,

C. H. Fancy, P.E., Chief,
Bureau of Air Regulation

CHF/wh/t

Enclosures

In the Matter of an
Application for Permit by:

Ballenger Paving Company, Inc.
Post Office Box 127
Greenville, South Carolina 29602

DRAFT Permit Nos. 7775018-002-AC, 7775027-001-AC
and 7775028-001-AC
Relocatable Units
Statewide Authorization

INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue air construction permits (copies of DRAFT Permits attached) for the proposed projects, detailed in the applications specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, Ballenger Paving Company, Inc., applied on January 17, 1997, to the Department for air construction permits for three relocatable concrete batch plants which may operate in any county in Florida.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that air construction permits are required for the proposed units.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT". The notice shall be published one time only within 30 (thirty) days in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 904/488-1344; Fax 904/922-6979) within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-103.150 (6), F.A.C.

The Department will issue the FINAL Permit, in accordance with the conditions of the enclosed DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for public meetings concerning the proposed DRAFT Permit issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT." Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

alternative remedy under Section 120.573 F.S. before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

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 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. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 (or a request for mediation, as discussed below) 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 this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice 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.

A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) A statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who

documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signatures of all parties or their authorized representatives.

As provided in Section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57 F.S. for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57 F.S. remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

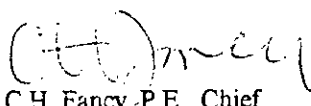
In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal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

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

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

Executed in Tallahassee, Florida.


C.H. Fancy, P.E., Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE, Technical Evaluation and Preliminary Determination, and the DRAFT permits) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 3-20-97 to the person(s) listed:

Mr. Milton Lane, Ballenger*
Mr. David Robb, RTP
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.

Kim Robb 3-20-97
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit Nos. 7775018-002-AC, 7775027-001-AC, and 7775028-001-AC
Ballenger Paving Company, Inc.
Three Relocatable Concrete Batch Plants
Statewide Operation

NOTICE TO BE PUBLISHED
IN THE NEXT ISSUE

The Department of Environmental Protection (Department) gives notice of its intent to issue air construction permits to Ballenger Paving Company, Inc., Post Office Box 127, Greenville, South Carolina 29602 for the construction/operation of three relocatable concrete batch plants in Florida. A Best Available Control Technology (BACT) determination was not required for any air pollutant pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The units will be operated near construction sites requiring ready mix concrete.

Each concrete batch plant will have an open area for the storage of sand and aggregate, silos for the storage of cement and fly ash, and hoppers and conveyors. Payloaders will transfer the sand and aggregate from the storage yard to the process equipment. Trucks will haul the wet ready-mix concrete from the plant to the construction site. A baghouse will be used to control the particulate matter emissions from the plant. Water will be applied to the yard to control the fugitive emissions.

Maximum particulate matter emissions from the two largest (270 cubic yard/hour production) plants are estimated to be 8.7 pounds per hour (lbs/hr) and 24.9 tons per year (TPY) each. Maximum particulate matter emissions from the other plant 120 CY/hr are estimated to be 3.9 lbs/hr and 17.0 TPY. The payloaders and trucks will emit the products of combustion from their fuel. The plant will not be a source of any other air pollutant.

Because of the low emissions and the limited time of operation at any one site (2 years), the emissions from these units will not cause any violations of the ambient air quality standards. An air quality impact analysis was not conducted. Emissions from the facility will not significantly contribute to or cause a violation of any state or federal ambient air quality standards.

The Department will issue the FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments and requests for public meetings concerning the proposed DRAFT Permit issuance action for a period of fourteen (14) days from the date of publication of this Notice. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The Department will issue FINAL Permit with the conditions of the DRAFT Permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S. or a party requests mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

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 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: 904/488-9370, fax: 904/487-4938. Petitions must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. 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 (or a request for mediation, as discussed below) 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.

NOTICE TO BE FILED
IN THE DEPARTMENT

Ballenger Paving Company, Inc.
Public Notice
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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 Department's action or proposed action addressed in this notice of intent.

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A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Dade County Department of
Environmental Resources Management
33 Southwest Second Avenue, Suite 900
Miami, Florida 33130-1540
Telephone: 305/372-6925

Broward County Department of
Natural Resource Protection
218 Southwest 1st Avenue
Fort Lauderdale, Florida 33301
Telephone: 954/519-1220

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

**NOTICE TO BE PUBLISHED
IN THE NEWSPAPER**

Ballenger Paving Company, Inc.
Public Notice
Page 3

Division of Environmental Science
and Engineering
Palm Beach County Health Unit
901 Evernia Street
West Palm Beach, Florida 33401
Telephone: 561/355-3070

Air Quality Division
Pinellas County Department of
Environmental Management
300 South Garden Avenue
Clearwater, Florida 34616
Telephone: 813/464-4422

Air and Water quality Division
Regulatory and Environmental
Services Department
421 West Church Street, Suite 412
Jacksonville, Florida 32202-4111
Telephone: 904/630-3484

Department of Environmental Protection
Northwest District
160 Government Center, Suite 308
Pensacola, Florida 32501-5794
Telephone: 904/444-8300

Department of Environmental Protection
Southwest District
3804 Coconut Palm Drive
Tampa, Florida
Telephone: 813/744-6100

Department of Environmental Protection
South Florida District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901
Telephone: 813/332-6975

Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256
Telephone: 904/448-4300

Department of Environmental Protection
Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767
Telephone: 407/984-7555

Department of Environmental Protection
Southeast District
400 North Congress Avenue
West Palm Beach, Florida 33416-5425
Telephone: 561/681-6600

The complete project file includes the application, technical evaluations, draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-1344, for additional information.

**DIVISION OF AIR RESOURCES MANAGEMENT
BUREAU OF AIR REGULATION
NEW SOURCE REVIEW SECTION
Telephone (904) 488-1344
Fax (904) 922-6979**

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

Three Relocatable Concrete Batch Plants
Statewide Operation

**Ballenger Paving Company, Inc.
Greenville, South Carolina**

Unit Number/Facility ID No.
Unit 1/7775018-002-AC
Unit 2/7775027-001-AC
Unit 3/7775028-001-AC

March 17, 1997

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. APPLICATION INFORMATION

1.1 Applicant Name and Address

Ballenger Paving Company, Inc.
Post Office Box 127
Greenville, South Carolina 29602

Authorized Representative

Mr. Milton Lane, Director
Environmental Health and Safety

1.2 Reviewing and Process Schedule

January 17, 1997 Date of Receipt of Applications and Fee
January 29, 1997 Date of Receipt of Signed Applications

2. FACILITY INFORMATION

2.1 Facility Location

The applicant proposes to obtain air permits for three relocatable concrete batch plants. One unit has operated in Duval County under permit No. 7775018-001-AC. As this permit limits operation to Duval County, the owner is requesting this permit be modified to remove the restriction on locations the unit can operate at. The other two units are operating out of Florida. The applicant has requested permits that will allow the units to operate near constructions sites anywhere in Florida.

One of the units (Unit 3) is rated at a production capacity of 120 cubic yards per hour (CY/hr) of ready mix concrete. The other two units are rated at 270 CY/hr.

Each relocatable plant will use an outside storage area for aggregate and sand. Each plant contains a hopper for the sand and aggregate, enclosed silos for the Portland cement and flyash, conveyors, cement scales, and mixer. Particulate matter emissions from the processing equipment is controlled with a baghouse. A payloader transfers the sand and aggregate to the plant. Enclosed trucks haul the wet concrete mix from the plants. Pneumatic unloading truck bring the cement and flyash to the plant. Other trucks may bring the sand, aggregate, and water to the plant.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

2.2 Standard Industrial Classification Code (SIC)

| | | |
|-----------------|-------------|--|
| Major Group No. | 327 | Concrete, Gypsum, and Plaster Products |
| Group No. | 3273 | Concrete batching |
| SCC No. | 3-05-011-12 | Mixing: Wet (CY Concrete Produced) |

2.3 Facility Category

Each Ballenger Paving Company concrete batch plant is classified as a minor air pollutant emitting facility. Air pollutant emissions are less than 100 TPY for particulate matter (PM/PM₁₀). This facility is not on the list of the 28 Major Facility Categories, Table 62-212.400-1. This facility is not classified as a Title V facility.

Based on the specific conditions in the draft permit and the physical restrictions of the equipment, this facility is classified as a non-Title V *minor source* of air pollution.

3. PROJECT DESCRIPTION

3.1 These permits address the following emissions units:

| EMISSION UNIT NO. | SYSTEM | EMISSION UNIT DESCRIPTION |
|-------------------------|--------|--|
| ARMS No. 7775018-002-AC | Unit 1 | 270 CY/hr Relocatable Concrete Batch Plant |
| ARMS No. 7775027-001-AC | Unit 2 | 270 CY/hr Relocatable Concrete Batch Plant |
| ARMS No. 7775028-001-AC | Unit 3 | 120 CY/hr Relocatable Concrete Batch Plant |

The applicant requested an air construction/modification permit to operate these units in any county in Florida.

4. PROCESS DESCRIPTION

4.1 General Information

These plants produce ready-mix concrete by mixing sand, aggregate, cement, flyash, and water. The flow diagram from the application shows the process used by the three plants

The operation of a relocatable concrete batch plant produces fugitive particulate matter emissions and, from the vehicles operated in conjunction with the plant, the products of combustion of the fuel. Fugitive particulate matter emissions from handling of the sand and aggregate in the yard will be controlled by wetting as needed. Particulate matter emissions from the batch plant are controlled by a baghouse. The product (ready-mix concrete) is wet and not a source of

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

emissions. Emissions of the products of combustion from vehicles are not regulated by this permit.

5. RULE APPLICABILITY

The proposed project is subject to preconstruction review requirements under the provisions of Chapter 403, Florida Statutes, and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.).

This facility may operate in any location in Florida [County], including areas designated as attainment for all criteria pollutants and attainment/maintenance for criteria pollutants in accordance with Rule 62-204.340, F.A.C., Designation of Attainment, Nonattainment, and Maintenance Areas. The proposed project is not subject to review under Rule 62-212.400., F.A.C., Prevention of Significant Deterioration (PSD), because each unit is a minor source for particulate matter (PM/PM10).

Some of the rules the units are subject to are: Rule 62-296.414, F.A.C., Concrete Batching Plants; Rule 62-296.320(4)(c), F.A.C., Unconfined Emissions of Particulate Matter; and Rule 62-210.370, F.A.C., Reports. Other applications regulations are listed below.

| | |
|-----------------|---|
| Chapter 62-4 | Permits. |
| Rule 62-204.220 | Ambient Air Quality Protection |
| Rule 62-204.240 | Ambient Air Quality Standards |
| Rule 62-210.300 | Permits Required |
| Rule 62-210.350 | Public Notice and Comments |
| Rule 62-210.370 | Reports |
| Rule 62-210.650 | Circumvention |
| Rule 62-210.700 | Excess Emissions |
| Rule 62-210.900 | Forms and Instructions |
| Rule 62-212.300 | General Preconstruction Review Requirements |
| | Rule 62-212.400 |
| Rule 62-296.320 | General Pollutant Emission Limiting Standards |
| Rule 62-297.310 | General Test Requirements |
| Rule 62-297.400 | EIA Methods Adopted by Reference |
| Rule 62-297.401 | EPA Test Procedures |

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

6. SOURCE IMPACT ANALYSIS

6.1 Emission Limitations

The proposed *units* will emit particulate matter (PM/PM10). The estimated emissions for each unit are summarized below.

| <u>UNIT</u> | <u>PM EMISSIONS (LBS/HR)</u> | <u>PM EMISSIONS (TPY)</u> |
|-------------|------------------------------|---------------------------|
| 1 | 8.7 | 24.9 |
| 2 | 8.7 | 24.9 |
| 3 | 3.9 | 17.0 |

6.3 Control Technology Review

The allowable emissions from concrete batch plants is 5 percent opacity. The process equipment in the applicant's batch plants is ducted to a medium efficiency baghouse. This baghouse should be able to meet the emission limit specified in the regulations.

The regulations require the applicant to employ reasonable precautions to control unconfined emissions from the yard. The applicant proposes to use water sprays on the aggregate storage area, watering trucks on the roadways and plant structures, and to clean the surfaced areas around the plant as needed. Use of this plan is acceptable as reasonable precautions to control fugitive emissions from the site.

6.4 Air Quality Analysis

6.4.1 Introduction

An air quality analysis was not conducted on this plant. Based on experience, the Department believes the emissions from these plants will not cause a violation of the ambient air quality standard for particulate matter.

7. CONCLUSION

Based on the foregoing technical evaluation of the application, the Department has made a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations provided the reasonable precaution proposed in the application are implemented and certain conditions are met. The General and Specific Conditions are listed in the attached draft conditions of approval .

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Permit Engineer: Willard Hanks

Reviewed and Approved by A. A Linero, P.E.

DRAFT

PERMITTEE:

Ballenger Paving Company, Inc.
Post Office Box 127
Greenville, South Carolina 29602

| | |
|-------------------|-------------------|
| FID No. | 7775018 |
| Permit No. | 7775018-002-AC |
| Expires: | December 31, 1997 |

Authorized Representative:
Mr. Milton Lane, Director
Environmental Health and Safety

LOCATED AT:

Project: Relocatable Concrete Batch Plant, Unit No. 1
Standard Industrial Classification Code (SIC): 3273

The plant may be operated in any county in Florida provided: the public notice requirements per Rule 62-103.150, Florida Administrative Code (F.A.C.), have been met within the previous 5 years; the permit for the unit has been issued/amended to authorize operation in the county; the new site is listed in a Notification of Intent to Relocate Air Pollutant Emitting Facility; and all county requirements have been satisfied.

STATEMENT OF BASIS:

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The above named permittee is authorized to construct 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).

Attached appendices and Tables made a part of this permit:

Appendix GC

Construction Permit General Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION I. FACILITY INFORMATION

SUBSECTION A. FACILITY DESCRIPTION

This facility consists of a 270 cubic yard per hour Rex Model S relocatable concrete batch plant (SIC 3273). The operation will store aggregate and sand in the yard. The plant contains a feed hopper for the sand and aggregate, enclosed silos for the Portland cement and flyash, conveyors, cement scales, and a mixer. Particulate matter emissions from the processing equipment are controlled with a baghouse. Reasonable precautions are used to control unconfined emissions. A payloader transfers the sand and aggregate to the plant. Enclosed trucks haul the wet concrete mix from the plants. Pneumatic unloading trucks bring the cement and flyash to the plant. Other trucks may bring sand, aggregate, and water to the plant.

SUBSECTION B. REGULATORY CLASSIFICATION

This industry is not listed in Table 212.400-1, Major Facility Categories.

SUBSECTION C. PERMIT SCHEDULE:

- (DATE) Petition for an administrative hearing
- (DATE) Notice of Intent published in [issue of Newspaper]
- (DATE) Issued Notice of Intent to issue Permit
- 01/29/97 Application deemed complete

SUBSECTION D. 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.

1. Application received 01/17/97
2. Signed Application received 01/29/97

SECTION II. EMISSION UNITS(S) SPECIFIC CONDITIONS

SUBSECTION A. ADMINISTRATIVE

A.1 Regulating Agencies: All documents related to applications for permits to operate, annual operation reports, and minor modifications shall be submitted to the Bureau of Air Regulation (Permitting Authority). Notifications of relocation, schedules for compliance testing, and test reports shall be submitted to the District or county having jurisdiction over the site the unit will operate at. All applications for permits to construct or modify an emission unit(s) should be submitted to the Bureau of Air Regulation (BAR), Florida Department of Environmental Protection (FDEP) located at 2600 Blirstone Road, Tallahassee, Florida 32399-2400 and phone number (904)488-1344.

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 federal or local law. The permit does not allow the permittee to cause pollution in contravention of Florida Statutes and Department rules. Local program requirements may apply to the operation of this unit.

A.2 Relocation Notification: At least 7-days prior to relocating the plant to an approved site whose public notice was published within the last 5 years, the permittee shall notify the air program administrator for the Department's District and, if applicable, county environmental program. The notification will be on DEP Form 62-210.900(3), F.A.C. All potential operation 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. County license, a discretionary public notice, or additional restrictions for the operation at a specific site may be imposed by the environmental agency. If the public notice for a site is more than 5 years old, the Form shall be submitted at least 30 days in advance of the move and a new public notice is required prior to operating at that site.

A.3 General Conditions: The owner and operator is subject to and shall operate under 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 of the Florida Statutes. [Rule 62-4.160, F.A.C.]

A.4 Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.

A.5 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.]

A.6 Expiration: This air construction permit shall expire on December 31, 1997. [Rule 62-210.300(1), F.A.C.] The permittee may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit. However, the permittee shall promptly notify the permitting authority office of any delays in completion of the project which would affect the startup day by more than 90 days. [Rule 62-4.090, F.A.C.]

A.7 Application for Permit to Operate: At least sixty days prior to the expiration date of this construction permit, the permittee shall submit to the Department's Bureau of Air Regulation four air permit applications for permits to operate, DEP Form No. 62-210.900(2), along with the processing fee established in Rule 62-4.050(4), F.A.C.

SECTION II. EMISSION UNITS(S) SPECIFIC CONDITIONS

A.8 Operation and Maintenance Plan: An Operation and Maintenance (O&M) Plan for the air pollution control device shall be submitted with the application for an operating permit. The O&M logs shall be maintained for a minimum of three years and made available upon request. At a minimum, the O&M plan shall include:

- The operating parameters of the control device.
- A timetable for the routine maintenance of the pollution control device.
- A timetable of routine weekly, bi-monthly, or monthly observations of the pollution control device.
- A list of the type and quantity of the required spare parts which are stored on the premises for the control device.
- A record log which shows, at a minimum, when maintenance was performed, what maintenance was performed, and by whom.

SUBSECTION B. SPECIFIC CONDITIONS:

The following Specific Conditions apply to the following emission units:

| EMISSION UNIT NO. | SYSTEM | EMISSION UNIT DESCRIPTION |
|-------------------|----------------------|--|
| ARMS No. 01 | Concrete Batch Plant | Feed Hopper, silos, Conveyors, Scale, Mixer, and associated equipment controlled by a baghouse |

The Department's designation of Unit No. 1 shall be marked on this plant.

EMISSION LIMITATIONS

- B.1 Visible emissions from each dust collector exhaust point, silos hoppers and other storage or conveying equipment shall not exceed 5 percent opacity. [Rule 62-296.414(1), F.A.C.]
- B.2 The permittee shall not allow any person to circumvent any pollution control device nor allow the emissions of air pollutants without the applicable air pollution control device operating properly. [Rule 62-210.650, F.A.C.]
- B.3 The owner or operator shall control unconfined emissions using reasonable precautions per the conditions of Rule 62-296.320(4)(c), F.A.C. Reasonable precautions shall include the following:
- Management of roads, parking areas, and yards, which shall include one or more of the following:
 - Paving and maintenance of roads, parking areas, and yards;
 - Application of water when necessary to control emissions; and

SECTION II. EMISSION UNITS(S) SPECIFIC CONDITIONS

- Removal of particulate matter from roads and other paved areas under control of the owner or operator to prevent reentrainment, and from building or work areas to prevent particulate matter from becoming airborne.
- Enclosure or covering of conveyor systems;
- Curtailing of operations if winds are entraining unconfined particulate matter; and
- Use of spray bar or chute to mitigate emissions at the drop point to the truck.

OPERATIONAL LIMITATIONS

- B.4 This emission unit is allowed to operate 5,710 hours/year. [Rule 62-210.200, F.A.C.] Definitions - Potential to emit (PTE)
- B.5 This plant shall not operate for more than 2 years at any one site in Florida.
- B.6 *PROCESS OPERATING RATES*
- Maximum production shall not exceed 1,080,000 pounds (270 cubic yards) per hour and hourly consumption of raw materials shall not exceed:
- Cement: 108,000 pounds (27 cubic yards)
 - Flyash: 27,000 pounds (6.8 cubic yards)
 - Sand and aggregate: 847,800 pounds (212 cubic yards)
- B.7 Water shall be added to the concrete mix prior to it being loaded into trucks.

TEST METHODS AND PROCEDURES

- B.8 Each dust collector exhaust point shall be tested for visible emissions on an annual basis, within 60 days prior to the base date of December 31, 1997. [Rule 62-297.340(1)(d), F.A.C.]
- B.9 All emission tests performed shall comply with the following requirements in this section of the permit. [Rule 62-296.414(3), F.A.C.]
- B.10 The test method for visible emissions shall be DEP Method 9, incorporated in Chapter 62-297, F.A.C.
- B.11 Visible emissions tests of dust collector exhaust points shall be conducted while loading the silo at a rate that is representative of the normal silo loading rate. The minimum loading rate shall be 25 tons per hour, and loading shall be completed within one hour. If the dust collector also collects dust from the batching operation, the batching operation shall be in operation during the visible emissions test. The batching rate during the emissions test shall be representative of the normal batching rate. Each test report shall state the actual silo loading rate during emissions testing and, if the dust collector controls the batching operation, state whether or not batching occurred during the emissions testing.

SECTION II. EMISSION UNITS(S) SPECIFIC CONDITIONS

- B.12 Per the conditions of Rule 62-297.310(7)(a), F.A.C., each dust collector exhaust point shall be tested for compliance with the visible emission limiting standard of Rule 62-296.414(1), F.A.C. For all facilities, annual compliance tests shall be conducted once [per year within 30 days prior to the anniversary date of the air operation permit. [Rule 62-296.414(4), F.A.C.]
- B.13 Each dust collector exhaust point shall be tested for a minimum of 30 minutes or, if the operation is normally completed within less than 30 minutes and does not recur within that time, the test shall last for the length of the loading operation. [Rule 62-297.310(4)(a), F.A.C.]

RECORDKEEPING AND REPORTING REQUIREMENTS

- B.14 The air program administrators for the Department's Districts or county environmental programs having 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 operation. The notification must include the following information: the date, time, and location of each test; the name and telephone number of the facility's contact person who will be responsible for coordinating the test; and the name, company, and telephone number of the person conducting the test. [Rule 62-297.340(1)(I), F.A.C.]
- B.15 Reports of the required compliance tests shall be filed with the Air Compliance Section of the District or county office where the test was conducted as soon as practical but no later than 45 days after the last test is completed. [Rule 62-297.570(2), F.A.C.]
- B.16 All measurements, records, and other data required to be maintained by this facility shall be retained for at least three (3) years following the date on which such measurements, records, or data are recorded. These data shall be made available to the Department upon request. The Permitting Authority shall be notified in writing at least 15 days prior to the testing (auditing) of any instrument required to be operated by these specific conditions of certification in order to allow witnessing by authorized personnel. [Rule 62-4.070(3), F.A.C.]

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

- 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, 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.
- 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), Florida Statutes, the issuance of this permit does not convey and 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.

- 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.

APPENDIX GC
GENERAL PERMIT CONDITIONS [F.A.C. 62-4.160]

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, 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.
- 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 Florida Administrative Code 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.
 - (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 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.
 - (c) 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.

Memorandum

Florida Department of Environmental Protection

TO: Clair Fancy

THRU: Al Linero *al Linero* 3/17

FROM: Willard Hanks *wh*

DATE: March 17, 1997

SUBJECT: **Ballenger Paving Company, Inc.**
Construction Permits for 3 Relocatable Units
7775018-002-AC
7775027-001-AC
7775028-001-AC

Attached for your approval and signature is a Technical Evaluation and Preliminary Determination, including Intent, Public Notice and Draft Permits, for three relocatable concrete batch plants. The applicants has requested permission to operate these units throughout the state.

Each relocatable concrete batch plant is a minor emission unit. The applicant will use baghouses on the batch plants and reasonable precautions (wetting) in the yard to control emissions. The baghouses for the cement and flyash silos can meet the 5 percent opacity standard in the Department's air regulations for these plants.

I recommend your approval and signature of the Department's Intent.

WH/t

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. Milton Lane, Director
 Env. Health & Safety
 Ballenger Paving Co.
 P.O. Box 127
 Greenville, SC 29602

4a. Article Number
 P 265 659 139

4b. Service Type

Registered Certified
 Express Mail Insured
 Return Receipt for Merchandise COD

7. Date of Delivery
 MAR 24 1997

5. Received By: (Print Name)

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

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

PS Form 3811, December 1994

Domestic Return Receipt

Thank you for using Return Receipt Service.

P 265 659 139

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

| | |
|---|-------------------------|
| Sent to | <i>Milton Lane</i> |
| Street & Number | <i>Ballenger Paving</i> |
| Post Office, State, & ZIP Code | <i>Greenville, SC</i> |
| 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 | <i>3-20-96</i> |
| <i>3 bags concrete Batch Plants</i> | |

PS Form 3800, April 1995