

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



CERTIFIED - RETURN RECEIPT

Mr. Billy Mulliniks, Jr., President
Mulliniks Construction Company, Inc.
5937 Soutel Drive
Jacksonville, FL 32219

**Re: Duval County - Air Pollution
Mulliniks Construction Company, Inc.
777-5036-001-AC, 777-5037-001-AC, 777-5038-001-AC
Portable Crusher No. 1, Portable Crusher No. 2, Portable Crusher No. 3**

Dear Mr. Mulliniks:

This letter is in reference to your applications for air pollution source permits for the above referenced projects. Copies of the draft Construction Permits, Intent to Issue and the Public Notice are enclosed.

Pursuant to Section 403.815, Florida Statutes and Rule 62-103.150, Florida Administrative Code, you are required to publish at your own expense a Notice of Intent to Issue Permit.

Please have the **PUBLIC NOTICE OF INTENT TO ISSUE PERMIT** published one time only in the legal advertisement section of a major newspaper of general circulation in Duval County, in the area close to where the project is located (affected areas) as soon as possible and no later than thirty (30) days from receipt of this notice.

Proof of publication through the submittal of the newspaper affidavit shall be provided to the Regulatory and Environmental Services Department, Air & Water Quality Division, within seven (7) days of publication. The processing of the applications will be delayed until fourteen (14) days after this office has received the proof of publication. Failure to publish this Notice of Intent to Issue Permit will be basis for denial of the permit.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard L. Robinson".

Richard L. Robinson, P.E., Manager
Air Pollution Permitting Section

RLR/be

Enclosures

c: Mr. Gregory K. Radlinski, OGC, Environmental Law Section
Mr. Chris Kirts, P.E., FDEP, Northeast District
Mr. Frank A. Darabi, P.E., Darabi and Associates, Inc.



**INTENT TO ISSUE
BEFORE THE CITY OF JACKSONVILLE
REGULATORY AND ENVIRONMENTAL SERVICES DEPARTMENT
AIR & WATER QUALITY DIVISION**

CERTIFIED - RETURN RECEIPT

In The Matter Of An
Application for Permit by:

Mulliniks Construction Company, Inc.)	Permit No: 777-5036-001-AC, 777-5037-001-AC and
5937 Soutel Drive)	777-5038-001-AC
Jacksonville, FL 32219)	County: Duval

INTENT TO ISSUE

The Regulatory and Environmental Services Department, Air & Water Quality Division (Department), gives notice of its intent to issue three (3) Air Pollution Source Construction Permits (copies attached) for the proposed projects detailed in the applications specified above, for the reasons stated below.

The applicant, Mulliniks Construction Company, Inc., applied on May 20, 1997, to the Department for three (3) permits to allow three (3) existing relocatable asphalt and concrete crushing plants to operate in Duval County, FL.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (FAC), Chapters 62-4, 62-210, 62-212, 62-213, 62-296, and 62-297. The project is not exempt from permitting procedures. The Department has determined that Air Pollution Source Construction Permits are required for the proposed work.

Pursuant to Section 403.815, F.S. and Rule 62-103.150, FAC, you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "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, at City of Jacksonville, Air & Water Quality Division, Towncentre Suite 422, 421 West Church Street, Jacksonville, FL 32202, within seven (7) 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.

The Department will issue the permits with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, City of Jacksonville, 1300 City Hall, 220 E. Bay Street, Jacksonville, FL 32202.

Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The petition shall contain the following information:

- 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 petitioner, if any;
- e. A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f. A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- g. A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this intent in the Office of General Counsel at the above address. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, FAC.

Please direct any questions regarding this matter to Darrel Hall at (904) 630-3484.

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



Richard L. Robinson, P.E., Manager
Air Pollution Permitting Section

RLR/be

PUBLIC NOTICE OF INTENT TO ISSUE PERMIT

**CITY OF JACKSONVILLE
REGULATORY AND ENVIRONMENTAL SERVICES DEPARTMENT
AIR & WATER QUALITY DIVISION
NOTICE OF INTENT TO ISSUE PERMIT**

The Regulatory and Environmental Services Department, Air & Water Quality Division (Department), gives notice of its intent to issue three (3) Air Pollution Source Permits to Mulliniks Construction Company, Inc., to operate three (3) relocatable asphalt and concrete crushing plants in Duval County, FL. The facilities shall be a source of particulate matter air pollution.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes, (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel, City of Jacksonville, at 1300 City Hall, 220 E. Bay Street, Jacksonville, FL 32202, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The petition shall contain the following information: (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 material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application 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:

**State of Florida
Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite B-200
Jacksonville, FL 32256-7577**

**City of Jacksonville
Regulatory and Environmental Services Department
Air & Water Quality Division
Towncentre - Suite 422, 421 W. Church Street
Jacksonville, FL 32202-4111**

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

I. GENERAL INFORMATION

A. APPLICANT

Mulliniks Construction Company, Inc.
5937 Soutel Drive
Jacksonville, FL 32219

Permit No. 777-5036-001-AC, 777-5037-001-AC
and 777-5038-001-AC

B. PROJECT

On May 20, 1997, the applicant submitted three (3) applications to operate three (3) existing relocatable asphalt and concrete crushing plants. The applicant has requested to be able to operate these facilities county-wide in Duval County, FL.

II. RULE APPLICABILITY

These facilities are located in an area designated as attainment for the air pollutant ozone (as determined by the Environmental Protection Agency, effective March 6, 1995), as unclassifiable for the air pollutant sulfur dioxide; as unclassifiable for the air pollutant particulate matter (less than or equal to 10 micrometers in aerodynamic diameter); as unclassifiable for the air pollutant lead; and in an air quality maintenance area for Particulate Matter (PM) in accordance with Rule 62-204, Florida Administrative Code (FAC), and Rule 2.201, Jacksonville Environmental Protection Board (JEPB).

The facilities are minor emitting facilities of air pollution because the potential emissions of regulated air pollutants do not meet the definition of "Major Facility" in accordance with Rule 62-210, FAC, and Rule 2.301 JEPB, and the potential emissions of Hazardous Air Pollutants do not meet the definition of "Major Source of Air Pollution" in accordance with Rule 62-210, FAC, and Rule 2.301, JEPB.

These relocatable asphalt and concrete crushing plants are subject to Rule 62-296.800(2)(a), FAC, Rule 2.1001, JEPB, and 40 CFR 60, Subpart A - General provisions and Subpart OOO - Standards of Performance of Nonmetallic Mineral Processing Plants.

III. TECHNICAL EVALUATION

The PM potential emissions from crusher No. 1 are 26.6 lbs/hr and 31.9 tons per year.

The PM potential emissions from crusher No. 2 are 36.7 lbs/hr and 44.0 tons per year.

The PM potential emissions from crusher No. 3 are 26.6 lbs/hr and 31.9 tons per year.

PM potential emissions from the stockpiles are estimated to be negligible with the application of reasonable precautions.

Fugitive particulate matter visible emissions from the conveyors and screens shall not exceed 10 percent opacity.

Fugitive particulate matter visible emissions from crushers shall not exceed 15 percent opacity.

Reasonable precautions for the crushing plants shall include, but shall not be limited to the following:

Stock piles - 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.

Operation shall be limited to 2400 hours per year per facility.

The maximum process rate shall be limited to 200 tons per hour of asphalt or concrete per facility.

IV. CONCLUSION

Based upon information provided by Mulliniks Construction Company, Inc., the Department has reasonable assurance that the proposed construction/operation of these relocatable asphalt and concrete crushing plants, as described in this evaluation, and subject to the conditions proposed herein, will not cause, or contribute to, a violation of any ambient air quality standard or other technical provision of Chapters 62-296 and 62-297, FAC, JEPB Rules 2.1001 and 2.1101.

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



Permittee:
Mulliniks Construction Company, Inc.
5937 Soutel Drive
Jacksonville, FL 32219

Permit Number: 777-5036-001-AC
Expiration Date: May 31, 1998
County: Duval
Latitude/Longitude: 30°23'04" N / 81°41'26" W
UTM: Zone 17 E-433.653 N-3361.406
Project: Relocatable Asphalt and
Concrete Crusher No. 1

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code (FAC) Rules 62-4, 62-204, 2-210, 62-212, 62-213, 62-296, and 62-297. 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 relocatable asphalt and concrete crushing plant. The crushing process includes a primary crusher, screen, conveyor belt and stock pile. A wet spray system will be used to control unconfined particulate matter emissions.

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

<u>EU No.</u>	<u>EU Description</u>	<u>Control Equipment</u>
001	Relocatable Asphalt and Concrete Crushing Plant No. 1 (Eagle 1000-15, Model 11082)	Water spray

Located in Duval County, Florida

Supporting documents shall be as follows:

- (1) Permit application received May 20, 1997



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

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 403.111 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 noncompliance 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 also 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)
 - (x) 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 locations 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 or 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.

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 2.1101, 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 2.1101, 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 the permit. [Rule 62-297.310(2), FAC, and Rule 2.1101, 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)	62-296.800(2)(a)	Rule 2.1001	40 CFR 60.672(b)&(c)

11. Fugitive particulate matter visible emissions from the conveyor and screen shall not exceed 10 percent opacity.
12. Fugitive particulate matter visible emission from crusher shall not exceed 15 percent opacity.
13. Reasonable precautions for the crushing plant shall include, but shall not be limited to the following:

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.

Permittee:
Mulliniks Construction Company, Inc.

Permit Number: 777-5036-001-AC
Expiration Date: May 31, 1998

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14. Operation shall be limited to 2400 hours per year.
15. The maximum process rate shall be limited to 200 tons per hour of asphalt or concrete.
16. This facility shall comply with all applicable provisions of 40 CFR 60, Subpart A - General provisions and Subpart OOO - Standards of Performance of Nonmetallic Mineral Processing Plants.
17. Testing for demonstration of compliance shall be performed in accordance with EPA Reference Method 9 (as described in 40 CFR 60, Appendix A, July 1, 1993) and 40 CFR 60.675(c) for the visual determination of opacity.
18. Operation of the plant is restricted to Duval County, FL. The permittee shall submit completed DEP Form 62-210.900(3), Notification of Intent to Relocate Air Pollutant Emitting Facility (copy attached), to the Regulatory and Environmental Services Department, Air & Water Quality Division, 421 W. Church St., Suite 422, Jacksonville, FL 32202, at least seven (7) days prior to relocating the facility, in Duval County, in accordance with Rule 62-210.900(3), FAC, and Rule 2.301, JEPB. Unless notified otherwise by the Department, the plant may be relocated and operated at the new site. A discretionary Public Notice, or additional restrictions for the operation at the new site may be imposed by the Department.

Executed in Jacksonville, Florida

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

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Robert Steven Pace, P.E.
Air Quality Branch Manager

RSP/be

S:\PermitN\777-5036-001-AC

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.

Clerk

Date

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



Permittee:	Permit Number:	777-5037-001-AC
Mulliniks Construction Company, Inc.	Expiration Date:	May 31, 1998
5937 Soutel Drive	County:	Duval
Jacksonville, FL 32219	Latitude/Longitude:	30°23'04" N / 81°41'26" W
	UTM: Zone 17	E-433.653 N-3361.406
	Project:	Relocatable Asphalt and Concrete Crusher No. 2

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code (FAC) Rules 62-4, 62-204, 2-210, 62-212, 62-213, 62-296, and 62-297. 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 relocatable asphalt and concrete crushing plant. The crushing process includes a primary crusher, secondary crusher, screen, conveyor belt and stock pile. A wet spray system will be used to control unconfined particulate matter emissions.

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

<u>EU No.</u>	<u>EU Description</u>	<u>Control Equipment</u>
001	Relocatable Asphalt and Concrete Crushing Plant No. 2 (Cedar Rapids Jaw, Model MD4339)	Water spray

Located in Duval County, Florida

Supporting documents shall be as follows:

- (1) Permit application received May 20, 1997



Permittee:
Mulliniks Construction Company, Inc.

Permit Number: 777-5037-001-AC
Expiration Date: May 31, 1998

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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 noncompliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. 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:
Mulliniks Construction Company, Inc.

Permit Number: 777-5037-001-AC
Expiration Date: May 31, 1998

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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 403.111 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 noncompliance 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 also 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)
 - (x) 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 locations 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 or 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.

DRAFT

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 2.1101, 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 2.1101, 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 the permit. [Rule 62-297.310(2), FAC, and Rule 2.1101, 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)	62-296.800(2)(a)	Rule 2.1001	40 CFR 60.672(b)&(c)

11. Fugitive particulate matter visible emissions from the conveyor and screen shall not exceed 10 percent opacity.
12. Fugitive particulate matter visible emission from crusher shall not exceed 15 percent opacity.
13. Reasonable precautions for the crushing plant shall include, but shall not be limited to the following:

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.

Permittee:
Mulliniks Construction Company, Inc.

Permit Number: 777-5037-001-AC
Expiration Date: May 31, 1998

DRAFT

14. Operation shall be limited to 2400 hours per year.
15. The maximum process rate shall be limited to 200 tons per hour of asphalt or concrete.
16. This facility shall comply with all applicable provisions of 40 CFR 60, Subpart A - General provisions and Subpart OOO - Standards of Performance of Nonmetallic Mineral Processing Plants.
17. Testing for demonstration of compliance shall be performed in accordance with EPA Reference Method 9 (as described in 40 CFR 60, Appendix A, July 1, 1993) and 40 CFR 60.675(c) for the visual determination of opacity.
18. Operation of the plant is restricted to Duval County, FL. The permittee shall submit completed DEP Form 62-210.900(3), Notification of Intent to Relocate Air Pollutant Emitting Facility (copy attached), to the Regulatory and Environmental Services Department, Air & Water Quality Division, 421 W. Church St., Suite 422, Jacksonville, FL 32202, at least seven (7) days prior to relocating the facility in Duval County, in accordance with Rule 62-210.900(3), FAC, and Rule 2.301, JEPB. Unless notified otherwise by the Department, the plant may be relocated and operated at the new site. A discretionary Public Notice, or additional restrictions for the operation at the new site may be imposed by the Department.

Executed in Jacksonville, Florida

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

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Robert Steven Pace, P.E.
Air Quality Branch Manager

RSP/be

S:\PermitN\777-5037-001-AC

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.

Clerk

Date

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

DRAFT



Permittee:
Mulliniks Construction Company, Inc.
5937 Soutel Drive
Jacksonville, FL 32219

Permit Number: 777-5038-001-AC
Expiration Date: May 31, 1998
County: Duval
Latitude/Longitude: 30°23'04" N / 81°41'26" W
UTM: Zone 17 E-433 653 N-3361.406
Project: Relocatable Asphalt and
Concrete Crusher No. 3

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code (FAC) Rules 62-4, 62-204, 2-210, 62-212, 62-213, 62-296, and 62-297. 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 relocatable asphalt and concrete crushing plant. The crushing process includes a primary crusher, screen, conveyor belt and stock pile. A wet spray system will be used to control unconfined particulate matter emissions.

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

<u>EU No.</u>	<u>EU Description</u>	<u>Control Equipment</u>
001	Relocatable Asphalt and Concrete Crushing Plant No. 3 (Excel 2200 Screen, Model J0990-107D)	Water spray

Located in Duval County, Florida

Supporting documents shall be as follows:

- (1) Permit application received May 20, 1997

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



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

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 403.111 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 noncompliance 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 also 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)
 - (x) Compliance with New Source Performance Standards
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Permittee:
Mulliniks Construction Company, Inc.

Permit Number:
Expiration Date:

777-5038-001-AC
May 31, 1998

DRAFT

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Executed in Jacksonville, Florida

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

DRAFT

Robert Steven Pace, P.E.
Air Quality Branch Manager

RSP/bc

S:\Permit\777-5038-001-AC

FILING AND ACKNOWLEDGMENT

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Clerk

Date