

Ross Pollock

Florida Department of
Environmental Protection

Memorandum

TO: Clair Fancy

THRU: Jonathan Holtom *J.H.*

FROM: Ross Pollock *RP*

DATE: April 13, 1999

SUBJECT: Intent Package for Draft Permit No.: 7775081-001-AC
White Rock Quarries
Relocatable Concrete and Asphalt Crusher

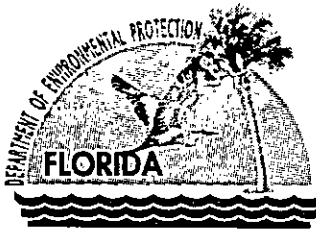
Permit Clock: Today is ARMS Day 46
Day 90: May 27, 1999

This permit is for the construction of a diesel engine powered portable concrete and asphalt material crushing plant. The permit will allow the plant to operate in the following counties after the proper proof of publication has been received: Brevard, Broward, Charlotte, Citrus, Collier, Dade, Duval, Hernando, Highlands, Hillsborough, Lee, Manatee, Marion, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Johns, St. Lucie, Sarasota, Seminole, Sumter, Volusia.

The application for this construction permit was received on February 26, 1999 and was complete the same day. The portable concrete and asphalt crusher is a minor facility. Fugitive emissions will be controlled by a water suppression system.

I recommend that this Intent to Issue be sent out as attached.

CHF/rjp



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

April 13, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Jim Hurley, Executive Vice President
White Rock Quarries
P.O. Box 15065
West Palm Beach, Florida 33416

Re: DRAFT Permit No. 7775081-001-AC
Concrete and Asphalt Crusher

Dear Mr. Hurley:

Enclosed is one copy of the Draft Air Construction Permit for a diesel engine powered portable concrete and asphalt material crusher which will initially be located at 1401 Reed Canal Road, Port Orange, Volusia County. This facility will be allowed to operate at sites in all counties of the state provided that the proper public notice requirements are satisfied. 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 one time only, as soon as possible, in the legal advertisement section of a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven (7) days of publication. Failure to publish the notice and provide proof of publication 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 Jonathan Holtom, P.E., at the above letterhead address. If you have any other questions, please contact Ross Pollock or Mr. Holtom at 850/488-0114.

Sincerely,

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

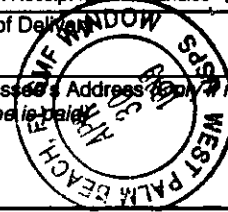
CHF/rjp

Enclosures

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): 1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery Consult postmaster for fee.	
3. Article Addressed to: Mr. Jim Hurley Executive Vice President White Rock Quarries P.O. Box 15065 West Palm Beach, Florida 33416		4a. Article Number P 263 585 211	
		4b. Service Type <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
5. Received By: (Print Name)		7. Date of Delivery	
6. Signature: (Addressee or Agent) X <i>Ruby English</i>		8. Address <input type="checkbox"/> Address <input type="checkbox"/> requested and fee is paid	

Thank you for using Return Receipt Service.



PS Form 3811, December 1994 102595-97-B-0179 Domestic Return Receipt

P 263 585 211

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

Sent to	
Mr. Jim Hurley, Vice Pres.	
Street & Number	
P. O. Box 15065	
Post Office, State, & ZIP Code	
West Palm Beach, FL 33416	
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 4/21/99	
Draft Air Const. Permit White Rock Quarries DRAFT Permit No: 7775081-001-AC	

PS Form 3800 April 1995



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

P.E. Certification Statement

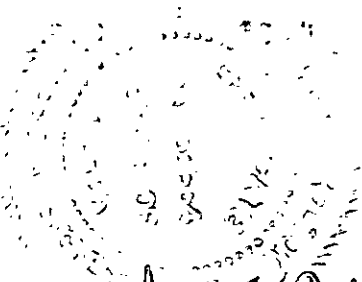
White Rock Quarries
Initial Project Site:
1401 Reed Canal Road
Port Orange, Volusia County

DEP File No.: 7775081-001-AC
Facility ID No.: 7775081-001

Project: Relocatable Source Air Construction Permit

I **HEREBY CERTIFY** that the engineering features described in the above referenced application and related additional information submittals, if any, and subject to the proposed permit conditions, provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including but not limited to the electrical, mechanical, structural, hydrological, and geological features).

This review was conducted by Ross Pollock, under my responsible supervision.



Jonathan K. Holtom
Jonathan K. Holtom, P.E.
Registration Number: 0052664

4/14/99
Date

Permitting Authority:

Florida Department of Environmental Protection
Division of Air Resources Management, Bureau of Air Regulation
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400

Telephone: 850/488-0114
Fax: 850/922-6979

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

In the Matter of an
Application for Permit by:

White Rock Quarries
P.O. Box 15065
West Palm Beach, Florida 33416

DRAFT Permit No.: 7775081-001-AC
Concrete and Asphalt Crusher
Statewide Operation

INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit (copy of DRAFT Permit attached) for the proposed project, detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

The applicant, White Rock Quarries, applied on February 26, 1999, to the Department for an air construction permit for statewide operation of its Concrete and Asphalt Crusher which will initially be located at 1401 Reed Canal Road Port Orange, Volusia County. 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 an air construction permit is required in order for the concrete and asphalt crusher plant to relocate to sites throughout the state.

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 62-110.106(7)(a)1., 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 in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. 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. 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: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the final permit with the attached conditions 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 concerning the proposed permit issuance action for a period of fourteen days from the date of publication of "Public Notice of Intent to Issue Air Permit." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes 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. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 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 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

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. 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.

Mediation is not available in this proceeding.

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 permit) was sent by certified mail (*) and copies were mailed by U.S. Mail, or electronic mail (as noted) before the close of business on 4/27/99 to the person(s) listed:

Mr. Jim Hurley, Executive Vice President, White Rock Quarries*

Bernard A. Ball Jr., Central Florida Testing Laboratories, Inc.

The following person(s) were sent copies by e-mail:

Chris Kirts, DEP, Northeast District

Len Kozlov, DEP, Central District

Bill Thomas, DEP, Southwest District

Phil Barbaccia, DEP, South District

Isidore Goldman, DEP, Southeast District

Daniela Banu, Broward County Department of Natural Resource Protection

H. Patrick Wong, Dade County Department of Environmental Resources Management

Richard Robinson, Regulatory and Environmental Services Department

Jerry Campbell, Hillsborough County Environmental Protection Commission

Marie Driscoll, Orange County Environmental Protection Department

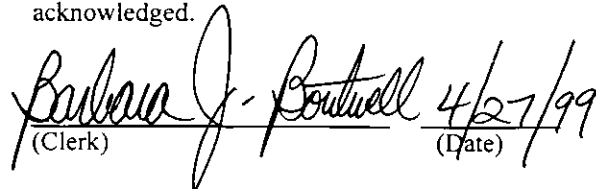
James Stormer, Palm Beach County Health Department

Peter Hessling, Pinellas County Department of Environmental Management

Kent Kimes, Sarasota County Natural Resources Department

Clerk Stamp

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


(Clerk) 4/27/99
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit No.: 7775081-001-AC
White Rock Quarries

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to White Rock Quarries for a diesel engine powered portable concrete and asphalt material crusher that will be operated at construction and industrial sites throughout Florida. The crusher is a minor source of air pollution and not subject to the Prevention of Significant Deterioration (PSD) regulations, Rule 62-212.400, F.A.C. A Best Available Control Technology determination was not required for this facility. The applicant's name and address are: White Rock Quarries, P.O. Box 15065, West Palm Beach, Florida 33416.

The applicant proposes to operate the facility in the following counties: Brevard, Broward, Charlotte, Citrus, Collier, Dade, Duval, Hernando, Highlands, Hillsborough, Lee, Manatee, Marion, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, St. Johns, St. Lucie, Sarasota, Seminole, Sumter, Volusia. The units will emit fugitive particulate matter and the products of combustion from the diesel fuel. Control of fugitive particulate matter is accomplished by wetting as needed.

Total emissions of pollutants from each facility are estimated to be:

<u>Pollutant</u>	<u>Hourly Emissions</u>	<u>Annual Emissions</u>
	pounds per hour	tons per year
Particulate Matter(PM/PM ₁₀)	7.8	12.7
Nitrogen Oxides (NO _x)	15.2	23.7
Carbon Monoxide (CO)	1.0	1.6
Sulfur Dioxide (SO ₂)	3.3	5.1
Volatile Organic Compounds (VOC)	1.2	1.9

Because of the low emissions and limited time of operation at any one site, the crusher will not cause or contribute to any violation of an ambient air quality standard.

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 concerning the proposed DRAFT Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments 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 the 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. Mediation is not available for this action. The procedures for petitioning for a hearing are set forth below.

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: 850/488-9370, fax: 850/487-4938. 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 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 Numbers 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.

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.

Copies of the proposed construction permit, the technical evaluation and the permit application are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Florida Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 850/488-0114	Florida Dept. of Environmental Protection Southeast District Office 400 North Congress Avenue West Palm Beach, Florida 33401 Telephone: 561/681-6600	Florida Dept. of Environmental Protection Northeast District Office 7825 Baywood Meadows, Suite 200B Jacksonville, Florida 32256 Telephone: 904/448-4300
Florida Dept. of Environmental Protection Central District Office 3319 Maguire Boulevard, Suite 232 Orlando, Florida 32803 Telephone: 407/894-7555	Florida Dept. of Environmental Protection South District Office 2295 Victoria Avenue, Suite 364 Fort Myers, Florida 33901 Telephone: 941/332-6969	Florida Dept. of Environmental Protection Southwest District Office 3804 Coconut Palm Drive Tampa, Florida 33619 Telephone: 813/744-6100
Broward County Dept. of Natural Resource Protection – Air Quality Division 218 Southwest First Avenue Ft. Lauderdale, Florida 33301 Telephone: 954/519-1220	Dade County Dept. of Natural Resources Management – Air Quality Division 33 Southwest Second Avenue, Suite 900 Miami, Florida 33130 Telephone: 305/372-6925	Regulatory and Environmental Services Department – Air & Water Quality Division 117 West Duval Street, Suite 225 Jacksonville, Florida 32202 Telephone: 904/630-3484
Hillsborough County Environmental Protection Commission – Air Management Division 1410 North 21 Street Tampa, Florida 33605 Telephone: 813/272-5530	Orange County Environmental Protection Department – Air Program Section 800 Mercy Drive Orlando, Florida 32808 Telephone: 407/836-1400	Palm Beach County Health Department Division of Environmental Science & Engineering 901 Evernia street West Palm Beach, Florida 33401 Telephone: 561/355-3070
Pinellas County Department of Environmental Management Air Quality Division 300 South Garden Avenue Clearwater, Florida 33756 Telephone: 813/464-4422	Sarasota County Natural Resources Dept. Pollution Control Division 1301 Cattleman Road, Building A Sarasota, Florida 34232 Telephone: 941/378-6128	

The complete project file, which includes the application, technical evaluation, proposed construction permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S., is available in the office of the permitting authority in Tallahassee. Interested persons may contact either Jonathan Holtom, P.E., or Ross Pollock, project engineer, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

White Rock Quarries

Relocatable Concrete and Asphalt Crusher
State Wide Operation

Air Construction Permit No.: 7775081-001-AC

Facility ID No.: 7775081

Unit No. 01 (Crusher, Conveyors, Materials handling)

Unit No. 02 (Diesel Engine Powered Generator)

Relocatable Unit

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation

April 13, 1999

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

1. APPLICATION INFORMATION

1.1 *Applicant's Name and Address*

Mr. Jim Hurley, Executive Vice President
White Rock Quarries
P. O. Box 15065
West Palm Beach, Florida 33416

1.2 *Reviewing and Processing Schedule*

February 26, 1999 Date of Receipt of Complete Application

2. FACILITY INFORMATION

2.1 *Relocatable concrete and asphalt crushing unit operating throughout Florida.*

White Rock Quarries plans to operate a 250 TPH Bohringer, Model RC10 mobile crushing unit at sites in Florida. Major components of the crusher are a feeder, impact crusher, screen, conveyors, and a 320 KW Caterpillar Model No. 400 KVA diesel powered generator. Water will be added as needed to control fugitive dust emissions.

2.2 *Standard Industrial Classification Code (SIC)*

Major Group No.	14	Mining and Quarrying of Nonmetallic Minerals
Group No.	1429	Stone Quarrying/Processing

2.3 *Facility Category*

The portable crusher emits particulate matter from the handling and crushing of the concrete and asphalt material and the normal products of combustion from the diesel fuel burned in the diesel engine used to power the crusher.

The portable crusher operated by the applicant is classified as a minor air pollutant emitting facility. Air pollutant emissions are less than 100 TPY of any single criteria air pollutant.

This facility is not on the list of the 28 Major Facility Categories, Table 62-212.400-1. This facility is also classified as a natural non-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 *minor source* of air pollution.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

3. PROJECT DESCRIPTION

3.1 *This permit addresses the following emissions units:*

EMISSION UNIT NO.	SYSTEM	EMISSION UNIT DESCRIPTION
001	Size Reduction	250 TPH Bohringer Model RC10
002	Diesel Powered Generator	320 KW Caterpillar Model 400 KVA diesel powered generator

4. PROCESS DESCRIPTION

4.1 *General Information*

Concrete or asphalt material is fed to the crusher and reduced in size. The crushed material is screened and stored in an open area. It is loaded and unloaded from trucks. Dust from the crushing of the rocks will be controlled by wetting with water when necessary. Power for the unit comes from a diesel engine which burns a maximum of 25 gallons per hour of diesel fuel containing up to 0.5 percent sulfur.

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, and 62-212, of the Florida Administrative Code (F.A.C.).

This relocatable facility may operate in more than one county in Florida. The proposed project is not subject to review under Rule 62-212.400., F.A.C., Prevention of Significant Deterioration (PSD), because it is a minor unit and the potential emission increases for all criteria pollutants do not exceed the significant emission rates given in Chapter 62-212, Table 62-212.400-2, F.A.C.

A determination of Best Available Control Technology (BACT) is not required for this minor facility. No analysis of the air quality impact of the proposed project's impacts on soils, vegetation and visibility; along with air quality impacts resulting from associated commercial, residential and industrial growth is required for a minor facility.

The crusher and associated equipment are subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The diesel engine is subject to Rule 62-210.300, Permits Required, however there are no unit specific regulatory requirements that apply. Its potential emissions are limited by its physical capacity to merit classification as a minor source. Its potential emissions are further limited by a requested restriction on the allowable hours of operation. No regular testing is required, however if the Department has reason to believe that a violation of the facility wide visible emissions limit has occurred, a special compliance test can be ordered.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The emission units affected by this permit shall comply with all applicable provisions of the Florida Administrative Code and, specifically, the following Chapters and Rules:

Chapter 62-4	Permits.
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 62-296.320	General Pollutant Emission Limiting Standards
Rule 62-297.310	General Test Requirements
Rule 62-297.400	EPA Methods Adopted by Reference
Rule 62-297.401	EPA Test Procedures

6. SOURCE IMPACT ANALYSIS

6.1 *Emission Limitations*

The proposed portable crusher will emit the following PSD pollutants (Table 212.400-2): particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide. The estimated emissions for these emission units are summarized in the following table.

6.2 *Emission Summary*

The unit is a minor source for all criteria air pollutants. Following are the estimated emissions which are based on 3,120 hours per year of operation.

Pollutants	Estimated Hourly Emissions lb/hr	Estimated Annual Emissions TPY
PM/PM ₁₀	7.8	12.2
NO _x	15.2	23.7
SO ₂	1.0	1.6
CO	3.3	5.1
VOC	1.2	1.9

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

6.3 *Control Technology Review*

The crusher unit and associated conveyors are potential sources of fugitive particulate matter emissions. Emissions shall be controlled by wetting the material being processed, as well as the storage piles and yard/roads, when needed.

The diesel engine powering the crusher will emit products of combustion. However, there are no unit specific regulatory requirements which apply to the diesel engine. Because of the small size of this diesel engine, even continuous operation would not cause this facility to be subject to the Title V regulations. Therefore, no operational restrictions for "reasonable assurance" are required.

In addition to the physical design constraints, at the permittee's request, emissions from these units are further limited by production and by hours per year operation limits.

6.4 *Air Quality Analysis*

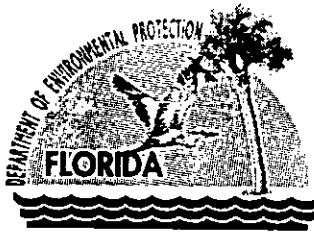
An air quality analysis was not conducted for this project. The Department does not expect the low emissions from this operation to have a significant impact on the ambient air quality.

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 Department's restrictions described in the Specific Conditions of the proposed permit are met. The General and Specific Conditions are listed in the attached permit.

Permit Engineer: Ross Pollock

Reviewed and Approved by: Jonathan Holtom, P.E.



Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

PERMITTEE

White Rock Quarries
P.O. Box 15065
West Palm Beach, Florida 33416

FID No.: 7775081
Permit No.: 7775081-001-AC
SIC No.: 1429
Expires: *6 months from date of issuance*

AUTHORIZED REPRESENTATIVE

Mr. Jim Hurley, Executive Vice President

PROJECT

This permit allows the applicant to construct a diesel engine powered portable concrete and asphalt material crushing plant.

STATEMENT OF BASIS

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. 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).

APPENDIX

The attached appendix is a part of this permit:

Appendix GC General Permit Conditions

Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

FACILITY DESCRIPTION

This facility consists of a 250 ton per hour (TPH) Bohringer Model RC10 portable impact crusher and associated equipment (feeder, screens, and conveyors), and an 320 kilowatt (KW) Caterpillar Model 400 KVA diesel powered generator. Fugitive particulate matter emissions throughout the crushing unit are controlled by a water suppression system.

REGULATORY CLASSIFICATION

The crusher portion of this facility is subject to regulation under 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The generator portion of the facility is regulated under 62-210.300, Permits Required, however there are no unit specific regulatory requirements that apply.

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.

- Application received (Bureau of Air Regulation) February 26, 1999
- Draft Permit issued _____
- Public Notice of Intent published _____

PERMITTED COUNTIES

The applicant has published the proper public notices and is authorized to operate in the following counties: *This list is subject to change after proof of publication is received.*

Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:	Permitted Counties:	Public Notice Valid Until:
Brevard		Hillsborough		Polk	
Broward		Lee		St. Johns	
Charlotte		Manatee		St. Lucie	
Citrus		Marion		Sarasota	
Collier		Orange		Seminole	
Dade		Osceola		Sumter	
Duval		Palm Beach		Volusia	
Hernando		Pasco			
Highlands		Pinellas			

Note: All public notices will be valid until 5 years after the date of the publication.

OPERATING LOCATION

The facility will begin initial operation at 1401 Reed Canal Road Port Orange, Volusia County, Florida, 32119. The UTM coordinates of this location are Zone 17; 499.7 km E; 3225.5 km N.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

The following specific conditions apply to all emissions units at this facility.

ADMINISTRATIVE

1. Regulating Agencies: All documents relating to the initial application for a permit to operate and all initial compliance tests shall be submitted to the Department's Bureau of Air Regulation in Tallahassee. Subsequent applications for permit renewals, reports, tests, minor modifications, and notifications shall be submitted to the district office or local program that has permitting/compliance jurisdiction over the current or proposed operating location.
2. General Conditions: The owner and operator are 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.]
3. Terminology: The terms used in this permit have specific meanings as defined in the corresponding chapters of the Florida Administrative Code.
4. 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.]
5. Extension of Expiration Date: This air construction permit shall expire on *(6 months from date of issuance)*. The permittee may, for good cause, request that this construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation prior to 60 days before the expiration of the permit.
[Rules 62-210.300(1), 62-4.070(4) and 62-4.210, F.A.C.]
6. Relocation Notification: At least 7 days prior to relocating the plant to an approved county where public notice was published within the last 5 years, the permittee shall notify the air program administrator for the Department's district office and/or, if applicable, appropriate local program. The notification shall be submitted using DEP Form 62-210.900(3), F.A.C., along with the appropriate processing fee. All potential operation sites shall be shown on a USGS topographic map. A county license, a discretionary public notice, or additional restrictions for the operation at a specific site may be imposed by the district office or local program. If the public notice for a proposed county is more than 5 years old, or if the proposed county was never covered by a public notice, this form shall be submitted at least 30 days in advance of the move and a public notice shall be published prior to operating in the proposed county. Each time that the permittee submits a Notice to Relocate, the operation permit shall be revised to reflect the new location.
[Rule 62-210.370(1), F.A.C.]
7. Operation Permit Required: This permit authorizes construction and/or installation of the permitted emissions unit and initial operation to determine compliance with Department rules. An operation permit is required for regular operation of the permitted emissions unit. The owner or operator shall apply for and receive an operation permit prior to expiration of this permit. To apply for an operation permit, the applicant shall submit the appropriate application fee and, in quadruplicate, the appropriate application form, a certification that construction was completed with a notation of any deviations from the conditions in the construction permit, compliance test results, and such additional information as the Department may by law require.
[F.A.C. Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2)]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

8. Applicable Regulations: Unless otherwise indicated in this permit, the construction and operation of the subject emissions units shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of Chapter 403, F.S. and Florida Administrative Code Chapters 62-4, 62-110, 62-204, 62-296, 62-297 and the Code of Federal Regulations Title 40, Part 60, adopted by reference in the Florida Administrative Code (F.A.C.) regulations. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting or regulations.
[Rules 62-204.800 and 62-210.300, F.A.C.]

EMISSION LIMITING STANDARDS

9. General Visible Emissions Standard: Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions elsewhere in this permit, no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20% opacity). If a special compliance test is required (see specific condition 21), the test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C.
[Rule 62-296.320(4)(b)1, F.A.C.]

10. Unconfined Emissions of Particulate Matter:

- (a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.
- (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
- (c) Reasonable precautions committed to by the permittee:
 - Emissions that might be generated from various emission points throughout the crushing unit shall be controlled by a water suppression system with spray bars located at the various emissions points located throughout the plant.
 - All stockpiles and roadways where this crushing unit is located shall be watered on a regular basis by water trucks equipped with spray bars, to control any fugitive emissions that may be generated by vehicular traffic or prevailing winds.
- (d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

[Rule 62-296.320(4)(c), F.A.C. and Permit Application received 11/2/98.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

11. General Pollutant Emission Limiting Standards:

- (a) No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department.
- (b) No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor.

[Note: An objectionable odor is defined in Rule 62-210.200(198), F.A.C., as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance.]

[Rule 62-296.320(1)(a)&(2), F.A.C.]

OPERATIONAL REQUIREMENTS

12. Modifications: No emissions unit or facility subject to this rule shall be constructed or modified without obtaining an air construction permit from the Department. Such permit must be obtained prior to the beginning of construction or modification.

[Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]

13. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the permittee shall immediately notify the Department's district office and, if applicable, appropriate local program. The notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with Department rules.

[Rule 62-4.130, F.A.C.]

14. Circumvention: No person shall circumvent any air pollution control device or allow the emission of air pollutants without the applicable air pollution control device operating properly.

[Rule 62-210.650, F.A.C.]

15. Hours of Operation: This facility is allowed to operate up to 3,120 hours during any calendar year.

[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE) and applicant request.]

16. Excess Emissions: The following excess emissions provisions can not be used to vary any NSPS requirements (from any subpart of 40 CFR 60).

- (a) Excess emissions resulting from start-up, shutdown or malfunction of any emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration.

[Rule 62-210.700(1), F.A.C.]

- (b) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction shall be prohibited.

[Rule 62-210.700(4), F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

17. Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity (i.e., at less than 90 percent of the maximum operation rate allowed by the permit); in this case, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted provided however, operations do not exceed 100 percent of the maximum operation rate allowed by the permit. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2), F.A.C.]
18. Test Procedures shall meet all applicable requirements of Rule 62-297.310(4), F.A.C.
[Rule 62-297.310(4), F.A.C.]
19. Determination of Process Variables:
- (a) Required Equipment. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
 - (b) Accuracy of Equipment. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-297.310(5), F.A.C.]
20. Test Notification: The owner or operator shall notify the Department's district office and, if applicable, appropriate local program, at least 30 days prior to the date on which each formal compliance test is to begin. Notification shall include the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator.
[Rule 62-297.310(7)(a)9., F.A.C., 40 CFR 60.8]
[Note: The federal requirements of 40 CFR 60.8 require 30 days notice of the initial test and any tests required under section 114 of the Clean Air Act.]
21. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the facility to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions units and to provide a report on the results of said tests to the Department.
[Rule 62-297.310(7)(b), F.A.C.]

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

REPORTING AND RECORD KEEPING REQUIREMENTS

22. Duration of Record Keeping: 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. 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 for this permit. These records shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
[Rule 62-4.160(14)(a)&(b), F.A.C.]
23. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the applicable information listed in Rule 62-297.310(8)(c), F.A.C.
[Rule 62-297.310(8), F.A.C.]
24. Excess Emissions Report: If excess emissions occur, the owner or operator shall notify the Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. Pursuant to the Standards of Performance for New Stationary Sources, excess emissions shall also be reported in accordance with 40 CFR 60.7, Subpart A.
[Rule 62-4.130, F.A.C.]
25. Excess Emissions Report - Malfunctions: In case of excess emissions resulting from malfunctions, each owner or operator shall notify the Department or the appropriate local program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report if requested by the Department.
[Rule 62-210.700(6), F.A.C.]
26. Annual Operating Report for Air Pollutant Emitting Facility: The Annual Operating Report for Air Pollutant Emitting Facility (DEP Form 62-210.900(5)) shall be completed each year for facilities with the potential to emit ten (10) tons per year or more of volatile organic compounds or twenty-five (25) pounds per year or more of nitrogen oxides and located in an ozone nonattainment area or ozone air quality maintenance area. Therefore, the form Annual Operating Report for Air Pollutant Emitting Facility (DEP Form No. 62-210.900(5)) shall be completed for each year that the facility exceeds 2,700 hours of operation in any one of the following counties: Broward, Dade, Duval, Hillsborough, Orange, Palm Beach, or Pinellas. The form shall be submitted to the Department's district office or local program which has permitting/compliance jurisdiction over the facility, by March 1 of the following year.
[Rule 62-210.370(3)(a), F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

The following specific conditions apply to the following emissions units after construction:

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
001	This unit consists of a 250 ton per hour (TPH) Bohringer Model RC10 portable impact crusher, and associated equipment (feeder, screens, and conveyors)
002	This unit consists of a 320 kilowatt (KW) Caterpillar Model 400 KVA diesel powered generator.

NOTE: Emissions unit 001 is subject to 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants (40 CFR 60.670 - 60.676) and 40 CFR 60 Subpart A, revised as of July 1, 1997.

OPERATIONAL REQUIREMENTS

1. Hours of Operation: These emissions units are allowed to operate up to 3,120 hours during any calendar year.
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]
2. Permitted Capacity: The crusher may process up to 250 TPH (monthly average) and 780,000 TPY of material (total).
[Rule 62-210.200, F.A.C., Definitions-potential to emit (PTE); and, applicant request]
3. Operation and Maintenance (O&M): The permittee shall keep an O&M plan for the air pollution control equipment with the facility. The O&M log shall include the list of the parameters being monitored, the frequency of the check/maintenance, observations, and comments.
[Rule 62-4.070(3), F.A.C.]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

4. Visible Emissions: The emission points described in unit 001 are subject to the visible emission limits of 40 CFR 60 Subpart OOO, as outlined below in Table 1.

Table 1: Process Emission Source Visible Emission Limits

Emission Source	VE Limit (% Opacity)
Receiving Hopper/Grizzly Feeder	10
Crusher	15*
Portable Belt Conveyor(s)	10**
Screen(s)	15
Truck Loading/Unloading	<20

* This limit applies since no capture system is used.

** This limit applies to transfer points onto conveyor belts only.

[40 CFR 60.672; and, Rule 62-296.711, F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

5. No Visible Emissions - Saturated Materials: No owner or operator shall cause to be discharged into the atmosphere any visible emissions from:
- (a) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin.
 - (b) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.

[40 CFR 60.672 (h)(1)&(2)]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

6. Test Frequency: The owner or operator of the facility shall conduct visible emissions tests annually, in accordance with the conditions listed below.
[Rule 62-297.310(7)(a)4.a. F.A.C.]
7. Visible Emissions Test Duration - Truck Loading/Unloading: For the truck loading/unloading operation, compliance with the visible emissions limitation shall be determined using EPA Method 9 as contained in Rule 62-297.401, F.A.C. The visible emissions test shall be conducted by a certified observer and be a minimum of: 12 minutes in duration (or 3 batches) during truck loading. The visible emissions test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. The minimum requirements for stationary point source emission test procedures shall be in accordance with Rule 62-297, F.A.C., and 40 CFR 60, Appendix A.
[Rule 62-210.200, F.A.C.]
8. Visible Emissions Test Method: In determining compliance with the particulate matter standards in 40 CFR 60.672 (b) and (c) (see specific condition 4), the owner or operator shall use Method 9 and the procedures in 40 CFR 60.11, with the following additions:
- (a) The minimum distance between the observer and the emissions source shall be 4.57 meters (15 feet).
 - (b) The observer shall, when possible, select a position that minimizes interference from other fugitive emissions units (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
 - (c) For affected emissions units using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

[40 CFR 60.675(c)(1)(i), (ii) & (iii)]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

9. When determining compliance with the fugitive emissions standard for any affected facility described under Section 60.672(b) of this subpart (see specific condition 4), the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
- (a) There are no individual readings greater than 10 percent opacity; and
 - (b) There are no more than 3 readings of 10 percent for the 1-hour period.
- [40 CFR 60.675(c)(3)(i) & (ii)]
10. When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under Section 60.672(c) of this subpart, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
- (a) There are no individual readings greater than 15 percent opacity; and
 - (b) There are no more than 3 readings of 15 percent for the 1-hour period.
- [40 CFR 60.675(c)(4)(i) & (ii)]
11. Visible Emissions Test - Emissions Interference: For the method and procedure of 40 CFR 60.675(c) [specific condition 12 of Section III of this permit, above], if emissions from two or more emissions units continuously interfere so that the opacity of fugitive emissions from an individual affected emissions unit cannot be read, either of the following procedures may be used:
- (a) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected emissions units contributing to the emissions stream
 - (b) Separate the emissions so that the opacity of emissions from each affected emissions unit can be read.
- [40 CFR 60.675(e)(1)(i)&(ii)]
12. No Tests Required - Saturated Materials: Method 9 performance tests under Sec. 60.11 of this part and Sec. 60.675 of this subpart are not required for:
- (a) Wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin.
 - (b) Screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, that process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.
- [40 CFR 60.675(h)(1)&(2)]

REPORTING AND RECORD KEEPING REQUIREMENTS

13. Log: The permittee shall maintain a log showing the annual hours of operation per year and fuel consumption. Operators shall keep a log to include, at a minimum, the following information:
- (a) The daily location and production rate.
 - (b) The daily hours of operation of the crusher system.
 - (c) Maintenance and repair logs for any work performed on the permitted emissions units.
 - (d) Daily logs regarding the use of wetting agents to control fugitive dust.

This data shall be made available to the Department or county upon request.

[Rule 62-4.070(3), F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

14. Test Reports: The owner or operator shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR 60.672, including reports of opacity observations made using Method 9 to demonstrate compliance with 40 CFR 60.672(b) and 40 CFR 60.672(c).
- (b) The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed.
- (c) The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA Method 9 test, shall provide the following information:
1. The type, location, and designation of the emissions unit tested.
 2. The facility at which the emissions unit is located.
 3. The owner or operator of the emissions unit.
 4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 5. The method, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 6. The type of air pollution control devices installed on the emissions unit, its general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
- [40 CFR 60.676(f), Rule 62-297.310(8)(b)&(c)1. - 6., F.A.C.]
15. Change From Saturated to Unsaturated Material: The owner or operator of any screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to Sec. 60.672(h) and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in Sec. 60.672(b) and the emission test requirements of Sec. 60.11 and this subpart. Likewise a screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in Sec. 60.672(h).
- [40 CFR 60.676(g)]
16. Records Retention: This facility shall maintain a central file containing all measurements, records, and other data that are required to be collected pursuant to the various specific conditions of this permit. (See also, specific condition 24, Section II of this permit.)
- [Rule 62-4.160(14)(a)&(b), F.A.C.]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

NSPS GENERAL PROVISIONS

[Note: The numbering of the original rules in the following conditions has been preserved for ease of reference.]

17. Pursuant to 40 CFR 60.7 Notification And Record Keeping:

- (a) Any owner or operator subject to the provisions of 40 CFR 60 shall furnish the Administrator written notification as follows:
- (4) A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Administrator may request additional relevant information subsequent to this notice.
- (b) The owner or operator subject to the provisions of 40 CFR 60 shall maintain records of the occurrence and duration of any startup, shutdown, or malfunction in the operation of an affected facility; any malfunction of the air pollution control equipment; or any periods during which a continuous monitoring system or monitoring device is inoperative.
- (f) The owner or operator subject to the provisions of 40 CFR 60 shall maintain a file of all measurements, including continuous monitoring system, monitoring device, and performance testing measurements; all continuous monitoring system performance evaluations; all continuous monitoring system or monitoring device calibration checks; adjustments and maintenance performed on these systems or devices; and all other information required by 40 CFR 60 recorded in a permanent form suitable for inspection. The file shall be retained for at least three years following the date of such measurements, maintenance, reports, and records.

[40 CFR 60.7]

18. Pursuant to 40 CFR 60.8 Performance Tests:

- (a) Within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Administrator under section 114 of the Act, the owner or operator of such facility shall conduct performance test(s) and furnish the Administrator a written report of the results of such performance test(s).
- (b) Performance tests shall be conducted and data reduced in accordance with the test methods and procedures contained in each applicable subpart unless the Administrator (1) specifies or approves, in specific cases, the use of a reference method with minor changes in methodology, (2) approves the use of an equivalent method, (3) approves the use of an alternative method the results of which he has determined to be adequate for indicating whether a specific source is in compliance, (4) waives the requirement for performance tests because the owner or operator of a source has demonstrated by other means to the Administrator's satisfaction that the affected facility is in compliance with the standard, or (5) approves shorter sampling times and smaller sample volumes when necessitated by process variables or other factors. Nothing in this paragraph shall be construed to abrogate the Administrator's authority to require testing under section 114 of the Act.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (c) Performance tests shall be conducted under such conditions as the Administrator shall specify to the plant operator based on representative performance of the affected facility. The owner or operator shall make available to the Administrator such records as may be necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown, and malfunction shall not constitute representative conditions for the purpose of a performance test nor shall emissions in excess of the level of the applicable emission limit during periods of startup, shutdown, and malfunction be considered a violation of the applicable emission limit unless otherwise specified in the applicable standard.
- (d) The owner or operator of an affected facility shall provide the Administrator at least 30 days prior notice of any performance test, except as specified under other subparts, to afford the Administrator the opportunity to have an observer present.

[40 CFR 60.8]

19. Pursuant to 40 CFR 60.11 Compliance With Standards And Maintenance Requirements:

- (a) Compliance with standards in 40 CFR 60, other than opacity standards, shall be determined only by performance tests established by 40 CFR 60.8, unless otherwise specified in the applicable standard.
- (b) Compliance with opacity standards in 40 CFR 60.11 shall be determined by conducting observations in accordance with Reference Method 9 in appendix A of 40 CFR 60.11, any alternative method that is approved by the Administrator, or as provided in 40 CFR 60.11(e)(5). [Under certain conditions (40 CFR 60.675(c)(3)&(4)), Method 9 observation time may be reduced from 3 hours to 1 hour. Some affected facilities are exempted from Method 9 tests (40 CFR 60.675 (h)). See specific conditions 8 and 9, Section III, above for test duration requirements.]
- (c) The opacity standards set forth in 40 CFR 60.11 shall apply at all times except during periods of startup, shutdown, malfunction, and as otherwise provided in the applicable standard.
- (d) At all times, including periods of startup, shutdown, and malfunction, owners and operators shall, to the extent practicable, maintain and operate any affected facility including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the Administrator which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.
- (g) For the purpose of submitting compliance certifications or establishing whether or not a person has violated or is in violation of any standard in this part, nothing in this part shall preclude the use, including the exclusive use, of any credible evidence or information, relevant to whether a source would have been in compliance with applicable requirements if the appropriate performance or compliance test or procedure had been performed.

[40 CFR 60.11]

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

20. Pursuant to 40 CFR 60.12 Circumvention:

No owner or operator subject to the provisions of 40 CFR 60.12 shall build, erect, install, or use any article, machine, equipment or process, the use of which conceals an emission which would otherwise constitute a violation of an applicable standard. Such concealment includes, but is not limited to, the use of gaseous diluents to achieve compliance with an opacity standard or with a standard which is based on the concentration of a pollutant in the gases discharged to the atmosphere.

[40 CFR 60.12]

21. Pursuant to 40 CFR 60.19 General notification and reporting requirements:

- (a) For the purposes of this part, time periods specified in days shall be measured in calendar days, even if the word "calendar" is absent, unless otherwise specified in an applicable requirement.
- (b) For the purposes of this part, if an explicit postmark deadline is not specified in an applicable requirement for the submittal of a notification, application, report, or other written communication to the Administrator, the owner or operator shall postmark the submittal on or before the number of days specified in the applicable requirement. For example, if a notification must be submitted 15 days before a particular event is scheduled to take place, the notification shall be postmarked on or before 15 days preceding the event; likewise, if a notification must be submitted 15 days after a particular event takes place, the notification shall be delivered or postmarked on or before 15 days following the end of the event. The use of reliable non-Government mail carriers that provide indications of verifiable delivery of information required to be submitted to the Administrator, similar to the postmark provided by the U.S. Postal Service, or alternative means of delivery agreed to by the permitting authority, is acceptable.
- (c) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (d) If an owner or operator of an affected facility in a State with delegated authority is required to submit periodic reports under this part to the State, and if the State has an established timeline for the submission of periodic reports that is consistent with the reporting frequency(ies) specified for such facility under this part, the owner or operator may change the dates by which periodic reports under this part shall be submitted (without changing the frequency of reporting) to be consistent with the State's schedule by mutual agreement between the owner or operator and the State. The allowance in the previous sentence applies in each State beginning 1 year after the affected facility is required to be in compliance with the applicable subpart in this part. Procedures governing the implementation of this provision are specified in paragraph (f) of this section.
- (f)(1)(i) Until an adjustment of a time period or postmark deadline has been approved by the Administrator under paragraphs (f)(2) and (f)(3) of this section, the owner or operator of an affected facility remains strictly subject to the requirements of this part.
- (ii) An owner or operator shall request the adjustment provided for in paragraphs (f)(2) and (f)(3) of this section each time he or she wishes to change an applicable time period or postmark deadline specified in this part.

SECTION III. EMISSIONS UNITS SPECIFIC CONDITIONS

- (2) Notwithstanding time periods or postmark deadlines specified in this part for the submittal of information to the Administrator by an owner or operator, or the review of such information by the Administrator, such time periods or deadlines may be changed by mutual agreement between the owner or operator and the Administrator. An owner or operator who wishes to request a change in a time period or postmark deadline for a particular requirement shall request the adjustment in writing as soon as practicable before the subject activity is required to take place. The owner or operator shall include in the request whatever information he or she considers useful to convince the Administrator that an adjustment is warranted.
- (3) If, in the Administrator's judgment, an owner or operator's request for an adjustment to a particular time period or postmark deadline is warranted, the Administrator will approve the adjustment. The Administrator will notify the owner or operator in writing of approval or disapproval of the request for an adjustment within 15 calendar days of receiving sufficient information to evaluate the request.
- (4) If the Administrator is unable to meet a specified deadline, he or she will notify the owner or operator of any significant delay and inform the owner or operator of the amended schedule.

[40 CFR 60.19]

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 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 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 (X).
- 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.