

Jeb Bush
Governor

Department of Environmental Protection

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

David B. Struhs
Secretary

October 2, 2000

CERTIFIED MAIL - Return Receipt Requested

Mr. Joseph Boness, III, President
Better Roads, Inc.
P.O. Box 9979
Naples, Florida 33941

Re: Air Construction Permit No.: 7775122-001-AC
Relocatable Concrete, Asphalt, and Rock Crushing Facility

Dear Mr. Boness:

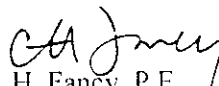
Enclosed is one copy of the Draft Air Construction Permit for a diesel engine powered relocatable concrete, asphalt, and rock crusher facility, which will be based at the Babcock Ranch, located 2.5 miles South of Tucker's Corner off SR 31, in Charlotte County, Florida. The air construction permit will allow the permittee to advertise in counties for the purpose of construction/installation, performance testing, and to support an application for an air operating permit or subsequent air operating permit amendments when relocating notification is received. 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 in which you propose to set up or operate this facility. The publication must meet the requirements of Chapter 50, F.S. 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 do not confuse the "Public Notice" part with the "Intent to Issue" part of this section.

Please note the addition of a specific condition prohibiting the crushing of asbestos containing material. Crushing, grinding, or abrading of asbestos materials is already prohibited by state and federal law.

Please submit any written comments you wish to have considered concerning the Department's proposed action to William Leffler, P.E., at the above letterhead address. If you have any other questions, please contact him at 850/921-9522.

Sincerely,


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

CHF/wl

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of an
Application for Permit by:

Better Roads, Inc.
P.O.Box 9979
Naples, Florida 33941

Draft Air Construction Permit No.: 7775122-001-AC
Relocatable Concrete, Asphalt, and Rock Crushing Plant
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, Better Roads, Inc., applied to the Department on July 17, 2000, for an air construction permit to allow the permittee to advertise in counties for the purpose of construction/installation, performance testing, and to support an application for an air operating permit or subsequent air operating permit amendments when relocating notification is received.

Better Roads, Inc., maintains its primary Florida office at 5590 Shirley Street, P.O. Box 9979, Naples, Florida 33941. The relocatable facility will be based at the Babcock Ranch, located 2.5 miles South of Tuckers Corner off SR 31, in Charlotte County, Florida. The UTM coordinates are Zone 17; 419.23 km East; and, 2962.71 km North.

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 action is not exempt from permitting procedures. The Department has determined that an air construction permit is required in order for the concrete, asphalt, and rock crusher facility to relocate to sites throughout the state by publishing Public Notice in the counties desired for construction/installation, performance testing, and potential operation.

The Department intends to issue this air construction permit based on the belief that reasonable assurances have been provided to indicate that operation of this facility will not adversely impact air quality, and the facility 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.

Intent to Issue Air Construction Permit
Draft Air Construction Permit No.: 7775122-001-AC
Better Roads, Inc.

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 the "Public Notice of Intent to Issue Air Construction 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 draft 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.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under 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 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), F.S., 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), F.S., 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, F.A.C.

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, F.A.C.

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

Intent to Issue Air Construction Permit
Draft Air Construction Permit No.: 7775122-001-AC
Better Roads, Inc.

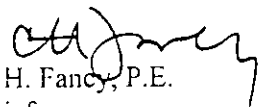
regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

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

Intent to Issue Air Construction Permit
Draft Air Construction Permit No.: 7775122-001-AC
Better Roads, Inc.

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 10/3/00 to the person(s) listed:

Joseph Boness, III *, President; Better Roads, Inc.: P.O. Box 9979, Naples, Florida 33941
William D. Arlington, Arlington Environmental, Inc., P.O. Box 657, Okeechobee, Florida 34973
Stephanie Brooks, P.E., Brooks & Associates, 5068 NW 85th RD, Coral Springs, Florida 33067
Len Kozlov, DEP, Central District
Chris Kirts, DEP, Northeast District
Ed Middleswart, DEP, Northwest District
Bill Thomas, DEP, Southwest District
David Knowles, 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
James E. Stormer, Palm Beach County Health Department
Peter Hessling, Pinellas County Department of Environmental Management
Kent Kimes, Sarasota County Natural Resources Department
Marie Driscoll, Orange County Environmental Protection Department

Clerk Stamp

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

Barbara J. Friday 10/3/00
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Permit No. 7775122-001-AC
Better Roads, Inc.

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Better Roads, Inc., for a diesel engine powered relocatable concrete, asphalt, and rock crushing facility. The permittee plans to operate the facility at construction and industrial sites throughout Florida. The facility is a minor source of air pollution. It is subject to the Standards of Performance for New Stationary Sources, 40 CFR 60, Subpart OOO, for non-metallic mineral processing. It is not subject to the Prevention of Significant Deterioration (PSD) regulations, Rule 62-212.400, Florida Administrative Code (F.A.C.). A Best Available Control Technology determination was not required for this facility.

The applicant's name and address is: Better Roads, Inc., P.O. Box 9979, Naples, Florida 33941.

The facility has been reviewed for potential operation in all counties of Florida. The facility will emit fugitive particulate matter from the crusher operation and the products of combustion from the diesel fuel firing. Control of process unconfined fugitive particulate matter emissions shall be accomplished by wetting the material using water spray bars as needed at unloading, at the crusher entrance, and at conveyor transfer points; and, non-process unconfined fugitive particulate matter emissions shall be controlled using watering and/or application of some dust suppressant(s) on the haul roads, work-yards and stockpiles. Because of the low emissions estimates 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 or increment.

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, Florida Statutes (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, F.A.C.

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 air construction permit and the technical evaluation 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
Central District Office
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803
Telephone: 407/894-7555

Orange County Environmental
Protection
Department - Air Program Section
800 Mercy Drive
Orlando, Florida 32808
Telephone: 407/836-1400

Florida Dept. of Environmental
Protection
Northwest District Office
160 Governmental Center
Pensacola, Florida 32501
Telephone: 850/595-8300

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

Florida Dept. of Environmental
Protection
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619
Telephone: 813/744-6100

Florida Dept. of Environmental
Protection
Southeast District Office
400 North Congress Avenue
West Palm Beach, Florida 33416
Telephone: 561/681-6755

Florida Dept. of Environmental
Protection
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902
Telephone: 941/332-6975

Broward County Department of
Natural Resource Protection
218 Southwest First Avenue
Fort Lauderdale, Florida 33301
Telephone: 954/519-1202

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

Regulatory and Environmental Services
Department
117 West Duval Street, Suite 225
Jacksonville, Florida 32202
Telephone: 904/630-3484

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

Palm Beach County Health
Department
901 Evernia Street
Post Office Box 29
West Palm Beach, Florida 33401
Telephone: 561/355-3070

Pinellas County Department of
Environmental Management
300 South Garden Avenue
Clearwater, Florida 33756
Telephone: 727/464-4422

Sarasota County Natural Resources
Department
1301 Cattleman Road, Building A
Sarasota, Florida 34232
Telephone: 941/378-6128

The complete project file, which includes the application, technical evaluation, Draft air construction permit, and the information submitted by the applicant, 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 William Leffler, P.E., project engineer, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-9522, for additional information.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

Better Roads, Inc.
Babcock Ranch

Relocatable Concrete, Asphalt and Rock Crusher
Statewide Operation

Air Construction Permit No. 7775122-001-AC

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

1. APPLICATION INFORMATION

1.1 Applicant's Name and Address

Joseph Boness, III, President
Better Roads, Inc.
P.O. Box 9979
Naples, Florida 33941-9979

1.2 *Reviewing and Processing Schedule*

July 17, 2000 Date of Receipt of Complete Application

2. FACILITY INFORMATION

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

Better Roads, Inc., plans to operate a 400 TPH Hazmag Model KR131D2912 crusher manufactured in 1994, together with associated equipment (feeder, screens, and conveyors) at sites in Florida. Better Roads, Inc., is a paving contractor and plans to use this facility for the manufacture of asphalt concrete aggregate from concrete, the processing of recycled asphalt pavement for use in new asphaltic concrete, and for the processing of limerock roadbase base material from its quarry. Major components of the relocatable facility are a grizzly feeder, impact crusher, vibrating screen, and conveyors, all of which are mounted on a transportable chassis. The impact crusher and feeder are driven by a 450 hp Caterpillar Model 3406C diesel engine. A 205 KW Caterpillar Model 3412 diesel powered generator (powered by a Caterpillar Model 3306 diesel engine) is mounted on a separate transportable chassis and powers the conveyors and vibrating screen. Water sprays and/or dust suppressants will be used as needed to control unconfined fugitive particulate emissions.

The owner desires a statewide relocatable permit in order to operate independently at road construction and quarry sites, but it contemplates crushing aggregate at facilities that are presently under stationary (or relocatable) source permits, especially its own limerock mines and asphalt batch plants. It has applied for modifications to its stationary source permits to allow the use of the crusher at such facilities.

The crusher is presently operating on the site of the Better Roads, Inc.'s Babcock Ranch asphalt batch plant, facility No.: 7770048; and, AIRS ID No: 7770048.

2.2 *Standard Industrial Classification Codes (SIC)*

Major Group No. .	14	Mining and Quarrying of Nonmetallic Minerals
Group No.	1422	Stone Quarrying Crushed Limestone
Major Group No.	17	Construction - Special Trade Contractors
Group No.	1795	Wrecking and Demolition Work

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

2.3 *Facility category*

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

The portable crusher operation 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 synthetic non-Title V facility.

The applicant has requested a limit of 3120 hours per year on operation. The main diesel engine has a mechanical running time meter and the diesel generator has an electric running-time meter, which together with the logbook provides reasonable assurance that the federally enforceable operating limit can be validated.

3. **PROJECT DESCRIPTION**3.1 *Emission point descriptions*

Review of this permit application addresses twelve emissions points, which have been further categorized to three emission units, those emanating from the portable crusher assembly, those from the main diesel power engine, those from the diesel power generator. Also considered were the unclassified general site emissions from the work yard and storage piles which are subject to management practices only.

EMISSION UNIT	EMISSION POINT/ACTIVITY	DESCRIPTION	EMISSION UNIT DESCRIPTION
001	001	Grizzly Feeder	
	002	Primary Crusher	Hazmag Model KR131D2912 400 TPH rotary impact crusher
	003	Classifier	Cedarrapids vibrating screen deck 7ft x 20ft
	004	Conveyor	4ft x 30ft belt (oversize rock return from classifier to crusher feeder)
	005	Pre-screen conveyor	4ft x 50 ft belt
	006	Radial stacker No. 1	4ft x 80 ft belt
	007	Radial Stacker No. 2	4ft x 50 ft belt
	008	Radial Stacker No. 3	4 ft x 60 ft belt
002	009	Main Power Diesel Engine	450 HP Caterpillar Model 3406C diesel engine driving crusher
003	010	Diesel Powered Generator For electric motor driven conveyors, pump, etc.	205 KW Caterpillar diesel powered generator (manufacturer installed controls and fuel specification) Engine Model 3306
	011	Work-yard and roadway fugitive emissions	Non Process Particulate Emissions Water spray dust control (work practice)
	012	Storage pile fugitives	Non Process Particulate Emissions Water spray dust control (work practice)

4. PROCESS DESCRIPTION

4.1 *General Information*

Concrete, asphalt paving material, or quarry limerock will be 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. Power for the unit comes from a 450 hp, Caterpillar Model 3406C diesel engine, which drives the crusher. A second 314 hp, Caterpillar Model 3306 diesel engine drives an electric generator, which powers the conveyors, vibrating screen, water spray pumps and lighting. These engines will consume a maximum of 30 gallons per hour of new, highway grade diesel fuel. The transportable unit will accommodate three classifier screens. A single $\frac{3}{4}$ inch grid screen is generally used for scalping crusher recycled asphalt pavement (RAP), with the oversized material returned for recrushing. Limerock crushed for road base material is often not graded and the classifier is run without screens. The production of crushed concrete aggregate may involve multiple screens to separate specific size fractions.

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 provided it has advertised its intention to operate in such county, and this construction permit has been amended and an appropriate operating permit is issued/amended. The proposed project is not subject to preconstruction review under Rule 62-212.400, F.A.C., Prevention of Significant Deterioration (PSD), because it is a minor facility.

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. This is due to both the capacity (>250 TPH) and date of manufacture of the crusher unit (since 1984). Because the crusher is subject to 40 CFR 60, Subpart OOO, the associated screening unit and all of the conveyors are likewise subject to the emission standards of that rule. Applicability of the federal standard is based upon the nameplate capacity of the crusher, notwithstanding the possibility that it may not be possible to achieve the regulatory threshold throughput because of the process limitations arising from the small sized screens in the associated classifier. The classifier screens are interchangeable and the crusher is capable of processing a greater throughput of larger sized aggregate.

Unconfined fugitive particulate matter emissions from the crusher operation, using water spray control, are minimal.

The diesel engines are subject to permitting pursuant to Rule 62-210.300, F.A.C., Permits Required; however, there are no unit specific regulatory requirements that apply. The potential emissions will be limited by the hours of operation. No regular testing needs to be required if the engine is run on new, highway grade (or better) diesel fuel; 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 crushing system, including the conveyors, classifiers and truck loading/unloading are subject to Rule 1-3.61, Rules of EPCHC. Detailed descriptions of this maintenance area will be included in the draft permit. When operated in this maintenance area, a "no visible emissions" (5% maximum) standard applies.

A 'relocatable facility permit' for a rock crusher does not authorize co-location and simultaneous operation at another stationary or relocatable asphalt plant, that does not have an air construction and air operation permit specifically authorizing the operation or such a crusher as an emission unit. The co-location prohibition includes adjacent sites. Better Roads, Inc. has applied to the South District for modification of its stationary source permits for the asphalt plants and its quarry to authorize the use of this crusher on those sites.

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

Chapter 62-4	Permits
Rule 62-4.160(14)(a)	Records Retention
Rule 62-210.300	Permits Required
Rule 62-204.340	Designation of Attainment, Nonattainment and Maintenance Areas
Rule 62-204.800	Federal Regulations Adopted by Reference
Rule 62-204.370	Reports
Rule 62-210.300	Permits Required
Rule 62-210.370	Reports
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 62-296.320(b)	General Visible Emissions Standard
Rule 62-296.320(c)	Unconfined Emissions of Particulate Matter
Rule 62-297.310	General Test Requirements
Rule 62-297.310(4)	Applicable Test Procedures
Rule 62-297.310(7)(a)	Frequency of Compliance Tests: General Compliance Testing
Rules 62-297.310(8)(b) & (c)	Test Reports
Rule 62-297.400	EPA Methods Adopted by Reference
Rule 62-297.401	EPA Test Procedures
Chapter 62-257	Asbestos Program
Rule 62-701.520	Special Waste Handling: Asbestos
40 CFR 60, Subpart A	Standards of Performance for New Stationary Sources
40 CFR 60, Subpart OOO	Standards of Performance for Non Metallic Mineral Processing Plants
40 CFR 61, Subpart M	Asbestos NESHAP
HCEPC Rule 1-3.61	Hillsborough County EPC

AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC
TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The following table provides the applicable visible emission limits for the various emission points/activities:

Table 3: Visible Emission Limits

Emission Point / Activity	VE Limit (%Opacity) Limited by 40 CFR 60, Subpart 000	VE Limit (% Opacity) (for operation in a maintenance area)
001 Receiving Hopper/Grizzly Feeder	10	5
002 Crusher	15*	5
003 Screen(s)	10	5
004 through 008 Portable Belt Conveyor(s)	10**	5
011 and 012 Truck Loading/Unloading	<20	5

- * This limit applies since no capture system is used.
- ** This limit applies to transfer points onto conveyor belts only.

In Hillsborough County: The following area is designated maintenance for particulate matter or is part of the area that is not exempted by rule:

That portion of Hillsborough County which falls within the area of the circle having a centerpoint at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers:

Note: When operating in Hillsborough County, the permittee shall not cause, permit, or allow any visible emissions (five percent opacity). This includes, but is not limited to, the receiving hopper, crushers, belt conveyors, screens, and truck loading/unloading.

6. SOURCE IMPACT ANALYSIS

6.1 *Emission Limitations*

The proposed relocatable crusher operation will emit the following criteria pollutants: particulate matter, sulfur dioxide, nitrogen oxides, volatile organic compounds, and carbon monoxide. These emissions are well below the threshold for classification as a major source or for consideration of PSD or consumption of PSD increment. No specific emissions limitations will be imposed on the diesel engines except for the permit requirement that these engines only burn new highway grade fuel oil.

6.2 *Emission Summary*

The proposed relocatable crusher operation is a minor source for all criteria air pollutants. Potential emission estimates are based on 3,120 hours per calendar year of operation.

Water spray on roadways, work-yard, storage piles, and unit operations, will effectively minimize unconfined fugitive particulate emissions.

AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC
 TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The following are emission estimates, based on information provided by the applicant, which has been reviewed for this permit. These numbers are reasonable based on 3120 hours per calendar year operation, AP 42 factors, and the consistent use of water spray for dust suppression.

Pollutants	Estimated Hourly Emissions lb/hr	Estimated Annual Emissions TPY (3120 hrs)
Crusher (emission points/activities 1-8)		
PM plus PM ₁₀	0.8	3.49
Diesel Power (emission points/activities 9 & 10 above)		
NO _x	18.3	28.5
SO ₂	1.2	1.9
CO	3.9	6.1
PM ₁₀	1.3	2.0
VOC	1.5	2.3

- diesel emissions are based on gross horsepower rather than fuel limitations specified in application.

The crusher and related machinery are covered by specific federal regulations, 40 CFR 60, Subpart OOO, which specifically require testing and compliance reports. There is no practical means of testing to quantify the particulate emissions from the crusher and associated equipment. 40 CFR 60.762 authorizes the use of visual estimation of opacity as a surrogate means of measuring compliance with the rule.

6.3 Control Technology Review

The crusher unit and associated conveyors are potential sources of unconfined fugitive particulate matter emissions. Emissions shall be controlled by wetting the material being processed ahead of the crusher, at conveyor drop points and at the classifier screens.

The diesel engines powering the crusher and the generator will emit products of combustion. However, there are no unit specific regulatory requirements that apply to the diesel engines. In order to minimize emissions, the diesel engines will be limited to using only new No. 2 fuel oil, or better.

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.

6.5 Crushing or grinding of asbestos containing materials prohibited.

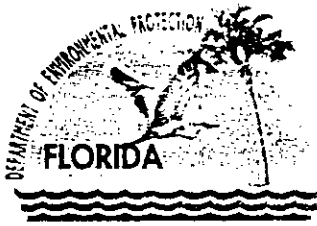
The crushing and grinding of asbestos containing materials is prohibited by federal and state regulations at 40 CFR 61, Subpart M, and Chapter 62-257, F.A.C., respectively.

7. CONCLUSION

Based on the 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.

W. Leffler 29 Sept 2000
Permit Engineer

William Leffler, 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

P.E. Certification Statement

Better Roads, Inc.
P.O. Box 9979
Naples, Florida 33941

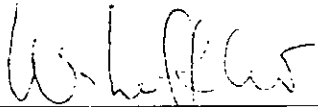
DEP File No.: 7775122-001-AC
Facility ID No.: 7775122

Project: Relocatable Air Construction Permit for Hazamg Model KR131D2912 Concrete, Asphalt, and Rock Crusher Facility

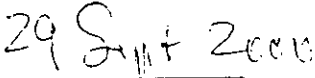
I HEREBY CERTIFY that the engineering features described in the above referenced application and related additional information submittals, if any, and subject to the proposed permit conditions, provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4, 62-204, 62-210, 62-296, 62-297 and analogous federal regulations. With the following exceptions:

The co-location of this relocatable concrete, asphalt, and rock crusher and screening unit on another site with another stationary or relocatable air pollution source may cause emissions from such a site to exceed the 100 tons per year threshold of Title V of the Clean Air Act. It will be incumbent upon the permittee to coordinate with permitting authorities to avoid excessive emission contributions on a site otherwise classified as a minor facility.

I have not evaluated, nor do I certify the compliance of this facility regarding any application beyond the scope of my discipline and training in air quality engineering (expressly excluding, but not limited to the electrical, mechanical, structural, personnel safety, hydrological, and geological features).



William Leffler, P.E.
Registration Number: FLPE 41972



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: 850/921-9522
Fax: 850/922-6979

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Governor

Twin Towers Office Building
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Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

PERMITTEE:
Better Roads, Inc.
P.O. Box 9939
Naples, Florida 33941

FID No.: 7775122
Permit No.: 7775122-001-AC
SIC No.: 1795
Expiration Date: 5 years from issue
Project: Diesel engine powered
relocatable concrete, asphalt, and rock
crushing plant designated Hazmag
Model KR131D2912

AUTHORIZED REPRESENTATIVE

Mr. Joseph B. Boness, III
Better Roads, Inc.
P.O. Box 9979
Naples, Florida 33941

PROJECT

This permit allows the applicant to construct/install a diesel engine powered relocatable concrete, asphalt, and rock crushing plant, designated as Hazmag Model KR131D2912 Crushing Plant, together with associated crusher feeder, classifier screens, conveyors, primary diesel engine and an auxiliary diesel electric generator.

STATEMENT OF BASIS

This air construction permit is issued under the provisions of Chapter 403, 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/install 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).

APPENDICES

The attached appendices are a part of this permit:

Appendix GC - General Permit Conditions
Appendix PC - Permitted Counties

Howard L. Rhodes, Director
Division of Air Resources
Management

SECTION II. FACILITY DESCRIPTION AND FACILITY WIDE CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

FACILITY DESCRIPTION

This facility consists of a 400 tons per hour (TPH) Hazmag Model KR131D2912 impact crusher facility with associated crusher feeder, classifier screens and conveyors, all of which are mounted on a transportable chassis and powered by a 450 hp Caterpillar diesel engine mounted on the same transportable chassis. The crusher and auxiliary conveyors, screen shaker and water spray pumps, are electrically driven from the 205 KW Caterpillar diesel generator set. Process unconfined fugitive particulate matter emissions from the crushing operation, specifically the feeders, screen classifiers and conveyor transfer points, shall be controlled by a water-spray suppression system. Non-process unconfined fugitive particulate matter emissions from the roadways, stockpiles and work-yard, shall be controlled by watering and/or by application of some effective dust suppressant(s).

REGULATORY CLASSIFICATION

The facility is subject to the regulations of 40 CFR 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The generator portion of the facility is regulated under Rule 62-210.300, F.A.C., Permits Required, since 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: July 17, 2000

PERMITTED COUNTIES

Please see Appendix PC, Permitted Counties, for a list of counties in which the facility will be able to operate once Public Notice has been published, the performance testing has been completed satisfactorily, and the air operation permit has been issued or amended after proper relocation notification. As proof of publication is received by the Department, the publication date shall be inserted into Appendix PC.

OPERATING LOCATION

The facility will be based near SR 31 on Babcock Ranch property 2.5 miles south of Tucker's Corner in Charlotte County, Florida. The UTM coordinates for that site are Zone 17; 410,23 km East; and, 2962.71 km North.

SECTION II. FACILITY DESCRIPTION AND FACILITY WIDE CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

The following facility-wide 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: In addition to the specific conditions of this permit, the owner and operator are subject to and shall operate under the General Permit Conditions G.1 through G.15, contained in the attached Appendix GC - General Permit Conditions of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403, F.S.
[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: 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. Notification of Intent to Relocate: An air permit for a relocatable facility shall be amended upon each change of location of the facility. The owner or operator of the facility must submit a Notification of Intent to Relocate Air Pollutant Emitting Facility [DEP Form No. 62-210.900(6)] to the Department's District office and/or, if appropriate, the local program office, at least seven (7) days prior to the change, if the facility would be relocated to a county in which public notice of the proposed operation of the facility had been given within the previous five years pursuant to Rule 62-210.350(1), F.A.C., or otherwise thirty (30) days prior to the change. A separate form shall be submitted for each facility in the case of the relocation of multiple facilities which are jointly owned or operated.

The notification shall be submitted to the Department's District office and any approved local program office using DEP Form No. 62-210.900(6), along with the appropriate processing fee, and a USGS topographic map showing all potential sites in such county.
[Rule 62-210.370(1), F.A.C.]

7. Operation Permit Required: This permit authorizes construction/installation of the facility and initial operation for testing purposes in order to determine compliance with the applicable rules and standards. An operation permit is required for continued commercial operation of the facility. 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. A copy of the compliance test results must be submitted to The Department's Tallahassee office as well as the district office or local program office that has compliance jurisdiction over the location where the performance test took place.
[Rules 62-4.030, 62-4.050, 62-4.220 and 62-210.300(2), F.A.C.]

SECTION II. FACILITY DESCRIPTION AND FACILITY WIDE CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

8. Applicable Regulations: Unless otherwise indicated in this permit, the construction/installation and operation of the facility 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.; Chapters 62-4, 62-204, 62-210, 62-296 and 62-297, F.A.C.; and, the Code of Federal Regulations Title 40, Parts 60 and 61, adopted by reference in Chapter 62-204, F.A.C. Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local 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.

[Rules 62-296.320(4)(b)1. & 4., 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:
 - Unconfined fugitive particulate matter emissions that might be generated from various emission points throughout the crushing operation shall be controlled by a water suppression system with spray bars located at the various emissions points of the operation including, but not limited to, the Grizzly feeder, the entrance and exit of the impact crusher, the classifier screens and conveyor drop points.
 - All stockpiles, roadways and work-yard, where this crushing operation is located, shall apply water (by water trucks equipped with spray bars) and/or an effective dust suppressant(s) on a regular basis to control any unconfined fugitive particulate matter 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, application received July 17, 2000]

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.

{Permitting note: No vapor control device was deemed necessary at the time of issuance of this permit.}

SECTION II. FACILITY DESCRIPTION AND FACILITY WIDE CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

b. No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor.

{Permitting note: An objectionable odor is defined in Rule 62-210.200, F.A.C., Definitions, 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.]

[Rules 62-296.320(1)(a) and (2), F.A.C.]

OPERATIONAL REQUIREMENTS

12. Modifications: No emissions unit or facility 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.]

SECTION III. - EMISSION UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

Subsection A.

The emissions units/activities contained in this subsection and their descriptions are as follows:

EMISSIONS UNIT/ACTIVITY NO.	DESCRIPTION
001	400 TPH Hazmag impactor crusher; Model KR131D2912; S/N: HU-1470; Mfg 1994; with associated feeder, classifier screens, and conveyors.
002	Caterpillar diesel engine, Model 3406C, powering the crusher.
003	205 KW Caterpillar, Model 3306, diesel powered generator set which powers the conveyors, classifier screen shaker and the water-spray pump.

Emissions unit 001 is subject to the requirements of 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. The diesel engines are required to be permitted pursuant to Rule 62-210.300(1), F.A.C., Permits Required, but are not subject to any testing requirements. They will be allowed to burn new No. 2 fuel oil, or better.

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

ESSENTIAL POTENTIAL TO EMIT (PTE) PARAMETERS

- Hours of Operation: The emissions units/activities are allowed to operate a maximum of 24 hours/day, 364 days per calendar year, but not to exceed 3120 hours per calendar year.
 [Rule 62-210.200, F.A.C., Definitions - PTE; and, application received July 17, 2000]
- Permitted Capacity: The maximum crusher operation process throughput of materials is 400 TPH.
 [Rule 62-210.200, F.A.C., Definitions - PTE; and, application received July 17, 2000]

EMISSION LIMITATIONS AND PERFORMANCE STANDARDS

- Visible Emissions: The following emission points/activities are subject to the visible emission limits in Table 1.

Table 1

Emission Point/Activity	Visible Emissions Limit (% Opacity) if operating in a PM maintenance area	Visible Emissions Limit (% Opacity) if <u>not</u> operating in a PM maintenance area and subject to 40CFR60, Subpart OOO
Receiving Hopper and Grizzly Feeder	5	10
Crusher	5	15*
Portable Belt Conveyor(s)	5	10**
Screen(s)	5	10
Truck Loading/Unloading	5	<20

- * This limit applies since no capture system is used.
- ** This limit applies to transfer points onto conveyor belts only.

Hillsborough County Particulate Maintenance Area:

The description of the maintenance area and the visible emissions limits are listed below:

SECTION III. - EMISSION UNIT SPECIFIC CONDITIONS

AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

That portion of Hillsborough County which falls within the area of the circle having a centerpoint at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers.

The permittee shall not cause, permit, or allow any visible emissions (five percent opacity).
[Rule 62-204.340, F.A.C.; and, Rule 1-3.61, Rules of the Environmental Protection Commission of Hillsborough County]

4. No Visible Emissions - Saturated Materials: No owner or operator shall cause to be discharged into the atmosphere any visible emissions from:

- 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.
- 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)]

5. Excess Emissions: The following excess emissions provisions cannot be used to vary any NSPS requirements from any subpart of 40 CFR 60:

- 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.]

- 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.]

COMPLIANCE MONITORING AND TESTING REQUIREMENTS

6. Test Frequency:

- Prior to obtaining an operation permit for this facility, the owner or operator shall conduct a visible emissions compliance test to demonstrate compliance with the standards of this permit.
[Rule 62-297.310(7)(a)1., F.A.C.]

- The owner or operator of the facility shall conduct visible emissions tests annually for all emission points/activities subject to a visible emission standard.
[Rule 62-297.310(7)(a)4.a., F.A.C.]

7. 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.]

8. Test procedures shall meet all applicable requirements of Rule 62-297.310(4), F.A.C.

BETTER ROADS, INC.

RELOCATABLE CONCRETE, ASPHALT, AND ROCK CRUSHING PLANT

HAZMAG MODEL KR131D2912

PAGE 7 OF 18

SECTION III. - EMISSION UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

[Rule 62-297.310(4), F.A.C.]

9. 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.]

10. Test Notification: The owner or operator shall notify the Department's district office and/or, if applicable, appropriate local program, at least 15 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.; and, 40 CFR 60.8]

[Permitting 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, but the Department rules require 15 days notice for the annual compliance tests. Unless otherwise advised by the Department, provide 15 days notice prior to conducting annual tests, except for the initial test when 30 days notice is required.]

11. Visible Emissions Test Method: In determining compliance with the standards in 40 CFR 60.672(b) and (c), the owner or operator shall use EPA 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)]

12. When determining compliance with the fugitive emissions standard for any affected facility described under 40 CFR 60.672(b), the duration of the EPA 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)]

13. When determining compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under 40 CFR 60.672(c), 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)]

SECTION III. - EMISSION UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

14. Visible Emissions Test - Emissions Interference: For the method and procedure of 40 CFR 60.675(c), 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; or,
- b. Separate the emissions so that the opacity of emissions from each affected emissions unit can be read. [40 CFR 60.675(c)(1)(i) & (ii)]

15. No Tests Required - Saturated Materials: Method 9 performance tests under 40 CFR 60.11 and 40 CFR 60.675 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)]

16. 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.]

REPORTING AND RECORDKEEPING REQUIREMENTS

17. Log: The permittee shall maintain a daily log showing at a minimum, the following information:

- (a) The location and production rate.
- (b) The hours of operation of the crusher system.
- (c) Maintenance and repair logs for any work performed on the permitted emissions units.
- (d) The use of wetting agents to control unconfined fugitive dust.
- (e) Fuel consumption.

This data shall be made available to the Department or its designee upon request. [Rule 62-4.070(3), F.A.C.]

18. Operation and Maintenance (O&M) Plan and Log: The permittee shall keep an O&M plan and a daily log for the air pollution control equipment with the facility. The 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.]

19. 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

SECTION III. - EMISSION UNIT SPECIFIC CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

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); and, Rules 62-297.310(8)(b) and (c)1. - 6., F.A.C.]

20. 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 40 CFR 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 40 CFR 60.672(b) and the emission test requirements of 40 CFR 60.11 and 40 CFR 60, Subpart OOO. 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 40 CFR 60.672(h).

[40 CFR 60.676(g)]

21. 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. [Rule 62-4.160(14)(a), F.A.C.]

22. Duration of Recordkeeping: 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)(b), F.A.C.]

23. 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.

[Rule 62-4.130, F.A.C.; and, 40 CFR 60.7]

24. 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.]

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NSPS GENERAL PROVISIONS

[Note: The numbering of the original rules in the following conditions has been preserved for ease of reference. In cases where the state requirements are more restrictive than the NSPS general requirements, the state requirements shall prevail.]

25. Notification and Recordkeeping:

- (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]

26. 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.
- (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

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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]

27. 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)).]

(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]

28. 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]

29. 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.

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(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.

(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]

30. Prohibited Operations: Asbestos Containing Materials, 40 CFR 61, Subpart M: This facility shall not process Asbestos Containing Materials (ACM), whether regulated asbestos containing material (RACM), category I or category II, and whether friable or nonfriable when received at the facility.

(1) "Asbestos" means the asbestiform varieties of serpentinite (chrysotile), riebeckite (crocidolite), cummingtonite-grunerite, anthophyllite, and actinolite-tremolite and includes trade acronyms products such as amosite.

(2) "Asbestos-containing materials", ACM, means any materials which contain more than one percent asbestos as determined by Polarized Light Microscopy. Based on a representative composite sample.

(3) "Asbestos removal project" means renovation or demolition operation in a facility that involves the removal of a threshold amount of regulated asbestos-containing material.

(4) "Category I Nonfriable Asbestos-Containing Material (ACM)" means asbestos-containing packings, gaskets, resilient floor covering, and asphalt roofing products containing more than 1

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percent asbestos as determined using the method specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy.

(5) "Category II Nonfriable ACM" means any material, excluding Category I Nonfriable ACM, containing more than 1 percent asbestos as determined using the methods specified in Appendix A, Subpart F, 40 CFR Part 763, Section 1, Polarized Light Microscopy, that, when dry, cannot be crumbled, pulverized, or reduced to powder by hand pressure.

[40 CFR 61, Subpart M; Chapter 62-257, F.A.C.; and, Rules 62-730.300 and 62-701.520, F.A.C.]

31. Restricted/Prohibited Activities: Co-location at Existing Stationary Source Facilities: This relocatable crusher facility is not authorized to operate on the premises of, or adjacent to, any other permitted air pollution facility, unless the permit for such stationary source includes this crushing unit as an emission unit within such facility's air construction and air operation permits.

MISCELLANEOUS

32. The diesel engines are allowed to fire new No. 2 fuel oil, or better.
[Rules 62-4.070(3) and 62-210.200, Definitions - PTE, F.A.C.]

APPENDIX GC - GENERAL CONDITIONS
AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

The following general conditions apply to all permits pursuant to Rule 62-4.160, F.A.C.:

- 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, F.S. 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), F.S., 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.

APPENDIX GC – GENERAL CONDITIONS

AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

- 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.
- 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, F.S. 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 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).

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APPENDIX GC – GENERAL CONDITIONS
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- 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.
 - (c) 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.
 - (d) 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.

APPENDIX PC – PERMITTED COUNTIES

AIR CONSTRUCTION PERMIT NO.: 7775122-001-AC

The permittee is authorized to operate in the following counties where public notice has been published:

Permitted Counties:	Date of Publication:	Permitted Counties:	Date of Publication:	Permitted Counties:	Date of Publication:
Alachua		Hamilton		Okeechobee	
Baker		Hardee		Orange	
Bay		Hendry		Osceola	
Bradford		Hernando		Palm Beach	
Brevard		Highlands		Pasco	
Broward		Hillsborough		Pinellas	
Calhoun		Holmes		Polk	
Charlotte		Indian River		Putnam	
Citrus		Jackson		St. Johns	
Clay		Jefferson		St. Lucie	
Collier		Lafayette		Santa Rosa	
Columbia		Lake		Sarasota	
Dade		Lee		Seminole	
DeSoto		Leon		Sumter	
Dixie		Levy		Suwannee	
Duval		Liberty		Taylor	
Escambia		Madison		Union	
Flagler		Manatee		Volusia	
Franklin		Marion		Wakulla	
Gasden		Martin		Walton	
Gilchrist		Monroe		Washington	
Glades		Nassau			
Gulf		Okaloosa			

State of Florida
Department of Environmental Protection

Memo

TO	Clair Fancy
THRU	Bruce Mitchell RS
FROM	William Leffler, P.E. <i>WLA</i>
DATE	September 29, 2000
SUBJECT	Intent to Issue Package Draft Air Construction Permit No.: 7775122-001-AC Better Roads, Inc. Relocatable Concrete, Asphalt, and Rock Crushing Facility Hazmag Model KR131D2912
Day 90	October 15, 2000

This Draft air construction permit is for the construction/installation of a diesel engine powered relocatable concrete, asphalt, and rock crushing facility. The air construction permit will allow the permittee to advertise in counties for the purpose of construction/installation, performance testing, and to support an application for an air operating permit or subsequent air operating permit amendments when relocating notification is received.

The application history is as follows:

- Application for air construction permit received on July 17, 2000

The relocatable concrete, asphalt, and rock crusher is a minor facility. Unconfined fugitive particulate matter emissions from the process will be controlled by a water suppression system, and unconfined fugitive non-process particulate emissions from roadways, stockpiles and work-yard, will be controlled by watering and/or application of some effective dust suppressant(s).

Applicant contemplates use of this facility at sites co-located with asphalt batch plants to prepare recycled asphalt pavement for incorporation as aggregate in new paving mixtures. Modification of stationary source permits for these asphalt batch plants is pending in the South District. Applicant wishes to obtain the right to operate independently of stationary source permits by this application for a relocatable facility permit.

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also, complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Joseph Boness, III
 President
 Better Roads, Inc.
 P.O. Box 9979
 Naples, Florida 33941

2. Article Number (Copy from service label)

7099 3400 0000 1449 3423

PS Form 3811, July 1999

Domestic Return Receipt

102595-99-M-1789

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

C. Signature

Agent
 Addressee

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

Article Sent To:

Mr. Joseph Boness, III

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark Here

Name (Please Print Clearly) (to be completed by mailer)

Street, Apt. No. or P.O. Box No.
 P.O. Box 9979
 City, State, ZIP+4
 Naples, Florida 33941

PS Form 3800, July 1999

See Reverse for Instructions

7099 3400 0000 1449 3423