

Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

CERTIFIED MAIL

In the Matter of an Application
for Permit by:

DEP File No.: 7775176-001-AC
District: Southwest

Mr. Charles W. Roberts
President
C.W. Roberts Contracting, Inc.
Hwy 20 East
Hosford, FL 32334

INTENT TO ISSUE AIR CONSTRUCTION PERMIT

RELOCATABLE FACILITY

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

The applicant, C.W. Roberts Contracting, Inc., applied on April 22, 2002 to the Department of Environmental Protection for an air construction permit authorizing construction of its relocatable asphalt concrete plant at Wildwood, Sumter County, Florida.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 & 62-4.

Pursuant to Section 403.815, F.S., and Rule 62-110.106, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. (*Note: The initial construction permit and subsequent operating permit will be issued for whatever counties are public noticed, and procedures are specified within for adding additional counties.*) The notice will be published one time only within 30 days of receipt of this Intent to Issue, in the legal ad section of a newspaper of general circulation in the area affected. For the purposes of this rule "publication in a newspaper of general circulation in the affected area" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area

Permittee:

C.W. Roberts Contracting, Inc.

Permit No. : 7775176-001-AC**Project:** Wildwood Asphalt Plant

that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed above. The applicant shall provide proof of publication to the Department, at 3804 Coconut Palm Drive, Tampa Florida 33619 within 7 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the 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 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 of the Florida Statutes. 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) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner, the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

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- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

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

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

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

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by the person under the

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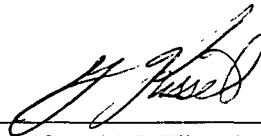
Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the Department that are relevant to the permit decision.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE CONSTRUCTION PERMIT." Written comments should be provided to the **Southwest District** office of the Department at 3804 Coconut Palm Drive, Tampa Florida 33619 to the attention of Mr. David Zell (phone no. 813-744-6100 ext. 107) referencing Permit File No. 7775176-001-AC. All comments received within 14 days of receipt of this Intent to Issue will be considered in the Department's final determination. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

Executed in Tampa, Florida.

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION



Gerald J. Kissel
District Air Program Administrator
Southwest District

GJK\qn
Attachment

Permittee:
C.W. Roberts Contracting, Inc.

Permit No. : 7775176-001-AC
Project: Wildwood Asphalt Plant

Copies to:

Max Lee, Ph.D., P.E., Koogler and Associates
Bruce Mitchell, BAR, Tallahassee
Len Kozlov, DEP Central District
Chris Kirts, DEP, Northeast District
Sandra Veazey, DEP, Northwest District
Ron Blackburn, 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 Resource 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

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on JUL 22 2002 to the listed persons, unless otherwise noted.

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

OFFICIAL USE

Postage \$

Mr. Charles W. Roberts
President
Rel (Endors) C.W. Roberts Contracting, Inc
Restrict (Endors) Hwy 20 East
Total Hosford, FL 32334

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

Cathie Roberts

JUL 22 2002

Clerk

Date

Sent To

Street, or PO Box no.

City, State, ZIP+ 4

PS Form 3800, January 2001

See Reverse for Instructions

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

The Department of Environmental Protection gives notice of its intent to issue an air construction permit (Permit File No. 7775176-001-AC) to C.W. Roberts Contracting, Inc., for the construction of a relocatable asphalt concrete plant. The plant will be initially constructed at County Road 114, 0.2 miles east of State Road 35, Wildwood, Sumter County, FL 34785. The plant may be moved to other sites in Florida upon additional public notice as specified within the draft permit.

The facility has been reviewed for potential operation in all counties in Florida. Emissions during operation of the asphalt concrete plant will be controlled by a baghouse. The asphalt concrete plant is allowed to process at a maximum rate of 400 tons per hour. The asphalt plant is allowed to operate continuously, i.e., 8,760 hours/year and the total material that can be processed is 500,000 tons of asphalt per calendar year. Because of low emissions and limited time of operation at any one site, the facility will not cause or contribute to any violation of an ambient air quality standard. The applicant's name and address are: C.W. Roberts Contracting, Inc. Hwy 20 East, Hosford, FL 32334, Attention: Mr. Charles W. Roberts, President.

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, including the specific facts the petitioner contends warrant reversal or modification of the agency's action; and
- (f) A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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 permit. 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.

Copies of the proposed 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, Suite 4 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: 904/807-3300	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 33401 Telephone: 561/681-6600	Florida Dept. of Environmental Protection South District Office 2295 Victoria Avenue, Suite 364 Fort Myers, Florida 33901 Telephone: 941/332-6975	Broward County Department of Natural Resource Protection 218 Southwest First Avenue Fort Lauderdale, Florida 33301 Telephone: 954/519-1220
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: 904/630-4900	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 B Sarasota, Florida 34232 Telephone: 941/378-6128

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. David Zell (phone no. 813-744-6100 ext. 107) referencing Permit File No. 7775176-001-AC. 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.



Department of Environmental Protection

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Secretary

PERMITTEE:

C.W. Roberts Contracting, Inc.
Hwy 20 East
Hosford, FL 32334

DRAFT

Effective Date:

Permit No: 7775176-001-AC

District: Southwest

Expiration Date: 12/31/2003

Project: Wildwood Asphalt Plant

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-204, through 62-297 and 62-4. The permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

For the construction of a relocatable synthetic non-Title V, CMI Model PTD-400 drum mix asphalt concrete plant. The facility consists of a material and recycle feed system, drum mixer, dryer, asphalt cement/ground tire rubber (GTR) storage tank, asphalt tank heater and hot asphalt concrete storage silos. Additionally, the facility has a 25,000 gallon mineral filler silo (CMI Corp., Model MFS-900P00-103) with baghouse (AVS, Model 72AVS16 pulse jet). Particulate emissions from the asphalt concrete plant are controlled by a CMI Roto-Aire model RA318 baghouse. The plant has an operating capacity of 400 tons/hour of asphalt concrete. Reclaimed asphalt pavement (RAP) is fed to the approximate middle of the drum dryer/mixer. Liquid asphalt cement is mixed with the heated, dried aggregate further down the drum dryer/mixer, and the mixed asphalt concrete discharges to a hot elevator to a storage silo and truck loader. Fugitive emissions result from uncontrolled process emissions, aggregate stockpiles, and vehicular traffic.

The facility is regulated under NSPS - 40 CFR 60, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities) and Rule 62-210.300(3)(c)1., F.A.C. (Conditional Exemptions from Title V Permitting). Thus the facility is a Title V synthetic minor source (a non-Title V source) with annual throughput limited to 500,000 tons/year of asphalt concrete.

The maximum heat input rate to the dryer is 120.0 MMBTU/hour and it is fired with natural gas, No. 2 oil, used oil and residual oil. The maximum annual natural gas usage is estimated at 150,000,000 ft³/year. The fuel oil consumption is limited to 1.2 million gallons in any consecutive 12-month period and the sulfur content of the fuel oil shall not exceed 1.0 percent, by weight. The plant's power will be derived from electric grid and no diesel generator will be used to power the asphalt concrete plant.

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PERMITTEE:

C.W. Roberts Contracting, Inc.

Permit No.: 7775176-001-AC

Project: Wildwood Asphalt Plant

4. Daily Process Rate - The maximum allowable material processing rate for this asphalt concrete plant is 400 tons/hour, based on a daily average.
[Rule 62-210.200, F.A.C. – Definitions (PTE) and as requested in Permit application dated 4/18/2002]
5. Annual Process Rate - The facility's maximum allowable annual asphalt concrete processing rate shall not exceed 500,000 tons per any consecutive 12 month period.
[Rule 62-210.300(3)(c)1.a., F.A.C. and as requested in Permit application dated 4/18/2002]
6. Fuel Usage Rate and Fuel Sulfur Content – The maximum fuel oil usage shall not exceed 1.2 million gallons per any consecutive 12 month period. The sulfur content of the fuel oil shall not exceed 1.0%.
[Rule 62-210.300(3)(c)1.b., F.A.C. and as requested in Permit application dated 4/18/2002]
7. Circumvention - No person shall circumvent any air pollution control device or allow the emission of air pollutants without the applicable control device (baghouse) operating properly. The asphalt concrete plant's baghouse pressure differential shall be maintained between 2" and 6" of water column (WC). If the differential pressure varies outside the permitted range, the plant will be shut down and all bags visually inspected.
[Rule 62-210.650, F.A.C.]
8. Visible Emissions – Visible emissions, associated with the asphalt concrete plant, shall be less than 20% opacity.
[Rules 62-204.800(7)(b)12., and 62-210.300(3)(c)1.f., F.A.C.]
9. Particulate Matter – Particulate emissions, associated with the asphalt concrete plant, shall not exceed 0.04 grains per standard cubic foot averaged over a three-hour period.
[Rules 62-204.800(7)(b)12., and 62-210.300(3)(c)1.d., F.A.C.]
10. Unconfined Emissions of Particulate Matter - All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter. These provisions are applicable to any source, including, but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions shall include but are not limited to the following:
 - A. Entrance roads and high traffic areas between the entrances and storage areas will be watered as necessary.

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PERMITTEE:
C.W. Roberts Contracting, Inc.

Permit No.: 7775176-001-AC
Project: Wildwood Asphalt Plant

10. (continued)

- B. A 5 MPH speed limit will be posted at all entrances and will be enforced to ensure that materials falling onto the roadway will not become a dust problem due to truck traffic.
- C. Tire wash sumps are present and in use at main exits to ensure that dust picked up on site does not become a nuisance once trucks leave the site.
- D. Water sprays are used as necessary on the uncrushed aggregate piles to increase the water content and prevent generation of dust particles when the graded material is dumped into the charging hopper by front-end loader.
- E. Configuring the conveyor system so that drop heights are minimized to prevent entrainment of dust from falling product.

{Permitting Note: If operating experience indicates that these reasonable precautions are not sufficient to control unconfined emissions, the Department reserves the right to require additional measures, such as recordkeeping for water truck gallons applied, etc.}
[Rule 62-296.320(4)(c), F.A.C.]

11. Fugitive Emissions Opacity Standard - In order to provide reasonable assurance that the precautions and practices taken at the plant are adequate, emissions of unconfined particulate matter from the non-process emission sources shall not exceed 10% opacity. If the 10% opacity (indicator value) is exceeded, it shall not be a violation in and of itself, but an indication that additional control precautions and/or practices beyond those outlined in Specific Condition No. 10 may be necessary.
[Rule 62-4.070(3), F.A.C.]

12. Objectionable Odor – The facility shall not cause, suffer, allow or permit the discharge of air pollutants that cause or contribute to an objectionable odor. An objectionable odor is any odor present in the outdoor atmosphere which by itself, or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-296.320(2), F.A.C.]

Compliance Testing Requirements

13. Visible Emission (VE) Testing – In order to document compliance with Condition No. 8, the permittee shall test the emissions from the baghouse of the asphalt concrete plant for visible emissions within 60 days after construction of the asphalt concrete plant and annually thereafter at least 60 days prior to or on that initial tested date. A visible emission (VE) test shall also be conducted within 30 days of initial operation at a new site.
[Rules 62-210.300(3)(c)1.i., and 62-297.310(7)(a), F.A.C.]

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PERMITTEE:
C.W. Roberts Contracting, Inc.

Permit No.: 7775176-001-AC
Project: Wildwood Asphalt Plant

14. VE Test Method – Asphalt concrete plant baghouse shall be tested by a certified observer in accordance with DEP Method 9 for a minimum of 30 minutes or, if the operation is normally completed within less than 30 minutes and does not recur within that time, the test shall last for the length of the batch cycle or operation completion time. The visible emission test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur.

[Rule 62-297.401(9)(c) and 62-297.310(4)(a)2.a., F.A.C.]

15. Particulate Matter (PM) Testing – In order to document compliance with Condition No. 9, the permittee shall test the emissions from the baghouse of the asphalt concrete plant for particulate matter emissions within 60 days after the construction of the asphalt concrete plant and annually thereafter at least 60 days prior to or on that initial tested date.

[Rules 62-210.300(3)(c)1.i, and 62-297.310(7), F.A.C.]

16. PM Test Method – The test method for particulate matter, associated with the asphalt concrete plant, shall be EPA Method 5 or 5A, incorporated and adopted by reference in Chapter 62-297, F.A.C.

[Rules 62-210(3)(c)1.i, and 62-297.401(5), F.A.C.]

17. Operation During Testing - Testing of emissions shall be conducted with the emission unit operating at capacity, which is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is not feasible to test at permitted capacity, an emission unit may be tested at less than the minimum permitted capacity; however, subsequent emissions unit operation is limited to 110 percent of the test load until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity

[Rule 62-297.310(2), F.A.C.]

18. Testing Notification - The owner or operator shall notify the Air Compliance Section of the applicable Department District and the local air program (if any) of the county having jurisdiction over the location where the plant will be tested at least 15 days prior to the date on which each formal compliance test is to begin of 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. Results shall be submitted to the Department within 45 days after testing.

[Rule 62-297.310(7)(a)9., F.A.C.]

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PERMITTEE:

C.W. Roberts Contracting, Inc.

Permit No.: 7775176-001-AC

Project: Wildwood Asphalt Plant

19. Additional Compliance Testing - 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 may require the owner or operator of the emissions unit to (1) conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and (2) provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]

Recordkeeping Requirements

20. Daily Process Records - In order to demonstrate compliance with Specific Condition No. 4, the permittee shall daily determine and record the asphalt concrete plant's material processing rate (tons/hour, daily average) as follows:

For each day that the asphalt concrete plant operates, the permittee shall record the following:

- A. Date
- B. The asphalt concrete plant's hours of operation.
- C. The total amount of asphalt concrete processed, in tons.
- D. Calculate and record the daily average tons/hr. asphalt concrete processing rate.

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

21. Monthly Process Records - In order to demonstrate compliance with the Specific Condition No. 5, the permittee shall monthly record the following:

- A. Facility's total amount of asphalt concrete produced in tons for the most recent month period.
- B. Facility's total amount of asphalt concrete produced in tons for the most recent consecutive 12 month period.

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

22. Monthly Fuel Oil Usage Record - In order to demonstrate compliance with Specific Condition No. 6, the permittee shall monthly record the following:

- A. Facility's total amount of fuel oil consumed (gallons) for the most recent month period.
- B. Facility's total amount of fuel oil consumed (gallons) for the most recent consecutive 12 month period.

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

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PERMITTEE:

C.W. Roberts Contracting, Inc.

Permit No.: 7775176-001-AC

Project: Wildwood Asphalt Plant

23. "On-Spec" fuel Oil Analysis Record - The permittee shall not burn "off-specification" used oil. For each delivery of "on-specification" reclaimed/used fuel oil, the vendor shall provide an analysis documenting the fuel oil meets the following requirements of 40 CFR 761.20(e)(2) and (3) [July 1, 1993] and 40 CFR 279.11 (July 1, 1993):

- Arsenic shall not exceed 5 ppm
- Cadmium shall not exceed 2 ppm
- Chromium shall not exceed 10 ppm
- Lead shall not exceed 100 ppm
- Total Halogens shall not exceed 1000 ppm
- Flash point shall not be less than 140 degrees F.
- PCB's shall be less than 2 ppm*

* In order to be able to fire "on-specification" reclaimed/used fuel oil during startup and shutdown.

Copies of the analysis shall be maintained at the facility for a minimum of 3 years and made available to the Department upon request.
[Rules 62-710.210 and 62-4.070(3), F.A.C.]

24. Fuel Sulfur Content Record - In order to document continuing compliance with Specific Condition No. 6 of the sulfur content limitation of 1.0% S, in % by weight of the fuel oil, the permittee shall keep records on either vendor provided as-shipped analysis or on analysis of as-received samples taken at the plant. The analysis shall be determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in Rule 62-297.440(1), F.A.C. The above records shall be maintained at the facility for a minimum of 3 years and made available to the Department and local county air program (if any) upon request.
[Rules 62-210.300(3)(c)1.c. and 62-4.070(3), F.A.C.]

25. Baghouse Maintenance and Operation Records

A. Maintenance Record

The CMI Roto-Aire model RA318 baghouse for the asphalt concrete plant and the AVS, Model 72AVS16 pulse jet baghouse for the mineral filler silo shall be operated and maintained in accordance with the Maintenance Plan to be developed for the equipments. The Maintenance Plan documentation shall be retained at the facility for at least 3 years and made available to the Department upon request. The Maintenance Plan shall include, but not be limited to the following:

1. The operating parameters of the pollution control device.
2. Time table of routine weekly, bi-weekly, or monthly observations and inspections of the pollution control device

PERMITTEE:
C.W. Roberts Contracting, Inc.

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Permit No.: 7775176-001-AC
Project: Wildwood Asphalt Plant

25. (continued)

3. A list of the type and quantity of the required spare parts for the pollution control device which are stored on the premises.
4. A maintenance log which will indicate, as a minimum:
 - a. What maintenance was performed including replacement of bags in the baghouse.
 - b. When the maintenance was performed
 - c. Who performed the maintenance.

B. Operation Record

The asphalt concrete plant baghouse differential pressure gauge shall be checked once per each 8 hour of operation and the pressure readings recorded in a logbook and made available for inspection by the Department.

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

26. Compilation of Records - Daily records shall be completed within 5 business days and monthly records shall be completed by the end of the next month. These records shall be retained at the facility for at least 3 years and made available to the Department and applicable local program upon request.

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

Administrative Requirements

27. 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 Southwest District office prior to 60 days before the expiration of the permit with the appropriate time extension fee.

[Rule 62-4.080(3), F.A.C.]

Relocation Notification:

28. Relocation to a previously authorized site - At least 7 days prior to relocating the facility to a site previously authorized by this permit, the permittee shall notify the Air Programs of the applicable Department District and, if applicable, the local air program in the county having jurisdiction over the relocation site. The notification shall be on DEP Form 62-210.900(6), F.A.C., Notification of Intent to Relocate an Air Pollutant Emitting Facility (attached). A permit amendment and amendment fee is not required.

[Rule 62-210.900(6), F.A.C.]

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29. Relocation to a proposed new location

- A. At least 7 days prior to each proposed relocation to a new site, the permittee shall notify the Air Permitting Section of the applicable Department District and, if applicable, the county having jurisdiction over the relocation site. The notification shall be on DEP Form 62-210.900(6), F.A.C., Notification of Intent to Relocate an Air Pollutant Emitting Facility (attached). Provide a scale map showing the proposed new location of the facility and points of air pollutant emissions in relation to residences, roads, and other features of the surrounding area. A permit amendment and amendment fee of \$250 is required.
- B. At least 21 days prior to initial operation at a new site, the permittee shall publish at their own expense the NOTICE OF INTENT TO ISSUE PERMIT AMENDMENT FOR FACILITY RELOCATION with the proposed new location filled in (Notice of Intent language will be provided by the Department at the time of issuance of the operation permit). The notice shall be published one time only in the legal ad section of a newspaper of general circulation in the area affected. "Publication in a newspaper of general circulation in the affected area" means publication in a newspaper meeting the requirements of Section 50.011 and 50.031, F.S., in the county where the activity is to take place. The permittee shall provide proof of publication to the Air Permitting Section of the applicable Department District within 7 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit amendment.

[Rule 62-210.900(6), F.A.C.]

Operation Permit Application

30. At least two applications for an operation permit shall be submitted to the Air Permitting Section of the Department District and, if applicable, the county having jurisdiction over the relocation site within 45 days of visible emission (VE) testing and particulate matter (PM) emission testing of the asphalt concrete plant and at least 180 days prior to the expiration of this permit. To properly apply for an operation permit, the applicant shall submit the following:

- A. the completed Application for Air Permit – Non-Title V Source (DEP Form 62-210.900(3), F.A.C.);
- B. the appropriate operation permit fee per Rule 62-4.050(4)(a)3., F.A.C;
- C. visible emission (VE) and particulate matter (PM) compliance test reports as required by specific conditions 13 and 15 of this permit.
- D. A copy of the baghouse Maintenance Plan required by Condition No. 26A.

[Rule 62-4.070(3), 62-4.220 & 62-210.300(2), F.A.C.]

PERMITTEE:

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Project: Wildwood Asphalt Plant

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Gerald J. Kissel, P.E.
District Air Program Administrator
Southwest District

GJK\qn

ATTACHMENT - GENERAL CONDITIONS

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1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (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.

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, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), 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 of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. Not applicable to Air Permits.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;

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GENERAL CONDITIONS:

- 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 reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, 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.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 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.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

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GENERAL CONDITIONS:

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the 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.

16. Not applicable to Air Permits.

17. Not applicable to Air Permits.



Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

P.E. Certification Statement

Permittee:

C W Roberts

Permit No.:

7775176 - 001AC

Project type:

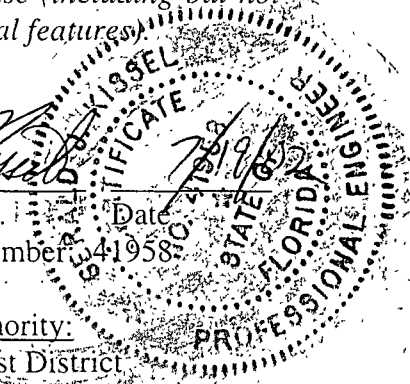
relocatable asphalt plant

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

G.J. Kissel
G.J. Kissel, P.E. Date: *7/29/00*
Registration Number: *41958*

Permitting Authority:

FDEP Southwest District
3804 Coconut Palm Drive
Tampa, FL 33619
813/744-6100 Ext 116
Fax: 813/744-6458



MEMORANDUM

TO: David Zell, Air Permitting Interim Supervisor, SWD

FROM: Quaid Noor, Air Permit Engineer QN.

DATE: July 9, 2002

SUBJECT: C.W. Roberts Contracting, Inc.
Draft Permit
Project: Wildwood Asphalt Plant
County: Marion
Permit No.: 7775176-001-AC
Day 90: 9/22/2002

7/02 DISCUSSED
W/BRUCE MITCHELL
SWD ISSUANCE OF
THIS PERMIT
-JK

C: BRUCE MITCHELL, INCLUDING INTENT PACKAGE

The attached draft permit for the construction of a relocatable asphalt concrete plant at Wildwood, Sumter County, is for your review.

The plant is planned to be constructed at Wildwood and subsequently moved around as and when needed. The mechanism for relocation is stipulated in the permit and will be effective on issuance of the air operation permit.

Process Description

This facility is a CMI Model PTD-400 drum mix asphalt concrete plant. The facility consists of a material and recycle feed system, drum mixer, asphalt cement storage tank, asphalt heater and hot asphalt concrete storage silos. Particulate emissions from the plant are controlled by a CMI Roto-Aire model RA318 baghouse. The plant has an operating capacity of 400 tons of asphalt mix per hour. Mixed asphalt concrete from the mixer unit is stored in three hot storage silos for truck loading. Fugitive emissions result from uncontrolled process emissions, aggregate stockpiles, and vehicular traffic.

Both the asphalt storage and asphalt cement/GTR tanks are heated by the asphalt heater. The asphalt heater is exempt from permitting in accordance with Rule 62-210.300(3)(b)1, F.A.C – Generic Emission Unit Exemption. Additionally, the asphalt cement / Ground Tire Rubber (GTR) storage tank, the mineral filler silo and three asphalt concrete storage silos are exempt from permitting in accordance with Rule 62-210.300(3)(b)1, F.A.C.

Pollution Control Equipment

Particulate emissions from the plant are controlled by a CMI Roto-Aire 318P Fabric Filter baghouse.

Environmental Impact

There should be no significant increase in emission due to insignificant emissions from asphalt heater, asphalt cement / GTR storage tank, portable lime silo and asphalt concrete storage silos due to the nature of their operations.

Applicable Rules & Regulations

The facility is regulated under NSPS - 40 CFR 60, Subpart I (Standards of Performance for Hot Mix Asphalt Facilities) and Rule 62-210.300(3)(c)1., F.A.C. (Conditional Exemptions from Title V Permitting). The facility is conditionally exempt from Title V permitting with annual throughput limited to 500,000 tons of asphalt concrete per year. The facility oil consumption is limited to 1.2 million gallons in any consecutive twelve-month period and the sulfur content of the fuel oil shall not exceed 1.0 percent, by weight.

Compliance Monitoring. PM and VE tests annually.

Compliance History. New Facility. No compliance issues on file.

Fee Summary. This project is an AC1C (\$4500) to construct a relocatable asphalt concrete plant.

I recommend the issuance of the draft permit based on the information provided above.

Note: This memo serves as the Technical Evaluation for this project. DJ