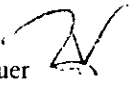





Florida Department of
Environmental Protection

Memorandum

TO: Joe Kahn 

THRU: Trina Vielhauer 

THRU: Jeff Koerner 

FROM: Bruce Mitchell 

DATE: March 15, 2007

SUBJECT: CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties
Final Air Construction Permit
7775369-001-AC
Portable Transloader

Attached is the Final Air Construction Permit.

The subject of the Air Construction Permit is to permit a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks at several permitted sites (in counties where Public Notice has been published) throughout Florida. The air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The portable transloader is designed to be dismantled, moved to a new location and reassembled.

Attachments

JK/tlv/jfk/bm

NOTICE OF FINAL AIR CONSTRUCTION PERMIT

In the Matter of an
Application for Permit:

Mr. Jose De La Garza, Director – Logistics Operations Florida
CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Permit Project No.: 7775369-001-AC
Relocatable Transloader
Charlotte, Collier and Hillsborough Counties

Enclosed is the Final Air Construction Permit, Project No. 7775369-001-AC. The subject of the permit is to authorize construction by CEMEX Construction Materials L.P. for a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks in Charlotte, Collier and Hillsborough Counties. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.). No comments were received during the Public Notice period.

Any party to this order has the right to seek judicial review of the permit (letter) pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department of Environmental Protection in the Office of General Counsel (Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000); and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL AIR CONSTRUCTION PERMIT (including the Final Determination and the Final Permit) was sent electronically (received receipt requested) before the close of business on 3/21/07 to the persons listed or as otherwise noted:

Mr. Jose De La Garza, Director–Logistics Operations Florida, CEMEX Construction Materials L.P.

(jose.delagarza@cemexusa.com)

Ms. Denise Corrales, Facility Contact, CEMEX Construction Materials L.P. (denise.corrales@cemexusa.com)

Mr. Ron Blackburn, DEP – Southwest District (ron.blackburn@dep.state.fl.us)

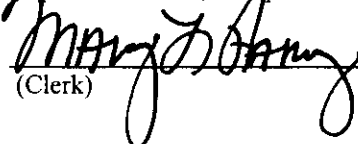
Mr. Jerry Campbell, Environmental Protection Commission of Hillsborough County (campbell@epchc.org)

Dr. John B. Koogler, P.E., Koogler & Associates, Inc. (jkoogler@kooglerassociates.com)

Mr. Pradeep Raval, Application Contact, Koogler & Associates, Inc. (praval@kooglerassociates.com)

Clerk Stamp

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


(Clerk) 3/21/07
(Date)

Final Determination

CEMEX Construction Materials L.P.
Relocatable Transloader

Air Construction Permit No.: 7775369-001-AC

Charlotte, Collier and Hillsborough Counties

An "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" for CEMEX Construction Materials L.P. for a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks in Charlotte, Collier and Hillsborough Counties, was clerked on February 9, 2007. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" was published in the following newspapers: the Sun on February 22, 2007; The Tampa Tribune on February 23, 2007; and, the Naples Daily News on February 26, 2007. The Draft Air Construction Permit was available for public inspection at the Hillsborough County Environmental Protection Commission office in Tampa, the Department's Southwest District office in Tampa, and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" was received on March 8, 2007.

No comments were received during the Public Notice period. Therefore, it is recommended that the Final Air Construction Permit be issued as noticed.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE

CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Authorized Representative:

Mr. Jose De La Garza, Director – Logistics Operations Florida

Permit No. 7775369-001-AC Portable Transloader Facility ID No. 7775369 Expires: March 16, 2012

PROJECT


This permit authorizes the construction (assemble, dismantle and reassemble) of a 100 tons per hour (500,000 tons per consecutive 12-months) portable transloader to be based at several locations in Florida. The transloader may be relocated to any site within a previously permitted county identified in Appendix PC by submitting a Facility Notification Relocation Form to the appropriate District Office and/or Local Air Program at least 5 days before relocating. The portable transloader is categorized as a synthetic, non-Title V, minor source of air pollution.

STATEMENT OF BASIS

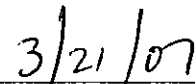
This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The permittee is authorized to construct the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices



Joseph Kahn, Director
Division of Air Resource Management



(Date)

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

The portable transloader is a diesel powered mobile unit that has an enclosed chain conveyor with an integral dust collector for controlling particulate matter from its operation. The rail car to conveyor transfer point is sealed with a pneumatic rubber boot while the conveyor to the hauling or tanker truck (truck) transfer point has a telescoping inner chute through which the material discharges and an outer shell that seals against the truck. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The baghouse is a Donaldson Unimasters Dust Collector, Model C20H, 3600 Series. No hazardous or radioactive material is authorized to be handled by the portable transloader. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is designed to be dismantled, moved to a new location and reassembled.

The potential locations are:

1. CEMEX Construction Materials L.P. – Punta Gorda Batch Plant, Acline Road, Punta Gorda, Charlotte County;
2. CEMEX Construction Materials L.P. – Wiggins Pass Road Facility, Wiggins Pass, Naples, Collier County;
3. CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County; and,
4. Temporary use along the rail tracks in Charlotte, Collier and Hillsborough Counties.

REGULATORY CLASSIFICATION

Title III: The facility will not be a major source of hazardous air pollutants (HAP).

Title IV: The facility will have no emissions units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility will not be a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The facility will not be a PSD-major facility in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility is not subject to New Source Performance Standard Subparts in 40 CFR 60. However, the portable transloader would be subject to the provisions of 40 CFR 60, Subpart OOO, if it operates in series with a aggregate crusher or grinder.

NEHSAP: There are no emissions units subject to any National Emissions Standards for HAPs in 40 CFR 61 or 63.

SIP: The portable transloader is subject to the following regulations: The following rules will apply within specific areas of the state: Rule 62-296.320(4)(a)2., F.A.C., Process Weight Table – Particulate Matter Emissions Standard; Rule 62-296.320(4)(b)1., F.A.C., General Visible Emissions Standard; Rule 62-296.711, F.A.C. (RACT for Materials Handling, Sizing, Screening, Crushing and Grinding Operations in the designated PM Maintenance Areas); and, Rule 62-4.070(3), F.A.C., Standards for Issuing or Denying Permits.

Local Air Programs: The portable transloader is also subject to the following regulations when operating in the designated PM Maintenance area of Hillsborough County: Rules 1-3.50, 1-3.51, 1-3.52 and 1-3.60, Rules of the Environmental Protection Commission of Hillsborough County (EPCHC).

APPENDICES

The following Appendices contain applicable requirements and are attached as a part of this permit.

Appendix A. Citation Formats

Appendix CA. List of Compliance Authorities

Appendix CC. Common Conditions

SECTION 1. GENERAL INFORMATION

Appendix GC. General Conditions

Appendix PC. Permitted Counties

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete; the draft permit package including the Department's Technical Evaluation and Preliminary Determination; publication and comments; and, the Department's Final Determination.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct, modify and operate emissions units regulated by this permit shall be submitted to the Department's Bureau of Air Regulation at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all such documents shall be submitted to the appropriate Compliance Authority.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the appropriate Compliance Authority for the portable transloader's location. A list of the Department's District Offices and approved Local Air Programs is provided in Appendix CA of this permit.
3. Citation Format: Appendix A of this permit identifies the format used to cite applicable requirements.
4. Common Conditions: The permittee is subject to the applicable requirements in the attached Common Conditions in Appendix CC of this permit. [Chapters 62-4, 62-210, 62-296, and 62-297, F.A.C.]
5. General Conditions: The permittee is subject to the attached General Conditions in Appendix GC of this permit. [Rule 62-4.160, F.A.C.]
6. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the F.S.; Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. 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. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
7. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
8. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
9. Extension of Expiration Date: For good cause, the permittee may request that this air construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least 60 days before the expiration of this permit. [Rules 62-210.300(1), 62-4.070(4) and 62-4.210, F.A.C.]
10. Air Operation Permit: This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. An air operation permit is required for commercial operation of the permitted emissions unit. The permittee shall apply for an air operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for an air operation permit, the applicant shall submit the appropriate application form in quadruplicate, the corresponding processing fee, compliance test results, and such additional information as the Department may by law require. [Rules 62-4.030, 62-4.050, 62-4.220, 62-210.300(2), and 62-210.900, F.A.C.]
11. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least three (3) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon

SECTION 2. ADMINISTRATIVE REQUIREMENTS

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

12. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from the portable transloader. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]
13. Facility Relocation: The permittee is authorized to relocate the portable transloader to any site within a previously "permitted county" as identified in Appendix PC of this permit. At least five (5) days prior to the relocation, the permittee shall submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6), F.A.C.) to the current Compliance Authority and the new Compliance Authority identifying the proposed move. This air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements. [Rule 62-210.370(4), F.A.C.]
14. Adding New Permitted Counties: The portable transloader shall only be relocated to sites within previously permitted counties as identified in Appendix PC of this permit. To add a county to the list of permitted counties, the permittee shall provide the Bureau of Air Regulation with a letter of request with the following information: identification of the portable transloader and the air construction and operation permits; a statement that there have been no physical changes made to the portable transloader nor any change in the method of operation; the latest compliance test report; a list of previously permitted counties; the new county to be added and the specific site where the portable transloader will be located in the future (if known); and the Facility Relocation Notification Form No. 62-210.900(6), F.A.C. (if relocating). A copy of this information shall be submitted to the appropriate Compliance Authority for the proposed new site. The Bureau of Air Regulation will process the request as a modification of the air construction permit and a revision of the air operation permit. The permittee must publish a new Public Notice provided by the Bureau of Air Regulation in a newspaper of general circulation for the new county. The Public Notice provides administrative rights for affected parties to petition for an administrative hearing or provide comments on the draft permit. If there are no substantial comments and no petitions for administrative hearings, the Department will issue a final air construction permit and a revised air operation permit recognizing the new permitted county. The permittee is authorized to relocate the portable transloader upon issuance of the final modified air construction permit and revised air operation permit. [Rules 62-210.300(1) & (2) and 62-210.350, F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

This section of the permit addresses the following emissions unit and related activities.

ID No.	Emissions Unit Description
001	Portable Transloader

{Permitting Note: The facility is subject to the following regulations: The following rules will apply within specific areas of the state: Rule 62-296.320(4)(b)1., F.A.C., General Visible Emissions Standard; Rule 62-296.711, F.A.C. (RACT for Materials Handling, Sizing, Screening, Crushing and Grinding Operations in PM Maintenance Areas); Rules 1-3.50, 1-3.51, 1-3.52 and 1-3.60, Rules of the Environmental Protection Commission of Hillsborough County; and, Rule 62-4.070(3), F.A.C., Standards for Issuing or Denying Permits.}

EQUIPMENT

1. Portable Transloader: The permittee is authorized to construct (assemble, dismantle and reassemble) a portable transloader that is a diesel powered mobile unit that has an enclosed chain conveyor with an integral dust collector for controlling particulate matter from its operation. The rail car to conveyor transfer point is sealed with a pneumatic rubber boot while the conveyor to the hauling or tanker truck (truck) transfer point has a telescoping inner chute through which the material discharges and an outer shell that seals against the truck. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The baghouse is a Donaldson Unimasters Dust Collector, Model C20H, 3600 Series. No hazardous or radioactive material is authorized to be handled by the portable transloader. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is designed to be dismantled, moved to a new location and reassembled. [Design and Application No. 7775369-001-AC]

PERFORMANCE RESTRICTIONS

2. Permitted Counties: The permittee may relocate the portable transloader to any site within a previously permitted county as identified in Appendix PC. The conditions of this permit apply to the portable transloader as a whole regardless of the sites at which it may operate during any year. [Rules 62-4.070(3) and 62-210.300(1), F.A.C.]
3. Hours of Operation: The hours of operation are not limited (8760 hours per year). [Rule 62-210.200 (Definitions-PTE), F.A.C. and Application No. 7775369-001-AC]
4. Permitted Capacity: The maximum processing throughput rate is 100 tons per hour and shall not exceed 500,000 tons during any consecutive 12-months. [Rule 62-210.200(Definitions-PTE), F.A.C. and Application No. 7775369-001-AC]
5. Fuel Limitations: The portable transloader's diesel generator is authorized to fire diesel fuel oil. The sulfur content of any authorized fuel used at this plant shall not exceed 0.5%, by weight. The facility shall not fire more than 35,000 gallons of diesel fuel oil during any consecutive 12-months. [Rule 62-4.070(3), F.A.C. and Application No. 7775369-001-AC]

EMISSIONS STANDARDS

6. Baghouse and Bags Minimum Design Specifications for Control of Particulate Matter: The minimum design specifications of the baghouse control system and the bags used shall meet 0.02 grains per cubic foot. [Rule 62-4.070(3), F.A.C. and Application No. 7775369-001-AC]
7. Visible Emissions:
 - a. General: Visible emissions from the baghouse shall not exceed 5% opacity. [Rules 62-4.070(3) and

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

62-296.711(2)(a), F.A.C. and Application No. 7775369-001-AC]

b. *Hillsborough County*: “The permittee shall not cause, permit, or allow any visible emissions greater than 5% opacity from any (1) loading or unloading of materials to or from containers such as railcars, trucks, ships, storage structures and stockpiles, (2) receiving hoppers, (3) belt conveyors, and (4) static drop transfer points, when operating in the following designated air quality maintenance area for particulate matter: “That portion of Hillsborough County which falls within the area of the circle having a center point at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers.” [Rule 62-204.340, F.A.C. and Rule 1-3.52.2, Rules of the Environmental Protection Commission of Hillsborough County]

8. Unconfined Emissions of Particulate Matter. 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. Reasonable precautions shall include:

a. Use of hoods, fans, filters, and similar equipment to contain, capture, control and/or vent particulate matter; and,

b. Total enclosure, partial enclosure or covering of conveyor systems and/or operations.

[Rules 62-4.070(3), 62-296.320(4)(c) and 62-296.711(2)(b), F.A.C.]

EMISSIONS PERFORMANCE TESTING

9. Test Methods: Any tests required shall be performed in accordance with the following reference methods.

EPA Method	Description of Method and Comments
9	<i>Visual Determination of the Opacity of Emissions from Stationary Sources</i>

Tests shall also be conducted in accordance with the requirements specified in Appendix CC of this permit. [Rules 62-296.320(4)(b), 62-297.100 and 62-297.401, F.A.C.]

10. Initial Compliance Tests: The baghouse exhaust shall be tested to demonstrate initial compliance with the visible emissions standards specified in this permit. The initial tests shall be conducted within 60 days after achieving maximum production, but not later than 180 days after initial operation of the unit. [Rule 62-297.310(7)(a)1, F.A.C.]

11. Annual Compliance Tests: During each federal fiscal year (October 1st to September 30th), the baghouse exhaust shall be tested to demonstrate compliance with the visible emissions standards of this permit. Visible emissions observations shall be conducted for at least 30 minutes. [Rules 62-297.310(4) and (7)(a)4., F.A.C.]

12. Tests Prior to Renewal: Within the 12-month period prior to expiration of the operation permit, the baghouse exhaust shall be tested to demonstrate compliance with the visible emissions standards of this permit. Visible emissions observations shall be conducted for at least 30 minutes. [Rules 62-297.310(4) and (7)(a)3., F.A.C.]

13. Test Notification: At least 15 days prior to conducting any tests, the permittee shall notify the Compliance Authority for the current site in writing of the following information: 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.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

RECORDS AND REPORTS

14. Fuel Sulfur Records: The permittee shall maintain records to demonstrate that each shipment of diesel fuel oil has 0.5%, or less, sulfur content, by weight, and that the sulfur content was determined by ASTM Method D4057-88 and ASTM Methods D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in subsection 62-297.440(1), F.A.C. More recent versions of these methods may be used. A bill-of-lading provided upon each delivery of diesel fuel oil may be used to document the fuel sulfur content and associated test method(s). [Rules 62-4.070(3) and 62-297.440(1), F.A.C.]
15. Daily Logs: Each day of operation, operators shall record the following information into a written log: the location of the plant; the daily hours of operation; the daily production rate (tons of material processed); any maintenance and repair performed on the production or air pollution control equipment; amount of diesel fuel oil fired; and, any watering conducted to reduce fugitive dust. Daily logs shall be made available to any Compliance Authority upon request. [Rule 62-4.070(3), F.A.C.]
16. Monthly Records: The permittee shall record the following information in a written log for the operation for all sites: tons of material processed by site and the running total gallons of diesel fuel oil fired. Such records shall be retained for three (3) years. [Rules 62-4.070(3) and 62-4.160(14), F.A.C.]
17. O&M Plan: The permittee shall keep an operation and maintenance (O&M) plan for the baghouse control system. The O&M plan shall include: the bag specifications; the typical range of pressure drop across the baghouse; and, the planned frequency for regular baghouse maintenance. [Rule 62-4.070(3), F.A.C.]

SECTION 4. APPENDICES

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Appendix A. Citation Formats

Appendix CA. List of Compliance Authorities

Appendix CC. Common Conditions

Appendix GC. General Conditions

Appendix PC. Permitted Counties

SECTION 4. APPENDIX A

CITATION FORMATS

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

Example: Permit No. AC50-123456 or Air Permit No. AO50-123456

Where: "AC" identifies the permit as an Air Construction Permit
"AO" identifies the permit as an Air Operation Permit
"123456" identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: "099" represents the specific county ID number in which the project is located
"2222" represents the specific facility ID number
"001" identifies the specific permit project
"AC" identifies the permit as an air construction permit
"AF" identifies the permit as a minor federally enforceable state operation permit
"AO" identifies the permit as a minor source air operation permit
"AV" identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: "PSD" means issued pursuant to the Prevention of Significant Deterioration of Air Quality
"FL" means that the permit was issued by the State of Florida
"317" identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

SECTION 4. APPENDIX CA
LIST OF COMPLIANCE AUTHORITIES

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION – DISTRICT OFFICES

NORTHEAST DISTRICT

Air Resource Section
7825 Baymeadows Way, Suite 200 B
Jacksonville, FL 32256-7590
Phone: (904) 807-3300

NORTHWEST DISTRICT

Air Resource Section
160 Governmental Center, Suite 308
Pensacola, FL 32502-5794
Phone: (850) 595-8300

SOUTH DISTRICT

Air Resource Section
2295 Victoria Avenue, Suite 364
P.O. Box 2549
Fort Myers, FL 33902-2549
Phone: (239) 332-6975

SOUTHEAST DISTRICT

Air Resource Section
400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6600

SOUTHWEST DISTRICT

Air Resource Section
13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926
Phone: (813) 632-7600

CENTRAL DISTRICT

Air Resource Section
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767
Phone: (407) 894-7555

SECTION 4. APPENDIX CA
LIST OF COMPLIANCE AUTHORITIES

APPROVED LOCAL AIR PROGRAMS

Eight approved local air programs conduct ambient air monitoring and take lead responsibility for air compliance and enforcement activities in their counties. Six of these programs are also delegated district level air permitting authority.

Broward County

Department of Planning and Environmental
Protections
Air Quality Division
115 S. Andrews Avenue, Suite A-240
Fort Lauderdale, Florida 33301-4800
Phone: 954-519-1220

Orange County

Environmental Protection Division
Air Section
800 Mercy Drive, Suite 4
Orlando Florida 32308-7896
Phone: 407-836-1447

Miami-Dade County

Air Quality Management Division
Department of Environmental Resources
Management
Miami Dade County
701 NW 1st Court, Suite 400
Miami, Florida 33136
Phone: 305-372-6925

Palm Beach County Health Department

Division of Environmental Science & Engineering
Air Pollution Control Section
901 Evernia Street
P.O. Box 29
West Palm Beach, Florida 33401-0029
Phone 561-840-4500

Duval County

Regulatory and Environmental Services Department
Air and Water Quality Division
117 W. Duval Street, Suite 225
Jacksonville, Florida 32202-3700
Phone: 904-630-4900

Pinellas County

Department of Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 33756-5424
Phone: 727-464-4422

Hillsborough County

Environmental Protection Commission
Air Management Division
3629 Queen Palm Drive
Tampa, Florida 33619
Phone: 813-627-2600

Sarasota County

Water Resources Department
Pollution Control Division
2817 Cattlemen Road
Sarasota, Florida 34232-6244
Phone: 941-861-6209

SECTION 4. APPENDIX CC
COMMON CONDITIONS

{Permitting Note: Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.}

EMISSIONS AND CONTROLS

1. **Plant Operation - Problems**: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future 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 the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. **Circumvention**: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. **Excess Emissions Allowed**: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit 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. This state provision cannot be used to vary any applicable NSPS requirements from 40 CFR 60. [Rule 62-210.700(1), F.A.C.]
4. **Excess Emissions Prohibited**: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. **Excess Emissions - Notification**: In case of excess emissions resulting from malfunctions, the permittee 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.]
6. **VOC or OS Emissions**: 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. [Rule 62-296.320(1), F.A.C.]
7. **Objectionable Odor Prohibited**: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means 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(2) and 62-210.200(Definitions), F.A.C.]
8. **General Visible Emissions**: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. **Unconfined Particulate Emissions**: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. **Required Number of Test Runs**: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20%

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below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

11. Operating Rate During Testing: 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 maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate 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.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Applicable Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
 - a. Required Sampling Time.
 - 1) Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
 - 2) Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
 - b. Minimum Sample Volume. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. Required Flow Rate Range. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
 - d. Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.
 - e. Calibration of Sampling Equipment. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.
 - f. Allowed Modification to EPA Method 5. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]
14. 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.]

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15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: The owner or operator shall notify the Department, 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 or operator. [Rule 62-297.310(7)(a)9, F.A.C.]
17. 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 emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the 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 means, 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, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 8. The date, starting time and duration of each sampling run.
 9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 10. The number of points sampled and configuration and location of the sampling plane.
 11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 12. The type, manufacturer and configuration of the sampling equipment used.
 13. Data related to the required calibration of the test equipment.
 14. Data on the identification, processing and weights of all filters used.
 15. Data on the types and amounts of any chemical solutions used.
 16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 18. All measured and calculated data required to be determined by each applicable test procedure for each run.
 19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

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20. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-4.160(14), F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

SECTION 4. APPENDIX GC
GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

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.
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 and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
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.
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 F.S. 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 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.
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.

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.

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 F.S. or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence

SECTION 4. APPENDIX GC
GENERAL CONDITIONS

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 F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
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.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable); and
 - c. Compliance with New Source Performance Standards (NSPS Subparts A and I).
14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - 1) The date, exact place, and time of sampling or measurements;
 - 2) The person responsible for performing the sampling or measurements;
 - 3) The dates analyses were performed;
 - 4) The person responsible for performing the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) The results of such analyses.
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.

**SECTION 4. APPENDIX PC
PERMITTED COUNTIES**

The permittee has provided proof of publication of the Department's Intent to Issue Air Permit in a newspaper of general circulation for the counties identified in the following table. The permittee is authorized to operate at any site within a permitted county by submitting a Facility Relocation Notification Form No. 62-210.900(6), F.A.C., at least 5 days prior to relocating. This air permit does not relieve the owner from complying with other local provisions such as zoning requirements.

Permitted Counties	Publication Date	Permitted Counties	Publication Date	Permitted Counties	Publication Date
Alachua		Hamilton		Okeechobee	
Baker		Hardee		Orange	
Bay		Hendry		Osceola	
Bradford		Hernando		Palm Beach	
Brevard		Highlands		Pasco	
Broward		Hillsborough	02/23/2007	Pinellas	
Calhoun		Holmes		Polk	
Charlotte	02/22/2007	Indian River		Putnam	
Citrus		Jackson		St. Johns	
Clay		Jefferson		St. Lucie	
Collier	02/26/2007	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			