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To protect, promote
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Florida Department of Health
Palm Beach County
Division of Environmental
Public Health
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West Palm Beach, Florida 33402
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INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT
PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

February 18, 2013
ELECTRONIC MAIL
cjs@hardrivespaving.com

George T. Elmore, President
Hardrives Asphalt Company
2101 South Congress Avenue
Delray Beach, Florida 33445

Re: DRAFT Permit No.: 0990328-007-AC
Palm Beach County – Hardrives Asphalt Company

Dear Mr. Elmore:

One copy of the Technical Evaluation and Preliminary Determination, the combined Public Notice, and the Draft Air Construction Permit, for Hardrives Asphalt Company, located 2101 South Congress Avenue, Delray Beach, FL, Palm Beach County, is enclosed. The permitting authority's "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" and the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" is also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Laxmana Tallam, P.E., at the below letterhead address. If you have any other questions, please contact Mr. Tallam, P.E. at 561-837-5978.

Sincerely,

James E. Stormer, Q.E.P., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

Enclosures

In the Matter of an
Application for Permit by:

Hardrives Asphalt Company
2101 South Congress Avenue
Delray Beach, Florida 33445

DRAFT Permit No.: 0990328-007-AC

Hardrive Asphalt Company, Palm Beach County

INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue an Air Construction permit (copy of the DRAFT Air Construction attached) for the synthetic minor source detailed in the application specified above and the attached Technical Evaluation and Preliminary Determination, for the reasons stated below.

On January 24, 2013 Hardrives Asphalt Company, applied to the Palm Beach County Health Department for an Air Construction for Hardrives Asphalt Company, located on 2101 South Congress Avenue, Delray Beach in Palm Beach County. The applicant requested to add a 350 ton per hour Recycled Asphalt Product (RAP) crusher and 385hp engine at the facility.

The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). However, in accordance with Section 403.182, F.S., DEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, FDEP and the PBC Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The Health Department has determined that an Air Construction Permit is required to construct and to commence operations at the described facility.

The permitting authority intends to issue the Air Construction Permit based on the belief that reasonable assurances have been provided to indicate that the construction activity and operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION." The notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the permitting authority's office, Attention: Air & Waste Section, Palm Beach County Health Department, 800 Clematis St., Post Office Box 29, West Palm Beach, FL. 33402-0029 (Telephone: 561-837-5900; Fax: 561-837-5295), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the Air Construction Permit, in accordance with the conditions of the attached DRAFT Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Air Construction, the permitting authority shall issue a Revised DRAFT Air Construction Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Palm Beach County Health Department Legal Office, located at 800 Clematis Street in West Palm Beach, Florida, 33401 (Telephone: (561) 671-4000, Fax (561) 837-5195). Petitions filed by the permits' applicant or any of the parties listed below must be filed within 14 (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 14 (fourteen) days of publication of the public notice or within 14 (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 permitting authority for a notice of agency action may file a petition within 14 (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 permitting authority'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 each petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (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 permitting authority'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.

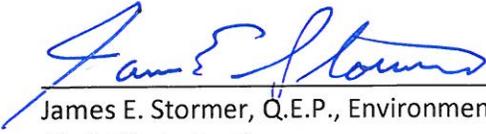
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such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

Mediation will not be available in this proceeding.

Hardrives Asphalt Company
Delray Beach

Air Permit No.: 0990328-007-AC

Executed in West Palm Beach, Florida
PALM BEACH COUNTY HEALTH DEPARTMENT



James E. Stormer, Q.E.P., Environmental Administrator
Air & Waste Section
Division of Environmental Public Health

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT (including the PUBLIC NOTICE and the Draft Air Construction Permit Package) all copies were sent electronically (with Received Receipt) before the close of business on 2/18/13 to the person(s) listed below:

George T. Elmore, President, email cjs@hardrivespaving.com
Hardrives Asphalt Company,
2101 South Congress Avenue,
Delray Beach, FL 33445

In addition, the undersigned duly designated deputy agency clerk hereby certifies that copies of this INTENT TO ISSUE AN AIR CONSTRUCTION (including the combined PUBLIC NOTICE and the Draft Air Construction Permit Package) were sent electronically (with Received Receipt) on the same date to the person(s) listed or as otherwise noted:

Bill Arlington, Arlington Environmental Services email barlington@arlingtonenvironmental.com

Linda Brien email Linda.Brien@dep.state.fl.us
Southeast District Office, FDEP

Clerk Stamp

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

Paul Gelamoras
(Clerk) (Date)

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION

PALM BEACH COUNTY HEALTH DEPARTMENT

DRAFT Permit No.: 0990328-007-AC

Hardrives Asphalt Company

Palm Beach County

The Palm Beach County (PBC) Health Department (permitting authority) gives notice of its intent to issue an Air Construction Permit for Hardrives Asphalt Company, located on 2101 South Congress Avenue, Delray Beach, Palm Beach County, Florida. The applicant's name and address are: George T. Elmore, 2101 South Congress Avenue, Delray Beach FL. 33445

On January 24, 2013, Hardrives Asphalt Company, applied to the Palm Beach County Health Department for an Air Construction Permit for Hardrives Asphalt Company, located on 2101 South Congress Avenue, Delray Beach in Palm Beach County. The applicant requested to add a 350 ton per hour Recycled Asphalt Product (RAP) Crusher and 385hp engine at the facility.

The permitting authority will issue the Air Construction Permit in accordance with the conditions of the DRAFT Air Construction Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Draft Air Construction Permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice. Written comments should be provided to the permitting authority's office: Palm Beach County Health Department, 800 Clematis St., Post Office Box 29, West Palm Beach, FL 33402-0029. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft Air Construction Permit, the permitting authority shall issue a Revised Draft Air Construction Permit and require, if applicable, another Public Notice.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57 of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the permitting authority's Legal Office, Attention: Chief Legal Officer, located at 800 Clematis Street in West Palm Beach, Florida, 33402 (Telephone: (561) 671-4000, Fax (561) 837-5195). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the permitting authority for notice of agency action may file a petition within 14 (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 applicable 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 (F.A.C.).

A petition that disputes the material facts on which the permitting authority'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 each petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (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 permitting authority'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 permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:

Palm Beach County Health Department
800 Clematis St./P.O. Box 29
West Palm Beach, FL 33402-0029
Telephone: 561-837-5900
Fax: 561- 837-5295

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit, the application(s), and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Laxmana Tallam, P.E., at the above address, or call 561-837-5978, for additional information.



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Florida Department of
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****DRAFT****

AIR POLLUTION AIR CONSTRUCTION PERMIT

ISSUED TO:

Permittee:

Hardrives Asphalt Company
2101 South Congress Avenue
Delray Beach, Florida 33445

ARMS No.: 0990328

PERMIT No.: 0990328-007-AC

ISSUED: **DRAFT**

EXPIRES: **DRAFT**

Located At:

Hardrives Asphalt Company, 2101 South Congress Avenue,
Delray Beach, Florida 33445

UTM: Zone 17; 590.56 km E; 2923.76 km N;

Latitude 26° 25' 52.34" N; **Longitude** 80° 05' 30.35" W

Description: Hot Mix Asphalt Plant

[SIC: 2951 – Asphalt Paving Mixtures and Blocks]

Project: Permit Modification to add a 350 tons per hour Recycled Asphalt Product (RAP) Crusher and 385hp Engine.

STATEMENT OF BASIS

The Palm Beach County Health Department (Health Department) issues this permit under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4 through 62-297 the Florida Administrative Code (F.A.C.). The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under Chapter 403.087, F.S. However, in accordance with Section 403.182, F.S., the DEP recognizes the Health Department as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that authorizes the Health Department to issue or deny permits for this type of air pollution source located in Palm Beach County. The above named permittee is authorized to operate 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 Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida

PALM BEACH COUNTY HEALTH DEPARTMENT

DRAFT

James E. Stormer, Q.E.P., Environmental Administrator
Air and Waste Section
Division of Environmental Public Health

Permit History

01/24/2013: Health Department received application for permit modification (0990328-007-AC)

PERMIT CONTENT

- Section I: Summary Information
- Section II: Facility-Wide Specific Conditions
- Section III: Emissions Unit Specific Conditions
- Section IV: Appendices
 - Appendix A: General Permit Conditions*
 - Appendix B: Terminology*
 - Appendix C: Summary of testing requirements*
 - Appendix D: NSPS Requirements (40 CFR 60 Subpart I)*
 - Appendix E: NSPS Requirements (40 CFR 60 Subpart OOO)*

REGULATORY CLASSIFICATION

PROGRAM	PROGRAM DESCRIPTION	CLASSIFICATION
PSD	Prevention of Significant Deterioration Rule 62-212.400, F.A.C.	New Source Synthetic Minor (Sulfur Dioxide)
NSR-NAA	New Source Review for Nonattainment Areas Rule 62-212.500, F.A.C.	Not Applicable
NSPS	The facility is subject to the requirements of 40 CFR 60, Subpart OOO and I.	Applicable
NESHAP	The facility is subject to the requirements of 40 CFR 63, Subpart ZZZZ.	Applicable
NESHAP	National Emission Standards for Hazardous Air Pollutants 40 CFR Parts 61 and 63.	Existing Source Natural Minor
Title V	Federal Operating Permit Program Rule 62-213, F.A.C	Synthetic Minor (Sulfur Dioxide)

EMISSIONS UNIT SUMMARY

EMISSIONS UNIT No.	EMISSIONS UNIT DESCRIPTION
001	250 TPH Asphalt Plant, Double Drum Dryer CMI Model No. PTD -400 asphalt dryer which burns No. 2 fuel oil containing no more than 0.5% sulfur by weight. Particulate emissions are controlled by a RotoAire Model No. RA-318P baghouse. Emission exit the 3.56 foot by 7.49 foot square baghouse vent at a rate of 33,500 ACFM (16,500 DSCFM) at 250F at 35 feet above ground level.
002	0.6 mmBTU/hour Asphalt cement heater -- CONDITIONALLY EXEMPT UNIT This unit burns No. 2 fuel oil containing no more than 0.5% sulfur by weight. Uncontrolled emissions exit the 4 inch diameter stack at the rate of 180 ACFM (120 DSCFM) at 250F at 15 feet from ground level.
003	Materials Handling & Storage Operations including the storage piles, storage bins, conveyors, and transfer operations. EXEMPT UNIT
004	350 TPH – 385 hp Engine, Portable Recycled Asphalt Product (RAP) Crusher and Screening Operation Fugitive particulate matter is emitted from crushing, screening, stockpiles, and the transfer points of belt conveyors, crushers, grinding mills, screening operations, bucket elevators, storage bins, and loading stations. The affected transfer points are subject to 40 CFR 60, Subpart OOO adopted and incorporated by reference in Rule 62-204.800(7)(b). The Engine is subject to 40 CFR 63, Subpart ZZZZ.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

ADMINISTRATIVE REQUIREMENTS

- II.1 Regulating Agencies: All applications, reports, tests, and notifications shall be submitted to the Air Pollution Control Section of the Palm Beach County Health Department (Health Department) at P.O. Box 29 (800 Clematis Street), West Palm Beach, Florida, 33402-0029, and phone number (561) 837-5970. **[Specific Operating Agreement (SOA)]**
- II.2 General Permit Conditions: The owner and operators shall be aware of, and operate under, the attached General Permit Conditions listed in **Appendix A** of this permit. General Permit Conditions are binding and enforceable pursuant to Chapter 403 of the Florida Statutes. **[Rule 62-4.160, F.A.C.]**
- II.3 Citation Format: The format for citing applicable regulations is provided in **Appendix B** of this permit.
- II.4 Application for Operation Permit: Within 60 days of establishing routine operations for the emissions units described in this permit, the permittee shall apply for an initial operation permit. The application shall include: the Application Form **[DEP Form No. 62-210.900(4)]**; the correct application processing fee; all required test reports; and a summary of any changes or substitutions to the original equipment, processes, fuels, controls, etc. When the renewal application is timely and sufficient, the existing permit shall remain in effect until final action is taken by the Health Department. **[Rules 62-4.090 and 62-210.900, F.A.C.]**
- (a) The permittee may continue to operate the emissions units in compliance with the conditions of this construction permit during the application process for an operation permit. **[Rule 62-4.030, F.A.C.]**
- (b) The permittee must maintain a valid (not expired) air construction permit during the entire application process for an operation permit. This construction permit may be extended at the written request of the permittee prior to its expiration. **[Rule 62-4.080(3), F.A.C.]**
- II.5 Applicable Regulations: This facility is subject to the following regulations: Chapters 62-4, 62-210, 62-212, 62-296, and 62-297, F.A.C. Specifically, the emissions units are subject to Rule 62-204.400, F.A.C., and 40 CFR Part 60 Subpart I "New Source Performance Standards for Hot Mix Asphalt Plants" and 40 CFR Part 60 Subpart OOO "Standards of Performance for Nonmetallic Mineral Processing Plant". Issuance of this permit does not relieve the facility owner or operator from compliance with any applicable federal, state, or local permitting requirements or regulations. **[Rule 62-210.300(2), F.A.C. and the SOA]**

EMISSION LIMITING AND PERFORMANCE STANDARDS

- II.6 General VOC Standards: The owner or operator shall not store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds (VOC) or organic solvents without applying known and existing vapor emission control devices or systems. This includes: **[Rule 62-296.320(1), F.A.C.]**
- Regular inspection and maintenance of piping, valves, flanges, tanks, and containers used for storage and transfer of organic liquids in order to minimize fugitive VOC emissions.
 - When not in use, directing solvent-containing materials to containers that prevent evaporation.
- II.7 Objectionable Odors: No person shall cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. **[Rule 62-296.320(2), F.A.C.]**
- Note: An objectionable odor is defined as any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rule 62-210.200, F.A.C.]*
- II.8 General Visible Emissions Standard: Unless otherwise specified by permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from new, or existing emissions units, the opacity of which is equal to or greater than 20 percent. **[Rule 62-296.320(4)(b), F.A.C.]**
- II.9 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 include the following: **[Rule 62-296.320(4)(c), F.A.C.]**
- Paving and maintenance of roads, parking areas and yards.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- Landscaping or planting of vegetation.
- Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- Confining abrasive blasting where possible.
- Enclosure or covering of conveyor systems.

Note: Facilities that cause frequent, valid complaints will be required by the Health Department to take these or other reasonable precautions. In determining what constitutes reasonable precautions for a particular facility, the Health Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

II.10 Facility-Wide Operating Restrictions: The facility is subject to the following operating restrictions in any 12-month rolling period. [Permit No. 0990328-001-AC, Rule 62-4.070(3), F.A.C.]

(a) Fuel oil usage shall not exceed 1,305,800 gallons.

(b) Asphalt concrete production shall not exceed 2,190,000 tons per any consecutive 12-month rolling period.

{Permitting Note: Based on the above restrictions, the potential emissions of SO₂ from the facility are 45.43 tons per year.} (This PTE will change upwards by 0.32 tons per year for proposed addition of the 350 tons per hour Recycled Asphalt Product (RAP) and 385 hp Engine. The sulfur content of the ultra-low sulfur fuel is very low at 0.0015% by wt.)

OPERATION AND MAINTENANCE REQUIREMENTS

II.11 Circumvention: The owner or operator shall not circumvent air pollution control equipment/methods or allow the emission of air pollutants without the equipment/methods operating properly. [Rule 62-210.650, F.A.C.]

II.12 Excess Emissions Requirements [Rule 62-210.700, F.A.C.]

- (a) Excess emissions resulting from start-up, shutdown or malfunction of these emissions units shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized, but in no case exceed two hours in any 24 hour period unless specifically authorized by the Health Department for longer duration. **[Rule 62-210.700(1), F.A.C.]**
- (b) Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during start-up, shutdown, or malfunction are prohibited. **[Rule 62-210.700(4), F.A.C.]**
- (c) In case of excess emissions resulting from malfunctions, the owner or operator shall notify the Air Pollution Control Section of the Palm Beach County Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the problem; and the corrective actions being taken to prevent recurrence. **[Rule 62-210.700(6), F.A.C.]**

COMPLIANCE MONITORING REQUIREMENTS

II.13 Duration: Unless otherwise specified, all records and reports required by this permit shall be kept for at least 3 years from the date the information was recorded. [Rule 62-4.160(14)(b), F.A.C.]

II.14 Test Procedures shall meet all applicable requirements of the Chapter 62-297, F.A.C. See **Appendix C of this permit for a summary of these requirements. [Rule 62-297.100, F.A.C.]**

II.15 Operational Rate During Testing: Unless otherwise stated in the applicable emission limiting standard for a rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impracticable to test at permitted capacity, an emissions unit may be tested at less than the minimum permitted capacity; in this case, subsequent emissions unit

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

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.]

- II.16 Stack Testing Facilities: The owner or operator shall maintain permanent stack testing facilities in accordance with **Rule 62-297.310(6), F.A.C.** These requirements are summarized in **Appendix C** of this permit.
- II.17 Test Notification: The owner or operator shall notify the Health Department, in writing, at least 15 days prior to the date on which each formal compliance test is to begin, of the test date, the expected test time, the location of the test, the facility contact person responsible for coordinating the test, and the person or company conducting test. The 15 day notification requirement may be waived at the discretion of the Health Department. Likewise, if circumstances prevent testing during the test window specified for the emissions unit, the owner or operator may request an alternate test date before the expiration of this window. [Rule 62-297.310(7)(a)9., F.A.C.]
- II.18 Special Compliance Tests: When the Health 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 DEP rule or permit 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 Health Department. [Rule 62-297.310(7)(b), F.A.C.]

REPORTS REQUIRED

- II.19 Annual Operations Report: The annual operating report shall be submitted to the Health Department by April 1 of the following year using DEP Form No. 62-210.900(5). If the report is submitted using the Department's electronic annual operating report software, there is no requirement to submit a copy to the Health Department. [Rule 62-210.370(3), F.A.C.]
- II.20 Excess Emissions Report: If excess emissions occur, the owner or operator shall notify the Air Compliance Section of the Health Department within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Health Department may request a written summary report of the incident. [Rules 62-4.130 and 62-210.700(6), F.A.C.]
- II.21 Emission Compliance Stack Test Reports: For each required emissions compliance test, a report indicating the results of the test shall be filed with the Health Department as soon as practical, but no later than 45 days after the last sampling run is completed. The report shall provide sufficient detail on the tested emissions unit and the procedures used to allow the Health Department to determine if the test was properly conducted and if the test results were properly computed. At a minimum, the test report shall provide the applicable information listed in **Rule 62-297.310(8)(c), F.A.C.** and summarized in *Appendix C* of this permit. Additional report information may be specified for a given group of emissions units in this permit. [Rule 62-297.310(8), F.A.C.]

WASTE REQUIREMENTS

- II.22 Waste Disposal: The owner or operator shall treat, store, and dispose of all liquid, solid, and hazardous wastes in accordance with all applicable Federal, State, and Local regulations. This air pollution permit does not preclude the permittee from securing any other types of required permits, licenses, or certifications.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

GROUP A. This portion of the permit addresses the following emission unit.

EMISSION UNIT NO.	EMISSIONS UNIT DESCRIPTION
004	<p><u>350 TPH – 385 hp Engine, Portable Recycled Asphalt Product (RAP) Crusher and Screening Operation:</u> Fugitive particulate matter is emitted from crushing, screening, stockpiles, and the transfer points of belt conveyors, crushers, grinding mills, screening operations, bucket elevators, storage bins, and loading stations. The affected transfer points are subject to 40 CFR 60, Subpart OOO adopted and incorporated by reference in Rule 62-204.800(7)(b). The Engine is subject to 40 CFR 63, Subpart ZZZZ.</p>

This permit modification allows any crusher with capacity up to 350 tons per hour and a diesel engine with a capacity up to 385 hp to operate at this facility. The non-metallic operations are subject to 40 CFR 60 Subpart OOO ‘Standards of Performance for Nonmetallic Processing Plants.’ The Subpart OOO was revised on April 28, 2009, and the revised conditions are incorporated in this permit.

EMISSION LIMITING STANDARDS AND OPERATION RESTRICTIONS (ADDED 40 CFR 60, SUBPART OOO AND 40 CFR 63, SUBPART ZZZZ)

- III.A.1** Rule Applicability: The crusher and the affected facilities are subject to 40 CFR 60 Subpart OOO “Standards for Nonmetallic Mineral Processing Plants” as included in **Appendix E**.

 - (a) **The capacity of the crusher shall not exceed 350 tons per hour.**
 - (b) **The capacity of the diesel engine shall not exceed 385 HP.**
[Rule 62-204.800(7)(b)., F.A.C. and 62-4.070(3)]
- III.A.2** Rule Applicability: The engine on the portable RAP crusher is subject to 40 CFR 63, Subpart ZZZZ, “National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)”. The above referenced emission unit shall comply with all requirements of the 40 CFR 63 Subpart ZZZZ that are applicable.
[40 CFR 63.6603, Table 2d., Rule 62-204.800(11)(b), and 62-4.070(3)., F.A.C.]
- III.A.3** Hours of Operation: **The permittee is authorized to operate the referenced emission unit for 800 hours per year.** [Rule 62-4.070(3), F.A.C., and by request of applicant]
- III.A.4** Visible Emission (VE) Standards: The VE Standards for the crushers and the affected facilities are presented in the table below. [40 CFR 60.676, TABLE 3]

For	The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in 40 CFR 60.670 and 60.671)	The owner or operator must meet the following fugitive emissions limit for crushers.	The owner or operator must demonstrate compliance with these limits by conducting
Affected facilities (as defined in 40 CFR 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	10 percent opacity	15 percent opacity	An initial performance test according to 40 CFR 60.11 and 40 CFR 60.675.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

NOT APPLICABLE			
Affected facilities (as defined in 40 CFR 60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008	7 percent opacity	12 percent opacity	An initial performance test according to 40 CFR 60.11 and 40 CFR 60.675; and Periodic inspections of water sprays according to 40 CFR 60.674(b) and 40 CFR 60.676(b).

PERMIT NOTE: PORTABLE ROCK CRUSHER STARTUP DATE WAS AFTER APRIL 22, 2008 (SEPTEMBER 19, 2011) under Air General Permit 7775685-001-AG.

COMPLIANCE/PERIODIC MONITORING REQUIREMENTS

III.A.5 Compliance Frequency: The permittee shall demonstrate initial compliance with the emission standards on or after sixtieth day after achieving maximum production rate at which the facility will be operated, but not later than 180 days after initial startup. The renewal compliance shall be demonstrated within 60 days prior to the expiration of the operating permit.

A repeat performance test according to 40 CFR 60.11 and 40 CFR 60.675 within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in 40 CFR 60.674(b) and 40 CFR 60.676(b) are exempt from this 5-year repeat testing requirement

The permittee shall use EPA Method 9, *Visual Determination of the Opacity of Emissions from Stationary Sources*, 40 CFR 60, Appendix A. **[40 CFR 60.672 (b) & (c), Rule 62-297.310, F.A.C.]**

III.A.6 VE Observations: In determining compliance with the standards in specific condition III.C.3, the owner or operator shall use Method 9 and the procedures in 40 CFR 60.11, with the following additions:

- (a) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
- (b) The observer, when possible, shall select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
- (c) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

[40 CFR 60.675 (c)(1), and 60-4.070(3), F.A.C.]

III.A.7 When determining compliance with the fugitive emissions standard for any affected facility specified in the condition III.C.3, the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits specified in condition III.C.3 shall be based on the average of the five 6-minute averages.

[40 CFR 60.675 (c)(3)]

III.A.8 Reporting and Recordkeeping Requirements

(a) The owner or operator shall notify the Health Department by telephone, e-mail, fax, or written communication at least one (1) business day prior to bringing the crusher to this facility and transmit (by e-mail, fax, post, or courier) the details of the crusher as mentioned below to the Health Department no later than five (5) business days following relocation of the crusher.

- a. The manufacturer, model no. and serial no. of the crusher, screen, and conveyor.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

- b. Rated capacity of the crusher (tons per hour), total surface area of the top screen, and width of the conveyor belt, and the rated capacity of the storage bin (tons).
- c. The startup date of crusher and other appurtenances (screens, conveyors, and storage bins).

(b) The owner or operator shall notify the Health Department by telephone, e-mail, fax or written communication at least within five (5) days of the removal of the crusher from the facility.

(c) The owner or operator shall notify the Health 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 test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator pursuant to Rule 62-297.310(7)(a)9., F.A.C.

(d) he owner or operator shall submit the test report(s) to the Health Department, no later than 45 days after the last sampling run of each test is completed pursuant to Rules 62-297.310(8)(a) & (b), F.A.C. The details of the reports shall be in accordance with Rule 62-297.310(8)(c), F.A.C.

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

III.A.9 When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in 40 CFR 60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of 40 CFR 60.672, 60.674, and 60.675 except as provided for in paragraph (b) below.

- (1) An owner or operator complying with paragraph above shall submit the information required in the specific condition III.C.9.
- (2) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption and must comply with the provisions of 40 CFR 60.672, 60.674 and 60.675.
- (3) An affected facility that commences construction, modification, or reconstruction after August 31, 1983, is subject to the requirements of 40 CFR 60 Subpart OOO.

[40 CFR 60.670(d)]

III.A.10 Each owner or operator seeking to comply with the specific condition III.C.8 shall submit the following information about the existing facility being replaced and the replacement piece of equipment.

- (a) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:
 - i. The rated capacity in tons per hour of the existing facility being replaced and
 - ii. The rated capacity in tons per hour of the replacement equipment.
- (b) For a screening operation:
 - i. The total surface area of the top screen of the existing screening operation being replaced and
 - ii. The total surface area of the top screen of the replacement screening operation.
- (c) For a conveyor belt:
 - i. The width of the existing belt being replaced and
 - ii. The width of the replacement conveyor belt.
- (d) For a storage bin:
 - i. The rated capacity in tons of the existing storage bin being replaced and
 - ii. The rated capacity in tons of replacement storage bins.

[40 CFR 60.676(a)]

III.A.11 A notification of the actual date of initial startup of each affected facility shall be submitted to the Health Department.

- (a) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Health Department. The notification shall be postmarked within 15 days after such date, and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment if available.
- (b) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

[40 CFR 60.676(h)]

III.A.12 A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in 40 CFR 60.14(e) (*Modifications*). This notice shall be postmarked within 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

before and after the change, and the expected completion date of the change. The Health Department may request additional relevant information subsequent to this notice.

The following, by themselves, shall not be considered modifications under this part:

- (a) Maintenance, repair, and replacement, which the Health Department determines to be routine for a source category.
- (b) An increase in production rate of an existing facility, if that increase can be accomplished without a capital expenditure on that facility.
- (c) An increase in the hours of operation.
- (d) Use of an alternative fuel or raw material.
- (e) The addition or use of any system or device whose primary function is the reduction of air pollutants, except when an emission control system is removed or is replaced by a system, which the Health Department determines to be less environmentally beneficial.
- (f) The relocation or change in ownership of an existing facility.

[Rule 62-4.070(3), F.A.C. and 40 CFR 60.14(e)]

III.A.13 Owners or operators of affected facilities (as defined in 40 CFR 60.670 and 60.671) for which construction, modification, or reconstruction commenced on or after April 22, 2008, must record each periodic inspection required under 40 CFR 60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The owner or operator must keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Health Department upon request.

[40 CFR 60.676(b)(1)]

III.A.14 The owner or operator of any wet material processing operation that processes saturated and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. At the time of such change, this screening operation, bucket elevator, or belt conveyor becomes subject to the applicable opacity limit in 40 CFR 60.672(b) and the emission test requirements of 40 CFR 60.11.

[40 CFR 60.676(g)]

III.A.15 Operating Records The permittee shall maintain the following records for the RAP Crusher and Industrial Engine (generator) for at least three (3) years:

(a) Daily Records: The permittee shall maintain daily records on the following:

- a. Date of operation and operator’s name
- b. Total hours of operation.
- c. Total gallons of each fuel oil fired.

(b) Monthly Records: The permittee shall maintain daily on the following:

- a. Month of operation.
- b. Total hours of operation.
- c. Total gallons of each fuel oil fired.

[40 CFR 60.19(d) and Rule 62-297.310, F.A.C.]

III.A.16 The following table specifies the provisions of 40 CFR 60 Subpart A that do not apply to owners and operators of affected facilities subject to the 40 CFR 60 Subpart OOO or that apply with certain exceptions.

40 CFR 60 Subpart A reference	Applies to 40 CFR Subpart OOO	Explanation
60.4, Address	Yes	Except in 40 CFR 60.4(a) and (b) submittals need not be submitted to both the EPA Region and delegated State authority (40 CFR 60.676(k)).

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

60.7, Notification and recordkeeping	Yes	Except in (a) (1) notification of the date, construction or reconstruction commenced (40 CFR 60.676(h)). Also, except in (a)(6) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (40 CFR 60.675(g)).
60.8, Performance tests	Yes	Except in (d) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (40 CFR 60.675(g)).
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (40 CFR 60.675(c)), Method 9 (40 CFR part 60, Appendix A-4) observation is reduced from 3 hours to 30 minutes for fugitive emissions.
60.18, General control device	No	Flares will not be used to comply with the emission limits

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SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

APPENDIX	DESCRIPTION
A	General Permit Conditions
B	Terminology
C	Summary of testing requirements
D	NSPS Requirements (40 CFR 60 Subpart I)
E	Standards of Performance for Nonmetallic Mineral Processing Plants [40 CFR 60 Subpart OOO]

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APPENDIX A
GENERAL CONDITIONS [F.A.C. 62-4.160]

G.1 The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

G.2 This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings or exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

G.3 As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey 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 or any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

G.4 This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

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

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

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

- (a) Have access to and copy and records that must be kept under the conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

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

- (a) A description of and cause of non-compliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

**APPENDIX A
GENERAL CONDITIONS [F.A.C. 62-4.160]**

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

G.9 In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

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

G.11 This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

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

G.13 This permit also constitutes:

G.13 This permit also constitutes:

Standard	Applicable	Not applicable
Determination of Best Available Control Technology (BACT)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Determination of Prevention of Significant Deterioration (PSD)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Compliance with New Source Performance Standards (NSPS)	<input checked="" type="checkbox"/>	<input type="checkbox"/>

G.14 The permittee shall comply with the following:

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
 - The date, exact place, and time of sampling or measurements;
 - The person responsible for performing the sampling or measurements;
 - The dates analyses were performed;
 - The person responsible for performing the analyses;
 - The analytical techniques or methods used; and
 - The results of such analyses.

APPENDIX A
GENERAL CONDITIONS [F.A.C. 62-4.160]

G.15 When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

**APPENDIX B
TERMINOLOGY**

ABBREVIATIONS:

°F: Degrees Fahrenheit
CFR: Code of Federal Regulations
DARM: Division of Air Resource Management, Florida
Department of Environmental Protection
EPA: United States Environmental Protection Agency
F.A.C.: Florida Administrative Code
FDEP: Florida Department of Environmental Protection
F.S.: Florida Statutes
Health Unit: Palm Beach County Public Health Unit,
Division of Environmental Science and Engineering

LAT: Latitude
LONG: Longitude
NSPS: New Source Performance Standards
PBCPHU: Palm Beach County Public Health Unit,
Division of Environmental Science and Engineering
SOA: Palm Beach County Specific Operating
Agreement
UTM: Universal Transverse Measurements

CITATION FORMAT

The following examples illustrate the methods used in this permit to abbreviate and cite the references of rules, regulations, ID numbers, and permit numbers.

Florida Administrative Code (F.A.C.) Regulations:

Example: **[F.A.C. 62-4.070]**

Where: 62.....Title 62
62-4.Chapter 62-4
62-4.070.....Rule 62-4.070

Permit or Application File Numbers:

Example: 099-0095-001-AC
 099-0095-002-AO

Where: 099.....Number code identifying the facility is located and permitted by Palm Beach County
0095.....Facility Identification Number
AC.....Air Construction Permit
AO.....Air Operation Permit

Air Resource Management System (ARMS) Identification Number:

Example: ARMS ID No.: 099-0095

Where: 099.....Number code identifying the facility is located and permitted by Palm Beach County
0095.....Facility Identification Number

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APPENDIX C
SUMMARY OF TESTING REQUIREMENTS

62-297.310 General Test Requirements.

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

C.2 Operating Rate During Testing: Unless otherwise stated in the applicable emission limiting standard rule, testing of emissions shall be conducted with the emissions unit operating at permitted capacity as defined below. 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 62-297.301(2), F.A.C.]**

C.3 Permitted Capacity: Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. **[Rule 62-297.310(2)(b), F.A.C.]**

C.4 Calculation of Emission Rate: 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.]**

C.5 Required Sampling Time: 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. **[Rule 62-297.310(4)(a)1, F.A.C.]**

C.6 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. Exceptions to these requirements are as follows:

- (a) 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) The observation period for special opacity tests that are conducted to provide data to establish a surrogate standard pursuant to Rule 62-297.310(5)(k), F.A.C., Waiver of Compliance Test Requirements, shall be established as necessary to properly establish the relationship between a proposed surrogate standard and an existing mass emission limiting standard. **[Rule 62-297.310(4)(a)2, F.A.C.]**

C.7 Minimum Sample Volume: Unless otherwise specified in the applicable rule, the minimum sample volume per run shall be 25 dry standard cubic feet. **[Rule 62-297.310(4)(b), F.A.C.]**

C.8 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. **[Rule 62-297.310(4)(c), F.A.C.]**

C.9 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)(e), F.A.C.]**

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**APPENDIX C
SUMMARY OF TESTING REQUIREMENTS**

C.10 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. **[Rule 62-297.310(5)(a), F.A.C.]**

C.11 Calibration of Sampling Equipment: Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1. **[Rule 62-297.310(4)(d), F.A.C.]**

Table 62-297.310-1 Calibration Schedule			
Item	Minimum Calibration Frequency	Reference Instrument	Tolerance
Liquid in glass thermometer	Annually	ASTM Hg in glass ref. Thermometer or equivalent, or thermometric points	± 2%
Bimetallic thermometer	Quarterly	Calib. liq. in glass thermometer	5° F
Thermocouple	Annually	ASTM Hg in glass ref. thermometer, NBS calibrated reference and potentiometer	5° F
Barometer	Monthly	Hg barometer or NOAA station	± 1% scale
Pitot Tube	When required or when damaged	By construction or measurements in wind tunnel D greater than 16" and standard pitot tube	See EPA Method 2, Fig. 2-2 & 2-3
Probe Nozzles	Before each test or when nicked, dented, or corroded Max. deviation between readings	Micrometer	± 0.001" mean of at least three readings. Max deviation between readings, 0.004"
Dry Gas Meter and Orifice Meter	1. Full Scale: When received, When 5% change observed, Annually 2. One Point: Semiannually 3. Check after each test series	Spirometer or calibrated wet test or dry gas test meter Comparison check	2% 5%

C.12 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)(b), F.A.C.]**

C.13 Frequency of Compliance Tests: The following provisions apply only to those emissions units that are subject to an emissions limiting standard for which compliance testing is required.

(a) General Compliance Testing.

1. The owner or operator of a new or modified emissions unit that is subject to an emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining an operation permit for such emissions unit.

2. For excess emission limitations for particulate matter specified in Rule 62-210.700, F.A.C., a compliance test shall be conducted annually while the emissions unit is operating under soot blowing conditions in each federal fiscal year during which soot blowing is part of normal emissions unit operation, except that such test shall not be required in any federal fiscal year in which a fossil fuel steam generator does not burn liquid and/or solid fuel for more than 400 hours other than during startup.

3. The owner or operator of an emissions unit that is subject to any emission limiting standard shall conduct a compliance test that demonstrates compliance with the applicable emission limiting standard prior to obtaining a renewed operation permit. Emissions units that are required to conduct an annual compliance test may submit the most recent annual

DRAFT

APPENDIX C

SUMMARY OF TESTING REQUIREMENTS

compliance test to satisfy the requirements of this provision. In renewing an air operation permit pursuant to Rule 62-210.300(2)(a)3.b., c., or d., F.A.C., the Department shall not require submission of emission compliance test results for any emissions unit that, during the year prior to renewal:

- a. Did not operate; or
- b. In the case of a fuel burning emissions unit, burned liquid and/or solid fuel for a total of no more than 400 hours.
4. During each federal fiscal year (October 1 -- September 30), unless otherwise specified by rule, order, or permit, the owner or operator of each emissions unit shall have a formal compliance test conducted for:
 - a. Visible emissions, if there is an applicable standard;
 - b. Each of the following pollutants, if there is an applicable standard, and if the emissions unit emits or has the potential to emit: 5 tons per year or more of lead or lead compounds measured as elemental lead; 30 tons per year or more of acrylonitrile; or 100 tons per year or more of any other regulated air pollutant; and
 - c. Each NESHAP pollutant, if there is an applicable emission standard.
5. An annual compliance test for particulate matter emissions shall not be required for any fuel burning emissions unit that, in a federal fiscal year, does not burn liquid and/or solid fuel, other than during startup, for a total of more than 400 hours.
6. For fossil fuel steam generators on a semi-annual particulate matter emission compliance testing schedule, a compliance test shall not be required for any six-month period in which liquid and/or solid fuel is not burned for more than 200 hours other than during startup.
7. For emissions units electing to conduct particulate matter emission compliance testing quarterly pursuant to Rule 62-296.405(2)(a), F.A.C., a compliance test shall not be required for any quarter in which liquid and/or solid fuel is not burned for more than 100 hours other than during startup.
8. Any combustion turbine that does not operate for more than 400 hours per year shall conduct a visible emissions compliance test once per each five-year period, coinciding with the term of its air operation permit.
9. 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.
10. An annual compliance test conducted for visible emissions shall not be required for units exempted from air permitting pursuant to Rule 62-210.300(3), F.A.C.; units determined to be insignificant pursuant to Rule 62-213.300(2)(a)1., F.A.C., or Rule 62-213.430(6)(b), F.A.C.; or units permitted under the General Permit provisions in Rule 62-210.300(4)(a) or Rule 62-213.300, F.A.C., unless the general permit specifically requires such testing.

C.14 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 a special compliance test. The special compliance test shall be conducted within 15 days of operation of the E.U. outside the design criteria of the AQCS (air quality control system). The special compliance test shall be conducted to document compliance with the emission limitations and to establish a normal range of operation. **[Rule 62-297.310(7)(b), F.A.C.]**

C.15 Waiver of Compliance Test Requirements: If the owner or operator of an emissions unit that is subject to a compliance test requirement demonstrates to the Department, pursuant to the procedure established in Rule 62-297.620, F.A.C., that the compliance of the emissions unit with an applicable weight emission limiting standard can be adequately determined by means other than the designated test procedure, such as specifying a surrogate standard of no visible emissions for particulate matter sources equipped with a bag house or specifying a fuel analysis for sulfur dioxide emissions, the Department shall waive the compliance test requirements for such emissions units and order that the alternate means of determining compliance be used, provided, however, the provisions of Rule 62-297.310(7)(b), F.A.C., shall apply. **[Rule 62-297.310(7)(c), F.A.C.]**

C.16 Compliance Test Notification: The permittee shall notify the Compliance Authority fifteen (15) days prior to Emission Unit (E.U.) testing. **[Rule 62-297.310(7)(a)(9), F.A.C.]**

C.17 Compliance Test Submittal: Copies of the test report(s) shall be submitted to the Permitting Authority and the Compliance Authority within forty-five (45) days of completion of testing. **[Rule 62-297.310(8)(b), F.A.C.]**

DRAFT

APPENDIX C

SUMMARY OF TESTING REQUIREMENTS

C.18 Test Reports: 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: **[Rule 62-297.310(8)(c), F.A.C.]**

- (a) The type, location, and designation of the emissions unit tested.
- (b) The facility at which the emissions unit is located.
- (c) The owner or operator of the emissions unit.
- (d) 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.
- (e) 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.
- (f) 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.
- (g) 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.
- (h) The date, starting time, and duration of each sampling run.
- (i) 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.
- (j) The number of points sampled and configuration and location of the sampling plane.
- (k) 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.
- (l) The type, manufacturer, and configuration of the sampling equipment used.
- (m) Data related to the required calibration of the test equipment.
- (n) Data on the identification, processing, and weights of all filters used.
- (o) Data on the types and amounts of any chemical solutions used.
- (p) Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
- (q) The names of individuals, who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
- (r) All measured and calculated data required to be determined by each applicable test procedure for each run.
- (s) The detailed calculations for one run that relate the collected data to the calculated emission rate.
- (t) The applicable emission standard, the resulting maximum allowable emission rate for the emissions unit, plus the test results in the same form and unit of measure.
- (u) 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.

C.19 Recordkeeping: The permittee shall ensure that all records of monitoring information shall specify the date, place, and time of sampling or measurement and the operating conditions at the time of sampling or measurement, the date(s) analyses were performed, the company or entity that performed the analyses, the analytical techniques or methods used, and the results of such analyses. **[Rule 62-213.440(1)(b)2.a., F.A.C.]**

C.20 Record Retention: The permittee shall retain records of all monitoring data and support information for a period of at least 5 years from the date of the monitoring sample, measurement, report, or application. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by the permit. **[Rule 62-213.440(1)(b)2.b., F.A.C.]**

C.21 Alternate Sampling Procedure: The owner or operator of any emissions unit subject to the provisions of this chapter may request in writing a determination by the Secretary or his/her designee that any requirement of this chapter (except for any continuous monitoring requirements) relating to emissions test procedures, methodology, equipment, or test facilities shall not apply to such emissions unit and shall request approval of an alternate procedures or requirements. The request shall set forth the following information, at a minimum:

- (a) Specific emissions unit and permit number, if any, for which exception is requested.

DRAFT

APPENDIX C

SUMMARY OF TESTING REQUIREMENTS

- (b) The specific provision(s) of this chapter from which an exception is sought.
- (c) The basis for the exception, including but not limited to any hardship which would result from compliance with the provisions of this chapter.
- (d) The alternate procedure(s) or requirement(s) for which approval is sought and a demonstration that such alternate procedure(s) or requirement(s) shall be adequate to demonstrate compliance with applicable emission limiting standards contained in the rules of the Department or any permit issued pursuant to those rules.

The Secretary or his/her designee shall specify by order each alternate procedure or requirement approved for an individual emissions unit source in accordance with this section or shall issue an order denying the request for such approval. The Department's order shall be final agency action, reviewable in accordance with Section 120.57, Florida Statutes. **[Rule 62-297.620, F.A.C.]**

APPENDIX D
NSPS Requirements (40 CFR 60 Subpart I)

Subpart I—Standards of Performance for Hot Mix Asphalt Facilities

40 CFR 60.90 Applicability and designation of affected facility.

- (a) The affected facility to which the provisions of this subpart apply is each hot mix asphalt facility. For the purpose of this subpart, a hot mix asphalt facility is comprised only of any combination of the following: dryers; systems for screening, handling, storing, and weighing hot aggregate; systems for loading, transferring, and storing mineral filler, systems for mixing hot mix asphalt; and the loading, transfer, and storage systems associated with emission control systems.
- (b) Any facility under paragraph (a) of this section that commences construction or modification after June 11, 1973, is subject to the requirements of this subpart.

[42 FR 37936, July 25, 1977, as amended at 51 FR 12325, Apr. 10, 1986]

40 CFR 60.91 Definitions.

As used in this subpart, all terms not defined herein shall have the meaning given them in the Act and in subpart A of this part.

- (a) *Hot mix asphalt facility* means any facility, as described in 40 CFR 60.90, used to manufacture hot mix asphalt by heating and drying aggregate and mixing with asphalt cements.

[51 FR 12325, Apr. 10, 1986]

40 CFR 60.92 Standard for particulate matter.

- (a) On and after the date on which the performance test required to be conducted by 40 CFR 60.8 is completed, no owner or operator subject to the provisions of this subpart shall discharge or cause the discharge into the atmosphere from any affected facility any gases which:

- (1) Contain particulate matter in excess of 90 mg/dscm (0.04 gr/dscf).
- (2) Exhibit 20 percent opacity, or greater.

[39 FR 9314, Mar. 8, 1974, as amended at 40 FR 46259, Oct. 6, 1975]

40 CFR 60.93 Test methods and procedures.

- (a) In conducting the performance tests required in 40 CFR 60.8, the owner or operator shall use as reference methods and procedures the test methods in *Appendix A* of this part or other methods and procedures as specified in this section, except as provided in 40 CFR 60.8(b).
- (b) The owner or operator shall determine compliance with the particulate matter standards in 40 CFR 60.92 as follows:
 - (1) Method 5 shall be used to determine the particulate matter concentration. The sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (31.8 dscf).
 - (2) Method 9 and the procedures in 40 CFR 60.11 shall be used to determine opacity.

[54 FR 6667, Feb. 14, 1989]

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

Subpart OOO—Standards of Performance for Nonmetallic Mineral Processing Plants

Source: 74 FR 19309, Apr. 28, 2009, unless otherwise noted.

Applicability and designation of affected facility [40 CFR 60.670]

(a)(1) Except as provided in paragraphs (a)(2), (b), (c), and (d) of this section, the provisions of this subpart are applicable to the following affected facilities in fixed or portable nonmetallic mineral processing plants: each crusher, grinding mill, screening operation, bucket elevator, belt conveyor, bagging operation, storage bin, enclosed truck or railcar loading station. Also, crushers and grinding mills at hot mix asphalt facilities that reduce the size of nonmetallic minerals embedded in recycled asphalt pavement and subsequent affected facilities up to, but not including, the first storage silo or bin are subject to the provisions of this subpart.

(2) The provisions of this subpart do not apply to the following operations: All facilities located in underground mines; plants without crushers or grinding mills above ground; and wet material processing operations (as defined in §60.671).

(b) An affected facility that is subject to the provisions of subparts F or I of this part or that follows in the plant process any facility subject to the provisions of subparts F or I of this part is not subject to the provisions of this subpart.

(c) Facilities at the following plants are not subject to the provisions of this subpart:

(1) Fixed sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 23 megagrams per hour (25 tons per hour) or less;

(2) Portable sand and gravel plants and crushed stone plants with capacities, as defined in §60.671, of 136 megagrams per hour (150 tons per hour) or less; and

(3) Common clay plants and pumice plants with capacities, as defined in §60.671, of 9 megagrams per hour (10 tons per hour) or less.

(d)(1) When an existing facility is replaced by a piece of equipment of equal or smaller size, as defined in §60.671, having the same function as the existing facility, and there is no increase in the amount of emissions, the new facility is exempt from the provisions of §§60.672, 60.674, and 60.675 except as provided for in paragraph (d)(3) of this section.

(2) An owner or operator complying with paragraph (d)(1) of this section shall submit the information required in §60.676(a).

(3) An owner or operator replacing all existing facilities in a production line with new facilities does not qualify for the exemption described in paragraph (d)(1) of this section and must comply with the provisions of §§60.672, 60.674 and 60.675.

(e) An affected facility under paragraph (a) of this section that commences construction, modification, or reconstruction after August 31, 1983, is subject to the requirements of this part.

(f) Table 1 of this subpart specifies the provisions of subpart A of this part 60 that do not apply to owners and operators of affected facilities subject to this subpart or that apply with certain exceptions.

Definitions [40 CFR 60.671]

All terms used in this subpart, but not specifically defined in this section, shall have the meaning given them in the Act and in subpart A of this part.

Bagging operation means the mechanical process by which bags are filled with nonmetallic minerals.

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

Belt conveyor means a conveying device that transports material from one location to another by means of an endless belt that is carried on a series of idlers and routed around a pulley at each end.

Bucket elevator means a conveying device of nonmetallic minerals consisting of a head and foot assembly which supports and drives an endless single or double strand chain or belt to which buckets are attached.

Building means any frame structure with a roof.

Capacity means the cumulative rated capacity of all initial crushers that are part of the plant.

Capture system means the equipment (including enclosures, hoods, ducts, fans, dampers, etc.) used to capture and transport particulate matter generated by one or more affected facilities to a control device.

Control device means the air pollution control equipment used to reduce particulate matter emissions released to the atmosphere from one or more affected facilities at a nonmetallic mineral processing plant.

Conveying system means a device for transporting materials from one piece of equipment or location to another location within a plant. Conveying systems include but are not limited to the following: Feeders, belt conveyors, bucket elevators and pneumatic systems.

Crush or Crushing means to reduce the size of nonmetallic mineral material by means of physical impaction of the crusher or grinding mill upon the material.

Crusher means a machine used to crush any nonmetallic minerals, and includes, but is not limited to, the following types: Jaw, gyratory, cone, roll, rod mill, hammermill, and impactor.

Enclosed truck or railcar loading station means that portion of a nonmetallic mineral processing plant where nonmetallic minerals are loaded by an enclosed conveying system into enclosed trucks or railcars.

Fixed plant means any nonmetallic mineral processing plant at which the processing equipment specified in §60.670(a) is attached by a cable, chain, turnbuckle, bolt or other means (except electrical connections) to any anchor, slab, or structure including bedrock.

Fugitive emission means particulate matter that is not collected by a capture system and is released to the atmosphere at the point of generation.

Grinding mill means a machine used for the wet or dry fine crushing of any nonmetallic mineral. Grinding mills include, but are not limited to, the following types: Hammer, roller, rod, pebble and ball, and fluid energy. The grinding mill includes the air conveying system, air separator, or air classifier, where such systems are used.

Initial crusher means any crusher into which nonmetallic minerals can be fed without prior crushing in the plant.

Nonmetallic mineral means any of the following minerals or any mixture of which the majority is any of the following minerals:

- (1) Crushed and Broken Stone, including Limestone, Dolomite, Granite, Traprock, Sandstone, Quartz, Quartzite, Marl, Marble, Slate, Shale, Oil Shale, and Shell.
- (2) Sand and Gravel.
- (3) Clay including Kaolin, Fireclay, Bentonite, Fuller's Earth, Ball Clay, and Common Clay.
- (4) Rock Salt.
- (5) Gypsum (natural or synthetic).
- (6) Sodium Compounds, including Sodium Carbonate, Sodium Chloride, and Sodium Sulfate.
- (7) Pumice.
- (8) Gilsonite.
- (9) Talc and Pyrophyllite.

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

- (10) Boron, including Borax, Kernite, and Colemanite.
- (11) Barite.
- (12) Fluorospar.
- (13) Feldspar.
- (14) Diatomite.
- (15) Perlite.
- (16) Vermiculite.
- (17) Mica.
- (18) Kyanite, including Andalusite, Sillimanite, Topaz, and Dumortierite.

Nonmetallic mineral processing plant means any combination of equipment that is used to crush or grind any nonmetallic mineral wherever located, including lime plants, power plants, steel mills, asphalt concrete plants, portland cement plants, or any other facility processing nonmetallic minerals except as provided in §60.670 (b) and (c).

Portable plant means any nonmetallic mineral processing plant that is mounted on any chassis or skids and may be moved by the application of a lifting or pulling force. In addition, there shall be no cable, chain, turnbuckle, bolt or other means (except electrical connections) by which any piece of equipment is attached or clamped to any anchor, slab, or structure, including bedrock that must be removed prior to the application of a lifting or pulling force for the purpose of transporting the unit.

Production line means all affected facilities (crushers, grinding mills, screening operations, bucket elevators, belt conveyors, bagging operations, storage bins, and enclosed truck and railcar loading stations) which are directly connected or are connected together by a conveying system.

Saturated material means, for purposes of this subpart, mineral material with sufficient surface moisture such that particulate matter emissions are not generated from processing of the material through screening operations, bucket elevators and belt conveyors. Material that is wetted solely by wet suppression systems is not considered to be "saturated" for purposes of this definition.

Screening operation means a device for separating material according to size by passing undersize material through one or more mesh surfaces (screens) in series, and retaining oversize material on the mesh surfaces (screens). Grizzly feeders associated with truck dumping and static (non-moving) grizzlies used anywhere in the nonmetallic mineral processing plant are not considered to be screening operations.

Seasonal shut down means shut down of an affected facility for a period of at least 45 consecutive days due to weather or seasonal market conditions.

Size means the rated capacity in tons per hour of a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station; the total surface area of the top screen of a screening operation; the width of a conveyor belt; and the rated capacity in tons of a storage bin.

Stack emission means the particulate matter that is released to the atmosphere from a capture system.

Storage bin means a facility for storage (including surge bins) of nonmetallic minerals prior to further processing or loading.

Transfer point means a point in a conveying operation where the nonmetallic mineral is transferred to or from a belt conveyor except where the nonmetallic mineral is being transferred to a stockpile.

Truck dumping means the unloading of nonmetallic minerals from movable vehicles designed to transport nonmetallic minerals from one location to another. Movable vehicles include but are not limited to: Trucks, front end loaders, skip hoists, and railcars.

Vent means an opening through which there is mechanically induced air flow for the purpose of exhausting from a building air carrying particulate matter emissions from one or more affected facilities.

Wet material processing operation(s) means any of the following:

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

(1) Wet screening operations (as defined in this section) and subsequent screening operations, bucket elevators and belt conveyors in the production line that process saturated materials (as defined in this section) up to the first crusher, grinding mill or storage bin in the production line; or

(2) Screening operations, bucket elevators and belt conveyors in the production line downstream of wet mining operations (as defined in this section) that process saturated materials (as defined in this section) up to the first crusher, grinding mill or storage bin in the production line.

Wet mining operation means a mining or dredging operation designed and operated to extract any nonmetallic mineral regulated under this subpart from deposits existing at or below the water table, where the nonmetallic mineral is saturated with water.

Wet screening operation means a screening operation at a nonmetallic mineral processing plant which removes unwanted material or which separates marketable fines from the product by a washing process which is designed and operated at all times such that the product is saturated with water.

Standard for particulate matter (PM) [40 CFR 60.672]

(a) Affected facilities must meet the stack emission limits and compliance requirements in Table 2 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.8. The requirements in Table 2 of this subpart apply for affected facilities with capture systems used to capture and transport particulate matter to a control device.

(b) Affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup as required under §60.11. The requirements in Table 3 of this subpart apply for fugitive emissions from affected facilities without capture systems and for fugitive emissions escaping capture systems.

(c) [Reserved]

(d) Truck dumping of nonmetallic minerals into any screening operation, feed hopper, or crusher is exempt from the requirements of this section.

(e) If any transfer point on a conveyor belt or any other affected facility is enclosed in a building, then each enclosed affected facility must comply with the emission limits in paragraphs (a) and (b) of this section, or the building enclosing the affected facility or facilities must comply with the following emission limits:

(1) Fugitive emissions from the building openings (except for vents as defined in §60.671) must not exceed 7 percent opacity; and

(2) Vents (as defined in §60.671) in the building must meet the applicable stack emission limits and compliance requirements in Table 2 of this subpart.

(f) Any baghouse that controls emissions from only an individual, enclosed storage bin is exempt from the applicable stack PM concentration limit (and associated performance testing) in Table 2 of this subpart but must meet the applicable stack opacity limit and compliance requirements in Table 2 of this subpart. This exemption from the stack PM concentration limit does not apply for multiple storage bins with combined stack emissions.

Reconstruction [40 CFR 60.673]

(a) The cost of replacement of ore-contact surfaces on processing equipment shall not be considered in calculating either the "fixed capital cost of the new components" or the "fixed capital cost that would be required to construct a comparable new

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

facility” under §60.15. Ore-contact surfaces are crushing surfaces; screen meshes, bars, and plates; conveyor belts; and elevator buckets.

(b) Under §60.15, the “fixed capital cost of the new components” includes the fixed capital cost of all depreciable components (except components specified in paragraph (a) of this section) which are or will be replaced pursuant to all continuous programs of component replacement commenced within any 2-year period following August 31, 1983.

Monitoring of operations [40 CFR 60.674]

(a) The owner or operator of any affected facility subject to the provisions of this subpart which uses a wet scrubber to control emissions shall install, calibrate, maintain and operate the following monitoring devices:

(1) A device for the continuous measurement of the pressure loss of the gas stream through the scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 250 pascals ± 1 inch water gauge pressure and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(2) A device for the continuous measurement of the scrubbing liquid flow rate to the wet scrubber. The monitoring device must be certified by the manufacturer to be accurate within ± 5 percent of design scrubbing liquid flow rate and must be calibrated on an annual basis in accordance with manufacturer's instructions.

(b) The owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses wet suppression to control emissions from the affected facility must perform monthly periodic inspections to check that water is flowing to discharge spray nozzles in the wet suppression system. The owner or operator must initiate corrective action within 24 hours and complete corrective action as expediently as practical if the owner or operator finds that water is not flowing properly during an inspection of the water spray nozzles. The owner or operator must record each inspection of the water spray nozzles, including the date of each inspection and any corrective actions taken, in the logbook required under §60.676(b).

(1) If an affected facility relies on water carryover from upstream water sprays to control fugitive emissions, then that affected facility is exempt from the 5-year repeat testing requirement specified in Table 3 of this subpart provided that the affected facility meets the criteria in paragraphs (b)(1)(i) and (ii) of this section:

(i) The owner or operator of the affected facility conducts periodic inspections of the upstream water spray(s) that are responsible for controlling fugitive emissions from the affected facility. These inspections are conducted according to paragraph (b) of this section and §60.676(b), and

(ii) The owner or operator of the affected facility designates which upstream water spray(s) will be periodically inspected at the time of the initial performance test required under §60.11 of this part and §60.675 of this subpart.

(2) If an affected facility that routinely uses wet suppression water sprays ceases operation of the water sprays or is using a control mechanism to reduce fugitive emissions other than water sprays during the monthly inspection (for example, water from recent rainfall), the logbook entry required under §60.676(b) must specify the control mechanism being used instead of the water sprays.

(c) Except as specified in paragraph (d) or (e) of this section, the owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses a baghouse to control emissions must conduct quarterly 30-minute visible emissions inspections using EPA Method 22 (40 CFR part 60, Appendix A-7). The Method 22 (40 CFR part 60, Appendix A-7) test shall be conducted while the baghouse is operating. The test is successful if no visible emissions are observed. If any visible emissions are observed, the owner or operator of the affected facility must initiate corrective action within 24 hours to return the baghouse to normal operation. The owner or operator must record each Method 22 (40 CFR part 60, Appendix A-7) test, including the date and any corrective actions taken, in the logbook required under §60.676(b). The owner or operator of the affected facility may establish a different baghouse-specific success level for the visible emissions test (other than no visible emissions) by conducting a PM performance test according to §60.675(b) simultaneously

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

with a Method 22 (40 CFR part 60, Appendix A-7) to determine what constitutes normal visible emissions from that affected facility's baghouse when it is in compliance with the applicable PM concentration limit in Table 2 of this subpart. The revised visible emissions success level must be incorporated into the permit for the affected facility.

(d) As an alternative to the periodic Method 22 (40 CFR part 60, Appendix A-7) visible emissions inspections specified in paragraph (c) of this section, the owner or operator of any affected facility for which construction, modification, or reconstruction commenced on or after April 22, 2008, that uses a baghouse to control emissions may use a bag leak detection system. The owner or operator must install, operate, and maintain the bag leak detection system according to paragraphs (d)(1) through (3) of this section.

(1) Each bag leak detection system must meet the specifications and requirements in paragraphs (d)(1)(i) through (viii) of this section.

(i) The bag leak detection system must be certified by the manufacturer to be capable of detecting PM emissions at concentrations of 1 milligram per dry standard cubic meter (0.00044 grains per actual cubic foot) or less.

(ii) The bag leak detection system sensor must provide output of relative PM loadings. The owner or operator shall continuously record the output from the bag leak detection system using electronic or other means (*e.g.* , using a strip chart recorder or a data logger).

(iii) The bag leak detection system must be equipped with an alarm system that will sound when the system detects an increase in relative particulate loading over the alarm set point established according to paragraph (d)(1)(iv) of this section, and the alarm must be located such that it can be heard by the appropriate plant personnel.

(iv) In the initial adjustment of the bag leak detection system, the owner or operator must establish, at a minimum, the baseline output by adjusting the sensitivity (range) and the averaging period of the device, the alarm set points, and the alarm delay time.

(v) Following initial adjustment, the owner or operator shall not adjust the averaging period, alarm set point, or alarm delay time without approval from the Administrator or delegated authority except as provided in paragraph (d)(1)(vi) of this section.

(vi) Once per quarter, the owner or operator may adjust the sensitivity of the bag leak detection system to account for seasonal effects, including temperature and humidity, according to the procedures identified in the site-specific monitoring plan required by paragraph (d)(2) of this section.

(vii) The owner or operator must install the bag leak detection sensor downstream of the fabric filter.

(viii) Where multiple detectors are required, the system's instrumentation and alarm may be shared among detectors.

(2) The owner or operator of the affected facility must develop and submit to the Administrator or delegated authority for approval of a site-specific monitoring plan for each bag leak detection system. The owner or operator must operate and maintain the bag leak detection system according to the site-specific monitoring plan at all times. Each monitoring plan must describe the items in paragraphs (d)(2)(i) through (v) of this section.

(i) Installation of the bag leak detection system;

(ii) Initial and periodic adjustment of the bag leak detection system, including how the alarm set-point will be established;

(iii) Operation of the bag leak detection system, including quality assurance procedures;

(iv) How the bag leak detection system will be maintained, including a routine maintenance schedule and spare parts inventory list;

(v) How the bag leak detection system output will be recorded and stored; and

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

(vi) Corrective action procedures as specified in paragraph (d)(3) of this section. In approving the site-specific monitoring plan, the Administrator or delegated authority may allow owners and operators more than 3 hours to alleviate a specific condition that causes an alarm if the owner or operator identifies in the monitoring plan this specific condition as one that could lead to an alarm, adequately explains why it is not feasible to alleviate this condition within 3 hours of the time the alarm occurs, and demonstrates that the requested time will ensure alleviation of this condition as expeditiously as practicable.

(3) For each bag leak detection system, the owner or operator must initiate procedures to determine the cause of every alarm within 1 hour of the alarm. Except as provided in paragraph (d)(2)(vi) of this section, the owner or operator must alleviate the cause of the alarm within 3 hours of the alarm by taking whatever corrective action(s) are necessary. Corrective actions may include, but are not limited to the following:

(i) Inspecting the fabric filter for air leaks, torn or broken bags or filter media, or any other condition that may cause an increase in PM emissions;

(ii) Sealing off defective bags or filter media;

(iii) Replacing defective bags or filter media or otherwise repairing the control device;

(iv) Sealing off a defective fabric filter compartment;

(v) Cleaning the bag leak detection system probe or otherwise repairing the bag leak detection system; or

(vi) Shutting down the process producing the PM emissions.

(e) As an alternative to the periodic Method 22 (40 CFR part 60, Appendix A-7) visible emissions inspections specified in paragraph (c) of this section, the owner or operator of any affected facility that is subject to the requirements for processed stone handling operations in the Lime Manufacturing NESHAP (40 CFR part 63, subpart AAAAA) may follow the continuous compliance requirements in row 1 items (i) through (iii) of Table 6 to Subpart AAAAA of 40 CFR part 63.

Test methods and procedures [40 CFR 60.675]

(a) In conducting the performance tests required in §60.8, the owner or operator shall use as reference methods and procedures the test methods in appendices A-1 through A-7 of this part or other methods and procedures as specified in this section, except as provided in §60.8(b). Acceptable alternative methods and procedures are given in paragraph (e) of this section.

(b) The owner or operator shall determine compliance with the PM standards in §60.672(a) as follows:

(1) Except as specified in paragraphs (e)(3) and (4) of this section, Method 5 of Appendix A-3 of this part or Method 17 of Appendix A-6 of this part shall be used to determine the particulate matter concentration. The sample volume shall be at least 1.70 dscm (60 dscf). For Method 5 (40 CFR part 60, Appendix A-3), if the gas stream being sampled is at ambient temperature, the sampling probe and filter may be operated without heaters. If the gas stream is above ambient temperature, the sampling probe and filter may be operated at a temperature high enough, but no higher than 121 °C (250 °F), to prevent water condensation on the filter.

(2) Method 9 of Appendix A-4 of this part and the procedures in §60.11 shall be used to determine opacity.

(c)(1) In determining compliance with the particulate matter standards in §60.672(b) or §60.672(e)(1), the owner or operator shall use Method 9 of Appendix A-4 of this part and the procedures in §60.11, with the following additions:

(i) The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

(ii) The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9 of Appendix A-4 of this part, Section 2.1) must be followed.

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

(iii) For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

(2)(i) In determining compliance with the opacity of stack emissions from any baghouse that controls emissions only from an individual enclosed storage bin under §60.672(f) of this subpart, using Method 9 (40 CFR part 60, Appendix A-4), the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations shall be 1 hour (ten 6-minute averages).

(ii) The duration of the Method 9 (40 CFR part 60, Appendix A-4) observations may be reduced to the duration the affected facility operates (but not less than 30 minutes) for baghouses that control storage bins or enclosed truck or railcar loading stations that operate for less than 1 hour at a time.

(3) When determining compliance with the fugitive emissions standard for any affected facility described under §60.672(b) or §60.672(e)(1) of this subpart, the duration of the Method 9 (40 CFR part 60, Appendix A-4) observations must be 30 minutes (five 6-minute averages). Compliance with the applicable fugitive emission limits in Table 3 of this subpart must be based on the average of the five 6-minute averages.

(d) To demonstrate compliance with the fugitive emission limits for buildings specified in §60.672(e)(1), the owner or operator must complete the testing specified in paragraph (d)(1) and (2) of this section. Performance tests must be conducted while all affected facilities inside the building are operating.

(1) If the building encloses any affected facility that commences construction, modification, or reconstruction on or after April 22, 2008, the owner or operator of the affected facility must conduct an initial Method 9 (40 CFR part 60, Appendix A-4) performance test according to this section and §60.11.

(2) If the building encloses only affected facilities that commenced construction, modification, or reconstruction before April 22, 2008, and the owner or operator has previously conducted an initial Method 22 (40 CFR part 60, Appendix A-7) performance test showing zero visible emissions, then the owner or operator has demonstrated compliance with the opacity limit in §60.672(e)(1). If the owner or operator has not conducted an initial performance test for the building before April 22, 2008, then the owner or operator must conduct an initial Method 9 (40 CFR part 60, Appendix A-4) performance test according to this section and §60.11 to show compliance with the opacity limit in §60.672(e)(1).

(e) The owner or operator may use the following as alternatives to the reference methods and procedures specified in this section:

(1) For the method and procedure of paragraph (c) of this section, if emissions from two or more facilities continuously interfere so that the opacity of fugitive emissions from an individual affected facility cannot be read, either of the following procedures may be used:

(i) Use for the combined emission stream the highest fugitive opacity standard applicable to any of the individual affected facilities contributing to the emissions stream.

(ii) Separate the emissions so that the opacity of emissions from each affected facility can be read.

(2) A single visible emission observer may conduct visible emission observations for up to three fugitive, stack, or vent emission points within a 15-second interval if the following conditions are met:

(i) No more than three emission points may be read concurrently.

(ii) All three emission points must be within a 70 degree viewing sector or angle in front of the observer such that the proper sun position can be maintained for all three points.

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

iii) If an opacity reading for any one of the three emission points equals or exceeds the applicable standard, then the observer must stop taking readings for the other two points and continue reading just that single point.

(3) Method 5I of Appendix A-3 of this part may be used to determine the PM concentration as an alternative to the methods specified in paragraph (b)(1) of this section. Method 5I (40 CFR part 60, Appendix A-3) may be useful for affected facilities that operate for less than 1 hour at a time such as (but not limited to) storage bins or enclosed truck or railcar loading stations.

(4) In some cases, velocities of exhaust gases from building vents may be too low to measure accurately with the type S pitot tube specified in EPA Method 2 of Appendix A-1 of this part [*i.e.*, velocity head <1.3 mm H₂O (0.05 in. H₂O)] and referred to in EPA Method 5 of Appendix A-3 of this part. For these conditions, the owner or operator may determine the average gas flow rate produced by the power fans (*e.g.*, from vendor-supplied fan curves) to the building vent. The owner or operator may calculate the average gas velocity at the building vent measurement site using Equation 1 of this section and use this average velocity in determining and maintaining isokinetic sampling rates.

$$(1) \quad v_e = \frac{Q_f}{A_e} \quad (\text{Eq. 1})$$

Where:

V_e = average building vent velocity (feet per minute);

Q_f = average fan flow rate (cubic feet per minute); and

A_e = area of building vent and measurement location (square feet).

(f) To comply with §60.676(d), the owner or operator shall record the measurements as required in §60.676(c) using the monitoring devices in §60.674 (a)(1) and (2) during each particulate matter run and shall determine the averages.

(g) For performance tests involving only Method 9 (40 CFR part 60 Appendix A-4) testing, the owner or operator may reduce the 30-day advance notification of performance test in §60.7(a)(6) and 60.8(d) to a 7-day advance notification.

(h) [Reserved]

(i) If the initial performance test date for an affected facility falls during a seasonal shut down (as defined in §60.671 of this subpart) of the affected facility, then with approval from the permitting authority, the owner or operator may postpone the initial performance test until no later than 60 calendar days after resuming operation of the affected facility.

Reporting and recordkeeping [40 CFR 60.676]

(a) Each owner or operator seeking to comply with §60.670(d) shall submit to the Administrator the following information about the existing facility being replaced and the replacement piece of equipment.

(1) For a crusher, grinding mill, bucket elevator, bagging operation, or enclosed truck or railcar loading station:

(i) The rated capacity in megagrams or tons per hour of the existing facility being replaced and

(ii) The rated capacity in tons per hour of the replacement equipment.

(2) For a screening operation:

(i) The total surface area of the top screen of the existing screening operation being replaced and

(ii) The total surface area of the top screen of the replacement screening operation.

(3) For a conveyor belt:

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

- (i) The width of the existing belt being replaced and
- (ii) The width of the replacement conveyor belt.
- (4) For a storage bin:
 - (i) The rated capacity in megagrams or tons of the existing storage bin being replaced and
 - (ii) The rated capacity in megagrams or tons of replacement storage bins.
- (b)(1) Owners or operators of affected facilities (as defined in §§60.670 and 60.671) for which construction, modification, or reconstruction commenced on or after April 22, 2008, must record each periodic inspection required under §60.674(b) or (c), including dates and any corrective actions taken, in a logbook (in written or electronic format). The owner or operator must keep the logbook onsite and make hard or electronic copies (whichever is requested) of the logbook available to the Administrator upon request.
- (2) For each bag leak detection system installed and operated according to §60.674(d), the owner or operator must keep the records specified in paragraphs (b)(2)(i) through (iii) of this section.
 - (i) Records of the bag leak detection system output;
 - (ii) Records of bag leak detection system adjustments, including the date and time of the adjustment, the initial bag leak detection system settings, and the final bag leak detection system settings; and
 - (iii) The date and time of all bag leak detection system alarms, the time that procedures to determine the cause of the alarm were initiated, the cause of the alarm, an explanation of the actions taken, the date and time the cause of the alarm was alleviated, and whether the cause of the alarm was alleviated within 3 hours of the alarm.
- (3) The owner or operator of each affected facility demonstrating compliance according to §60.674(e) by following the requirements for processed stone handling operations in the Lime Manufacturing NESHAP (40 CFR part 63, subpart AAAAA) must maintain records of visible emissions observations required by §63.7132(a)(3) and (b) of 40 CFR part 63, subpart AAAAA.
- (c) During the initial performance test of a wet scrubber, and daily thereafter, the owner or operator shall record the measurements of both the change in pressure of the gas stream across the scrubber and the scrubbing liquid flow rate.
- (d) After the initial performance test of a wet scrubber, the owner or operator shall submit semiannual reports to the Administrator of occurrences when the measurements of the scrubber pressure loss and liquid flow rate decrease by more than 30 percent from the average determined during the most recent performance test.
- (e) The reports required under paragraph (d) of this section shall be postmarked within 30 days following end of the second and fourth calendar quarters.
- (f) The owner or operator of any affected facility shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in §60.672 of this subpart, including reports of opacity observations made using Method 9 (40 CFR part 60, Appendix A-4) to demonstrate compliance with §60.672(b), (e) and (f).
- (g) The owner or operator of any wet material processing operation that processes saturated and subsequently processes unsaturated materials, shall submit a report of this change within 30 days following such change. At the time of such change, this screening operation, bucket elevator, or belt conveyor becomes subject to the applicable opacity limit in §60.672(b) and the emission test requirements of §60.11.
- (h) The subpart A requirement under §60.7(a)(1) for notification of the date construction or reconstruction commenced is waived for affected facilities under this subpart.

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

(i) A notification of the actual date of initial startup of each affected facility shall be submitted to the Administrator.

(1) For a combination of affected facilities in a production line that begin actual initial startup on the same day, a single notification of startup may be submitted by the owner or operator to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

(2) For portable aggregate processing plants, the notification of the actual date of initial startup shall include both the home office and the current address or location of the portable plant.

(j) The requirements of this section remain in force until and unless the Agency, in delegating enforcement authority to a State under section 111(c) of the Act, approves reporting requirements or an alternative means of compliance surveillance adopted by such States. In that event, affected facilities within the State will be relieved of the obligation to comply with the reporting requirements of this section, provided that they comply with requirements established by the State.

(k) Notifications and reports required under this subpart and under subpart A of this part to demonstrate compliance with this subpart need only to be sent to the EPA Region or the State which has been delegated authority according to §60.4(b).

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

Table 1 to Subpart OOO—Exceptions to Applicability of Subpart A to Subpart OOO

Table 1 to Subpart OOO—Exceptions to Applicability of Subpart A to Subpart OOO

Subpart A reference	Applies to subpart OOO	Explanation
60.4, Address	Yes	Except in §60.4(a) and (b) submittals need not be submitted to both the EPA Region and delegated State authority (§60.676(k)).
60.7, Notification and recordkeeping	Yes	Except in (a)(1) notification of the date construction or reconstruction commenced (§60.676(h)).
		Also, except in (a)(6) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (§60.675(g)).
60.8, Performance tests	Yes	Except in (d) performance tests involving only Method 9 (40 CFR part 60, Appendix A-4) require a 7-day advance notification instead of 30 days (§60.675(g)).
60.11, Compliance with standards and maintenance requirements	Yes	Except in (b) under certain conditions (§§60.675(c)), Method 9 (40 CFR part 60, Appendix A-4) observation is reduced from 3 hours to 30 minutes for fugitive emissions.
60.18, General control device	No	Flares will not be used to comply with the emission limits.

(1)

(2)

PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]

Table 2 to Subpart OOO—Stack Emission Limits for Affected Facilities with Capture Systems

Table 2 to Subpart OOO—Stack Emission Limits for Affected Facilities with Capture Systems

For	The owner or operator must meet a PM limit of	And the owner or operator must meet an opacity limit of	The owner or operator must demonstrate compliance with these limits by conducting
Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	0.05 g/dscm (0.022 gr/dscf) ^a	7 percent for dry control devices ^b	An initial performance test according to §60.8 of this part and §60.675 of this subpart; and Monitoring of wet scrubber parameters according to §60.674(a) and §60.676(c), (d), and (e).
Affected facilities (as defined in §§60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008	0.032 g/dscm (0.014 gr/dscf) ^a	Not applicable (except for individual enclosed storage bins) 7 percent for dry control devices on individual enclosed storage bins	An initial performance test according to §60.8 of this part and §60.675 of this subpart; and Monitoring of wet scrubber parameters according to §60.674(a) and §60.676(c), (d), and (e); and
			Monitoring of baghouses according to §60.674(c), (d), or (e) and §60.676(b).

^aExceptions to the PM limit apply for individual enclosed storage bins and other equipment. See §60.672(d) through (f).

^bThe stack opacity limit and associated opacity testing requirements do not apply for affected facilities using wet scrubbers.

**PART IV. APPENDIX E
Standards of Performance for Nonmetallic Mineral Processing Plants
[40 CFR 60 Subpart OOO]**

Table 3 to Subpart OOO—Fugitive Emission Limits

Table 3 to Subpart OOO—Fugitive Emission Limits

For	The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in §§60.670 and 60.671)	The owner or operator must meet the following fugitive emissions limit for crushers at which a capture system is not used	The owner or operator must demonstrate compliance with these limits by conducting
Affected facilities (as defined in §§60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008	10 percent opacity	15 percent opacity	An initial performance test according to §60.11 of this part and §60.675 of this subpart.
Affected facilities (as defined in §§60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008	7 percent opacity	12 percent opacity	An initial performance test according to §60.11 of this part and §60.675 of this subpart; and Periodic inspections of water sprays according to §60.674(b) and §60.676(b); and
			A repeat performance test according to §60.11 of this part and §60.675 of this subpart within 5 years from the previous performance test for fugitive emissions from affected facilities without water sprays. Affected facilities controlled by water carryover from upstream water sprays that are inspected according to the requirements in §60.674(b) and §60.676(b) are exempt from this 5-year repeat testing requirement.

**TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION**

Draft Permit No. 0990328-007-AC

Hardrives Asphalt Company
Delray Beach Asphalt Plant
2101 South Congress Avenue
Delray Beach, Florida 33445

Palm Beach County, Florida

Permitting & Compliance Authority:

Palm Beach County Health Department
Division of Environmental Public Health
Air & Waste Section
P.O. Box 29 (800 Clematis Street)
West Palm Beach, FL 33402-0029

Air Permit Engineer: Paul Kalamaras

February 18, 2013

1.0 APPLICATION INFORMATION

1.1 Applicant Name and Address

George T. Elmore, President
Hardrives Asphalt Company
2101 South Congress Avenue
Delray Beach, Florida 33445

2.0 FACILITY INFORMATION

2.1 Facility Location

2101 South Congress Avenue
Delray Beach, FL 33445

UTM: Zone 17; 590.56 km E; 2923.76 km N
Lat/Long: 26° 25' 52.34" N; Longitude 80° 05' 30.35" W

2.2 Standard Industrial Classification Code (SIC #2951)

Major Group Number	29	<i>Petroleum Refining and Related Industries</i>
Group Number	295	<i>Asphalt Paving and Roofing Materials</i>
Industry Number	2951	<i>Asphalt Paving Mixtures and Blocks</i>

2.3 Facility Category

Based on the specific conditions in the draft permit and the physical restrictions of the equipment, this facility is classified as a synthetic, non-Title V, source of air pollution.

3.0 PROJECT DESCRIPTION

The purpose of this project is to add the following emission unit.

EMISSIONS UNIT NO.	EMISSIONS UNIT DESCRIPTION
004	350 TPH – 385 hp Engine, Portable Recycled Asphalt Product (RAP) Crusher and Screening Operation Fugitive particulate matter is emitted from crushing, screening, stockpiles, and the transfer points of belt conveyors, crushers, grinding mills, screening operations, bucket elevators, storage bins, and loading stations. The affected transfer points are subject to 40 CFR 60, Subpart OOO adopted and incorporated by reference in Rule 62-204.800(7)(b). The engine is subject to 40 CFR 63, Subpart ZZZZ.

On January 24, 2013, Hardrives Asphalt Company, applied to the Palm Beach County Health Department for an Air Construction Permit to add a 350 ton per hour Recycled Asphalt Product (RAP) Crusher and 385 hp engine. This crusher is currently permitted under Permit No. 0990328-001-AG. The startup date of this crusher was September 19, 2011.

4.0 RULE APPLICABILITY

The proposed project is subject to preconstruction review under the applicable provisions of Chapter 403, Florida Statutes, and Chapters 62-209 through 62-297 of the Florida Administrative Code (F.A.C.). This facility

is located in Palm Beach County; an area designated as "maintenance" for the pollutant ozone and attainment for all other criteria pollutants in accordance with the chapter 62-204 F.A.C. The proposed project is exempt from review under Rule 62-212.400 F.A.C., Prevention of Significant Deterioration (PSD), because this source is considered a minor facility for the purpose of PSD regulations (potential to emit less than 250 tons per year of pollutant). The proposed facility shall comply with all applicable provisions of the Florida Administrative Code and, specifically, the following chapters and rules:

Chapter 62-4, F.A.C	-	Permits.
Rule 62-4.160, F.A.C.	-	General Permit Conditions
Chapter 62-204, F.A.C.	-	Air Pollution Control - General Provisions
Rule 62-204.800(8), F.A.C.	-	NSPS 40 CFR 60, Subpart I, Standards for Hot Mix Asphalt Facilities
		NSPS 40 CFR 60, Subpart OOO, Nonmetallic Mineral Processing facilities
Rule 62-204.800(11)(b), F.A.C.	-	NESHAP 40 CFR 63, Subpart ZZZZ, National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)
Chapter 62-210, F.A.C.	-	Stationary Sources – General Requirements
Rule 62-210.300, F.A.C.	-	Permits Required.
Rule 62-210.300(3)(b), F.A.C.	-	Generic and Temporary Exemptions
Rule 62-210.350, F.A.C.	-	Public Notice and Comment.
Rule 62-210.370, F.A.C.	-	Reports.
Rule 62-210.650, F.A.C.	-	Circumvention.
Rule 62-210.700, F.A.C.	-	Excess Emissions.
Rule 62-210.900, F.A.C.	-	Forms and Instructions.
Chapter 62-212, F.A.C.	-	Stationary Sources – Preconstruction Review
Rule 62-212.300, F.A.C.	-	General Preconstruction
Chapter 62-296, F.A.C.	-	Stationary Sources – Emission Standards
Rule 62-296.310, F.A.C.	-	General Particulate Emission Limiting Standards.
Rule 62-296.320, F.A.C.	-	General Pollutant Emission Limiting Standards.
Chapter 62-297, F.A.C.	-	Stationary Sources - Emissions Monitoring
Rule 62-297.310, F.A.C	-	General Test Requirements.
Rule 62.297-400, F.A.C.	-	EPA Test Methods Adopted by Reference

5.0 SOURCE IMPACT ANALYSIS

In accordance with F.A.C. 62-204.800, 40 CFR 60.92, and the applicant's request, the draft permit includes the following specific emission limitations and performance standards for this facility for the 350 ton per hour RAP Crusher and Engine:

- 5.1 Rule Applicability: The crusher and the affected facilities are subject to 40 CFR 60 Subpart OOO "Standards for Nonmetallic Mineral Processing Plants" as included in **Appendix E**.
 - (a) **The capacity of the crusher shall not exceed 350 tons per hour.**
 - (b) **The capacity of the diesel engine shall not exceed 385 HP.**
[Rule 62-204.800(7)(b), F.A.C. and 62-4.070(3)]

- 5.2 Rule Applicability: The engine on the portable RAP crusher is subject to 40 CFR 63, Subpart ZZZZ, "National Emissions Standards for Hazardous Air Pollutants for Stationary Reciprocating Internal Combustion Engines (RICE)". The above referenced emission unit shall comply with all requirements of the 40 CFR Part 63 Subpart ZZZZ that are applicable. **[40 CFR 63.6603, Table 2d., Rule 62-204.800(11)(b), and 62-4.070(3), F.A.C.]**

- 5.3 Hours of Operation: The permittee is authorized to operate the referenced emission unit for 800 hours per year. [Rule 62-4.070(3), F.A.C., and by request of applicant]
- 5.4 Visible Emission (VE) Standards: The VE Standards for the crushers and the affected facilities are presented in the table below. [40 CFR 60.676, TABLE 3]

For	The owner or operator must meet the following fugitive emissions limit for grinding mills, screening operations, bucket elevators, transfer points on belt conveyors, bagging operations, storage bins, enclosed truck or railcar loading stations or from any other affected facility (as defined in 40 CFR 60.670 and 60.671)	The owner or operator must meet the following fugitive emissions limit for crushers.	The owner or operator must demonstrate compliance with these limits by conducting
Affected facilities (as defined in 40 CFR 60.670 and 60.671) that commenced construction, modification, or reconstruction after August 31, 1983 but before April 22, 2008 ** NOT APPLICABLE**	10 percent opacity	15 percent opacity	An initial performance test according to 40 CFR 60.11 and 40 CFR 60.675.
Affected facilities (as defined in 40 CFR 60.670 and 60.671) that commence construction, modification, or reconstruction on or after April 22, 2008	7 percent opacity	12 percent opacity	An initial performance test according to 40 CFR 60.11 and 40 CFR 60.675; and Periodic inspections of water sprays according to 40 CFR 60.674(b) and 40 CFR 60.676(b).

TECHNICAL NOTE: PORTABLE ROCK CRUSHER STARTUP DATE WAS AFETR APRIL 22, 2008 (SEPTEMBER 19, 2011) under Air General Permit 7775685-001-AG.

- 5.5 Potential Emissions: Potential emissions from the portable RAP Crusher and Engine are estimated based on the maximum production rate of 350 tons per hour operating at 800 hours per year.

RAP Crusher, (EU-004) AP-42 Table 11.19.2-2, Distillate Fuel Oil #2

Pollutant	Emission Factor lb/ton	Production Limit tons/yr	TPY
PM (Crushing)	0.0054	280,000	0.756
PM (Screening)	0.025	280,000	3.5
PM (Conveyor Transfer)	0.003	280,000	0.42
PM-10 (Crushing)	0.0024	280,000	0.336
PM-10 (Screening)	0.0087	280,000	1.218
PM-10 (Conveyor Transfer)	0.0011	280,000	0.154

RAP Power Industrial Engine (Generator), (EU-4) AP-42 Table 3.3-1, Distillate Fuel Oil #2

Pollutant	Emission Factor lb/hp-hr	Power Rating of Rap Crusher Engine (hp)	Operating Hours	TPY
PM	-	385	800	-

PM-10	.0022	385	800	0.3388
CO	.00668	385	800	1.02872
NOX	0.031	385	800	4.774
SO2	.00205	385	800	0.3157
VOC	.00251	385	800	0.38654

The calculations for the portable RAP crusher is based on 385hp-hr, heat input capacity (0.9798 mmbtu/hr), diesel fuel heating value of 140 mmbtu/1000 gal. and at the request of the applicant the hours of operation would be 800 hrs/yr. The fuel consumption was estimated to be 5.6 Kgal /year of Fuel Oil No.2.

Total Emissions Facility-Wide using Distillate Fuel #2

Pollutant	TPY	TPY	TPY	TPY	Facility-Wide TPY
	Drum Dryer ⁽¹⁾	Asphalt Heater ⁽¹⁾	Rap Crusher	Rap Power Industrial Engine	Distillate Fuel Oil #2
CO	41.61	0.11	-	1.03	42.75
NOx	39.42	0.44	-	4.77	44.63
PM	46.20	0.04	4.68	-	50.92
PM-10	-	-	1.71	0.34	2.05
SO2	45.43	1.58	-	0.32	47.33
VOC	30.66	0.004	-	0.39	31.054

⁽¹⁾Total Emissions for Drum Dryer and Asphalt Heater were taken from the technical evaluation report -- Permit No. 0990328-001-AC

6.0 CONCLUSION

Based on the information provided by the applicant, the PBCHD has reasonable assurance that the proposed project, as described in this evaluation, and subject to the conditions in the proposed draft permit, will not cause or contribute to a violation of any air quality standard or any other technical provision of Chapter 62-4 through 62-297 of the Florida Administrative Code.