



Jeb Bush
Governor

Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

TA

September 18, 2003

Mr. Mark Neumann, C.F.E., ASA, Director
Personal Property Division
Department of Property Appraisal
111 NW 1st Street, Suite 710
Miami, Florida 33128-1984

Re: APAC Florida Inc. Folio: 17-180600

Dear Mr. Neumann:

I have reviewed the material attached to your letter of September 10, 2003, including the Air Operation Permit issued to APAC Florida Inc. The material provided by Mr. David Forrest is sufficient to demonstrate that the baghouse on the asphalt batch plant is pollution control equipment that is "primarily for the purpose of pollution control" and is eligible for assessment as a pollution control device pursuant to §193.621, Florida Statutes. The portion of Mr. Forrest's submittal received in this office did not include a list of pollution control equipment nor that equipment's value. Consequently, I don't know what tax relief he was seeking. You may wish to query him on that matter.

If there are any questions on this determination, please contact me at (850) 245-8002.

Sincerely,

Hamilton S. Oven
Hamilton S. Oven, P.E.

"More Protection, Less Process"

Printed on recycled paper.



STEPHEN P. CLARK CENTER

DEPARTMENT OF PROPERTY APPRAISAL
PERSONAL PROPERTY DIVISION
SUITE 710
111 NW 1ST STREET
MIAMI FLORIDA 33128-1984
(305) 375-4070
FAX (305) 375-3024

www.miamidade.gov

September 10, 2003

Hamilton S. Oven, P.E.
Administrator, Siting
Coordination Section
Marjory Stoneman Douglas Building
3900 Commonwealth Blvd
Tallahassee, FL 32399-3000

DEPARTMENT OF
ENVIRONMENTAL PROTECTION

SEP 15 2003

SITING COORDINATION

Re: APAC Florida, Inc.
Folio: 17-180600

Dear Mr. Oven:

I am forwarding to you a copy of the following documents pertaining to an Application for Pollution Control Exemption of an Asphalt Plant.

- Plans and Specifications
- List of Pollution Control equipment subject to assessment under §193.621, Fla.Stat., certified as to its true primary use by the engineer; and

Please review and advise us whether or not you believe this system is entitled to the pollution classification according to Florida Statute 193.621. Thank you in advance for your prompt attention in this matter.

Sincerely,

A handwritten signature in black ink that reads 'Mark Neumann'.

Mark Neumann, CFE., ASA
Division Director



ASHLAND INC. • POST OFFICE BOX 14000 • LEXINGTON, KENTUCKY 40512 • (859) 357-7777

PROPERTY TAX DEPARTMENT

PHONE (859) 357-2933 FAX (859) 357-7466

July 10, 2003

DEPARTMENT OF PROPERTY APPRAISAL
PERSONAL PROPERTY DIVISION
SUITE 710
111 NW 1ST STREET
MIAMI, FL 33128-1984

RE: Folio Number 17-180600, Pollution Classification

Per your request, I have enclosed a copy of the air pollution permit from the Department of Environmental Resources Management for APAC's Pan American Construction Company plant located at 8000 NW 74 Street in Miami.

If you need further information, please call me at (859) 357-2933.

Sincerely,

David Forrest
Tax Accountant
Ashland Inc.

We are in receipt of your application (DR 492-RETURN OF POLLUTION CONTROL DEVICES FOR AD VALOREM TAX PURPOSES) for

In accordance with your request and Florida Statute 193.621(5) and Department of Revenue, Ad Valorem Tax Assessment Rules, Chapter 62.8, we are requesting that you submit the following information for consideration in determining whether the facilities claimed are used primarily for pollution control purposes and subject to assessment under Chapter 193.621 of the Florida Statutes:

In considering an assessment for ad valorem taxes under Section 193.621, Florida Statutes, the tax assessor may utilize the following guidelines in determining whether the facilities claimed are used primarily for pollution control purposes and subject to assessment under Chapter 193, Florida Statutes:

- (1) If the person owning or responsible for operation of the facility secured approval of such equipment prior to its installation, in accordance with the rules and regulations of the Board.**
- (2) Upon written request by a tax assessor, the Florida Pollution Control Board will determine the applicable use of a facility with respect to subsection 193.621(1), Florida Statutes. For this purpose the applicant must submit to the assessor, for submission to the Department, the following information prepared by a professional engineer registered in the State of Florida:**
 - (a) Plans and specifications and related documents describing the equipment alleged to be used for pollution control. Plans or other information relative to the process which is controlled, adequate in scope to validate the claim for the proposed control equipment.**
 - (b) A list of pollution control equipment which the applicant declares subject to assessment under Chapter 193, Florida Statutes, certified as to its true primary use by the engineer. The assessor may require on the equipment list the salvage value of each item.**
 - (c) The original installed cost and year of acquisition for these assets.**

As required by DOR Chapter 62.8, the above information must be prepared by a professional engineer registered in the State of Florida.

The information submitted will be forwarded to the Florida Pollution Control Board, Department of Environmental Regulation, State of Florida, for their review and recommendation.

MIAMI-DADE COUNTY, FLORIDA



NOTICE OF AIR POLLUTION PERMIT

ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
33 S.W. 2nd AVENUE
SUITE 900
MIAMI, FLORIDA 33130-1540
TELEPHONE: (305) 372-8925
FAX: (305) 372-8954

July 23, 2001

CERTIFIED MAIL: 7000 0800 0025 3508 6530
RETURN RECEIPT REQUESTED:

ISSUED TO:

Mr. John D. Parker
President
Pan American Construction Company
7600 NW 69 Avenue
Medley, FL 33166

Permit Number: 0250010-004-AO
Issue Date: July 23, 2001
Expiration Date: July 22, 2008

PROJECT: Pan American Construction Company Plant #6 State Air Operating Permit Renewal.

Facility Description: Asphalt Concrete Plant (SIC# 2951).
Location: 8000 NW 74 Street, Miami, Florida 33166
Lat./Long: 25° 50' 20" N / 80° 19' 36" W
UTM: Zone 17; 567.7 Km. E; 2857.9 Km. N

Dear Mr. Parker:

This is Permit Number 0250010-004-AO to operate an air pollution source issued by the Miami-Dade County Department of Environmental Resources Management (DERM) pursuant to Chapter 24, Code of Miami-Dade County and Chapter 403.087, Florida Statutes (F.S.). This is a state air operating permit authorizing the operation of the emissions units described in this permit.

The Florida Department of Environmental Protection (FDEP) has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the FDEP recognizes the DERM as the approved local air pollution control program of Miami-Dade County. Through a Specific Operating Agreement, the FDEP delegated to the DERM the authority to issue or deny permits for this type of air pollution source located in Miami-Dade County.

NOTICE OF RIGHTS:

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rule of Appellate Procedure, with the Clerk of the Miami-Dade County Department of Environmental Resources Management, Air Facilities Section at 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540, and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeals. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the DERM.

American Construction Company
Permit Number: 0250010-004-AO

STATEMENT OF BASIS:

This permit is issued under the provisions of Chapter 24, Code of Miami-Dade County, Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297, and in conformance with all existing regulations of the FDEP and the DERM rules. The above named permittee is hereby authorized to operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the DERM and made a part hereof and specifically described in this permit.

PERMIT CONTENTS:

Part I -- Summary Information
Part II -- Facility-Wide Specific Conditions
Part III -- Emissions Unit Specific Conditions
Appendix A -- General Conditions
Appendix B -- Requirements for On-Specification Used Fuel Oil

PART I -- SUMMARY INFORMATION

OPERATE: This permit addresses the following air pollution emissions unit(s):

Emissions Unit Number	Emissions Unit Description
004	One (1) 300 TPH Drum Mix Asphalt Plant with Baghouse.

SIGNIFICANT DATES:

Application Received: May 7, 2001

PERMIT HISTORY:

Permit 0250010-001-AO was issued on June 5, 1996
Permit AO 13-208939 was issued on May 5, 1992
Permit AC 13-190108 was issued on March 13, 1991

PART II -- FACILITY-WIDE SPECIFIC CONDITIONS**1.0 Administrative Requirements**

1.1 Regulating Agencies: All applications, tests, reports, notifications, or other submittals required by this permit shall be submitted to the Miami-Dade County, Department of Environmental Resources Management, Air Facilities Section located at 33 SW 2nd Avenue, Suite 900, Miami, Florida 33130-1540.

1.2 Citation Format: In this permit, references to F.A.C. Rule 62-xxx refer to rules promulgated under Title 62 of the Florida Administrative Code; references (if any) to 40 CFR 60.xx (or 61.xx or 63.xx) refer to regulations codified under Part 60 (or 61 or 63) of Title 40 of the Code of Federal Regulations.

1.3 Specific and General Conditions: The owner or operator shall be subject to the specific conditions of this permit and the owner or operator shall be aware of, and operate under, the attached General Conditions, attached as Appendix A of this permit. General Conditions are binding and enforceable pursuant to Chapter 403, F.S.
[Rule 62-4.160 F.A.C.]

Pan American Construction Company
Permit Number: 0250010-004-AO

1.4 Applicable Regulations: This facility is subject to regulation of Florida Administrative Code (F.A.C.) Rules 62-4, and 62-204 through 62-297. Issuance of this permit does not relieve the facility owner or operator from compliance with any other applicable federal, state, or local permitting requirements or other regulations.

1.5 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.

1.6 Other Permits: This air pollution permit does not preclude the owner or operator from obtaining any other types of required permits, licenses or certifications from the DERM or other departments or agencies.

1.7 Renewal of This Permit Required: An application for renewal of this operation permit must be submitted to the DERM, Air Facilities Section at least 60 days prior to the expiration date of this permit. To apply for an operation permit, the applicant shall submit the appropriate application form in triplicate, the appropriate application fee, all required compliance test results, and such additional information as the DERM may by law require.
[Rule 62-4.030, 62-4.050, and 62-4.220 F.A.C.]

1.8 Recertification: A request for recertification of this operating permit must be submitted annually to the DERM, Air Facilities Section, on the appropriate form, by May 31, along with the appropriate Miami-Dade County fee.
[Chapter 24-35.1, Code of Miami-Dade County]

Note that public notice may be required again at the time of renewal or revision of this permit if the facility or permit is materially changed from that described by this permit.
[Rule 62-210.350(4)(a) F.A.C.]

2.0 General Pollutant Emissions Limiting Standards

2.1 Objectionable Odor Prohibited: 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.]

2.2 General Visible Emissions Standard: Unless otherwise specified by permit or rule, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than 20 percent opacity.
[Rule 62-296.320(4)(b) F.A.C.]

2.3 Volatile Organic Compounds/Organic Solvents Emissions:

No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emissions control devices or systems deemed necessary and ordered by the DERM.

Such controls include the following:

- Tightly cover or close all VOC containers when they are not in use.
- Tightly cover all open tanks, which contain VOCs when they are not in use.
- Maintain all pipes, valves, fittings, etc., which handle VOCs in good operating condition.
- Confine rags used with VOCs to tightly closed, fireproof containers when not in use.
- Immediately confine and clean up VOC spills and make sure wastes are placed in closed containers for reuse, recycling or proper disposal.

[Rule 62-296.320(1) F.A.C.]

Pan American Construction Company
Permit Number: 0250010-004-AO

2.4 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:

- Paving and maintenance of roads, parking areas and yards.
- 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.
- Substitution of powdery materials with granular or pelletized materials, where possible.

[Rule 62-298.320(4)(c) F.A.C.]

3.0 Operation Requirements

3.1 Circumvention: No person shall circumvent any air pollution control device, or allow the emissions of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650 F.A.C.]

3.2 Excess Emissions:

Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing best operational practices to minimize emissions are adhered to, and 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 DERM for longer duration.

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 startup, shutdown, or malfunction shall be prohibited.
[Rule 62-210.700 F.A.C.]

4.0 Compliance Testing Requirements

4.1 Test Notification: Unless otherwise specified in this permit, the DERM, Air Facilities Section shall be notified in writing of expected compliance test dates (when required) at least fifteen (15) days prior to compliance testing. The notification shall include the following information: the date, time, and location of each test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner.
[Rule 62-297.310(7)(a)9 F.A.C.]

4.2 Testing at Capacity: Compliance testing (when required) shall be conducted with the emissions units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emissions units). If an emissions unit is not tested at permitted capacity, the emissions unit shall not be operated above 110% of the test load until a new test showing compliance is conducted. Operation of the emissions unit above 110% of the test load is allowed for no more than 15 days for the purpose of conducting additional compliance testing to regain the authority to operate at the permitted capacity.
[Rule 62-297.310(2) F.A.C.]

Pan American Construction Company
Permit Number: 0250010-004-AO

- 4.3 **Special Compliance Tests:** When the DERM, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emissions standard in Rules 62-204 through 62-297 or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the DERM.
[Rule 62-297.310(7)(b) F.A.C.]
- 5.0 **Reporting and Record Keeping Requirements**
- 5.1 **Report Excess Emissions:** In case of excess emissions resulting from malfunctions, each owner or operator shall notify the DERM in accordance with Rule 62-4.130, F.A.C. (condition 5.2 below). A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the DERM.
[Rule 62-210.700(6) F.A.C.]
- 5.2 **Report Plant Operation Problems:** If the owner or operator is temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by hazard of fire, wind or by other cause, the owner or operator shall immediately notify the DERM. Notification shall include pertinent information as to the cause of the problem, and what steps are being taken to correct the problem and to prevent its recurrence, and where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the owner or operator from any liability for failure to comply with the FDEP and the DERM rules.
[Rule 62-4.130 F.A.C.]
- 5.3 **Retain Records:** All records required by this permit shall be kept by the owner or operator and made available for the DERM inspection for a minimum of three (3) years from the date of such records.
[Rule 62-4.160(14)(b) F.A.C.]
- 5.4 **Compliance Test Reports:** Compliance test reports (when required) shall be submitted to the DERM, Air Facilities Section, as soon as practical, but no later than 45 days after the last sampling run of each test is completed.
Test reports shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the DERM to determine if the test was properly conducted and the test results properly computed. Test reports, other than for an EPA Method 9 test, shall include the following information and other information as necessary to make a complete report required pursuant to F.A.C. Rule 297.310(8)(c):
- 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.
 - 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 emissions limiting standard.
 - 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.
 - All measured and calculated data required to be determined by each applicable test procedure for each run.
 - The detailed calculations for one run that relate the collected data to the calculated emissions rate.
 - The applicable emissions standard, and the resulting maximum allowable emissions rate for the emissions unit, plus the test result in the same form and unit of measure.
- [Rule 62-297.310(8)(a) & (b) F.A.C.]
- 5.5 **Annual Report Required:** On or before March 1 of each calendar year, a completed DEP Form 62-210.900(5), Annual Operations Report (AOR) Form for Air Pollutant Emitting Facility, shall be submitted to the DERM, Air Facilities Section. Included with this report shall be any additional reports, if any, required by this permit in Part II -- Emissions Unit Specific Conditions.
[Rule 62-4.070(3) F.A.C.]

Pan American Construction Company
Permit Number: 0250010-004-AO

PART III -- EMISSIONS UNIT SPECIFIC CONDITIONS

This part of this permit addresses the following emissions units:

Emissions Unit Number	Emissions Unit Description
004	- One (1) 300 TPH Drum Mix Asphalt Plant - One (1) CMI Corporation Pulse Jet Baghouse MD# SAF-4848/108

1.0 Emissions Limiting Standards and Operation Restrictions.

1.1 Visible emissions: Visible emissions shall not equal or exceed 20% opacity at any time.
[Rule 62-210.300(3)(c)1f F.A.C.]

1.2 Facility Wide VOC Emissions: Total emissions of volatile organic compounds (VOCs), including hazardous air pollutants "HAPs", shall not equal or exceed 100 tons in any consecutive 12 month period.
[Rule 62-4.070(3) F.A.C.]

1.3 Facility Wide Nitrogen Oxides Emissions: Total emissions of nitrogen oxides shall not equal or exceed 100 tons in any consecutive 12-month period.
[Rule 62-4.070(3) F.A.C.]

1.4 Facility Wide Carbon Monoxide Emissions: Total Emissions of carbon monoxide shall not equal or exceed 100 tons in any consecutive 12 month period.
[Rule 62-4.070(3) F.A.C.]

1.5 Particulate Matter Emissions: Total emissions of particulate matter shall not exceed 0.04 gr/dscf averaged over a three-hour period.
[Rule 62-210.300(3)(c)1d F.A.C.]

1.6 Hours of Operation: The referenced emissions unit(s) may operate 24 hours/day, 7 days/week, 52 weeks/year for a total of 8,760 hours per 12 month period.
[Rule 62-4.070(3) F.A.C.; Requested by permittee in Air Operating Permit Renewal Application received May 7, 2001]

1.7 Good Work Practice Standards: Reasonable precautions to prevent emissions of unconfined particulate matter at this facility shall include good work practice standards facility wide:
-Application of asphalt, water or chemicals or other dust suppressants to unpaved roads, yards, open stock piles, and similar activities.
-Enclosure or covering of conveyor systems.
[Rule 62-296.320(4)(c)2 F.A.C.]

1.8 Sulfur Dioxide Emission Standards: No person, firm, corporation or other entity shall cause, let, permit, suffer or allow the emission of sulfur dioxide from any stationary fossil fuel fired combustion source located in Miami Dade County and exceeding 1.1 pounds per million Btu heat input, when liquid fuel is burned.
[Miami-Dade County Ordinance Chapter 24-17(2)(b)(i)]

1.9 Production Rate: Total facility asphalt production rate shall not exceed 300 tons per hour and 500,000 tons in any consecutive 12 month period.
[Rule 62-4.070(3); Rule 62-210.300(3)(c)1a F.A.C.]

Pan American Construction Company
Permit Number: 0250010-004-AO

1.10. Allowable Fuels: Fuel oil or on-specification used oil fuel shall not exceed 1.0% sulfur content by weight. The used oil fuel shall meet the EPA requirements for on-specification used oil fuel, and the conditions listed in Appendix B of this permit.
[Rule 62-210.300(3)(c)1c F.A.C.]

1.11. Fuel Oil Consumption: Fuel oil consumption shall not exceed 1.2 million gallons in any consecutive 12-month period.
[Rule 62-210.300(3)(c)1b F.A.C.]

2.0 Compliance Monitoring and Testing Requirements

2.1. Visible Emissions Test Required: The owner or operator shall have a formal compliance test conducted annually for visible emissions by EPA Method 9. Visible emissions tests shall be thirty minutes in duration. The visible emissions test shall be performed during one run of the particulate test.
[Rule 62-4.070(3); Rule 62-297.401(9) F.A.C.]

2.2. Particulate Matter Test Required: The owner or operator shall have a formal compliance test conducted annually for particulate matter by EPA Method 6 or 5A.
[Rule 62-4.070(3); Rule 62-297.401(5)&(5A) F.A.C.]

2.3. Sulfur Dioxide Emissions Testing: The owner or operator shall have a formal compliance test conducted annually for sulfur dioxide emissions using EPA Method 6.
[Rule 62-4.070(3); Rule 62-297.401(6) F.A.C.]

2.4. Compliance Test: Compliance testing shall be conducted while burning used oil, if used oil has been burned for a total of more than 400 hours in the prior 12 month period. If testing is conducted without using used oil, then the report shall include hours of operation while using used oil for the prior 12-month period.
[Rule 62-4.070(3) F.A.C.]

3.0 Reporting and Record Keeping Requirements

3.1. Hours of Operation: The owner or operator shall record and maintain daily records of the hours of operation of the referenced emissions unit(s). This record shall be retained for five years.
[Rule 62-210.300(3)(c)1g F.A.C.]

3.2. Asphalt Concrete Production: The owner or operator shall maintain records to document the monthly and 12 month rolling totals of tons of asphaltic concrete produced, and the gallons of fuel oil consumed. These records shall be retained for five years.
[Rule 62-210.300(3)(c)1g F.A.C.]

3.3. Allowable Fuels: The owner or operator shall record and maintain records of the types of fuel burned. The owner or operator shall maintain records to demonstrate that each shipment of fuel oil does not exceed 1.0% sulfur by weight, and that the sulfur content was determined by ASTM methods ASTM D4057-88 and ASTM D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in Rule 62-297.440(1).
[Rule 62-210.300(3)(c)1c F.A.C.]

Pan American Construction Company
Permit Number: 0250010-004-AO

- 3.4. Control Equipment: The owner or operator shall visually inspect each emissions unit and associated baghouse daily to ensure that each baghouse is operating properly, and shall record the condition of each baghouse and pressure drop when inspected. The owner or operator shall perform a detailed inspection of each baghouse at least monthly and record the inspection results. Such inspections shall include general conditions of the emissions control equipment and ductwork, condition of the bags and appurtenances, and verification of proper operation of the bag cleaning cycle.
[Rule 62-4.070(3) F.A.C.]

Executed in Miami-Dade County, Florida.

DEPARTMENT OF ENVIRONMENTAL
RESOURCES MANAGEMENT

Mallika Muthiah

July 23, 2001

Mallika Muthiah, P.E., Chief
Air Facilities Section
Air Quality Management Division

Date

MM/mg

Copy: Isidore Goldman, P.E., Florida Department of Environmental Protection, West Palm Beach.
Pradeep Raval, Consultant, Koogler & Associates, 4014 NW 13 Street, Gainesville, FL 32609.

FILING AND ACKNOWLEDGMENT: FILED, on this date, pursuant to § 120.52(7), F.S., with the designated DERM Clerk, receipt of which is hereby acknowledged.

M Harris
Clerk

7/23/01
Date

Attachment A

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.858 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the DERM will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the DERM.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other DERM permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and the DERM rules, unless specifically authorized by an order from the DERM.
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 the DERM 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 the DERM rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized DERM personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under 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 the DERM rules. Reasonable time may depend on the nature of the concern being investigated.
8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in the permit, the permittee shall immediately notify and provide the DERM with the following information:
 - (a) A description of and cause of noncompliance; and

Attachment A

GENERAL CONDITIONS CONTINUED:

- (b) The period of noncompliance, including exact dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the DERM for penalties or for revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the DERM, may be used by the DERM as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or the DERM rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in the DERM 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 the DERM rules.
11. This permit is transferable only upon the DERM approval in accordance with Rule 62-4.120 and 62-30.300, Florida Administrative Code (F.A.C.), as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the DERM.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. The permittee shall comply with the following:
- (a) Upon request, the permittee shall furnish all records and plans required under the DERM rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the DERM.
- (b) The permittee shall hold at the facility or other location designated by this permit, records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by the DERM 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 date(s) analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and
 - the results of such analyses.
14. When requested by the DERM, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the DERM, such facts or information shall be submitted or corrected promptly.

APPENDIX B
REQUIREMENTS FOR ON-SPECIFICATION USED OIL FUEL

USED OIL: Burning of on-specification used oil is allowed at this facility in accordance with all other conditions of this permit and the following conditions:

- a. **On-specification Used Oil Allowed as Fuel:** This permit allows the burning of used oil fuel meeting EPA "on-specification" used oil specifications, with a maximum sulfur content of 1 % percent by weight, and a PCB concentration of less than 50 ppm. Used oil that does not meet the specifications for on-specification used oil shall not be burned at this facility.

On-specification used oil shall meet the following specifications:[40 CFR 279, Subpart B.]

Constituent / Property	Allowable Level
Arsenic	5 ppm, maximum
Cadium	2 ppm, maximum
Chromium	10 ppm, maximum
Lead	100 ppm, maximum
Flash point	100 °F, minimum
Total halogens	1000 ppm, maximum

- b. **Lead Emissions Limited:** The maximum quantity of lead that may be emitted as a result of burning used oil is 1200 pounds in any consecutive 12-month period.
- c. **Used Oil Containing PCBs Not Allowed:** Used oil containing a PCB concentration of 50 or more ppm shall not be burned at this facility. Used oil shall not be blended to meet this requirement.
- d. **PCB Concentration of 2 to less than 50 ppm:** On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall be burned only at normal source operating temperatures. On-specification used oil with a PCB concentration of 2 to less than 50 ppm shall not be burned during periods of startup or shutdown.

Before accepting from each marketer the first shipment of on-specification used oil with a PCB concentration of 2 to 49 ppm, the owner or operator shall provide each marketer with a one-time written and signed notice certifying that the owner or operator will burn the used oil in a qualified combustion device and must identify the class of combustion device. The notice must state that EPA or a RCRA-delegated state agency has been given a description of the used oil management activities at the facility and that an industrial boiler or furnace will be used to burn the used oil with a PCB concentration of 2 to 49 ppm. The description of the used oil management activities may be submitted to the Administrator, Hazardous Waste Regulation Section, Florida Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, FL 32399-2400. [40 CFR 279.61 and 761.20(e)]

- e. **Certification Required:** The owner or operator shall receive from the marketer, for each load of used oil received, a certification that the used oil meets the specifications for on-specification used oil and contains a PCB concentration of less than 50 ppm. This certification shall also describe the basis for the certification, such as analytical results.

Used oil to be burned for energy recovery is presumed to contain quantifiable levels (2 ppm) of PCB unless the marketer obtains analyses (testing) or other information that the

APPENDIX B
REQUIREMENTS FOR ON-SPECIFICATION USED OIL FUEL

used oil fuel does not contain quantifiable levels of PCBs. Note that a claim that used oil does not contain quantifiable levels of PCBs (that is, that the used oil contains less than 2 ppm of PCBs) must be documented by analysis or other information. The first person making the claim that the used oil does not contain PCBs is responsible for furnishing the documentation. The documentation can be tests, personal or special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the used oil contains no detectable PCBs.

- f. Testing Required: If the owner or operator does not receive certification from the marketer as described above, the owner or operator shall sample and analyze each batch of used oil to be burned for the following parameters:

Arsenic, cadmium, chromium, lead, total halogens, flash point, PCBs*, and percent sulfur content by weight, ash, and BTU value (BTU per gallon).

Testing (sampling, extraction and analysis) shall be performed using approved methods specified in EPA Publication SW-846 (Test Methods for Evaluating Solid Waste, Physical/Chemical Methods), latest edition.

* Analysis for PCBs is not required if a claim is made that the used oil does not contain quantifiable levels of PCBs.

If the owner or operator relies on certification from the marketer as described above, the owner or operator shall, at a minimum, each calendar quarter, sample one load of used oil received, selected at random by the owner or operator, and analyze the sample for the above parameters.

If the analytical results show that the used oil does not meet the specification for on-specification used oil, or that it contains a PCB concentration of 50 ppm or greater, the owner or operator shall:

- a) immediately notify the Air Facilities Section, DERM;
- b) provide the analytical results for the above parameters; and
- c) indicate the proposed means of disposal of the used oil.

- g. Record Keeping Required: The owner or operator shall obtain, make, and keep the following records related to the use of used oil in a form suitable for inspection at the facility by the Department: [40 CFR 279.61 and 761.20(e)]

- (1) The gallons of on-specification used oil received and burned each month. (This record shall be completed no later than the fifteenth day of the succeeding month.)
- (2) The total gallons of on-specification used oil burned in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)
- (3) The name and address of all marketers delivering used oil to the facility.
- (4) Copies of the marketer, certifications, if obtained, and any supporting information.
- (5) Documentation that the used oil contains less than 2 ppm PCBs, if claimed, including the name and address of the person making the claim.
- (6) Results of the analyses required above.

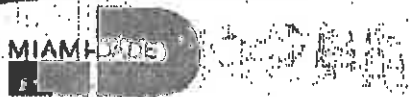
APPENDIX B
REQUIREMENTS FOR ON-SPECIFICATION USED OIL FUEL

- (7) A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
- (8) The total amount of lead emitted from burning used oil each month (calculated from the amount burned, the specific gravity of the used oil and the concentration of lead in the used oil), and the total amount of lead emitted in the preceding consecutive 12-month period. (This record shall be completed no later than the fifteenth day of the succeeding month.)

The owner or operator shall submit, with the Annual Operation Report form, the analytical results and the total amount of on-specification used oil burned during the previous calendar year.

[Rules 62-4.070(3) and 62-213.440, F.A.C., 40 CFR 279 and 40 CFR 761, unless otherwise noted]

MIAMI-DADE COUNTY, FLORIDA



PERMIT NO. AP-001970-2003/2004 (DNTV)-GEN
MIAMI CRUSHED ROCK, APAC-SOUTHEAST, INC
12201 NW 41 ST
MIAMI, FL 33178

ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
33 S.W. 2nd AVENUE
SUITE 800
MIAMI, FLORIDA 33130-1640
TELEPHONE: (305) 372-6926
FAX: (305) 372-6954

PERMITTEE:

Mr. Peter L. Capp
MIAMI CRUSHED ROCK, APAC-SOUTHEAST, INC
P.O. BOX 650309
MIAMI, FL 33265-0309

AIR POLLUTION
ANNUAL OPERATING PERMIT

DESCRIPTION OF FACILITY/EQUIPMENT

This document, issued under the provisions of Chapter 24, Miami-Dade County (Dade County Environmental Protection Ordinance), shall be valid from 01-JUL-2003 through 30-JUN-2004. The above named permittee, is hereby authorized to operate the pollution control facility at the above location which consists of the following:

ASPHALT PLANT: 300 TPH hot drum mix asphalt. QUARRY OPERATION: 800 TPH primary crusher; 700 HP crusher engine, 210 KW auxiliary generator.

This facility is subject to conditions listed below and in the following pages (if any) of this permit.

SPECIFIC CONDITIONS

1. Fugitive particulates shall be adequately controlled by: 1. Wetting down of aggregate piles and unpaved areas. 2. Keeping pavements for vehicular traffic clean. 3. Water spray at truck loadout point.
2. Emission of sulfur dioxide from this facility shall not exceed 0.55 pounds per million BTU per hour of heat input.
3. No visible emissions equal to or greater than 20% is generally permitted from this facility, except that no visible emissions up to 5% opacity is allowed when only EPA method 9 is performed annually to demonstrate compliance.
4. A visible emissions report (EPA Method 9) shall be submitted prior to the issuance of an operating permit. Testing is to be carried out with plant operating approximately at rates stated in application.

GENERAL CONDITIONS

5. The applicant, by acceptance of this document, agrees to operate and maintain the subject operation so as to comply with the requirements and standards of Chapter 24 of the Code of Miami-Dade County.
6. If for any reason, the applicant does not comply with or will be unable to comply with any condition or limitation specified on this document the applicant shall immediately notify and provide the department with the following information: (a) a description of and cause of non-compliance; and (b) the period of non-compliance including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps taken to reduce, eliminate, and prevent recurrence of the non-compliance. The applicant shall be responsible for any and all damages which may result and may be subject to enforcement action by the department for penalties or revocation of this document.

Miami-Dade County
Department of Environmental Resources Management

Mallika Muthiah
John W. Renfrow, P.E., Director

As provided in Section 24-30 of the Code of Miami-Dade County, the prior written approval of the Department of Environmental Resources Management shall be obtained for any alteration to this facility.

8. The issuance of this document does not convey any vested rights or any exclusive privileges. Nor 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. Nor does it relieve the applicant from liability for harm or injury to human health or welfare or property.
9. This document is required to be posted in a conspicuous location at the facility site during the entire period of operation.
10. This document is not transferable. Upon sale or legal transfer of the property or facility covered by this document, the applicant shall notify the department within thirty (30) days. The new owner must apply for a permit within thirty (30) days. The applicant shall be liable for any non-compliance of the source until the transferee applies for and receives a transfer of this document.
11. The applicant, by acceptance of this document, specifically agrees to allow access to the named source at reasonable times by department personnel presenting credentials for the purposes of inspection and testing to determine compliance with this document and department rules.
12. This document does not indicate a waiver of or approval of any other department permit that may be required for other aspects of this facility.
13. This document does not constitute an approval by DERM or certification that the applicant is in compliance with applicable laws, ordinances, rules or regulations. The applicant acknowledges that separate enforcement actions may be initiated by DERM and that this document does not constitute compliance with orders issued in conjunction with enforcement actions for correction of violations.
14. Failure to comply with any condition of this document, or the standards as set forth in Chapter 24, Code of Miami-Dade County may subject the applicant to the penalty provisions of said Chapter including civil penalties up to \$25,000 per day per offense and/or criminal penalties of \$500 per day and/or sixty (60) days in jail.