



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

September 13, 2005

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 Southeast Inc. Folio 14-422100

Dear Mr. Neumann:

I have reviewed the material attached to your letters of June 13, and August 29, 2005, including the Air Operation Permit for APAC Florida Inc. I have also reviewed the information attached to your FAX of September 12, 2005. The material provided is sufficient to demonstrate that the equipment listed is pollution control equipment that is "primarily for the purpose of pollution control" and is eligible for assessment as pollution control devices pursuant to §193.621, Florida Statutes.

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

Sincerely,

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



Property Appraisal
Personal Property Division
111 NW 1st Street - Suite 710
Miami, Florida 33128-1984
T 305-375-4070 F 305-375-3024

miamidade.gov

August 29, 2005

Hamilton S. Oven, P.E.
STATE OF FLORIDA
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road, MS 48
Tallahassee, FL 32399-2400

Re: APAC
Folio: 14-422100

Dear Mr. Oven:

As explained this morning (8/29/05) via phone call, with regards to the letter I sent you dated June 13, 2005. With information requesting pollution exemption status on certain equipment for APAC Southeast, well the request was made on the wrong folio-location it should have been folio # 14-422100 @ 12201 NW 41 ST, please send me the go ahead to switch folio #'s, the equipment is the same.

Thank you,

A handwritten signature in cursive script that reads "Gloria Royal".

Gloria Royal, CFE.
Personal Property Specialist

Delivering Excellence Every Day

**RETURN OF POLLUTION CONTROL DEVICES
FOR AD VALOREM TAX PURPOSES
FLORIDA STATUTES CHAPTER 193.621**

To the Property Appraiser of MIAMI DADE COUNTY, FLORIDA

Return is hereby made for the assessment of the following described property under Florida Statutes as pollution control devices.

Description of Property

HOT MIX ASPHALT PLANT

Description of Facility

BAGHOUSE, CYCLONE, SCRUBBER & PUMP

Name and address of owner:
PAVEX CORPORATION
RANGER CONSTRUCTION INDUSTRIES
P.O. BOX 15065
WEST PALM BEACH, FL 33416

The undersigned taxpayer hereby agrees to furnish such other reasonable information as the Appraiser may request in regard to the assessment requested herein.


Taxpayer's Signature

This form must be filed with the County Property Appraiser before April 1st.

FOLIO # 17-664227
18300 NW 122 AVE
MIAMI, FL



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

August 30, 2005

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 Southeast Inc. Folio 14-422100

Dear Mr. Neumann:

I have reviewed the material attached to your letter of June 13, 2005, including the Air Operation Permit for APAC Florida Inc. The material provided by Ashland Inc., is sufficient to demonstrate that the equipment listed on the 18 page attachment is pollution control equipment that is "primarily for the purpose of pollution control" and is eligible for assessment as pollution control devices pursuant to §193.621, Florida Statutes.

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

Sincerely,

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



Property Appraisal
Personal Property Division
111 NW 1st Street • Suite 710
Miami, Florida 33128-1984
T 305-375-4070 F 305-375-3024

miamidade.gov

August 29, 2005

**Hamilton S. Oven, P.E.
STATE OF FLORIDA
Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road, MS 48
Tallahassee, FL 32399-2400**

**Re: APAC
Folio: 14-422100**

Dear Mr. Oven:

As explained this morning (8/29/05) via phone call, with regards to the letter I sent you dated June 13, 2005. With information requesting pollution exemption status on certain equipment for APAC Southeast, well the request was made on the wrong folio-location it should have been folio # 14-422100 @ 12201 NW 41 ST, please send me the go ahead to switch folio #'s, the equipment is the same.

Thank you,

A handwritten signature in cursive script that reads "Gloria Royal".

**Gloria Royal, CFE.
Personal Property Specialist**



Jeb Bush
Governor

Department of Environmental Protection

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

Colleen M. Castille
Secretary

June 13, 2005

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 Southeast Inc. Folio: 17-180600

Dear Mr. Neumann:

I have reviewed the material attached to your letter of June 13, 2005, including the Air Operation Permit issued to APAC Florida Inc. The material provided by Ashland 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.

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

Sincerely,

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



DEPARTMENT OF
ENVIRONMENTAL PROTECTION

JUN 10 2005

Department of Property Appraisal
Personal Property Division
111 NW 1st Street • Suite 710
Miami, Florida 33128-1984
T 305-375-4070 F 305-375-3024

SITING COORDINATION

miamidade.gov

June 7, 2005

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

Re: APAC Southeast, Inc.

Dear Mr. Oven:

I am forwarding to you a copy of the information sent to us for (1) Baghouse to be considered for pollution classification. Let me point out that you've received information for this equipment in prior years for another location.

Please review and advise us whether or not you believe this system is entitled to the pollution classification. Thank you for your time.

Sincerely,

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

Mark Neumann, CFE, ASA
Division Director

MN/mh
OVNBFI80.WPS.



May 25, 2005

miamidade.gov

APAC Southeast, Inc.
Southern Florida Division
Tax Dept
P.O. Box 14000
Lexington, KY 40512-4000

Attn: Kevin Franck

Dear Taxpayer:

We are in receipt of your letter explaining that you've moved pollution equipment to a new location. 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:

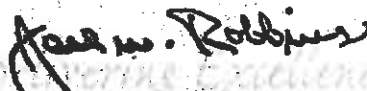
- (1) If the person owning or responsible for operation of the facility secured approval of such equipment prior to its installation, in accordance with the rules and regulations of the Board.
- (2) Upon written request by a tax assessor, the Florida Pollution Control Board will determine the applicable 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.

We have removed folio #17-180600 from pollution exemption status. Pollution exemption can not be transferred, need to have new location certified.

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

If there are any questions, you may contact Mark Neumann at (305) 375-4070.

Sincerely,


Joel Robbins
Property Appraiser

Pollutionltr

TAX DEPARTMENT

Facsimile Cover Sheet

To: Gloria Royal
Company: Dade County Assessor's Office
Phone: 305-375-4070
Fax: 305-375-3024

From: Kevin Franck
Company: Ashland Inc. – Tax Dept.
Phone: (859) 357-7477
E Mail
Fax: (859) 357-7466

Date: May 19, 2005
Pages including this 19
cover page:

Comments: Gloria, please review the faxed copy of the air permit issued by the DERM. The air permit specifies the equipment used on page 10 of the faxed copy. Hopefully this will satisfy the process needed to get the equipment certified for property tax purposes. Please advise once you have has time to review. Thanks

NOTICE OF CONFIDENTIALITY

This facsimile may contain information that is privileged and confidential and/or exempt from disclosure under applicable law. This transmission is intended solely for the individual or entity designated above. If you are not the intended recipient, or the employee or agent responsible for delivering it to the intended recipient, you should understand that any distribution, copying or use of the information contained in this facsimile by anyone other than the designated recipient is unauthorized and strictly prohibited. If you have received this facsimile in error, please immediately notify the sender by telephone.

Pollution Control Devices
Florida - Dade County
Account #14-422100
Tax Year 2005

DESCRIPTION	DATE ACQUIRED	CAPITALIZED COST	ASSUMED SALVAGE VALUE
BAGHOUSE	7/28/2002	386,584	30,927

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PAGE 02

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MIAMI-DADE COUNTY, FLORIDA



October 8, 2003

ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
88 S.W. 2nd AVENUE
SUITE 900
MIAMI, FLORIDA 33130-1540
TELEPHONE (305) 372-0825
FAX (305) 372-0844

CERTIFIED MAIL No. 7000 0600 0027 7978 6645
RETURNED RECEIPT REQUESTED

Mr. David Donofrio
Division President
APAC - Southeast, Inc., Southern Florida Division
4151 Myrtle Street
Sarasota, FL 34234

Subject: Non-Title V Source Air Operation Permit for the APAC - Southeast, Inc., Plant # 6
facility located at 12201 NW 41 Street, Miami, Florida 33178

Dear Mr. Donofrio:

Enclosed is Permit Number 7770010-006-AO to operate an air pollution source, issued pursuant to Chapter 24, Code of Miami-Dade County and Chapter 403, Florida Statutes (F.S.). This is an operating permit authorizing the operation of the emissions units described in the permit.

A person whose substantial interests are affected by the permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Air Facilities Section of the DERM, 33 SW 2nd Avenue, Miami, Florida, 33130-1540. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the DERM for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the DERM'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

Received 05-18-2005 09:33

From-9414860170

To-APAC SARASOTA DIVISI Page 002

APAC - Southeast, Inc., Plant #6**Permit No: 7770010-006-AO**

- 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 DERM'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 DERM's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the DERM on the application 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.

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

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

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

The FDEP will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is

APAC - Southeast, Inc., Plant #6
Permit No: 7770010-006-AO

defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

This permitting decision is final and effective on the date filed with the Clerk of the DERM unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the DERM.

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

Sincerely,


H. Patrick Wong, Chief
Air Quality Management Division

10/8/03
Date

Page 3 of 3

MIAMI-DADE COUNTY, FLORIDA



ENVIRONMENTAL RESOURCES MANAGEMENT
AIR QUALITY MANAGEMENT DIVISION
33 S.W. 2nd AVENUE
SUITE 900
MIAMI, FLORIDA 33130-1640
TELEPHONE: (305) 578-8825
FAX: (305) 578-8854

NOTICE OF AIR POLLUTION PERMIT

October 8, 2003

CERTIFIED MAIL: 7000 0600 0027 7978 0645
RETURN RECEIPT REQUESTED:

ISSUED TO:

Mr. David Donofrio
Division President
APAC - Southeast, Inc., Southern Florida Division
4151 Myrtle Street
Sarasota, FL 34234

Permit Number: 7770010-006-AO
Issue Date: October 8, 2003
Expiration Date: October 7, 2008

PROJECT: APAC - Southeast Inc., Southern Florida Division Initial State Air Operating Permit for relocatable Asphalt Plant # 8.

Facility Description: Asphalt Concrete Plant. (SIC#/NAICS# 2051/324121).
Location: 12201 NW 41 Street, Miami, Florida 33178
UTM: Zone 17; 580.95 km. E; 2854.89 km. N.

Dear Mr. Donofrio:

This is Permit Number 7770010-006-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 403.067, 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 403.067, Florida Statutes (F.S.). However, in accordance with Section 403.162, 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.

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 62-227, 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.

APAC - Southeast, Inc., Southern Florida Division
(Asphalt Plant # 6)
Permit Number: 7770010-005-AO

PERMIT CONTENTS:

Part I - Summary Information
Part II - Facility-Wide Specific Conditions
Part III - Emission 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 emission unit(s):

Emissions Unit Number	Emissions Unit Description
004	One (1) 300 TPH Relocatable Drum Mix Asphalt Plant with Hauke Bumer and Baghouse.
005	One (1) Relocatable Crusher with Scalper, Screener, and associated Conveyors.

SIGNIFICANT DATES:

Application Received: July 10, 2003

PERMIT HISTORY:

Permit 7770010-005-AO was issued on January 31, 2002. (located at 12201 NW 41 Street, Miami, Florida 33178)
Permit 0250010-004-AO was issued on July 23, 2001. (located at 8000 NW 74 Street, Miami, Florida 33166)
Permit 0250010-001-AO was issued on June 5, 1996. (located at 8000 NW 74 Street, Miami, Florida 33166)
Permit AO 13-208838 was issued on May 8, 1992. (located at 8000 NW 74 Street, Miami, Florida 33166)
Permit AC 13-190108 was issued on March 13, 1991. (located at 8000 NW 74 Street, Miami, Florida 33166)

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 800, 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.]

APAC - Southeast, Inc., Southern Florida Division
(Asphalt Plant # 6)

Permit Number: 7770010-008-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 State 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.]

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.]

- 1.8 **County Permit Renewal:** A request for renewal of the Miami Dade County annual air 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]

2.0 General Pollutant Emission 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 **Volatle 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 emission 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.]

APAC - Southeast, Inc., Southern Florida Division
(Asphalt Plant # 6)
Permit Number: 770010-008-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 62-296.920(4)(c) F.A.C.]

3.0 Operation Requirements

- 3.1 Circumvention:** No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.660 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)(b) F.A.C.]

- 4.2 Testing at Capacity:** Compliance testing (when required) shall be conducted with the emission units operating at the permitted capacity (90 to 100% of the maximum permitted operation rate of the emission units). If an emission unit is not tested at permitted capacity, the emission 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.]

APAC - Southeast, Inc., Southern Florida Division
(Asphalt Plant # 6)
Permit Number: 7770010-008-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 emission 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.
[Rule 62-207.310(8)(a) & (b) F.A.C.]

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 or DEP 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 207.310(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 emission 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 emission rate.
- The applicable emission standard, and the resulting maximum allowable emission rate for the emissions unit, plus the test result in the same form and unit of measure.

- 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 III - Emission Unit Specific Conditions.
[Rule 62-4.070(3) F.A.C.]

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PART III -- EMISSION UNIT SPECIFIC CONDITIONS

This part of this permit addresses the following emission units:

Emissions Unit Number	Emissions Unit Description
004	One (1) 300 TPH Relocatable Drum Mix Asphalt Plant with Hawks Burner and Baghouse. Baghouse: One (1) Autopulse 2 Mdt SAF 4800 Burner: Hawks EcoStar II-125 Liquid Asphalt Heating System: 2.1 MMBTU/hr
005	One (1) Relocatable Crusher with Scalper, Screener, and associated Conveyors.

1.0 Emission Limiting Standards and Operation Restrictions.

1.1 Visible Emissions:

- Asphalt Drum Dryer. Visible emissions from the hot mix drum dryer stack and any screening operation shall not equal or exceed 20% opacity at any time.
- Relocatable Crusher/Screener Operation. Visible emissions from the crusher operation that uses no capture system shall not exceed 15% opacity. Visible emissions from any transfer point on belt conveyors or from any other affected facility (e.g., screens) shall not exceed 10% opacity.
 [Rule 62-210.300(3)(c)1f F.A.C. & 40 CFR 60.92]

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 Particulate Matter Emissions: Total emissions of particulate matter shall not exceed 0.04 g/dscf averaged over a three-hour period, and 100 tons in any consecutive 12 month period. Reasonable precautions shall be taken to eliminate any emissions from the drum mixer collar or ductwork between the mixer and the baghouse. [Rule 62-210.300(3)(c)1d F.A.C.; 40 CFR 60.92]

1.4 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.]

1.5 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.]

1.6 Sulfur Dioxide Emission Standards: The owner or operator shall not cause, let, permit, suffer or allow the emission of sulfur dioxide from any facility exceeding 1.1 pounds per million Btu heat input, when liquid fuel is burned. [Miami-Dade County Ordinance Chapter 24-17(2)(b)(i)]

1.7 Production Rate: Total facility asphalt production rate shall not exceed 300 tons per hour based on a daily average and 500,000 tons in any consecutive 12 month period. The crusher/screener unit operation is allowed to process a maximum of 300 TPH and 250,000 tons in any consecutive 12-month period of RAP or other aggregate. [Rule 62-210.300(3)(c)1a F.A.C.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]

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- 1.8 Allowable Fuels: Fuel oil or on-specification used oil fuel used in the drum dryer shall not exceed 1.0% sulfur content by weight. The liquid asphalt heating system is allowed to fire new No. 2 fuel oil having a maximum sulfur content limit of 0.5% by weight, natural gas, or propane. Any internal combustion engines are allowed to burn only new No. 2 diesel fuel oil, or better. 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.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]
- 1.9 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.]
- 1.10 Authorized Additives and Extenders: The use of ground rubber, latex, emulsifiers, and mineral fiber (excluding asbestos) admixtures or extenders in the asphaltic concrete is authorized up to the amounts allowed or required by Florida DOT paving mixture specifications.
[Rule 62-4.070(3) F.A.C.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]
- 1.11 New Source Performance Standard Requirements: The emissions unit listed above shall comply with all the applicable standards of the General Provisions of 40 CFR 60.
[40 CFR 60; Air Construction Permit 7770010-005-AC issued on January 31, 2002]
- 1.12 Hours of Operation: The referenced emission unit(s) may operate 8,760 hrs in any consecutive 12-month period.
[Rule 62-4.070(3) F.A.C.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]
- 1.13 Asbestos Containing Materials: This facility shall not process Asbestos Containing Materials (ACM), whether regulated asbestos containing material (RACM), category I or category II, and whether friable or nonfriable when received at the facility.
[Air Construction Permit 7770010-005-AC issued on January 31, 2002]
- 1.14 Facility Wide HAP Emissions: Total emissions of all hazardous air pollutants (HAPs) shall not equal or exceed 25 tons in any consecutive 12 month period.
[Rule 62-4.070(3) F.A.C.]
- 1.15 Individual HAP Emissions: Emissions of any individual hazardous air pollutant (HAP) shall not equal or exceed 10 tons in any consecutive 12 month period.
[Rule 62-4.070(3) 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 during the federal fiscal year (October 1 - September 30). The visible emissions test shall be performed during one run of the particulate test.
[Rule 62-210.300(3)(c)1i; 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 5 or 5A during the federal fiscal year (October 1 - September 30).
[Rule 62-210.300(3)(c)1i; 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 8.
[Rule 62-4.070(3); Rule 62-297.401(6) F.A.C.]

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2.4 Determination of Process Variables:

- (a) Required Equipment: The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with the emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
- (b) Accuracy of Equipment: Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.
[Rule 62-4.070(3); Air Construction Permit 7770010-005-AC issued on January 31, 2002]

3.0 Reporting and Record Keeping Requirements

3.1 Recordkeeping Logs: The owner or operator shall maintain a log showing the annual hours of operation and fuel consumption. Operators shall keep a log to include, at a minimum, the following information:

- The daily hours of operation of the crusher system, and whether crushing aggregate or recycled asphalt pavement.
- Maintenance and repair logs for any work performed on the permitted emissions units.
- Daily logs regarding the use of wetting agents to control fugitive dust.
- Any visible emissions observations of smoke or dust from any point on the facility.
- Any bag changes in the baghouse, including the manufacturer and material of the bags installed.
- Any fuel deliveries, including the supplier, the amount delivered; storage tank locations; type of fuel; and, any laboratory analysis information. If any natural gas is used, provide daily meter readings.
- Any asphalt cement deliveries, including the supplier, the amount delivered, location of storage tank. This data shall be made available to the DERM upon request and retained for a minimum three-year period.
[Rule 62-4.030 F.A.C.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]

3.2 Asphalt Concrete Production: The owner or operator shall maintain records to document the hourly, 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 62-4.070(3); 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 D4057-93 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.]

3.4 Used Oil Recordkeeping 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 DERM.

- 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.
- 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.
- The name and address of all marketers delivering used oil to the facility.
- Copies of the marketer certifications, if obtained, and any supporting information.
- Documentation that the used oil contains less than 2 ppm PCB's, if claimed, including the name and address of the person making the claim.
- Results of the analysis required above.
- A copy of the notice to EPA and a copy of the one-time written notice provided to each marketer.
- 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

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lead emitted in the preceding consecutive 12-month period. This record shall be completed no later than the fifteenth day of the succeeding month.

[Rule 62-4.070(3) F.A.C.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]

- 3.5 Used Oil Report: The owner or operator shall submit to the DERM, within thirty days of the end of each calendar quarter, the analytical results and the amount of on-specification used oil received and burned during the quarter.

[Air Construction Permit 7770010-005-AC issued on January 31, 2002]

- 3.6 Operation and Maintenance (O&M): The owner or operator shall keep an O&M plan for the air pollution control equipment with the facility. The O&M log shall include the list of the parameters being monitored, the frequency of the check/maintenance, observations, and comments.

[Rule 62-4.070(3) F.A.C.; Air Construction Permit 7770010-005-AC issued on January 31, 2002]

Executed in Miami-Dade County, Florida.

DEPARTMENT OF ENVIRONMENTAL
RESOURCES MANAGEMENT


H. Patrick Wong, Chief
Air Quality Management Division

10/8/03
Date

HPW/mg

Copy: Tom Tittle, Florida Department of Environmental Protection, Southeast District Office.
Max Lee, Ph.D., P.E., Koogler & Associates, 4014 NW 13 Street, Gainesville, FL 32608

FILED AND ACKNOWLEDGMENT: FILED, on this date, pursuant to § 120.22(7), F.S., with the designated DERM Clerk, receipt of which is hereby acknowledged.


Clerk

10/8/03
Date

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To-APAC SARASOTA DIVISION

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**APPENDIX 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 403.868 through 403.881, 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 this 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 DERM's 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 DERM's rules. This provision includes the operation of backup or auxiliary facilities or alternative systems when necessary to achieve compliance with the conditions of the permit and when required by DERM's 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 DERM's 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

**APPENDIX A
GENERAL CONDITIONS**

- (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 DERM's 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 DERM's 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 DERM's rules.
11. This permit is transferable only upon 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 DERM's 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 DERM's 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
Cadmium	2 ppm, maximum
Chromium	10 ppm, maximum
Lead	100 ppm, maximum
Flash point	100 °F, minimum
Total halogens	1000 ppm, maximum

- b. **Lead Restrictions 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(c)]

- 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 used oil fuel does not contain quantifiable levels of PCBs. Note that a claim that used oil

APPENDIX B REQUIREMENTS FOR ON-SPECIFICATION USED OIL FUEL

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 test, 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.

2. **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.

3. **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.
- (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

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REQUIREMENTS FOR ON-SPECIFICATION USED OIL FUEL

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]