

ASPHALT CONCRETE PLANT

AIR GENERAL PERMIT

INFORMATIONAL HANDOUT



❖ What is the Purpose of the Air General Permit Registration Program?

- The Department of Environmental Protection (DEP) has established an Air General Permit (AGP) under Rule 62-210.310(4)(g), Florida Administrative Code, (F.A.C.), for Asphalt Concrete Plants. By simply registering to “use” the AGP, the owner or operator of an eligible facility is allowed to construct and operate the facility under the terms and conditions of the AGP rule. There is no need for the owner or operator to incur the additional time and expense of applying for an individual air construction (AC) or air operation (AO) permit.

❖ Who is Eligible to use an Asphalt Concrete Plant AGP?

- Eligible facilities must not emit nor have the potential to emit ten tons per year or more of any hazardous air pollutant (HAP), twenty-five tons per year or more of any combination of HAPs, or one hundred tons per year or more of any other regulated air pollutant.
- Eligible facilities must not operate any other emission units that would require an AO permit.
- Existing facilities with an AO permit may renew that permit or apply for the AGP at least thirty days prior to the expiration date of the existing permit.

❖ How Do I Register or Re-register for an Asphalt Concrete Plant AGP?

- To register for an asphalt concrete plant AGP, provide the information requested in the Asphalt Concrete Plant Air General Permit Example Worksheet (<https://floridadep.gov/air/permitting-compliance/documents/asphalt-concrete-plant-air-general-permit-example-worksheet>) and mail it to DEP at the address indicated in the worksheet instructions along with the \$100 processing fee. Online registration using the Air General Permit Electronic Registration System (AGPERS) is under development. Anticipated implementation of online registrations is July 2019.
- The registration and associated processing fee must be submitted to the Department at least 30 days prior to the expiration date of an existing facility’s authorization.
- For a new facility, the registration must be submitted at least 30 days before intending to use the AGP rule authority.
- If certain changes occur at an existing facility, the owner or operator must re-register for use of the AGP. Re-registration of the AGP is required for the following changes:
 - Change of ownership
 - The new owner or operator must submit a registration along with a fee of \$100.00, at least 30 days before intending to use the AGP rule authority.
 - The current owner or operator is encouraged to notify the Department prior to the sale of the facility.

- Physical change in location (for stationary sources only -- plants registered as relocatable should submit the relocation form referenced below)
- Proposed new construction
- Modifications to equipment (installation of new process or air pollution equipment; alteration of existing process or control equipment; or replacement of existing process or control equipment with equipment substantially different in terms of capacity, method of operation, material processed, or intended use other than that noted in the most recent registration form)
- Re-registration for an existing facility, with impending expiration of the term of air general permit use, should take place at least 30 days prior to the expiration of the term.

❖ **What is required by the Asphalt Concrete Plant AGP Rule?**

☑ General Requirements

- The owner or operator's use of an air general permit is limited to five years. Prior to the end of the five-year term, the owner or operator who intends to continue using the air general permit for the facility shall re-register with the Department.
- The air general permit is valid only for the specific type of facility and associated emissions units and pollutant-emitting activities indicated. Any deviation from the specified activity and the conditions for undertaking that activity shall constitute a violation of the permit.
- The facility must not emit objectionable odors.
- Use of the air general permit does not eliminate the necessity for the owner or operator to obtain any other federal, state or local permits that may be required, or relieve the owner or operator from the duty to comply with any federal, state or local requirements that may apply.

☑ Specific Requirements

- The production rate of asphaltic concrete shall not exceed 600,000 tons in any consecutive twelve-month period for a drum mix process or 300,000 tons in any consecutive twelve-month period for a batch mix process or an equivalent prorated amount if multiple processes are used.
- Fuel oil shall not exceed 0.5 percent sulfur content, by weight.
- The particulate matter (PM) emissions shall not exceed 0.04 grains per dry standard cubic foot averaged over a three-hour period.
- Fugitive PM emissions shall be controlled in accordance with the requirements of Rule 62-296.320(4)(c), F.A.C.
- Visible emissions (VE) shall not be equal to or greater than 20 percent opacity.
- A facility using this air general permit may collocate with other facilities that separately registered for, and are also using an asphalt concrete plant, concrete batching plant, or nonmetallic mineral processing plant air general permits provided specific conditions are met.
- Asphalt concrete plants registered as relocatable facilities are required to complete a Facility Relocation Notification Form (DEP Form No. 62-210.900(6), found here: <https://floridadep.gov/air/permitting-compliance/forms/facility-relocation-notification>) and submit it to the appropriate compliance authority each time they relocate to a new site.

☑ Test Methods and Procedures

- The owner or operator shall submit a stack test using EPA Reference Method 5 or 5A and a visible emission (VE) test using EPA Reference Method 9, incorporated and adopted by reference in rule 62-204.800, F.A.C., that demonstrate compliance with the applicable PM and VE standards, respectively during each calendar year.

☑ Record-keeping

- The owner or operator shall maintain records to demonstrate that fuel oil sulfur content meets the specifications in the applicable regulations. All records shall be maintained for at least 5 years.
- The owner or operator shall maintain records to document the monthly and the twelve-month rolling totals of tons of asphaltic concrete produced, the gallons of fuel oil and on-specification used oil consumed, and the hours of operation. Such records shall be retained for five years.

☑ Equipment Maintenance

- The owner or operator shall maintain the authorized facility in good condition. Throughout the term of air general permit use, the owner or operator shall ensure that the facility maintains its eligibility to use the air general permit and complies with all terms and conditions of the air general permit.

☑ How does an owner/operator of an Asphalt Concrete Plant, firing used oil, meet the used oil standards and requirements in 40 CFR 279.10 and 40 CFR 761.20 (as required by 62-210.310(4)(g)3.b., F.A.C.)?

On-Specification “On-Spec” Used Oil Constituent/Property Limits

For used oil to be classified as “on-spec”, it must meet the following constituent/property limits:

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

[40 CFR 279.11]

Off-spec oil shall not be blended with virgin oil or on-spec used oil for the purpose of producing on-spec used oil.

[40 CFR 279.61(b)(2)]

Polychlorinated biphenyls (PCBs) Restriction on used oil

Used oil containing any *quantifiable level* of PCBs (≥ 2 ppm), may be burned only in *qualified incinerators* as defined in 40 CFR 761.3, or *burners* identified in 40 CFR 279.61(a)(1) and (2). An Asphalt Concrete Plant operating under a General Permit is *not* a qualified incinerator and the burning of used oil with a PCB concentration greater than or equal to 2 ppm is prohibited.
[40 CFR 761.20(e)(1)]

Testing of used oil fuel

PCBs: 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.

- (i) The person who first claims that a used oil fuel does not contain quantifiable level (≥ 2 ppm) PCB must obtain analyses or other information to support that claim.
- (ii) Testing to determine the PCB concentration in used oil may be conducted on individual samples, or in accordance with the testing procedures described in §761.60(g)(2). However, for purposes of 40 CFR part 761, if any PCBs at a concentration of 50 ppm or greater have been added to the container or equipment, then the total container contents must be considered as having a PCB concentration of 50 ppm or greater for purposes of complying with the disposal requirements of 40 CFR part 761.
- (iii) Other information documenting that the used oil fuel does not contain *quantifiable levels* (≥ 2 ppm) of PCBs may consist of either personal, special knowledge of the source and composition of the used oil, or a certification from the person generating the used oil claiming that the oil contains no detectable PCBs.

[40 CFR 761.20(e)(2)]

“On-Spec”: A burner may determine that used oil that is to be burned for energy recovery meets the fuel specifications of §279.11 by performing analyses or obtaining copies of analyses or other information documenting that the used oil fuel meets the specifications.

[40 CFR 279.72(a)]

EPA Notification

Identification numbers. A person who first claims that used oil that is to be burned for energy recovery meets the used oil fuel specifications set forth in 40 CFR 279.11, who has not previously complied with the notification requirements of RCRA section 3010, must comply with these requirements and obtain an EPA identification number. A person who has not received an EPA identification number may obtain one by notifying the Regional Administrator of their used oil activity by submitting either: (1) A completed EPA Form 8700-12; or (2) A letter requesting an EPA identification number.

[40 CFR 279.73]

Recordkeeping requirements for used oil

PCBs: The person who first claims that the used oil fuel contains no detectable PCBs must keep copies of the analysis or other information documenting his claim, and he must include a copy of each certification notice received or prepared relating to transactions involving PCB-containing used oil.

[40 CFR 761.20(e)(4)]

“On-Spec”: A burner who first claims that used oil that is to be burned for energy recovery meets the specifications for used oil fuel under §279.11, must keep copies of analyses of the used oil (or other information used to make the determination) for three years.

[40 CFR 279.72(b)]

Sulfur Content: The owner shall maintain records to demonstrate that on-specification used oil contains 0.5 percent sulfur or less, by weight.

[62-210.310(4)(g)3.b., F.A.C.]

Records Retention: All records shall be maintained for at least 5 years.

[62-210.310(4)(g)3.b., F.A.C.]

❖ Who do I contact regarding questions about AGPs and/or registration procedures?

- Please contact the Department’s Small Business Environmental Assistance Program by phone at 1-800-722-7457 or by email at Small.Business@dep.state.fl.us.

DISCLAIMER: This handout is for guidance purposes only. It is not official rule language and does not include a comprehensive listing of all environmental regulations that may be applicable to Asphalt Concrete Plants. Please refer to Rule 62-210.310(4)(g), F.A.C. for complete and up-to-date rule language.