BROWARD COUNTY FLORIDA
Environmental Protection and Growth Management Department
POLLUTION PREVENTION REMEDIATION AND AIR QUALITY DIVISION
One North University Drive, Suite 203, Plantation, Florida 33324
954-519-1260 • FAX 954-519-1495

NOTICE OF FINAL PERMIT

Mr. Jose De La Garza, V.P. Logistics, East Region
CEMEX Cement, Inc.
1501 Belvedere Road
West Palm Beach, Florida 33406

VIA ELECTRONIC MAIL
RETURN EMAIL RECEIPT REQUESTED

Dear Mr. De La Garza:

Enclosed is construction permit number 0112182-008-AC to the facility located at 2521 S.W. 30th Avenue, Hallandale, Broward County, Florida issued pursuant to Section 403.087 of the Florida Statutes, Broward County's Specific Operating Agreement with the Florida Department of Environmental Protection, and Broward County Code Chapter 27 Article IV which adopts Florida Administrative Code (FAC) 62-4, 62-296 and 62-297.

Persons whose substantial interests are affected by this permit have a right, pursuant to Section 120.57, Florida Statutes, to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapters 62-103 and 28-5.201, FAC, and must be filed (received) in the in the Office of the Broward County Attorney at 115 South Andrews Avenue, Room: 423, Fort Lauderdale, Florida 33301-1872 within fourteen (14) days of receipt of this notice. Failure to file a petition within the fourteen (14) days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, Florida Statutes and Chapter 27. This permit is final and effective on the date filed with the Clerk of the PPRAQD unless a petition is filed in accordance with this paragraph or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, FAC. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the PPRAQD. When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, in the Office of the Broward County Attorney at 115 South Andrews Avenue, Suite 423, Fort Lauderdale, Florida 33301-1872 and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Broward County, Florida
POLLUTION PREVENTION, REMEDIATION AND AIR QUALITY DIVISION

Clifton Bittle, Environmental Licensing Manager

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Permit was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with return receipt or e-mail receipt requested before the close of business on August 28, 2013 to the persons listed below.

Joe Lurix, SFDEP, Program Administrator, joe.lurix@dep.state.fl.us

Stephanie Brooks, P.E., brookseng@aol.com

Jose De La Garza, V.P. Logistics, East Region, CEMEX Cement, Inc., jose.delagarza@cemex.com

Charles Walz, Environmental Manager, CEMEX Cement, Inc., Charles.Walz@cemex.com

Clerk Stamp

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

(Clerk) 8/28/2013 (Date)

Environmental Protection and Growth Management Department
POLLUTION PREVENTION REMEDIATION AND AIR QUALITY DIVISION
One North University Drive, Suite 203, Plantation, Florida 33324
954-519-1260 • FAX 954-519-1495

NOTICE OF AIR POLLUTION PERMIT

ISSUED TO:

PERMITTEE:
CEMEX Cement, Inc.
Authorized Representative:
Mr. Jose De La Garza, V.P. Logistics Operations
CEMEX Cement, Inc.
1501 Belvedere Road
West Palm Beach, Florida 33406

AIRS ID NO: 0112182
Permit Number: 0112182-008-AC
Issue Date: August 28, 2013
Expiration Date: July 1, 2014

Facility Name: CEMEX Cement, Inc. is located at 2521 S.W. 30th Avenue, Hallandale, Broward County, Florida.

Project Description: Construction permit to add fly ash to the existing bulk cement distribution/transfer terminal SIC Code: 4789.

Lat/Long: 25°59'10.2792" N / 80°09'59.792" **UTM:** Zone 17; 583.44 Km. E; 2874.42 Km. N

Statement of Basis: This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) Florida Administrative Code (F.A.C.) Rules 62-4 and 62-210 through 62-297 (permitting requirements) and Broward County Code, Chapter 27 (emission limitations) and in conformance with all existing regulations of the Florida Department of Environmental Protection (FDEP). The above named Permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Broward County Pollution Prevention, Remediation and Air Quality Division (PPRAQD) and made a part hereof.

In accordance with: Air Construction Permit Application received on June 17, 2005, Intent to Issue a Permit issued on September 25, 2005, additional information received November 6, 1995 and Public Notice of Intent to Issue Permit issued November 12, 1995 and published in the Sun-Sentinel newspaper. Application to Obtain an operation Permit received October 27, 1997, and other construction permit application with publication handled on 2002, renewal application received October 19, 2007, renewal application received November 2, 2012, construction permit application received electronically without the fee and Professional Engineer Signature Document June 12, 2013, the Professional Engineer Signature Document was received June 21, 2013, the fee was received July 12, 2013 (none are attached).

This permit is organized by the following sections.
1. Facility Description
2. General Conditions
3. Facility-wide Conditions
4. Emissions Unit Specific Conditions

Executed in Broward County, Florida

Clifton Bittle
Environmental Licensing Manager
Broward County Pollution Prevention, Remediation and Air Quality Division

1. FACILITY DESCRIPTION

CEMEX Cement, Inc. (formerly Southdown) operates a Cement Distribution Terminal at Hallandale, Florida. This source transports (transfer) bulk cement and fly ash from rail cars to a bucket elevator via a screw conveyor, then to trucks and/or two silos. The average transfer rate is 250,000 tons per year. The maximum truck loading spout rate is 450 tons per hour. The transfer rate to the silos is 350 tons per hour. The materials handled at the facility are cement and fly ash.

This operation has the potential to emit particulate matter below the major source (Title V) threshold, which makes this facility a natural minor source of air pollution.

The facility consists of the following emissions units:

E.U. ID No.	Brief Description
001	A 2000 CFM baghouse controlling particulate matter emissions on two cement and fly ash silos.
002	A truck loading spout operation. Particulate matter emissions are controlled by a 2100 CFM Mikropol Model 36S8-30-B baghouse.

2. GENERAL CONDITIONS

1. Terms of Permit. 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 403.859 through 403.861, F.S. The Permittee is placed on notice that the PPRAQD will review this permit periodically and may initiate enforcement action for any violation of these conditions.
[Rule 62-4.160 (1), F.A.C.]

2. Permit Validity. 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 PPRAQD.
[Rule 62-4.160 (2), F.A.C.]

3. Disclaimer. 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 exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, or any violations of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other permit that may be required for other aspects of the total project which are not addressed in this permit.
[Rule 62-4.160 (3), F.A.C.]

4. Disclaimer. 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 interest have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
[Rule 62-4.160 (4), F.A.C.]

5. Liability. 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 FDEP rule, unless specifically authorized by an order from the PPRAQD.
[Rule 62-4.160 (5), F.A.C.]

6. Operation and Maintenance. The Permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the Permittee to achieve compliance with the conditions of this permit, as required by county and state rules. This provision included 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 PPRAQD and FDEP rules.
[Rule 62-4.160 (6), F.A.C.]

7. Onsite Inspection Activities. The Permittee, by accepting this permit, specifically agrees to allow authorized PPRAQD personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times (depending on the nature of the concern being investigated), 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 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 PPRAQD and FDEP rules.
[Rule 62-4.160 (7), F.A.C.]

8. Notice of Noncompliance. If, for any reason, the Permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the Permittee shall immediately provide PPRAQD with the following information:
(a) A description of and cause of noncompliance; and
(b) The period of noncompliance, including 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 enforcement action by PPRAQD for penalties or for revocation of this permit.
[Rule 62-4.160 (8), F.A.C.]

9. Reporting Noncompliance. The Permittee shall report any periods of noncompliance to the PPRAQD immediately by phone at 954-519-1499 or by Email at EPDHOTLINE@broward.org. This also applies when the period of non-compliance is first determined after normal business hours or on weekends and holidays.
[Rules 62-4.130 and 62-4.070(3), F.A.C.]

10. Evidence Materials. By 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 facility or activity, that are submitted to the PPRAQD, may be used by the PPRAQD as evidence in any enforcement proceeding arising under the Florida Statues or F.A.C. rules, except where such use is prohibited by Section 403.111 and 403.73, Florida Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
[Rule 62-4.160 (9), F.A.C.]

11. Rule Changes. The Permittee agrees to comply with changes in Florida Department of Environmental Protection 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 FDEP rules.
[Rule 62-4.160 (10), F.A.C.]

12. Permit Transfer. This permit is transferable only upon PPRAQD approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The Permittee shall be liable for any non-compliance of the permitted activity until the transfer approved by the PPRAQD.
[Rule 62-4.160 (11), F.A.C.]

13. Work Site Copy. This permit or a copy thereof shall be kept at the work site of the permitted activity.
[Rule 62-4.160 (12), F.A.C.]

14. Miscellaneous Compliance Requirements. The Permittee shall comply with the following:

    (a) Upon request, the Permittee shall furnish all records and plans required under FDEP rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the PPRAQD.
    (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 recording 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 PPRAQD rule.
    (c) Records of monitoring information shall include:
        1. The date, exact place, and time of sampling or measurements;
        2. The person responsible for performing the sampling or measurements;
        3. The dates analyses were performed.
        4. The person responsible for performing the analyses;
        5. The analytical techniques or methods used;
        6. The results of such analyses.

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

15. Information Submittal. When requested by the PPRAQD, 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 PPRAQD, such facts or information shall be corrected promptly.
[Rule 62-4.160 (15), F.A.C.]

16. Rules Adoption. Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, as amended, are adopted by Broward County Code, Sec. 27-173.
[Broward County Code, Sec. 27-173]

3. FACILITY-WIDE CONDITIONS

17. Unconfined Emissions of Particulate Matter. No person shall cause, let, permit, suffer, or allow the emissions of particulate matter, from any source whatsoever, including but not limited to vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing, handling, without taking reasonable precautions.

    Reasonable Precautions to Control Particulate Matter:
    Reasonable precautions may include but shall not be limited to the following.

    (1) Paving and maintenance of roads, parking areas and yards.

(2) Application of water to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.

(3) Application of asphalt, water or other dust suppressants to unpaved roads, yards, open stock piles and similar sources.

(4) Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the source to prevent reentrainment, and from buildings or work areas to prevent particulate from becoming airborne.

(5) Landscaping or planting of vegetation.

(6) Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.

(7) Confining abrasive blasting where possible.

(8) Enclosure or covering of conveyor systems

[Rule 62-296.320(4) (c), F.A.C.; Broward County Code, Sec. 27-177(b)]

18. General Visible Emissions. No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere any air pollutants from sources, the opacity of which is equal to or greater than 20 percent. If the presence of uncombined water is the only reason for failure to meet visible emission standards given in this section, such failure shall not be a violation of this prohibition.
[Rule 62-296.320(4) (b), F.A.C. and Broward County Code, Section 27-175(i). DEP Guidance, March 2000, DARM-PER 33].

19. Concealment. No person shall build, erect, install, or use any article, machine, equipment or other contrivance, the use of which will conceal any emission which would otherwise constitute a violation of any provisions of Broward County Codes.
[Rule 62-4.070(3), F.A.C. and Broward County Code, Sec. 27-175(b)]

20. Circumvention. No person shall circumvent any air pollution device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.
[Rule 62-210.650 F.A.C and Broward County Code, Sec. 27-175(c)]

21. Maintenance. No person shall operate any air pollution control equipment or systems without proper and sufficient maintenance to assure compliance with Broward County Codes.

22. Special Compliance Tests. When PPRAQD, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a PPRAQD rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the PPRAQD.
[Rule 62-297.310(7) (b), F.A.C.]

23. Operating Permit. Sixty days before the expiration date of this construction permit, the permittee shall apply for a renewal of permit using the forms incorporated by reference in the specific rule chapter for this type of permit.
[Rule 62-4.090 F.A.C.]
{Permitting Note: The permittee may also elect to submit the application electronically using the Electronic Permit Submittal and Processing system (EPSAP) via the http://www.dep.state.fl.us/air/emission/epsap/default.htm website, along with the processing fee established in Rule 62-4.050(4), F.A.C. , [62-4.090(1) and 62-4.050(4), F.A.C.

4. EMISSIONS UNIT SPECIFIC CONDITIONS

Subsection A. This section addresses the following emissions unit.

E.U. ID No.	Description of Emissions Unit
001	A 2000 CFM baghouse controlling particulate matter emissions on two cement silos.
002	A truck loading spout operation. Particulate matter emissions are controlled by a 2100 CFM Mikropol Model 36S8-30-B baghouse.

Operational Standards

24. The permittee shall keep the baghouses operating properly, according to the manufacturer's specifications, and maintain a log of the maintenance of the baghouses on site. These records shall be made available to the PPRAQD upon request.
[Rule 62-4.070(3), F.A.C.]