PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection
Division of Air Resource Management, Office of Permitting and Compliance
Draft Title V Air Operation Permit No. 0010087-050-AV
Draft Air Construction Permit Nos. 0010087-049-AC (PSD-FL-228G and 350E) and 0010087-051-AC
Argos Cement, LLC, Argos Newberry Cement Plant
Alachua County, Florida

Applicant: The applicant for this project is Argos Cement, LLC. The applicant's responsible official and mailing address are: Chris Horner, Plant Manager, Argos Cement, LLC, 4000 Northwest County Road (CR) 235, Newberry, Florida 32669.

Facility Location: The applicant operates the existing Argos Newberry Cement Plant, which is located in Alachua County at 4000 Northwest CR 235 in Newberry, Florida.

Project: Argos operates the existing Newberry Cement Plant, which includes a Portland cement plant and associated quarry, and raw material and cement handling operations. The applicant applied on June 4, 2014 to the Florida Department of Environmental Protection (Department) for a revised Title V air operation permit and concurrent air construction permit revision/modification for minor changes to previous conditions in the previously issued air construction permits and for the construction and installation of a new conveyor at the convey transfer point in the raw material handling and storage area. On June 26, 2014, the applicant applied to the Department for an air construction permit modification for the construction and installation of new equipment for the processing and handling of alternative fuels in Kiln Nos. 1 and 2. This permitting project will revise the existing Title V Air Operation Permit No. 0010087-050-AV and Air Construction Permit Nos. 0010087-049-AC (PSD-FL-228G and 350E) and 0010087-051-AC.

Project No. 0010087-050-AV: Revisions to the Title V air operation permit include: updating the emission units subject to the federal requirements for Portland cement plants under the National Emission Standards of Hazardous Air Pollutants (NESHAP) in Subpart LLL of Title 40, Code of Federal Regulations, Part 63 (40 CFR 63); extending the compliance date in Subpart LLL of 40 CFR 63 for the clinker coolers; identifying the two existing cement kilns as commercial and industrial solid waste incineration units subject to Rule 62-204.800(9)(f), F.A.C., which adopts the federal emissions guidelines in Subpart DDDD of 40 CFR Part 60. Also included in the permit revision are minor clarifications and corrections.

Project No. 0010087-049-AC (PSD-FL-228G and 350E): This air construction permit authorizes the construction and installation of a new conveyor at the convey transfer point in the raw material handling and storage area. The new emission point will be subject to the federal requirements for Nonmetallic Mineral Processing Plants under NSPS Subpart OOO of 40 CFR 60.

The permit project will also make minor revisions to previously issued Permit Nos. AC01-267311 (PSD-FL-228), 0010087-006-AC (PSD-FL-228C) and 0010087-031-AC (PSD-FL-350A), which are primarily related to: changing the annual visible emission tests for the kilns and clinker coolers to testing prior to renewal since these emission units are equipped with continuous opacity monitoring systems; removing the notification requirement for kiln No. 1 regarding significant changes to the raw materials or fuel used in the most recent performance test for dioxin/furan since the kiln is no longer subject to NESHAP Subpart LLL of 40 CFR 63; removing an emission point in the finish grinding operations since this emission point no longer exists; and making minor changes to specific conditions to clarify the intent of the rules and regulations.

Project No. 0010087-051-AC: This air construction permit authorizes the construction and installation of the following equipment for the processing and handling of alternative fuels in Kiln Nos. 1 and 2: gravimetric feed system; pneumatic feed system; main kiln burner; and electric or diesel-powered shredding and screening equipment. These modifications will not increase cement production capacity. Alternative fuels will displace conventional fuels such as coal.

Kiln Nos. 1 and 2 are currently authorized to fire coal, natural gas, distillate oil, petroleum coke, propane (startup), flyash, and whole tires. The project authorizes Kiln Nos. 1 and 2 to fire non-hazardous alternative fuels such as the following in any combination in the kilns: tire-derived fuel; plastics; roofing materials; agricultural

biogenic materials (e.g., peanut hulls, rice hulls, and animal bedding); untreated cellulosic biomass (e.g., untreated lumber, limbs and bark, sawdust, wood chips, shavings, wood slabs, and wood pellets); treated cellulosic biomass (e.g. preservative-treated wood that contain creosote, copper-chromium-arsenic, alkaline quaternary copper, and painted wood); resinated woods (e.g., plywood, particle board, medium density fiberboard, oriented strand board, laminated beams, and finger-jointed trim); carpet-derived fuels; petroleum byproducts (e.g., on-specification and off-specification used oil, coal tar sludge, and carbon black residue); and engineered fuel. Engineered fuel will consist of combinations of non-hazardous materials, such as identified above, and other alternative fuel materials engineered to have targeted, consistent fuel properties such as: heating value, moisture content, particle size, ash content, and volatility. The materials would be co-fired with coal to offset a portion of the coal needed to produce heat for the existing cement kilns.

Total emissions increases from the new equipment and the processing and handling of alternative fuels in Kiln Nos. 1 and 2 from all projects in this permit package are below the regulatory thresholds for the Prevention of Significant Deterioration (PSD) program.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work.

Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213, of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility.

The Office of Permitting and Compliance in the Division of Air Resource Management is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 2600 Blairstone Road, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blairstone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft air construction permits, the draft Title V air operation permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permits by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue air construction permits to the applicant for the projects described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue final permits in accordance with the conditions of the proposed draft air construction permits unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a revised Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a proposed permit and subsequent final permit in accordance with the conditions of the draft permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the draft air construction permits for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Register (FAR). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft permit, the Permitting Authority shall issue a revised draft permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline. 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this written

notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at: http://www.epa.gov/region4/air/permits/florida.htm.