Florida Department of
Environmental Protection
Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Electronically Sent- Received Receipt Requested

NOTICE OF MINOR MODIFICATION TO AIR OPERATION PERMIT

In the Matter of a Request for Minor Modification:

Mr. Charles J. Piwowarski
Environmental Manager
Lehigh Hanson
840 West Avenue
DeLand, FL 32720

Project No. 0090057-004-AO
Minor Modification to Permit No. 0090057-003-AO
Continental Florida Materials - Cape Canaveral
Brevard County

Enclosed is a minor modification to the Air Operation Permit No. 0090057-003-AO, for the operation of a Cement Storage and Transfer Facility located in Brevard County at 9012 Marlin Street in Cape Canaveral, Florida. This permit modification is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made per request in an application for a minor modification received by the Department on August 09, 2011. This permit action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must 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 (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, 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 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 notice. 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.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 notice is filed with the Clerk of the permitting authority.

Executed in Orlando, Florida.

Caroline D. Shine — 9/19/11

Caroline D. Shine — Date
District Air Program Administrator
Central District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Minor Modification to Air Operation Permit (including the corrected page or a link to these documents available electronically on a publicly accessible server), was sent by electronic mail with received receipt requested to the persons listed below:

Mr. Charles J. Piwowarski, Environmental Manager, Lehigh Hanson
(**Charles.Piwowarski@hanson.biz**)

Clerk Stamp

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

(Clerk) 9/19/2011 (Date)

Minor Modification to Air Operation Permit:

Pursuant to the applicant's request, the Operation Description on Page 1 of Air Operation Permit No. 0090057-003-AO is hereby changed:

FROM:

The permittee may operate a Cement Storage and Transfer Facility which includes eight cement storage silos, a Sly model STJ-1817-10 Tube jet baghouse (dust collector) used to control emissions from pneumatic loading of cement into silos from a ship, three truck bays, and three (3) Fuller jet pulse dust collectors used to control emissions from the loading of cement into a tanker truck by the use of a dust recovery systems.

In addition to the typical pneumatic discharging methods, the following optional methods are acceptable if visible emissions are limited to 5 percent opacity:

1) Pneumatic/mechanical dockside ship unloading from dock to barge

2) Hopper/grabber utilizing ship cranes and grab buckets

TO:

The permittee may operate a Cement Storage and Transfer Facility which includes eight cement storage silos, a Sly model STJ-1817-10 Tube jet baghouse (dust collector) used to control emissions from pneumatic **loading and unloading of cementitious material from trucks to silos, ships to silos and silos to ships**, three truck bays, and three (3) Fuller jet pulse dust collectors used to control emissions from the loading of cement into a tanker truck by the use of a dust recovery systems.

In addition to the typical pneumatic discharging methods, the following optional methods are acceptable if visible emissions are limited to 5 percent opacity:

1) Pneumatic/mechanical dockside ship **loading and unloading**

2) Hopper/grabber utilizing ship cranes and grab buckets

TECHNICAL EVALUATION
&
PRELIMINARY DETERMINATION

APPLICANT

Lehigh Hanson
840 West Avenue
DeLand, FL 32720

Continental Florida Materials – Cape Canaveral
Facility ID No. 0090057

PROJECT

Project No. 0090057-004-AO
Minor Modification to Air Operation Permit
Project Name: Modification

COUNTY

Brevard County, Florida

PERMITTING AUTHORITY

Florida Department of Environmental Protection
Air Resource Management
Central District Office
3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767

September 09, 2011

Prepared by Jeffrey Rustin, P.E.

GENERAL PROJECT INFORMATION

Air Pollution Regulations

Projects at stationary sources with the potential to emit air pollution are subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The statutes authorize the Department of Environmental Protection (Department) to establish regulations regarding air quality as part of the Florida Administrative Code (F.A.C.), which includes the following applicable chapters: 62-4 (Permits); 62-204 (Air Pollution Control - General Provisions); 62-210 (Stationary Sources - General Requirements); 62-212 (Stationary Sources - Preconstruction Review); 62-213 (Operation Permits for Major Sources of Air Pollution); 62-296 (Stationary Sources - Emission Standards); and 62-297 (Stationary Sources - Emissions Monitoring). Specifically, air construction permits are required pursuant to Rules 62-4, 62-210 and 62-212, F.A.C.

In addition, the U. S. Environmental Protection Agency (EPA) establishes air quality regulations in Title 40 of the Code of Federal Regulations (CFR). Part 60 specifies New Source Performance Standards (NSPS) for numerous industrial categories. Part 61 specifies National Emission Standards for Hazardous Air Pollutants (NESHAP) based on specific pollutants. Part 63 specifies NESHAP based on the Maximum Achievable Control Technology (MACT) for numerous industrial categories. The Department adopts these federal regulations on a quarterly basis in Rule 62-204.800, F.A.C.

Glossary of Common Terms

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of this permit.

I. Project Description:

A. Applicant:

Mr. Charles J. Piwowarski, Environmental Manager
Lehigh Hanson
840 West Avenue
DeLand, FL 32720

B. Project Location:

Continental Florida Materials - Cape Canaveral
9012 Marlin Street
Cape Canaveral, Florida 32920

C. Project Summary:

This is a minor modification to the existing operation permit to allow loading and unloading of cementitious material from trucks to silos, ships to silos and silos to ships.

D. Application Information:

Application Received on: 08/09/2011
Application Complete: 08/09/2011

II. Rule Applicability

This project is subject to the preconstruction review requirements of Chapter 403, Florida Statutes and Chapters 62-204 through 62-297, Florida Administrative Code (F.A.C.), as indicated below.

Subject to:	Y/N	Comments
Rule 62-210.300, F.A.C. - Project Not Subject to Prevention of Significant Deterioration or Nonattainment Requirements, F.A.C.	Y	Not exempt from general permitting requirements.
Rule 62-212.400, F.A.C. - Prevention of Significant Deterioration	N	Facility is not a PSD major source.
Rule 62-296.414, F.A.C.	Y	Limit Visible Emissions to five percent (5%) opacity.
Rule 62-296.500, F.A.C. - Reasonably Available Control Technology (VOC)	N	Brevard County is an attainment area for ozone.
Rule 62-296.700, F.A.C. - Reasonably Available Control Technology (PM)	N	There is no applicable source category.
Rule 62-204.800, F.A.C. - Standards of Performance for New Stationary Sources (NSPS)	N	There is no applicable category.
Rule 62-204.800, F.A.C. National Emission Standard for Hazardous Air Pollutants (NESHAPS – 40 CFR 61)	N	There is no applicable source category.
Rule 62-297.310, F.A.C. - General Compliance Test Requirements, F.A.C. and **Rule 62-296.414, F.A.C.**	Y	Visible Emission Testing (EPA Method 9).

III. Summary of Emissions

Pollutant	Potential Emissions (tpy)
PM* *Using dust collectors	9.957903
VE	Limited to 5% opacity

Project increases Total Facility PM emissions by only 0.955959 tpy (previous 9.001944 tpy).

IV. Federal NSPS and/or NESHAP Provisions

None

V. Conclusions

The emission limits proposed by the applicant will meet all of the requirements of Chapters 62-204 through 297, F.A.C.

The General and Specific Conditions listed in the proposed permit (attached) will assure compliance with all the applicable requirements of Chapters 62-204 through 297, F.A.C.

VI. Preliminary Determination

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. Additional details of this analysis may be obtained by contacting the project engineer at the Florida Department of Environmental Protection Air Resource Management, Central District, 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767.

Pursuant to Section 403.087, Florida Statutes and Section 62-4.070, Florida Administrative Code, the Department hereby gives notice of its intent to issue a permit to construct the aforementioned air pollution source in accordance with the draft permit and its conditions as stipulated (see attached).