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CEMEX Cement, Inc
Pensacola Cement Distribution Terminal
Facility ID No.: 0330093
Escambia County

Air Construction Permit
Permit No.: 0330093-002-AC

Permitting and Compliance Authority:
Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, FL 32501-5794
Telephone: 850/595-8364
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[electronic file name: 0330093-002-ac.doc]

Air Construction Permit
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Department of Environmental Protection

Jeb Bush
Governor

Northwest District
160 Governmental Center
Pensacola, Florida 32501-5794

David B. Struhs
Secretary

Permittee:
CEMEX Cement, Inc

Permit No.: 0330093-002-AC
Facility ID No.: 0330093
SIC Nos.: 5032
Project: Air Construction Permit

This permit is for the replacement of an existing truck loading spout with a new loading spout that has an integrated air filtration system at the Pensacola Cement Distribution Terminal located at 110 East Olive Road, Escambia County; UTM Coordinates: Zone 16, 475.7 km East and 3374.8 km North; Latitude: 30° 30' 24" North and Longitude: 87° 15' 12" West.

STATEMENT OF BASIS: This air construction permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210. 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 permitting authority, in accordance with the terms and conditions of this permit.

Referenced attachments made a part of this permit:
Appendix G-1, General Conditions

Effective Date: February 15, 2002
Expiration Date: February 15, 2007

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sandra F. Veazey

Sandra F. Veazey
Air Program Administrator

SFV/bbc

Section I. Facility Information.

Subsection A. Facility Description.

This facility is a cement distribution terminal including six 208-ton capacity silos. Cement is received in rail cars. The cars are unloaded by one of two methods, either by a pneumatic conveyor or by a pneumatic transfer pump into any of the six silos. Particulate emissions during loading of the silos are controlled by bag house filters, one per silo. Dust collected in each bag house is conveyed back into its respective silo. Transport trucks are loaded from the six silos through air slides and a single loading spout.

With the existing truck loading spout, fugitive dust from the truck loading is ventilated back into the baghouse on Silo 2. With the proposed loading spout, the fugitive dust from the truck loading shall be collected in a filter system that is integrated with the spout. Filtered air is exhausted 'horizontally' from the spout during loading.

Based on the permit application received November 5, 2001, this facility is not a major source of hazardous air pollutants (HAPs).

Subsection B. Summary of Emissions Unit ID No(s). and Brief Description(s).

E.U. ID No.	Brief Description
001	Cement Distribution Terminal.

Please reference the Permit No., Facility ID No., and appropriate Emissions Unit(s) ID No(s). on all correspondence, test report submittals, applications, etc.

Subsection C. Relevant Documents.

The documents listed below are not a part of this permit; however, they are specifically related to this permitting action.

These documents are on file with permitting authority:
Permit Application received November 5, 2001
Additional Information Request dated November 30, 2001
Additional Information Response received January 11, 2001

Section II. Facility-wide Conditions.

The following conditions apply facility-wide:

1. APPENDIX G-1, GENERAL CONDITIONS, is a part of this permit.

2. Reasonable precautions to prevent emissions of unconfined particulate matter at this facility shall be used.
[Rule 62-296.320(4)(c)2., F.A.C.]

3. The applicant shall retain a Professional Engineer, registered in the State of Florida, for the inspection of this project. Upon completion the engineer shall inspect for conformity to the permit application and associated documents. An application for an operation permit shall be submitted with the compliance test results and appropriate fee when applicable. These are to be submitted within 45 days after initial operation.
[Rules 62-210.300(2) and 62-4.050(3), F.A.C.]

4. The permittee shall submit all compliance related notifications and reports required by this permit to the Department's Northwest District office.

Department of Environmental Protection
Northwest District Office
160 Governmental Center
Pensacola, Florida 32501-5794

Notification of compliance testing may be submitted by electronic mail to NWDAIR@dep.state.fl.us.

5. The Department telephone number for reporting problems, malfunctions or exceedances under this permit is (850) 595-8364, extension 1220, day or night, and for emergencies involving a significant threat to human health or the environment is (800) 320-0519. For routine business, telephone (850) 595-8364, then press 7, during normal working hours.
[Rules 62-210.700 and 62-4.130, F.A.C.]

6. The Department shall be notified upon commencement of construction. The Department shall be notified and prior approval shall be obtained of any changes or revisions made during construction. Projects beyond one year require annual status reports.
[Rule 62-4.030, F.A.C.]

Section III. Emissions Unit(s) and Conditions.

Subsection A. This section addresses the following emissions unit(s).

E.U. ID No.	Brief Description
001	Cement Distribution Terminal

This facility is a cement distribution terminal including six 208-ton capacity silos. Cement is received in rail cars. The rail cars are unloaded by one of two methods, either by a pneumatic conveyor or by pneumatic transfer pump into any of the six silos. Particulate emissions during loading of the silos are controlled by bag house filters, one per silo. Transport trucks are loaded from the six silos through air slides and a single loading spout.

With the existing truck loading spout, fugitive dust from the truck loading is ventilated back into the baghouse on Silo 2. With the proposed truck loading spout, the fugitive dust from the truck loading shall be collected in a filter system that is integrated with the spout. Filtered air is exhausted 'horizontally' from the spout during loading.

The following specific conditions apply to the emissions unit(s) listed above:

Essential Potential to Emit (PTE) Parameters

A.1. Hours of Operation. This emissions unit is allowed to operate continuously, i.e., 8,760 hours/year.
[Rule 62-4.160(2) and 62-210.200(PTE), F.A.C.]

Emission Limitations and Standards

A.2. Visible emissions shall not exceed 5% opacity.
[Rule 62-297.620(4), F.A.C.]

Test Methods and Procedures

A.3.a. An initial emissions test of the new loading spout is required to show compliance with the standards of the Department. The initial test results must be performed while truck loading is occurring at a representative loading rate and at representative operational conditions. Such tests shall be scheduled within 30 days after initial operation. The Department shall be notified at least 15 days prior to testing to allow witnessing. Results shall be submitted to the Department within 45 days after testing.

Pollutant	Test Method
VE	DEP Method 9

[Rules 62-4.070, 62-297.310(7), and 62-297.401(9), F.A.C.]

A.3.b. The test reports shall comply with applicable portions of Rule 62-297.310, F.A.C. The Department can require special compliance tests in accordance with Rule 62-297.310(7) F.A.C. Other test methods and alternate compliance procedures may be used only after prior Departmental approval has been obtained in writing.
[Rules 62-297.310(7) and 62-297.620(1), F.A.C.]

A.3.c. Emissions testing of the new loading spout shall be conducted with the source operating at a representative loading rate.
[Rule 62-4.070(3), F.A.C.]

A.4. Special Compliance Tests. When the Department, 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 Department rule or in a permit issued pursuant to those rules is being violated, it may 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 Department.

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 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department 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 Department.

3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey any vested rights or any exclusive privileges. Nor 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 does not constitute a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the 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 Department rules, unless specifically authorized by an order from the Department.

6. 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, are required by Department rules. This provision includes 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 Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law, access to the premises, at reasonable times, where the permitted activity is located or conducted for the purpose of:

a. Having access to and copying any records that must be kept under the conditions of this permit;

b. Inspecting the facility, equipment, practices, or operations regulated or required under this permit; and,

c. Sampling or monitoring any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department 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 this permit, the permittee shall immediately provide the Department with the following information:

a. A description of and cause of noncompliance; and

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 Department 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 Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is proscribed by Sections 403.73 and 403.111, Florida Statutes. Such evidence shall only be used to the extent it is consistent with Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department 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 Department rules.

11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, as applicable. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

12. This permit is required to be kept at the work site of the permitted activity during the entire period of construction or operation.

13. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

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 Department rule.

c. Records of monitoring information shall include:
- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurement;
- 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 Department, 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 Department, such facts or information shall be corrected promptly.