PERMITTEE

CEMEX Construction Materials Florida, LLC
Central Power & Lime (CP&L), LLC.
10311 Cement Plant Road
Brooksville, Florida 32669

PERMITTING AUTHORITY

Florida Department of Environmental Protection (Department)
Division of Air Resource Management
Office of Permitting and Compliance
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

PROJECT

Permit No. 0530021-021-AV
CEMEX and CP&L Facility

The purpose of this permitting project is to revise the existing Title V air operation permit for the incorporation of the terms and conditions established in air construction (AC) permit No. 0530021-009-AC (PSD-FL-351 issued July 6, 2005) and subsequent minor modifications issued in 2008 and 2009 (0530021-015-AC and 0530021-018-AC/0530021-020-AC/PSD-FL-351C) for the new Portland Cement Line 2. This revision also incorporates modifications to Portland Cement Line 1 established in air construction permit Nos. 0530021-022-AC and 0530021-026-AC, which allowed the installation and operation of the water spray/injection system on the downcomer of the Kiln 1 preheater tower.

On August 6, 2010, EPA issued an amendment to 40 CFR 63, Subpart LLL - National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry. This amendment will reduce air emissions of mercury, total hydrocarbons, hydrochloric acid and particulate matter from both new and existing cement kilns. The standards for new kilns apply to facilities that commence construction, modification, or reconstruction after May 6, 2009. Under this rule, Lines 1 and 2 are considered existing sources. Existing kilns must comply with the new limits for existing sources no later than September 9, 2013.

This permit revision will not change any limits or impose future new conditions related to this rule for these existing kilns; this will be done in the next permit renewal that will take place in 2011-2012.

NOTICE AND PUBLICATION

The Department distributed a draft Title V air operation permit package on November 3, 2010. The applicant published the Public Notice in the St. Petersburg Times on February 26, 2011. The Department received the proof of publication on March 3, 2011.

COMMENTS

Comments to the draft permit were received from the applicant during the public notice period. These comments were addressed in the proposed determination and the proposed permit sent to EPA for review on April 21, 2011.

No comments on the proposed permit were received from the EPA Region 4 Office.

Subsequent to the issuance of the draft permit for this revision project, federal rules 40 CFR 60, Subpart F and 40 CFR 63, Subpart LLL were revised. The version of 40 CFR 63, Subpart LLL in effect at the time of the draft permit specifically exempted cement plants from having to comply with 40 CFR 60, Subpart F. The revised version of 40 CFR 63.1356 - Sources With Multiple Emission Limits Or Monitoring Requirements, now states "If an affected facility subject to this subpart has a different emission limit or requirement for the same pollutant under another regulation in title 40 of this chapter, the owner or operator of the affected facility must comply with the most stringent emission limit or requirement and is exempt from the less stringent requirement." Based on this change to the federal rule, Specific Conditions B.1. and F.1. are administratively corrected as follows:

B.1. Exemption From ~~New Source Performance Standards~~ Multiple Federal Requirements. ~~Because~~ Portland Cement Line 1 is an affected ~~source~~ facility subject to the provisions of 40 CFR 63, Subpart LLL~~, it is exempted from any otherwise applicable new source performance standard contained in 40 CFR Part 60, Subpart F~~. If an affected facility subject to 40 CFR 63, Subpart LLL has a different emission limit or requirement for the same pollutant under another regulation in title 40 of this chapter, the owner or operator of the affected facility must comply with the most stringent emission limit or requirement and is exempt from the less stringent requirement.
[Rule 62-204.800, F.A.C. and 40 CFR 63.1356]

F.1. Exemption From ~~New Source Performance Standards~~ Multiple Federal Requirements. ~~Because~~ Portland Cement Line 1 is an affected ~~source~~ facility subject to the provisions of 40 CFR 63, Subpart LLL~~, it is exempted from any otherwise applicable new source performance standard contained in 40 CFR Part 60, Subpart F~~. If an affected facility subject to 40 CFR 63, Subpart LLL has a different emission limit or requirement for the same pollutant under another regulation in title 40 of this chapter, the owner or operator of the affected facility must comply with the most stringent emission limit or requirement and is exempt from the less stringent requirement.
[Rule 62-204.800, F.A.C. and 40 CFR 63.1356]

Also, the permitting notes following the emissions unit descriptions in Section III, Subsections K and L., respectively, are changed as follows:

{*Permitting Notes: This emissions unit is subject to 40 CFR 63 Subpart LLL, National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry (40 CFR 63.1340 – 63.1359), adopted by reference into Rule 62.204.800, F.A.C. and 40 CFR 63 Subpart A – General Provisions.* ~~*By being subject to Subpart LLL, this emissions unit is specifically exempted from having to comply with the requirements of 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants (40 CFR 60.60 – 60.66) and 40 CFR 60, Subpart A - General Provisions*~~ If an affected facility subject to 40 CFR 63, Subpart LLL has a different emission limit or requirement for the same pollutant under another regulation in title 40 of this chapter, the owner or operator of the affected facility must comply with the most stringent emission limit or requirement and is exempt from the less stringent requirement.. *This emissions unit is also subject to the requirements of the state rules, particularly Rule 62-212.400, F.A.C., Prevention of Significant Deterioration and Rule 62-296.407, F.A.C., Portland Cement Plants. Line 2 commenced operation on November 29, 2008. The stack characteristics for this unit are: Stack Height = 320 feet, Exit Diameter = 13.6 feet, Actual Volumetric Flow Rate = 329, 700 acfm and Exit Temperature 500° F.}*

{Permitting Note: These emissions units are subject to 40 CFR 63 Subpart LLL, National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry (40 CFR 63.1340 – 63.1359), adopted by reference into Rule 62.204.800, F.A.C. and 40 CFR 63 Subpart A – General Provisions. ~~*By being subject to Subpart LLL, this emissions unit is specifically exempted from having to comply with the requirements of 40 CFR 60 Subpart F, Standards of Performance for Portland Cement Plants (40 CFR 60.60 – 60.66) and 40 CFR 60, Subpart A - General Provisions*~~ If an affected facility subject to 40 CFR 63, Subpart LLL has a different emission limit or requirement for the same pollutant under another regulation in title 40 of this chapter, the owner or operator of the affected facility must comply with the most stringent emission limit or requirement and is exempt from the less stringent requirement.. *These emissions units are also subject to the requirements of the state rules, particularly Rule 62-212.400, F.A.C., Prevention of Significant Deterioration.}*

Additionally, to clarify that this permit will remain in effect until final agency action is taken on the timely submitted Title V permit renewal application (submitted 11/12/10), the following permitting note has been added to the placard page:

{Permitting Note: Pursuant to Rule 62-213.430(3), F.A.C., because CEMEX submitted a timely application for permit renewal, this permit remains in effect until final action is taken by the Department on the renewal application.}

CONCLUSION

The final action of the Department is to issue the final permit with the changes noted in the proposed permit. Insignificant updates to the related documents list and Table H (permitting history) are also noted.