



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 ADMINISTRATIVELY CORRECTED PERMIT

In the Matter of a Request for Administrative Correction for Minor Technical Changes:

Mr. James Ruddell, Regional Environmental Manager
Lhoist, North America
9020 Overlook Boulevard, Suite, 200
Brentwood, TN, 37027

Re: Administrative Correction
DEP Project File No.: 0830016-016-AF

Dear Mr. Ruddell:

On July 30 2012, the Department received your letter requesting administrative correction to Federally Enforceable State Operation Permit 0830016-015-AF for the limestone processing facility located at 11661 NW Gainesville Road, Lowell, Marion County Florida. This correction was requested to **accurately describe equipment, and correct typographical errors in the permit application regarding process rates and hours of operation for the facility.** We received an additional letter providing further information related to this requested correction on August 20, 2012. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). It does not alter the effective dates of the existing permit:

Administrative Corrections:

Pursuant to the applicant's request, the description of EU 011 on Page 13 of Federally Enforceable State Operation Permit 0830016-015-AF, and all associated permit documents, is hereby changed:

FROM:

Granular load out Area D-2 equipped a MAC Equipment. Model 96LST144 baghouse, having an air to cloth ratio of 4.1 to 1 to control particulate emissions at the silo/truck and rail loading areas. Two, 400 cubic feet per minute (cfm) and one 1,000 cfm ventilation units are contained in this area to assist in fugitive dust collection.

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

TO:

Granular load out Area D-2 equipped a MAC Equipment. Model 96LST144 baghouse, having an air to cloth ratio of 4.1 to 1 to control particulate emissions at the silo/truck and rail loading areas. In addition, one 1,800-cubic feet per minute (CFM), one 1,000-cfm, and two 400-cfm ventilation units are contained in this area to assist in fugitive dust collection.

Pursuant to the applicant's request, the permitted capacity for EU 007 in the application inadvertently omitted additional process through put which is fed to this unit from EU 013. Specific Condition No. **B.1.** on Page 14 of Federally Enforceable State Operation Permit 0830016-015-AF, and all associated permit documents, is hereby changed:

FROM:

236,000 tons per year,

TO:

455,520 tons per year. *[Note: As indicated in the applicant's request, this modification does not increase the actual or potential emissions which were calculated in the application for the emission unit.]*

Pursuant to the applicant's request, the permitted hours of operation for EU 001, EU 007, EU 009 and EU 013 in Specific Condition No. **B.1.** on Page 14 of Federally Enforceable State Operation Permit 0830016-015-AF, and all associated permit documents, is hereby changed:

FROM:

8,000 hours per year,

TO:

8,760 hours per year.

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 fourteen days of receipt of this notice. A petitioner shall 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 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.

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

All petitions filed under these rules shall contain:

- (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 the petitioner received notice of the agency 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 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.

Mediation is not available in this proceeding.

This Order is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. or unless a request for an extension of time in which to file a petition is filed within the time specified for filing a petition. Upon timely filing of a petition or a request for an extension of time to file the petition, this permit amendment will not be effective until further Order of the Department.

Any party to this Order (Administratively Corrected Permit) has the right to seek judicial review of the Order pursuant to 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 of Environmental Protection in the Office of General Counsel, Douglas Building, Mail Station 35, 3900 Commonwealth Boulevard, 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 30 days after this Order is filed with the Clerk of the Department.

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

This letter must be attached to and becomes a part of Federally Enforceable State Operation Permit 0830016-015-AF. If you have any questions, please call permit engineer, Stephen Amirault, at (407) 897-2942.

Executed in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Caroline D. Shine
District Air Program Administrator
Central District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administratively Corrected Permit was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on September 26, 2012 to the persons listed below:

Mr. James Ruddell, Regional Environmental Manager, Lhoist North America
(jim.ruddell@lhoist.com)

Clerk Stamp

FILED, on this date, pursuant to Section 120.52,
Florida Statutes, with the designated Department
Clerk, receipt of which is hereby acknowledged.



September 26, 2012

(Clerk)

(Date)