

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

In the Matter of an
Application for Permit by:

Mr. Chris Horner, Plant Manager
Florida Rock Industries, Inc.
4000 NW CR 235
Post Office Box 459
Newberry, Florida 32669

DEP File No. 0010087-021-AC
Thompson S. Baker Cement Plant
Alachua County

Enclosed is the Final Permit Number 0010087-021-AC authorizing the installation of a selective non-catalytic reduction system (SNCR) at the existing Thompson S. Baker Cement Plant near Newberry in Alachua County. This permit is issued pursuant to Chapter 403, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL PERMIT (including the FINAL permit) was sent by certified mail to the Responsible Official (*), and copies were sent by U.S. Mail or electronic mail, return receipt requested, before the close of business on 10/11/06 to the person(s) listed:

Chris Horner, FRI*
Henry Gotsch, FRI
John Koogler, P.E. Koogler & Associates
Chair, Alachua County Commission
Chris Bird, Alachua County EMD
Jim Little, EPA
Chris Kirts, DEP NED

Clerk Stamp

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

(Clerk)

(Date)

FINAL DETERMINATION

Florida Rock Industries, Inc.

Brooksville Cement Plant

DEP File No. 0010087-021-AC

On September 18, 2006 the Florida Department of Environmental Protection (Department) distributed an "Intent to Issue Air Construction Permit" authorizing the installation of a selective non-catalytic reduction (SNCR) system on Kiln No. 1 at the existing Thompson S. Baker Cement Plant located on County Road 235 approximately 2.5 miles northeast of Newberry, in Alachua County.

The package included the Department's Draft Air Construction Permit, the "Intent to Issue Air Construction Permit," the "Technical Evaluation and Preliminary Determination," and the "Public Notice of Intent to Issue Air Construction Permit." The Department sent copies of the package to various individuals and agencies. Florida Rock Industries, Inc. (FRI) published the Public Notice in *The Gainesville Sun* on September 24, 2006 and provided to the Department the required proof of publication.

The Department received no comments from agencies or the public regarding the Draft Air Construction Permit. A single comment was received from FRI, which is listed below (*italics*) followed by the Department's response.

Any additions to permit conditions are double underlined and deletions are indicated by double strike-through notation.

Comment

Specific Condition 5 of this permit states that the concentration by weight of stored ammonia solutions shall be between 9 and 19%. Among the vendors we are considering is one who offers a solution of 19.5%, which would be outside of the range requested by our application. To accommodate this and future vendor's offers, we request that a minor change in the language of the draft permit be made that allows either solutions of "9 to 19.8%" or solutions of "not more than 19.8%".

Response

It is not the Department's intention to limit FRI's scope of possible vendors, by limiting the concentration of the stored ammonia solution. The permit limits the amount of ammonia injected into the calciner in terms of pure ammonia. This can be controlled by the injection rate of the ammonia solution into the calciner regardless of the concentration of the stored solution.

However, ammonia concentrations (20 % or greater) appears on the List of Regulated Toxic Substances (40 CFR 68.130) requiring a Risk Management Plan (RMP) pursuant to Section 112r of the Clean Air Act. The solution offered by the vendor of 19.5% is clearly designed to avoid applicability of 112r, whereas the request by the applicant to use solutions up to 19.8% can be interpreted by some to mean 20%.

The following change will be made to Section III. Emission Unit Specific Conditions, EU 003, specific condition 5:

5. The concentration of stored ammonia solutions shall be less than between 9 and 19 ~~between 9 and 19~~ 20 percent (%) by weight. [Applicant Request]

{Note: ~~The~~ This limitation ~~to 19%~~ avoids the requirement to prepare a Risk Management Plan pursuant to Section 112r of the Clean Air Act for this activity.}

The final decision by the Department is to issue the permit with the changes noted.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

PERMITTEE

Florida Rock Industries
4000 NW CR 235
Post Office Box 459
Newberry, Florida 32669

DEP File No. 0010087-021-AC
Expires: June 30, 2007
Thompson S. Baker Cement Plant
Selective Non-Catalytic Reduction System

PROJECT AND LOCATION

This permit authorizes Florida Rock Industries, Inc. to install a Selective Non-Catalytic Reduction (SNCR) system on Kiln No. 1 at the existing Thompson S. Baker Cement Plant in Alachua County. The facility is on County Road 235 approximately 2.5 miles northeast of Newberry, Florida. The map coordinates are: UTM Zone 17, 346.8 km East and 3287.0 km North.

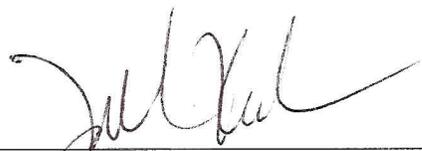
STATEMENT OF BASIS

This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the work specified in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department. This permit supplements all other air construction and operation permits for the subject emissions unit and does not alter any requirements from such previously issued air permits.

APPENDICES

The following appendices are attached as part of this permit.

Appendix GC - Construction Permit General Conditions



Joseph Kahn, Director
Division of Air Resource Management