Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

Sent by Electronic Mail – Received Receipt Requested

David Puryear, Vice President & General Manager
david.puryear@lhoist.com
Lhoist North America
750 Old Hickory Blvd., Suite 2-200
Brentwood, Tennessee 37027

Re: Extension of Air Construction Commence Construction Deadline and Permit Expiration Date
Lhoist North America, Jacksonville Lime Plant
Project No. 0310583-005-AC (PSD-FL-426C)
Extension of Original Air Permit Nos. 0310583-001-AC (PSD-FL-426)
and 0310583-002-AC (PSD-FL-426A)

Dear Mr. Puryear:

On September 13, 2017, Lhoist North America (Lhoist) requested an extension of the permit expiration date and a second extension of the deadline to commence construction for Air Construction Permit Nos. 0310583-001-AC (PSD-FL-426) and 0310583-002-AC (PSD-FL-426A) for the Jacksonville Lime Plant to be in Duval County at 1915 Wigmore Street in Jacksonville, Florida. The referenced permits authorized the construction of a new lime manufacturing plant. The Department conducted review for the Prevention of Significant Deterioration of Air Quality (PSD) and Best Available Control Technology (BACT) determinations for nitrogen oxides (NO_X), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter (PM), PM with a mean diameter of 10 microns or less (PM_{10}), $PM_{2.5}$, and greenhouse gases (GHG).

Lhoist acquired this project in January 2017 and has initiated an engineering review of the previously submitted plans. It is the stated intent of Lhoist to construct and operate the lime manufacturing plant in substantially the same fashion as proposed. According to the applicant, the extension to begin construction is needed to allow for sufficient time to complete this engineering review. Upon completion of the engineering review, equipment will be ordered and scheduled for delivery.

For PSD permits, it may be necessary to "re-validate" the BACT determinations if construction did not commence with 18 months of permit issuance or was discontinued for more than 18 months. Along with this extension request, Lhoist provided a re-evaluation of the BACT determinations for NO_X, CO, SO_2, PM, PM_{10}, $PM_{2.5}$, and GHG, and the ambient air quality impact analysis that were part of the original PSD permit application process. The Department has reviewed the U.S. EPA's Reasonably Available Control Technology/Best Available Control Technology/Lowest Achievable Emissions Rate Clearinghouse, the ambient air quality impact analysis, and the project specific conditions and has determined that the BACT determinations remain valid and the air quality impact analysis does not need to be updated as part of this extension request.

Determination: Based on the circumstances and information provided, the Department approves this request. The deadline to commence construction is hereby extended from July 18, 2017, to January 18, 2019. The expiration date is hereby extended from March 31, 2019, to March 31, 2022, to provide the necessary time to complete construction and to submit a complete application for a Title V air operation permit. This permitting action does not authorize any new construction. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air

permit is required to perform the proposed work. The Department of Environmental Protection's Office of Permitting and Compliance is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 2600 Blair Stone Road, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

Petitions: 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. Petitions must be filed within 14 days of receipt of this permit extension. 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 (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; (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 written 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: Mediation is not available in this proceeding.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing 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, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, Agency_Clerk@dep.state.fl.us, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

David Lyle Read, P.E.
2017.10.31 09:44:38 -04'00'

For:
Syed Arif, P.E., Program Administrator
Office of Permitting and Compliance
Division of Air Resource Management

SA/dlr/ttm/ead

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package (including the Final Determination and Final Permit Extension) 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 the date indicated below to the following persons.

Mr. David Puryear, Lhoist: david.puryear@lhoist.com
Mr. Eric S. Fagley, P.E., Lhoist: eric.fagley@lhoist.com
Mr. Jim Ruddell, Lhoist: jim.ruddell@lhoist.com
Ms. Julie Hudson, DEP NED: julie.hudson@dep.state.fl.us
EPA Region 4 NSR/PSD: NSRsubmittals@epa.gov
Ms. Lynn Scearce, DEP OPC: lynn.scearce@dep.state.fl.us

Clerk Stamp

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

2017.10.31 10:37:11 -04'00'