**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0530010-029-AC (PSD-FL-384)

CEMEX Cement, Inc.
Brooksville Cement Plant Line 3
Hernando County

The Department of Environmental Protection (the Department) gives notice of its intent to issue an Air Construction Permit to CEMEX Cement, Inc. to construct a new portland cement line at the existing Brooksville Cement Plant on Highway 98, northwest of Brooksville in Hernando County. A review under the rules for the Prevention of Significant Deterioration of Air Quality (PSD) was required as well as Best Available Control Technology (BACT) determinations for nitrogen oxides ($NO_X$), sulfur dioxide ($SO_2$), volatile organic compounds (VOC), carbon monoxide (CO), and particulate matter ($PM/PM_{10}$). The applicant's name and business address are CEMEX Cement, Inc., 16301 Ponce De Leon Boulevard, Brooksville, Florida 34614-0849.

The new cement line will consist of: a new kiln, designated as Kiln 3 with a nominal capacity of 3,850 tons per day (TPD) of clinker; a preheater with a calciner; an in-line raw mill; a coal/petroleum coke mill; a blending silo; a clinker cooler; a finish mill; additional clinker and cement silos; and an expanded cement packhouse and shipping facilities. There will be one large baghouse and stack associated with the kiln system and another large baghouse and stack associated with the clinker cooler.

The main fuels will be coal and petroleum coke. Additional fuels include natural gas, tires, fuel oil and on-specification used oil. The main raw materials will be sources of calcium, silicon, iron and aluminum such as limestone, sand, iron ore and bauxite. Non-hazardous raw materials such as mill scale and power plant ash will also be used. A full description of the project and the Department's review are available at: www.dep.state.fl.us/Air/permitting/construction/cemex.htm .

$NO_X$ emissions will be minimized by indirect firing in a Low $NO_X$ main kiln burner, staged combustion in the calciner, and an ammonia injection system (with or without catalyst). $SO_2$ emissions will controlled by use of low sulfur raw materials and inherent scrubbing by finely divided lime in the calciner and limestone in the raw mill. CO and VOC emissions will be controlled by promoting complete combustion in the kiln and calciner and minimizing carbon and oily content of raw materials. $PM/PM_{10}$ from the pyroprocessing system and the clinker cooler will be controlled by large fabric filter baghouses.

The Department's Draft BACT determinations for the pyroprocessing system are: 1.50 pounds of $NO_X$ per ton of clinker (lb/ton); 0.20 lb $SO_2$/ton, 2.0 lb CO/ton, 0.115 lb VOC/ton; 0.10 lb $PM/PM_{10}$/ton and 10 percent opacity. The Draft BACT determinations for the clinker cooler are 0.05 lb/ton and 10% opacity.

Emissions points from handling, conveyance, and transfer will be controlled by baghouses. Emissions from raw materials piles, loading operations, transportation, etc. will be controlled by reasonable precautions including paving, road sweeping, watering, planting grass, etc.

The CEMEX project will be subject to the maximum achievable control technology (MACT) requirements in 40 CFR 63, Subpart LLL - National Emission Standards for Hazardous Air Pollutants for Portland Cement Manufacturing Industry as finalized on December 20, 2006. The $PM/PM_{10}$ and VOC BACT determinations given above will insure compliance with the PM and total hydrocarbons limitations given in Subpart LLL.

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Subpart LLL limits mercury (Hg) emissions to 41 micrograms per dry standard cubic meter at 7 percent oxygen. Annual Hg emissions will also be limited to 190 pounds per year by a permit condition. The Department requires installation of a mercury continuous emission monitoring system (Hg-CEMS) and its use beginning the second year of operation to measure actual emissions. Subpart LLL also limits dioxin/furan emissions to less that 0.20 or 0.40 nanograms/dscm @7% $O_2$ depending on the temperature of the particulate matter control device.

The Department reviewed CEMEX's ambient air quality analysis for CO, $NO_X$, $SO_2$, VOC and PM/$PM_{10}$, pollutants subject to PSD for this project. All projected pollutant concentrations were less than their respective Significant Impact Levels for the Class II area except for PM/$PM_{10}$ on a 24-hour and annual basis. Therefore, a refined increment modeling analysis, including nearby sources, was required for $PM_{10.}$ The results of this analysis are given in the table below. This refined analysis demonstrated compliance with regulatory requirements including the ambient air quality standards.

| Averaging Time | Maximum Predicted Impact $\mu g/m^3$ | Allowable Increment $\mu g/m^3$ | Compliance with Increment | Percent of Increment |
|---|---|---|---|---|
| 24-hour | 29.8 | 30 | Yes | 99% |
| Annual | 5 | 17 | Yes | 30% |

For reference the impacts given above occur in isolated areas and are related to the ingress and egress of traffic near the plant rather than as regional effects.

All pollutants were less than their respective Significant Impact Levels for the nearest Class I area (the Chassahowitzka Wilderness Area located 15 km from project) except for $NO_X$ and $PM_{10}$ on a 24-hour basis. Therefore, a refined multi-source increment modeling analysis was required for 24-hour $PM_{10}$ and $NO_X$. The results of this analysis are given in the table below. This refined analysis demonstrated compliance with the Class I PSD Increment.

| Averaging Time | Maximum Predicted Impact $\mu g/m^3$ | Allowable Increment $\mu g/m^3$ | Compliance with Increment | Percent of Increment |
|---|---|---|---|---|
| 24-hour $PM_{10}$ | 5 | 8 | Yes | 63% |
| Annual $NO_X$ | 1.3 | 2.5 | Yes | 53% |

Based on the required analyses, the Department has reasonable assurance that the proposed project will not cause or significantly contribute to a violation of any ambient air quality standard or PSD increment. The Department requires installation of an ambient monitor in the vicinity of the plant to measure fine particles smaller than 2.5 microns ($PM_{2.5}$) that represent the fraction of $PM_{10}$ having the greatest potential effect on the environment.

The Department will accept written comments concerning the proposed permit issuance action and requests for a public meeting for a period of 30 days from the date of publication of Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station # 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 of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S. must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 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, as well as the rules and statutes which entitle the petitioner to relief; (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 Department'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 Department'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 Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida, 32301
Telephone: (850) 488-0114
Fax: (850) 921-9533

Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: (813) 632-7600
Fax: (813) 632-7668

The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator, South Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301 or call 850/921-9523 for additional information.

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