

FINAL DETERMINATION

CEMEX Cement, Inc.

Brooksville Cement Plant

DEP File No. 0530010-034-AC

Following an application submitted by CEMEX Cement for its Brooksville Cement Plant, the Florida Department of Environmental Protection (Department) distributed an "Intent to Issue Air Construction Permit" on September 13, 2007 to:

- Extend previously issued permit No. 0530010-034-AC until December 31, 2008 to complete the conversion of Kilns 1 and 2 to indirect firing;
- Defer the applicability date of the limitation of 1.21 pounds of nitrogen oxides (NO_x) per ton of preheater feed (lb/ton feed) set forth in permit No. 0530010-034 until October 31, 2008; and
- Set an interim limit of 1.5 lb NO_x/ton feed.

CEMEX published the Public Notice in *Hernando Today* on October 30, 2007 and provided to the Department the required proof of publication.

The Department received comments only from the applicant's consultant, Koogler and Associates on October 22, 2007. CEMEX requested that the Department change the averaging period for the final NO_x limit from 30-operating day (rolling) to 12-month (rolling). They commented that the annual potential emissions of 786.5 tons per year per kiln were established to avoid the requirements the Prevention of Significant Deterioration rules and not as best available control technology.

After discussion with the company, it was agreed that the averaging time will remain as drafted by the Department. The final value equates to 2.0 lb/ton of clinker and is among the lowest of any kiln in the country.

The final decision by the Department is to issue the permit as drafted.



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blairstone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor
Jeff Kottkamp
Lt. Governor
Michael W. Sole
Secretary

November 21, 2007

Electronically Sent – Received Receipt Requested

michaelanthony.gonzales@cemexusa.com

Mr. Michael A. Gonzales, Plant Manager
Brooksville Cement Plant
CEMEX Cement, Inc.
16301 Ponce De Leon Boulevard
Brooksville, Florida 34614-0849

Re: DEP File 0530010-034-AC
Modification of Permit No. 0530010-026-AC
Expiration and Nitrogen Oxides (NO_x) Conditions
CEMEX Brooksville Plant

Dear Mr. Gonzales:

The Department received your application on June 27, 2007 to modify Permit No. 0530010-026-AC that authorized installation of indirect firing systems, new burners and selective non-catalytic reduction (SNCR) systems on Kilns 1 and 2.

The expiration date is hereby extended from June 30, 2007 to December 31, 2008 to allow sufficient time to complete the installation of the indirect firing systems and to submit a Title V Operation Permit Revision. The Department will defer the applicability date of the NO_x emission limit established in Permit No. 0530010-026-AC and will include an interim limit.

The Department notes that a significant increase in actual NO_x emissions occurred and that short term permitted emission limits were exceeded at Kilns 1 and 2 following their initial conversion from direct to semi-direct firing in early 2005 until actual and regular use of the SNCR systems in early September of 2005. The final step of converting the semi-direct systems to indirect firing will facilitate permanent compliance with the established limit of 1.21 pounds of NO_x per ton of preheater feed (lb NO_x/ton feed) feed on a rolling 30-operating day basis.

Section III, Specific Condition 5 of Permit No. 0530010-026-AC is hereby modified as shown in strikethrough (~~strikethrough~~) and double-underlined format as follows:

EMISSIONS AND TESTING REQUIREMENTS

5. Emissions Standards:

- a. Beginning July 1, 2007 until 30 operating days after installation of the indirect firing system or October 31, 2008, whichever is earlier, NO_x emissions from each kiln shall exceed neither 1.50 lb/ton of dry preheater feed nor 225 lb/hour on a rolling 30-operating day average as measured by the required continuous emissions monitoring system (CEMS).
- b. Beginning 30 operating days after ~~Upon complete~~ installation of the indirect firing system, ~~but no later than June 30, 2007 or~~ October 31, 2008, whichever is earlier, emissions from each kiln shall not exceed the following emissions standards for NO_x. These limits replace any previous NO_x emission limits for Kilns 1 and 2.

Pollutant	Emission Limit	Averaging Time	Compliance Method	Basis
NO _x	1.21 lb/ton of dry preheater feed	30-operating day rolling	CEMS	Applicant Request PSD Avoidance
	181.5 lb/hr (as NO ₂)			

{Note: In combination with the annual dry preheater feed rate limitation of 1,300,000 tons per year per kiln, the above emissions standard effectively limits annual potential NO_x emissions from each unit to 786.5 tons/year. The NO_x limit is equivalent to approximately 2.0 lb/ton of clinker.}

[Applicant Request; Rules 62-4.070(3), 62-212.400(12), F.A.C.]

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 (F.S.).

Any party to this permitting modification (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, 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, 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Joseph Kahn, Director
Division of Air Resource Management

TLV/aal/th

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Permit Modification and all copies were sent electronically (with Received Receipt) before the close of business on 11/21/07 to the persons listed below:

Michael A. Gonzales, CEMEX: michaelanthony.gonzales@cemexusa.com
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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) 11/21/07
(Date)