



Florida Department of Environmental Protection

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2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

In the Matter of a Request for Administrative Correction:

CEMEX Construction Materials Florida, LLC
Brooksville South Cement Plant
10311 Cement Plant Road
Brooksville, Florida 32669

Project No. 0530021-036-AC
Administrative Correction to:
Permit No. 0530021-033-AC
Hernando County

Authorized Representative:
Mr. Jim Daniel, Cement Plant Manager

Enclosed is the administratively corrected page to Air Construction Permit No. 0530021-033-AC for the operation of the Brooksville South Cement Plant located in Hernando County at 10311 Cement Plant Road in Brooksville, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated October 31, 2011, to revise Permit No. 0530021-033-AC/PSD-FL-351D to show the stack testing requirements for mercury (Hg) per the requirements of 40 CFR 63 Subpart LLL. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 14 days of receipt of this notice. Petitions filed by any other person must be filed within 14 days of receipt of this proposed action. A petitioner must 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. 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

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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 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.

Any party to this order (permit) has the right to seek judicial review of it under 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 in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.
Electronically Signed

JFK/sa/scd

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this 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 the date indicated below to the following persons.

Mr. Jim Daniel, Cement Plant Manager, CEMEX (jdaniel@cemexusa.com)
Mr. George Townsend, Environmental Manager, CEMEX (gtownsend@cemexusa.com)
Mr. Max Lee, Ph.D., P.E., Koogler and Associates, Inc. (mlee@kooglerassociates.com)
Ms. Cindy Zhang-Torres, DEP Southwest District Office (cindy.zhang-torres@dep.state.fl.us)
Ms. Kathleen Forney, EPA Region 4 (forney.kathleen@epa.gov)
Ms. Heather Ceron, EPA Region 4: (ceron.heather@epa.gov)
Ms. Lynn Scarce, DEP OPC Reading File (lynn.scarce@dep.state.fl.us)
Ms. Barbara Friday, DEP OPC (barbara.friday@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.

NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT

Pursuant to the permittee's concurrence, conditions contained in permit No. 0530021-033-AC have been corrected as indicated below. ~~Strikethrough~~ is used to denote the deletion of text. Double-underlines are used to denote the addition of text.

18. Emission Tests Required: In addition to the continuous monitoring requirements of this permit, the owner or operator shall demonstrate compliance with the visible emissions and PM/PM₁₀ emission limits of this permit for Emissions Unit 044 initially (within 60 days of being able to operate at a clinker production rate of 3,500 tons per day), and annually thereafter, using the test methods of 40 CFR 60 Appendix A and 40 CFR 61 Appendix B specified below. The owner or operator shall demonstrate compliance with the mercury emission limits of this permit for emissions unit 044 initially, and every five years thereafter, using the test methods of 40 CFR 60 Appendix A specified below.

POLLUTANT	TEST METHOD
PM	Method 5 [†]
PM ₁₀	Method 5, assuming all PM measured is PM ₁₀
SO ₂	Method 6 or 6C
NO _x	Method 7 or 7E
VE	Method 9
CO	Method 10 or 10A
VOC	Method 25 or 25A
Hg	Method 29 or the Ontario Hydro Method for Subpart LLL Hg Tests

[†] ~~The minimum sample volume shall be 30 dry standard cubic feet.~~

Method	Description of Method and Comments
<u>1-4</u>	<u>Traverse Points, Velocity and Flow Rate, Gas Analysis, and Moisture Content</u>
<u>5*</u>	<u>Method for Determining Particulate Matter Emissions (All PM is assumed to be PM₁₀)</u>
<u>6 or 6C</u>	<u>Determination of Sulfur Dioxide Emissions from Stationary Sources</u>
<u>7 or 7E</u>	<u>Determination of Nitrogen Oxide Emissions from Stationary Sources</u>
<u>9</u>	<u>Visual Determination of the Opacity of Emissions from Stationary Sources</u>
<u>10 or 10A</u>	<u>Determination of Carbon Monoxide Emissions from Stationary Sources</u> {Note: The method shall be based on a continuous sampling train.}
<u>25 or 25A</u>	<u>Method for Determining Gaseous Organic Concentrations (Flame Ionization)</u>
<u>29**</u>	<u>Determination of Metals (Mercury) Emissions from Stationary Sources</u>

*The minimum sample volume shall be 30 dry standard cubic feet.

**or the Ontario Hydro Method for Subpart LLL Hg Tests

Each test shall be conducted while all continuous monitoring systems are functioning properly, and with all process units operating at their permitted capacity.

The above methods are described in 40 CFR 60, Appendix A, and adopted by reference in Rule 62-204.800, F.A.C. No other methods may be used unless prior written approval is received from the Department. [Rules 62-4.070(3), 62-296.701(4)(a), (c) and (d), 62-297.310(7), 62-297.401, F.A.C.; BACT; 0530021-018-AC/PSD-FL-351C, Specific Condition A.19.; 40 CFR 63.1349(a) and (b)(5)]