Florida Department of Environmental Protection

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

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Sent by Electronic Mail – Received Receipt Requested

jdaniel@cemexusa.com
Jim Daniel, Cement Plant Manager
CEMEX Construction Materials Florida, LLC
Brooksville South Cement Plant
10311 Cement Plant Road
Brooksville, Florida 34601

Re: Project No. 0530021-043-AC (PSD-FL-091K), Cement Lines No. 1
Project No. 0530021-044-AC (PSD-FL-351E), Cement Lines No. 2
Brooksville South Cement Plant
Re-Permitting Portland Cement Line Nos. 1 and 2

Dear Mr. Daniel:

On May 21, 2012, you submitted an application requesting updated air construction permits (re-permitting) for Cement Lines Nos. 1 and 2 at the CEMEX Brooksville South Cement Plant. The new permits will be "clean" permits that delete redundant and obsolete conditions and incorporate the latest emission limits and compliance requirements from the federal New Source Performance Standards and National Emission Standards for Hazardous Air Pollutants. In addition, the new construction permit for Cement Line No. 1 will reflect that it no longer shares a baghouse and stack with the co-located CP&L power plant. Enclosed are the following documents: the Written Notice of Intent to Issue Air Permits; the Public Notice of Intent to Issue Air Permits; the Technical Evaluation and Preliminary Determination; and the Draft Permit with Appendices.

The Public Notice of Intent to Issue Air Permits is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the project engineer, David Read at 850/717-9075 or david.read@dep.state.fl.us .

Sincerely,
(Electronic Signature)

Office of Permitting and Compliance
Division of Air Resource Management
Department of Environmental Protection
Tallahassee, Florida

Jeffery F. Koerner
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Enclosures

JK/jg/dlr

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

In the Matter of an
Application for Air Permit by:

CEMEX Construction Materials Florida, LLC
Brooksville South Cement Plant
10311 Cement Plant Road
Brooksville, Florida 34601

Authorized Representative:
Jim Daniel, Cement Plant Manager

Project No. 0530021-043-AC (PSD-FL-091K)
Project No. 0530021-044-AC (PSD-FL-351E)
Brooksville South Cement Plant
Re-Permitting Portland Cement Line Nos. 1 and 2
Hernando County, Florida

Facility Location: The facility is owned by CEMEX Construction Materials Florida, LLC (CEMEX). The facility includes two Portland cement manufacturing lines (Cement Lines No. 1 and No. 2), a coal yard and all the required auxiliary equipment. CEMEX operates this existing site as a single Title V facility. The existing facility is located in Hernando County at 10311 Cement Plant Road, Brooksville, Florida.

Project: The project is a re-permitting of Cement Lines Nos. 1 and 2 to create "clean" new air construction permits for each cement line incorporating the latest emissions limits and compliance requirements from the federal New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air pollutants (NESHAP). In addition, redundant and obsolete permit conditions were removed and, in general, the permits made more clear and concise. Each of these re-permitting efforts is briefly described below.

Cement Line No. 1: Draft Permit No. 0530021-043-AC (PSD-FL-091K) incorporates the non-obsolete, applicable conditions from the original air construction permit (PSD-FL-091) and all subsequent permit modifications into a "clean" new air construction permit. In addition, it removes any reference to the recently separated CP&L power plant, which is now under the control of Florida Power Development, LLC. The CP&L power plant was recently authorized to separate itself from Cement Line No. 1 by air construction Permit No. 0530380-001-AC (PSD-FL-090E). This permit along with other relevant documents can be found at: www.dep.state.fl.us/air/emission/bioenergy/central_power.htm

Cement Line No. 2: Draft Permit No. 0530021-044-AC (PSD-FL-351E) incorporates the original air construction permit (PSD-FL-351) and all subsequent construction permit modifications into a "clean" new air construction permit. This action is being taken concurrently with the re-permitting of Cement Line No. 1 to provide two "clean" similar construction permits for each cement line that will subsequently be incorporated into a new Title V air operation permit that does not include the CP&L power plant.

The project is not subject to the general preconstruction review requirements of Rule 62-212.300, Florida Administrative Code (F.A.C.). A review pursuant to the rules for Prevention of Significant Deterioration and a determination of best available control technology pursuant to Rule 62-212.400, F.A.C. was not required. The details of the project are provided in the Technical Evaluation and Preliminary Determination document that can be accessed by entering 0530021-043-AC or 0530021-044-AC in the permit number field at the following web link: http://www.dep.state.fl.us/air/emission/apds/default.asp.

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 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 Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is:

2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone number is 850-717-9000.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above.

Notice of Intent to Issue Air Permits: The Permitting Authority gives notice of its intent to issue an air permits to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the address or phone number listed above. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If timely received comments result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241; Fax: 850/245-2303). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within fourteen 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 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, 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 of Intent to Issue Air Permit. 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.

Executed in Tallahassee, Florida
(Electronic Signature)

Office of Permitting and Compliance
Division of Air Resource Management
Department of Environmental Protection
Tallahassee, Florida

Jeffery F. Koerner
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CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permits package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permits, the Technical Evaluation and Preliminary Determination and the Draft 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. James Daniel, Cement Plant Manager, CEMEX: jdaniel@cemexusa.com
Mr. George Townsend, CEMEX: gtownsend@cemexusa.com
Mr. John B. Koogler, Ph.D, P.E, Koogler and Associates, Inc.: jkoogler@kooglerassociates.com
Ms. Robert Wong, DEP SWD: robert.wong@dep.state.fl.us
Ms. Kathleen Forney, EPA Region 4: forney.kathleen@epa.gov
Ms. Heather Ceron, EPA Region 4: ceron.heather@epa.gov
Mr. David Langston, EPA Region 4: langston.david@epa.gov
Ms. Barbara Friday, DEP OPC: barbara.friday@dep.state.fl.us
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.
(Electronic Signature)

Lynn Scearce
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