

COMMISSION

Kevin Beckner      Lesley "Les" Miller, Jr.  
Victor D. Crist     Sandra L. Murman  
Ken Hagan          Stacy White  
Al Higginbotham



EXECUTIVE DIRECTOR  
Janet L. Dougherty

DIVISION DIRECTORS

Legal & Admin.      Richard Tschantz, Esq.  
Air Management     Jerry Campbell, P.E.  
Waste Management   Hooshang Boostani, P.E.  
Water Management   Sam Elrabi, P.E.  
Wetlands Management Kelly Bishop, P.G.

December 22, 2015

*Sent by Electronic Mail – Read Receipt Requested*

Mr. Scott Morkem  
Vice President of Cement Manufacturing  
Argos Cement, LLC  
3015 Windward Plaza, Suite 300  
Alpharetta, GA 30005

Re:    Extension of Air Construction Permit Expiration Date  
      Argos Cement, LLC  
      Project No. 0570018-027-AC  
      Extension of Original Air Permit No. 0570018-025-AC

Dear Mr. Morkem:

On December 2, 2015, Argos Cement, LLC requested an extension of the expiration date of air construction Permit No. 0570018-025-AC for the facility located in Hillsborough County at 2001 Maritime Blvd., Tampa, FL 33605. Argos Cement, LLC requests the additional time because the operation of the two transloaders authorized by this permit is not expected to begin until approximately June of 2016. Based on the circumstances and the information provided, the EPCHC approves this request.

**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 Environmental Protection Commission of Hillsborough County is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 3629 Queen Palm Dr., Tampa, FL 33619. The Permitting Authority's mailing address is: 3629 Queen Palm Dr., Tampa, FL 33619. The Permitting Authority's telephone number is 813-627-2600.

**Determination:** The expiration date of the permit is hereby extended from **February 14, 2016** to **February 14, 2017** to provide the necessary time to complete construction and 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.

*An agency with values of environmental stewardship, fairness, and cooperation*

**Roger P. Stewart Center**

**3629 Queen Palm Drive, Tampa, FL 33619 - (813) 627-2600 - [www.epchc.org](http://www.epchc.org)**

*An Affirmative Action / Equal Opportunity Employer*

## **EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE**

---

**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. A petition for administrative hearing must contain the information set forth below and must be filed (received) in the Legal Department of the EPC at 3629 Queen Palm Dr., Tampa, Florida 33619, Phone 813-627-2600, Fax 813-627-2602 before the deadline. 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

**EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE**

---

Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and 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](mailto: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 EPCHC.

Executed in Tampa, Florida.

Sincerely,



Jerry R. Campbell, P.E.  
Director  
Air Management Division

JRC/LAW/law

**EXTENSION OF AIR CONSTRUCTION PERMIT EXPIRATION DATE**

---

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Final Air Permit package 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.

Scott Morkem – Argo Cement, LLC [smorkem@argos-us.com](mailto:smorkem@argos-us.com)  
James Burkholder – Argo Cement, LLC [jburkholder@argos-us.com](mailto:jburkholder@argos-us.com)  
Florida Department of Environmental Protection, Southwest District (posting online)

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

 12/22/2015  
Clerk Date