

OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

301 SOUTH BRONOUGH STREET
SUITE 500
TALLAHASSEE, FLORIDA 32301

(850) 521-0700
FAX (850) 521-0720

MAILING ADDRESS:
POST OFFICE BOX 1110
TALLAHASSEE, FLORIDA 32302-1110

<http://www.ohfc.com>

TIMOTHY P. ATKINSON
JEFFREY BROWN
M. CHRISTOPHER BRYANT
C. ANTHONY CLEVELAND
TERRY COLE
SEGUNDO J. FERNANDEZ
SCOTT W. FOLTZ
KENNETH F. HOFFMAN
CHRISTOPHER D. JOHNSTON
KENNETH G. OERTEL
PATRICIA A. RENOVITCH

RECEIVED

JUN 04 2001

June 1, 2001

BUREAU OF AIR REGULATION

VIA FACSIMILE AND U.S. MAIL

Douglas W. Beason, Assistant General Counsel
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, Florida 32399-3000

Re: Request for Confirmation Letters
Draft Modified Air Construction Permit Modification: FDEP File No.: 0010087-003-AC/PSD-FL-228-A
Draft Title V Permit No.: 0010087-002-AV
Thompson S. Baker Cement Plant, Newberry, Alachua County, Florida

Dear Doug:

As you know, we represent Florida Rock Industries, Inc. with respect to the Air Construction Permit and Title V Permit for the above-referenced facility. Pursuant to my telephone conversation with you on Tuesday, May 22, 2001, regarding the modifications to the proposed agency actions on the above-referenced permit contained in your e-mails dated May 11, 2001 (Air Construction Permit Modification) and dated May 22, 2001 (Title V Permit), the company has reviewed the changes and finds them acceptable. Furthermore, Florida Rock Industries' consultant, Dr. John Koogler, spoke with Chris Kirts of the DEP-Jacksonville office today and finalized a number of minor changes to the descriptive wording of the proposed Title V permit. Consequently, I hereby request the Department send the company a letter modifying the Department's proposed agency action dated January 26, 2001 on the Air Construction Permit modification, and another letter modifying the Department's proposed agency action dated January 26, 2001 on the Title V Modification, reflecting the changes contained in your e-mails of May 11, 2001 and May 22, 2001 respectively and the minor changes worked out by Dr. Koogler with Mr. Kirts on May 31, 2001.

Upon receipt of the Department's letters modifying the proposed agency actions referenced above, I will send you a letter withdrawing the company's request for an extension of time to file

Douglas W. Beason, Assistant General Counsel
June 1, 2001
Page 2

a petition for administrative hearing with respect to the draft Air Construction Permit Modification and with respect to the draft Title V Permit. Please note that Florida Rock Industries, Inc. does not waive its right to challenge any further changes or modifications to the permits beyond those specifically discussed above.

Thank you for your consideration. If you have any questions, please do not hesitate to call me.

Sincerely,

A handwritten signature in black ink, appearing to read "Segundo J. Fernandez", with a long, sweeping flourish extending to the right.

Segundo J. Fernandez

c: Kirby B. Green, III
Howard Rhodes
C. H. Fancy, P.E.
Al Linero, P.E.
Chris Kirts
Fred W. Cohrs
John Koogler, Ph.D., P.E.
Timothy P. Atkinson



KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

187-00-09
May 9, 2001

RECEIVED

MAY 10 2001

BUREAU OF AIR REGULATION

Via Fax & USPS

Mr. Al Linero
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Florida Rock Industries
Comments on Modified Permits 0010087-003-AC/PSD-FL-228A
as Received by Email Dated May 3, 2001.

Dear Al:

I have had the opportunity to review the above captioned permit modifications that you forward to me by email on May 4, 2001. I appreciate the opportunity to review the modifications and offer the following comments.

1. **EXPIRATION DATES**

The extension of the expiration date until June 30, 2001 is acceptable.

The date of December 31, 2001 for the completion of construction of all items related to the multi-stage combustor is acceptable. In my opinion, there is no need for the requirement for "short-term compliance for NO_x" as the above captioned permit (and original Permit AC01-267311) specifies that compliance with the NO_x emission standard is to be demonstrated by CEMS; there is no previous permit requirement for "short-term NO_x compliance testing." I suggest that the short-term compliance test reference be deleted, and to assure there is no confusion with the construction and compliance demonstration that will be authorized under the Title V permit, the following is suggested:

All additional construction related to the installation of the MSC ~~and short term compliance testing for NO_x~~ shall be completed by December 31, 2001, under the compliance plan of the Title V Permit.

The date of March 31, 2002 for completion of compliance testing related to the operation of the MSC and the determination of the final long-term NO_x emission limit is acceptable.

2. **SPECIFIC CONDITION 4** (First paragraph)

The proposed language is acceptable.

3. **SPECIFIC CONDITION 6** (Modified)

The proposed language is acceptable.

4. **SPECIFIC CONDITION 6, TABLE II** (Revised)

The final sulfuric acid mist emission limit included in Table II (Revised) is acceptable.

It is my understanding that the final date for compliance with the NO_x emission limit of 2.8 pounds per ton of clinker as referenced in Table II (Revised) has been corrected to March 31, 2002.

5. **SPECIFIC CONDITION 6.a** (New)

Based upon our telephone conversations and my review of the proposed condition, I am suggesting the following language for SPECIFIC CONDITION 6.a.

SPECIFIC CONDITION 6.a. (New)

Permittee shall install, calibrate, maintain and operate a continuous emission monitoring system (CEMS) in the kiln/raw mill stack to measure and record the emissions of total hydrocarbons (THC as propane) to provide reasonable assurance that the facility will continue to meet the VOC emission limit established by permit.

This statement is added to specify that the THC CEMS is installed only to provide reasonable assurance of compliance with the VOC emission limit established by permit. This is in accordance with our telephone conversations and the basic agreement between Florida Rock and the Department in establishing conditions for the voluntary installation of the THC CEMS.

The remainder of Specific Condition 6.a. is acceptable, except that FRI requests that the quarterly reports be due the 15th day following the end of each calendar quarter. This will provide FRI with a bit more flexibility in providing the information to the Department. This reporting requirement is still much shorter than the 30 day reporting requirement established by Federal NSPS.

5. **SPECIFIC CONDITION 6.b** (New).

This condition is acceptable.

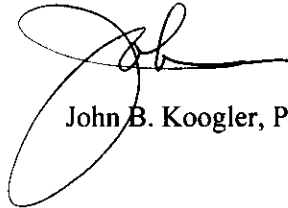
Mr. Al Linero
May 9, 2001

Page 3

I appreciate the opportunity to comment on these proposed conditions. If there are any questions regarding these comments, please call me at 352-377-5822.

Very truly yours,

KOOGLER & ASSOCIATES



John B. Koogler, Ph.D., P.E.

JBK/jm

cc: Fred Cohrs, FRI
Cary Cohrs, FRI
George Townsend, FRI
Segundo Fernandez, OHFC
Tim Atkinson, OHFC



OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

301 SOUTH BRONOUGH STREET
SUITE 500
TALLAHASSEE, FLORIDA 32301

(850) 521-0700
FAX (850) 521-0720

MAILING ADDRESS:

POST OFFICE BOX 1110
TALLAHASSEE, FLORIDA 32302-1110

<http://www.ohfc.com>

TIMOTHY P. ATKINSON
JEFFREY BROWN
M. CHRISTOPHER BRYANT
C. ANTHONY CLEVELAND
TERRY COLE
SEGUNDO J. FERNANDEZ
SCOTT W. FOLTZ
KENNETH F. HOFFMAN
CHRISTOPHER D. JOHNSTON
KENNETH G. OERTEL
PATRICIA A. RENOVITCH

RECEIVED

May 4, 2001

MAY 07 2001

VIA HAND DELIVERY

BUREAU OF AIR REGULATION

Douglas W. Beason, Assistant General Counsel
Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: Fourth Request for Extension of Time to File Petition for Administrative Hearing
Draft Modified Air Construction Permit Modification: FDEP File No.: 0010087-003-
AC/PSD-FL-228-A
Draft Title V Permit No.: 0010087-002-AV
Thompson S. Baker Cement Plant, Newberry, Alachua County, Florida

Dear Doug:

As you know, we represent Florida Rock Industries, Inc. with respect to the Air Construction Permit and Title V Permit for the above-referenced facility. The company received the Department's Intent to Issue the draft Air Construction Permit Modification and the draft Title V Permit on January 30, 2001. On February 8, 2001, and again on March 1, 2001, we requested extensions of time to file a petition for administrative hearing on both draft permits, the air construction permit and the Title V permits. The Department has not acted on any of Florida Rock's previous extension requests regarding these permits. As such, the extensions have remained effective, and this request is timely made. Since that time, Florida Rock has continued to exchange information with the Department concerning the draft Modified Air Construction Permit and draft Title V Permit, and appreciates the cooperative nature of such discussions.

On behalf of Florida Rock Industries, Inc., and pursuant to Rule 28-106.111, Florida Administrative Code, we hereby file this request for an extension of time to file a petition for administrative hearing with respect to the draft Air Construction Permit Modification and with respect to the draft Title V Permit, both referenced above, up to and including Tuesday, July 31, 2001. The applicant needs additional time to review the draft permits, which are quite lengthy and detailed, and the Department needs additional time to

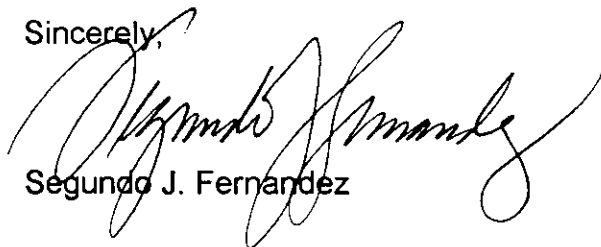
Douglas W. Beason, Assistant General Counsel
May 4, 2001
Page 2

formulate language to address the matters that remain under discussion.

We understand that you will be in contact with Chris Kirts and Al Linero concerning this third extension request, and that you will call me following your discussions with them.

Thank you for your consideration. If you have any questions, please do not hesitate to call me.

Sincerely,



Segundo J. Fernandez

F:\Document\TPALTR\FRI Petition Extension Requests4.wpd

- c: Kirby B. Green, III
- Howard Rhodes
- C. H. Fancy, P.E.
- Al Linero, P.E.
- Chris Kirts
- Fred W. Cohrs
- John Koogler, Ph.D., P.E.



KOGLER & ASSOCIATES

ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 ■ FAX/377-7158

187-99-08
April 6, 2001

RECEIVED
APR 10 2001

BUREAU OF AIR REGULATION
FAX: 850-922-6979
and VIA USPS

Mr. John Reynolds
Florida Department of
Environmental Protection
Division of Air Resources Management
2600 Blair Stone Road, MS 5505
Tallahassee, Florida 32399-2400

Subject: Florida Rock Industries, Inc.
Comments on Original Air Construction Permit No. AC01-267311/PSD-FL-228
and Draft Title V Permit No. 0010087-002-AV

Dear Mr. Reynolds:

I would like to request some additional administrative changes to the above-captioned permits as we are in the process of amending both these permits. It has recently been brought to my attention that certain changes in the final design of the Florida Rock Cement Plant eliminated the need for three of the small bag house dust collectors that were included in the original plant design. Additionally, the final design also resulted in the renaming of another of the small bag house dust collectors. The changes were:

1. Dust Collector E-29 was eliminated as the dust from that transfer point is now vented back into the kiln/raw mill ESP (Collector E-19) for control.
2. Dust Collector M-07 was eliminated because of the redesign of the discharge system of the clinker storage silos.
3. Dust Collector N-14 was renamed N-91, and still serves the same function in the finish mill.
4. Dust Collector Q-27 was eliminated by inter-venting the four Portland cement silos through a single dust collector. A separate bag house still exists on the cement silo used for masonry cement.

Visible emission test results reported to the Department have demonstrated compliance with all visible emission standards, even with these changes.

The three dust collectors eliminated and the dust collector renamed are identified in the original Air Construction Permit in Table 1, Allowable Opacity Limitations, as:

1. E-29 Recycled Dust Airlift
2. M-07 Clinker to Finish Mill
3. N-14 Cement Handling and Finish Mill
4. Q-27 Cement Storage Silos

This is the only reference to these dust collectors in the Air Construction Permit. The appropriate notation should be made in Amended Air Construction Permit 0010087-003-AC/PSD-FL-28A recently drafted by the Department indicating that these three dust collectors have been eliminated and that N-14 has been renamed N-91.

In the above-captioned Draft Title V Permit, references made to these dust collectors are as follows:

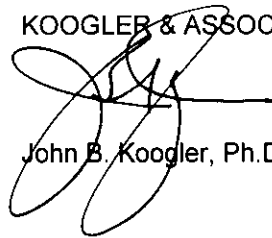
1. Page 10 of 36 - Dust Collector E-29 is identified as EP02, Recycle Dust Airlift in the Brief Description of the raw mill system;
2. Page 23 of 26 - Dust Collector M-07 is identified as EP01, Clinker to Finish Mill; Dust Collector N-14 is identified as EP05, Cement Handling in Finish Mill; and Dust Collector Q-27 is identified as EP08, Cement Storage Silos, in the Brief Description of Finish Grinding Operations. N-14 has been renamed N-91 but serves the same purpose and can remain EP05.
3. Table 1, Allowable Opacity Limitations, Dust Collectors E-29, M-07, N-14 and Q-27 are all referenced in this table;
4. Table 1-1, Summary of Air Pollutant Standards and Terms, Dust Collector E-29 is identified as EP 02 on the page listing the Standards and Terms for EU002, and Dust Collectors M-07, N-14 and Q-27 are identified as EP01, EP05 and EP08, respectively, on the page listing the Standards and Terms for EU005.
5. Table 2-1, Summary of Compliance Requirements, Dust Collector E-29 is listed as EP02 on the page listing the Requirements for EU002, and Dust Collectors M-07, N-14 and Q-27 are identified as EP01, EP05 and EP08, respectively, on the page listing the Requirements for EU005.

The appropriate corrections should be made to the Title V Permit.

If there are any questions regarding these matters, please do not hesitate to contact me 352-377-5822.

Very truly yours,

KOOGLER & ASSOCIATES



John B. Koogler, Ph.D., P.E.

JBK/jhm
Enclosure

cc:	C.H. Fancy,	FDEP Tallahassee
	A.A. Linero,	FDEP Tallahassee
	Scott Sheplak,	FDEP Tallahassee
	Chris Kirts,	FDEP Jacksonville
	Doug Beason,	FDEP OGC, Tallahassee
	Fred Cohrs,	FRI Jacksonville
	Cary Cohrs,	FRI Newberry
	George Townsend,	FRI Newberry
	Segundo Fernandez,	OHFC, Tallahassee





KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

Mr. John Reynolds
Florida Department of
Environmental Protection
Division of Air Resources Management
111 S. Magnolia Drive, Suite 23
Tallahassee, Florida 32301

187-99-08
April 2, 2001

VIA FAX: 850-922-6979
and VIA USPS

RECEIVED

APR 06 2001

BUREAU OF AIR REGULATION

**Subject: Florida Rock Industries, Inc.
Comments on Draft Amended Air Construction
Permit No. 0010087-003-AC/PSD-FL-228A
Draft Title V Permit No. 0010087-002-AV**

Dear Mr. Reynolds:

As a follow-up to my memorandum to you dated March 16, 2001 and our subsequent telephone conversations, I would like to provide our final comments to resolve the few remaining issues regarding the above captioned Draft Amended Air Construction Permit and provide my understanding of matters related to the Draft Title V Permit. The comments on the construction permit are all directly or indirectly related to the VOC CEMS and to VOC monitoring and reporting requirements.

1. Averaging Time for VOC Emission Limit

It is my understanding that there is full agreement that the VOC emission limit for the kiln/raw mill will be 0.12 pounds per ton of clinker or a maximum of 11.5 pounds per hour expressed as a 30-day a rolling average. This is the numeric VOC emission limit contained in the original Air Construction Permit issued to Florida Rock (AC01-267311/PSD-FL-228) with an averaging time agreed to by Florida Rock and the Department during the negotiations which resulted in the installation of the VOC Continuous Emission Monitoring System (CEMS). It is also my understanding that the only unresolved issue is an expressed concern regarding the potential magnitude of short-term VOC emission rates. As we have discussed, concerns about short-term VOC emission excursions are unfounded when one understands the nature of the operation of the Florida Rock Cement Plant.

VOC emissions from the Florida Rock Cement Plant, as discussed in previous correspondence with the Department, arise from two independent sources; inefficiencies in the combustion process of the pyro-processing system and organic compounds in the materials fed to the preheater. Testing conducted by Florida Rock during the summer of 2000, conclusively demonstrated that VOC emissions resulting from inefficiencies in the pyro-processing system are a small fraction of the

maximum permitted VOC emission rate for the plant. Emission measurements conducted by Florida Rock immediately after the startup of the plant (June - July, 2000) and emission measurements and tests conducted by Florida Rock over the next few months (through September 2000) demonstrated that hydrocarbon products in off-site feed materials (mill scale in particular) contributed most significantly to VOC emissions.

As a result of these findings, Florida Rock has established supplies of feed materials that result in VOC emissions from the kiln/raw mill that are well within the permit limits. Florida Rock continues to monitor the hydrocarbon content of off-site feed materials, but to provide the Department with assurance that feed materials free of hydrocarbon products are continually used and that VOC emissions from the kiln/raw mill stack are continually in compliance with permit limits, Florida Rock has further agreed to install a VOC CEMS on the kiln/raw mill stack.

Understanding that the major source of VOC emissions from the kiln/raw mill is hydrocarbons in the feed materials and further understanding that the feed materials are uniformly blended in quantities that will provide feed to the raw mill for approximately two days (7,000 + tons) makes it quite clear that there will not be unexpected, short-term VOC emission rate excursions. A short-term VOC emission rate excursion as a result of hydrocarbons in the feed material is not possible because of the blending and the amount of material blended. The other testing conducted by Florida Rock has demonstrated that VOC emissions from the pyro-processing system are not significant.

Another factor to consider is that VOC emissions from the kiln/raw mill under normal operating conditions are in the range of 0.08 - 0.09 pounds per ton of clinker (7.5 - 8.5 pounds per hour). This emission rate is comfortably below the permitted VOC emission limit of 0.12 pounds per ton of clinker, or 11.5 pounds per hour but the marginal difference does not allow Florida Rock much leeway to compensate for VOC emissions above the permitted rate, either in terms of magnitude of excess emissions or the duration of excess emissions, and still meet the 30-day rolling average hourly VOC limit. As Florida Rock is committed to operating within permit limits, the company will take every measure necessary to assure that suitable feed materials are used so that excess VOC emissions will not occur even for short durations of time because once excess emissions occur there is little opportunity to lower the resulting 30-day average emission rate.

Coupling the aforementioned facts with the facts that there is no ambient air quality standard for VOCs, and the fact that the VOC emissions from the plant are not HAPs, should provide the Department with assurance that, even if a slight VOC excursion occurred for a short time, there would be neither an exceedence of an air quality standard, nor a potential health-related risk to the general public.

Based upon all of the aforementioned facts, it is our position that the 30-day rolling average hourly VOC emission limit that the Department and Florida Rock agreed upon, along with the operation of the VOC CEMS and the record of data this monitor will provide, is reasonable assurance to the Department and any other interested parties of continuing compliance by Florida Rock and reasonable assurance that there are no environmental or health related risks associated with VOC emissions from the plant.

Reporting or record keeping of VOC emissions other than on the aforementioned and agreed upon basis is unwarranted. Understanding the operation of the cement plant, the potential sources of VOC emissions and the ramifications of excess VOC emissions to Florida Rock makes the establishment of an arbitrary, short-term VOC emission limit unnecessary.

2. Requirement for Oxygen CEMS Associated with the VOC CEMS

As I have pointed out in previous correspondence and in discussions with you and Department staff, the requirement for an oxygen CEMS associated with the VOC CEMS at the Florida Rock plant is unnecessary as all VOC limits for the plant are mass based; i.e., pounds per ton of clinker, pounds per ton of preheater feed or pounds per hour. To demonstrate the fact that the oxygen monitor is not required, and as we have discussed, I have attached an example calculation showing that the mass VOC emission rate is independent of the oxygen concentration of the stack gas.

The attached calculations present a hypothetical measured stack gas flow rate, stack gas temperature, stack gas moisture content, stack gas oxygen concentration, and stack gas VOC concentration. Based on these hypothetical conditions, a VOC emission rate is calculated based on the wet stack gas flow rate at the measured stack gas oxygen and VOC concentrations (both measured on a wet basis). The calculated VOC emission rate on this basis is 9.3 pounds per hour.

The second set of calculations show the stack gas VOC concentration corrected to a 7% oxygen concentration and also show the stack gas flow rate corrected to the same 7% oxygen concentration. Based on the oxygen corrected VOC concentration and stack gas flow rate, a VOC emission rate, corrected 7% oxygen, is calculated. This emission rate is also shown to be 9.3 pounds per hour. This demonstrates that the mass VOC emission rate is independent of the oxygen concentration of the stack gas and thus demonstrates an oxygen CEMS is not required as a counterpart to the VOC CEMS.

3. Definition of "Operating Time" for Calculating 30-day Rolling Average Hourly VOC Emission Rate

In calculating the 30-day rolling average hourly VOC emission rate, Florida Rock has agreed to use only data collected when the cement plant is operating. This commitment by Florida Rock was in response to a stated concern that the pyro-processing system (the preheater, precalciner and kiln) might be operated with excess VOC emissions and that these excess emissions might be averaged with zero emissions recorded during plant down time to arrive at a 30-day rolling average hourly VOC emission rate well within permit limits.

For purposes of this commitment, FRI proposes that pyro-processing "operating time" be defined as all hours during a 30-day rolling averaging period when raw meal is fed to the preheater. This definition corresponds with the method that Florida Rock presently uses to define plant operating time and it accounts for all potential sources of VOC formation from the pyro-processing system feed and fuel.

4. Factor to Convert Preheater Feed to Clinker Production

At the Florida Rock Cement Plant, the measured parameter for determining the plant production rate on an hourly basis is the preheater feed rate. On a short-term (hourly) basis, clinker production is determined by dividing the preheater feed rate by an empirical factor. For permitting purposes, Florida Rock used an average factor of 1.56. In other words, the permitted feed rate to the Florida Rock preheater of 149.9 tons per hour divided by 1.56 results in the permitted clinker production rate of 95.8 tons per hour.

This empirical factor can typically range from 1.5 to 1.7 for various cement plants depending upon the chemistry of the feed material. Variations can also be expected at any given plant because of the natural variability in site feed materials, variability or changes in off-site feed materials and/or changes in the feed material mix ratios.

This empirical factor plays a role in compliance demonstration in that mass emission rates of regulated pollutants are measured during compliance tests in terms of pounds of emissions per hour. This reported emission rate is then divided by the clinker production rate (tons per hour) to arrive at an emission rate expressed as pounds per ton of clinker. These limits are also permit conditions. As the preheater feed rate is measured (tons per hour), the emission rates are measured (pounds per hour) and clinker production rates are calculated based upon the empirical factor (tons per hour), it is apparent that variations in the empirical factor could affect the emission rates reported as pounds per ton of clinker.

For all compliance testing conducted at Florida Rock prior to this date and all compliance testing that will be conducted in the foreseeable future, Florida Rock elects to use the average empirical factor of 1.56 to convert preheater feed to clinker production rate. The use of this single empirical factor will negate the need



to determine a site-specific factor on a periodic basis and to report this time-dependent empirical factor to the Department prior to any compliance test.

5. Comments on Draft Title V Permit

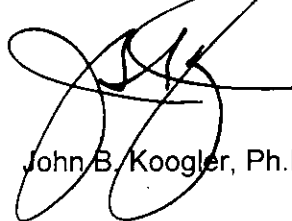
It is my understanding, based on conversations with Department staff that the comments expressed in my March 8, 2001 letter to Clair Fancy will be addressed as noted in my memo to you dated March 16, 2001 and that the confirmation, comments and/or assurance that the Northeast District Office is expecting from DARM has been provided or will be forthcoming.

~*~*~*

To the best of my understanding, the comments and information provided herein should resolve any outstanding matters related to both the above captioned Amended Air Construction Permit and Draft Title V Permit. If further discussion or information is necessary, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES



John B. Koogler, Ph.D., P.E.

JBK/jhm
Enclosure

cc: C.H. Fancy, FDEP Tallahassee
A.A. Linero, FDEP Tallahassee
Scott Sheplak, FDEP Tallahassee
Chris Kirts, FDEP Jacksonville
Doug Beason, FDEP OGC, Tallahassee
Fred Cohrs, FRI Jacksonville
Cary Cohrs, FRI Newberry
Segundo Fernandez, OHFC, Tallahassee

**CALCULATION DEMONSTRATING INDEPENDENCE
OF MASS (VOC) EMISSION RATES TO THE
OXYGEN CONCENTRATION OF STACK GAS**

Basis of Calculations:

Measured:	Stack Gas Flow	–	80,000 acfm at 11.0% O ₂
	(Flow) _s	–	135,771 scfm, wet 11.0% O
		–	115,406 scfm, dry
	Stack Gas Temp.	–	240° F
	Stack Gas Moist.	–	15%
	Stack Gas Oxygen	–	11.0%, wet gas
	VOC Conc. (C _(voc-s))	–	10.0 ppm, wet gas

VOC Emission Rate (Stack Conditions):

$$\begin{aligned}
 E_{(voc-s)} &= (135,771 \text{ ft}^3/\text{min}) \times (60 \text{ min/hr}) \\
 &\quad \times (10.0 \times 10^{-6} \text{ ft}^3 \text{ VOC}/\text{ft}^3 \text{ stack gas}) \\
 &\quad \times (1/385 \text{ ft}^3/\text{lb-mole}) \times (44 \text{ lb VOC}^*/\text{lb-mole}) \\
 &= 9.3 \text{ lb/hr}^*
 \end{aligned}$$

* as propane

Oxygen Correction:

VOC Concentration at 7% Oxygen

$$\begin{aligned}
 C_{(voc-7)} &= C_{(voc-s)} (20.9 - 7) / (20.9 - \text{Stack Gas O}_2) \\
 &= 10.0 (13.9) / (20.9 - 11.0) \\
 &= 14.0 \text{ ppm}
 \end{aligned}$$

Stack Gas Flow (scfm, wet) at 7% Oxygen

$$\begin{aligned}
 (\text{Flow})_7 &= (\text{Flow})_s (20.9 - \text{Stack Gas O}_2) / (20.9 - 7) \\
 &= 135,771 (20.9 - 11.0) / (13.9) \\
 &= 96,700 \text{ scfm, wet at 7.0 \% O}
 \end{aligned}$$

VOC Emission Rate (at 7% Oxygen)

$$\begin{aligned}
 E_{(voc-7)} &= (96,700 \text{ ft}^3/\text{min}) \times (60 \text{ min/hr}) \\
 &\quad \times (14.0 \times 10^{-6} \text{ ft}^3 \text{ VOC}/\text{ft}^3 \text{ Stack Gas @ 7\% O}_2) \\
 &\quad \times (1/385 \text{ ft}^3/\text{lb - mole}) \times (44 \text{ lb VOC}^*/\text{lb-mole}) \\
 &= 9.3 \text{ lb/hr}^*
 \end{aligned}$$

* as propane



KOUGLER & ASSOCIATES
ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

KA 187-99-08

MEMORANDUM

RECEIVED

MAR 20 2001

BUREAU OF AIR REGULATION

To: John Reynolds
FDEP Tallahassee

From: John Koogler

Date: March 16, 2001

Subject: Comments on FRI permits
0010087-003-AC/PSD-FL-228A and
0010087-002-AV

This is to provide you with our understanding of the resolutions of the matters that were discussed during our March 14, 2001 meeting in Tallahassee related to the above captioned permits. The numeric designation of each matter is from my letter to Clair Fancy dated March 8, 2001; the letter that provided the framework for our March 14, 2001 discussion. Comments are separated into those related to the Construction Permit and those related to the Title V permit.

CONSTRUCTION PERMIT COMMENTS

- 1.1 The terminology "Multi-Stage Calciner" will be changed to "Multi-Stage Combustion Calciner.
- 2.1 Suggested change will be adopted. The rule citations will be checked and corrected if necessary.
- 2.2 Requirement for oxygen monitor will be deleted from permit. A statement regarding the frequency of reporting (i.e, quarterly; semi-annual, etc.) may be added.
- 2.3 The 45-day reporting requirement will be adopted.
- 3.1 The averaging time for VOC emission limit will be a 30-day rolling average hourly rate and the VOC monitoring will be providing reasonable assurance.
- 3.2 The language clarifying the description of the whole tire feed system is acceptable. DARM will confirm the acceptability of this language for Title V purposes to the NE District office of FDEP.

- 3.3 The requirement for additional beryllium testing and the necessity of a beryllium emission limit in the AC and AV will be addressed at another time.
- 4.1 The pre-heater feed rate issue will be addressed at another time.
- 4.2 There is an error in "Revised Table II" of the amended air construction permit. In Footnote** the correct date should be March 31, 2002. This will be corrected both in the AC and AV.

Further, it is understood that the Compliance Plan of the Title V Permit will allow the installation and certifications of any necessary CEMS, the installation and debugging of the Multi-Stage Combustion system (both by December 30, 2001) and the review of monitoring data collected after the MSC system is operational (by March 31, 2002).

TITLE V PERMIT COMMENTS

- 1.1 See comment 1.1 under AC comments
- 1.2 OK
- 1.3 OK
- 1.4 Comment will be reviewed by the NE District.
- 1.5 OK/OK
- 1.6 Scott Sheplak will review and provide comments to the NE District.
- 1.7 OK
- 1.8 OK

1.9; 1.11 and 1.16:

To be consistent with the AC, the Title V Permit will use the terminology "pounds per ton of dry feed". The understanding is that this is dry feed to the pre-heater of the pyro processing system; the only place feed is measured.

- 1.10 OK
- 1.12 OK, NE District may seek clarification from DARM.
- 1.13 OK; Scott Sheplak may have to provide assurance as the Title V permit language follows the AC permit language.

March 16, 2001

- 1.14 OK/Reference to P.S. 8 or 8A will be checked to determine which is correct.
- 1.15 OK
- 1.17 OK
- 1.18 Footnote will be corrected to be consistent with Footnote ** of Table II, Revised of the amended AC permit; as this table will be corrected (see comment 4.2).
- 1.19 OK
- 2.4 OK
- 2.5 See comment 1.6
- 2.6 OK

If your understanding of the resolution of any of the matters differs from my understanding, please give me a call. We appreciate the time everybody has spent reviewing and discussing these matters.

cc: C.H. Fancy, FDEP Tallahassee
A. A. Linero, FDEP Tallahassee
Scott Sheplak, FDEP Tallahassee
Chris Kirts, FDEP Jacksonville
Fred Cohrs, FRI Jacksonville
Cary Cohrs, FRI Newberry
Segundo Fernandez, OHFC, Tallahassee



ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

KA187-99-08

March 8, 2001

RECEIVED

MAR 09 2001

BUREAU OF AIR REGULATION

Mr. C.H. Fancy
Florida Department of Environmental Protection
Division of Air Resources Management
111 S. Magnolia Drive, Suite 23
Tallahassee, Florida 32301

Subject: Florida Rock Industries, Inc.
Comments on Draft Amended Air Construction
Permit 0010087-003-AC/PSD-FL-228A
and Draft Title V Permit 0010087-002-AV

Dear Mr. Fancy:

We've had the opportunity to review the above captioned draft Air Construction Permit and draft Title V Permit both dated January 26, 2001, and would like to provide comments for your consideration. Many of the comments are editorial. Others are to provide consistency with the Consent Order presently being negotiated by Florida Rock and the Department, to provide consistency with the original Air Construction Permit Application or draft Amended Air Construction Permit, to account for rule requirement or new information, or for clarification.

1.0 EDITORIAL COMMENTS

1.1 In several places, both in the Draft Amended Air Construction Permit and the Draft Title V permit, the kiln system is referred to as a "Multi Stage Calciner." The correct terminology should be Multi-Stage Combustion Calciner. This terminology appears on the first page of the Joint Public Notice, on page 1 of 4 of the Technical Evaluation and Preliminary Determination of the draft Amended Air Construction Permit, on page 1 of the draft Amended Air Construction Permit, on page 2 of the Statement of Basis of the Draft Title V Permit, and perhaps other locations in both draft permits.

1.2 Draft Title V Permit, Statement of Basis, page 1, third paragraph.

"hazardous air pollutant" should read, "hazardous air pollutants."

1.3 Draft Title V Permit, Statement of Basis, page 2.

If the list of emission units is meant to be complete, Emission Unit 007-Coal Handling and Grinding, should be added.

Also on this page, the list of conditions clarifying the scope of activities that may continue following the issuance of the Title V Permit does not include a condition number 2.

1.4. Table of Contents and throughout Draft Title V Permit.

It is suggested that Common Conditions H through K be included either as Facility-Wide conditions or as Specific Conditions applicable to specific emission units. This would eliminate the ambiguity that exists as a result of the present formatting.

1.5. Draft Title V Permit, page 2, fourth paragraph.

This paragraph should also reflect the fact that the facility is subject to 40 CFR 60, Subpart OOO, New Source Performance Standards for Non-Metallic Mineral Processing Plants.

Also, if the list of Emission Units is meant to be complete, Emission Unit 007-Coal Handling and Grinding, should be added. This same comment applies to Specific Condition 7 (page 5) of the Draft Title V Permit.

1.6 Draft Title V Permit, page 5, Compliance Plan.

As the Air Construction Permit has established opacity limits for the emission points subject to Subpart OOO, the Compliance Plan Condition 5 should be deleted. (Also see Comment 2.5.)

1.7. Draft Title V Permit, page 6, second set of bullet items.

The second bullet item should read, "The plant area..." In the 6th bullet item, third line, there appears to be text missing following the word, "excess."

1.8. Draft Title V Permit, page 9, Condition A.4.

The parenthetical expression should reference conditions A.2. and A.3.



1.9. Draft Title V Permit, page 14, Conditions C7,C8 and C9.

The PM, PM10, and SO₂ emission limits from the kiln/raw mill should be limited to pounds per ton of dry feed to the preheater (not kiln).

1.10. Draft Title V Permit, page 15, Conditions C.10.

It is suggested that this condition be worded:

NOx emissions shall not exceed 3.8 pounds per ton of clinker (30-day rolling average) after startup and until December 20, 2001. After December 30, 2001, NOx emissions shall not exceed 2.8 pounds per ton of clinker (30-day rolling average). The permittee shall install any additional control equipment by December 30, 2001 to ensure compliance with the 2.8 pounds per ton of clinker limit. The startup date was December 31, 1999.

This proposed wording incorporates the specific dates included in the Amended Air Construction Permit.

1.11 Draft Title V Permit, page 15, Conditions C11, C12 and C14.

In all three conditions, it should be specified that the emission limits are related to tons of dry feed to the preheater.

1.12. Draft Title V Permit, page 16, box comments.

The term "Cooler" should be deleted from all entries in the Description column. This condition applies only to EU 003, which is the kiln/raw mill; not the clinker cooler.

Under this same comment, Footnote No. 7 should be changed to specify the VOC CEMS as this is what has been agreed upon.

1.13. Draft Title V Permit, page 18, Condition C.30.

Performance Specification 1 applies only to opacity monitors and should be deleted from this condition.

1.14. Draft Title V Permit, page 18, Condition C.33.

The VOC monitor is a continuous emission monitor (not an opacity monitor).

The Performance Specification referenced should be 8 (not 8A). Performance Specification 8A does not appear to exist.

1.15. Draft Title V Permit, Page 18, Condition C.37.

The title of this condition should read Coal, Tires, Fuel Oil, and Raw Materials as this condition specifies record keeping requirements for all four material categories.

1.16. Draft Title V Permit, Page 20, Condition D.3.

The PM emission limit from the clinker cooler should be based on dry feed to the preheater, (not kiln).

1.17 Table II.

The unrevised Table II should be deleted from the Title V Permit.

1.18. Table II (revised).

The footnote** should read:

After startup and until December 30, 2001, the kiln shall not exceed an NO_x limit of 3.8 lbs. per ton of clinker, and 2.8 pounds per ton of clinker thereafter. The Department may revise the emission limit to less than 2.8 pounds per ton of clinker (30-day rolling average) based on compliance tests and continuous emission monitoring data to be submitted by March 31, 2002.

These suggested changes will make Table II (revised) consistent with the Air Construction Permit and the revised Air Construction Permit. Changing the date for submitting NO_x monitoring data to 2002 is only reasonable as changes to the MSC Calciner will not be complete until December 30, 2001.

1.19. Table I-I.

In the Standards column of all pages of this table, the standards should be stated as less than or equal to (rather than less than) the stated standard.

2.0 COMMENTS RELATED TO A CONSISTENCY WITH DEPARTMENT RULE OR WITH AIR CONSTRUCTION PERMIT REQUIREMENTS

2.1 Draft Amended AC Permit, page 2, Specific Condition No. 6 (modified).

The added language states, in part:

If the kiln is tested while firing less than 30% tires, subsequent operation is limited to the percentage of tires burned during the test...

To be consistent with the rule 62-297.310(2)(b), F.A.C., the cited rule requirement, the condition should read:

...subsequent operation is limited to 110% of the percentage of tires burned during the test, not to exceed 30% of the total heat input.

Operation at 10% above the tested rate is consistent with Rule 62-297.310 (2)(b), FAC.

This condition also appears in the Draft Title V Permit, page 17, first paragraph, and should be corrected there also.

2.2 Draft Amended AC Permit, page 2, Specific Condition 6.A (new).

The continuous oxygen monitor is not a necessary component of the VOC CEMS. There is no rule requirement for an oxygen monitor nor are there any permit conditions requiring the VOC concentration in the stack gas to be corrected to a reference oxygen concentration. The MACT standard for Portland cement plants limits the VOC concentration in the kiln/raw mill stack to 50 ppm as propane, corrected to 7% oxygen. Such a standard would require an oxygen monitor. The FRI Air Construction Permit, however, limits VOC emissions only to mass emission rates (pounds per hour, tons per year and pounds per ton of preheater feed). Oxygen corrections are not needed

for these mass emission limits. Hence, the requirement for an oxygen monitor as a component of the VOC CEMS need to be deleted.

This same requirement appears in the Draft Title V Permit, page 18, Condition C.33. The requirement for an oxygen monitor needs to be deleted from this condition also.

2.3 Draft Amended AC Permit, page 2, Specific Condition 6b (new).

This proposed condition, if retained (see comment 3.3 regarding the need for additional beryllium tests), needs to be changed to require that test reports be provided to the Department within 45 days after completion of the last test run. This requirement is consistent with Rule 62-297.570, FAC. Furthermore, it has been our experience that often it is not possible to get analytical results for metals from a laboratory in sufficient time to meet the suggested 30 day reporting requirement.

This same requirement appears in the Draft Title V Permit, page 18, Condition C.34 and needs to be corrected there also or, the condition deleted if further beryllium testing is not required.

2.4 Draft Title V Permit, Statement of Basis, page 1, paragraph 4.

It should be clarified that the control by application of water sprays is as needed. Neither the Air Construction Permit, nor the draft Amended Air Construction Permit require continuous water spray. New permit conditions cannot be imposed by Operating Permit.

The same condition appears in the Draft Title V Permit, page 8, first paragraph, and needs to be corrected there also.

2.5 Draft Title V Permit, Statement of Basis, page 3, Condition No. 5.

Condition 5 requires Florida Rock to report to the Department the equipment, subject to 40 CFR 60, Subpart OOO, that is subject to wet processing visible emission limits (zero opacity) and what equipment is subject to dry processing limits (10% opacity). The Air Construction Permit has already made this determination. The opacity limits established in the Air Construction Permit are further reflected in the Draft Title V Permit, page 8 of 36, specific conditions A.2. and A.3. Specific Condition A.2. sets opacity



limits of 10% for raw material processing and raw material handling and storage (EP 01 and 02). Specific Condition A.3. establishes an opacity limit of 15% for the primary crusher (EP 03). This condition therefore needs to be deleted from the Title V Permit.

This same condition appears in the Draft Title V Permit, page 9, Condition 8.6, and needs to be deleted there also.

2.6. Draft Title V Permit, page 18, Condition C.35

The permitted opacity limit for the kiln/raw mill (Condition C.6.) is 10%. The reporting of excess visible emissions should include both the times when the 10% opacity limit is exceeded as well as times when the 20% opacity limit is exceeded. The 20% opacity limit is specified by 40 CFR 60.62(a)(2.)

3.0 COMMENTS TO PROVIDE CONSISTENCY WITH CONSENT ORDER AND WITH NEW INFORMATION.

3.1 VOC Averaging Time.

To provide the Department with reasonable assurance that compliance with the VOC emission limit will be achieved on a continuing basis and as a condition of the Consent Order negotiated by Florida Rock and the Department, Florida Rock will install a VOC CEMS in the kiln/raw mill stack. As agreed, the CEMS will be installed in accordance with the EPA Performance Specification 8 (40 CFR 60, Appendix B) and will be operated continuously. Also as agreed, by the Department and FRI, the kiln/raw mill stack gas VOC concentration measured and recorded by the VOC CEMS is to be reported as an hourly concentration averaged over a rolling 30-day period. Neither the 30-day rolling average VOC concentration nor the time factor used in calculating the 30-day rolling average will include data from periods when the kiln system is not operating. The 30-day rolling average VOC emission data will be reported as pounds per hour and pounds per ton of clinker.

In considering the averaging time for VOC emissions, FRI considered both a rolling 30-day average and a block 30-day average. The block 30-day

averaging time is specified in the MACT Standard for Portland Cement Plants and is the averaging time specified in the air construction permit issued to Suwannee American Cement (Permit 1210465-001-AC/PSD-FL-259). The Suwannee American Cement Permit specifies the block averaging time as that plant is subject to New Source MACT Standards; Florida Rock is not. Florida Rock and Department personnel familiar with the Suwannee American permit are both of the opinion that the rolling 30-day average as suggested herein is the most appropriate averaging time.

The VOC CEMS is referenced at several places in both the draft Amended Air Construction Permit and the draft Title V Permit. Wherever applicable, the 30-day rolling averaging period for VOC emissions needs to be specified.

3.2 Draft Title V Permit, page 14, Box, Whole Tire Conditions.

The second bullet item specifies that tires used as fuel shall be fed into the kiln system at the transition section between the base of precalciner and the point gases exit the kiln. This condition further describes the tire feed mechanism as anticipated at the time the original air construction permit was issued. The final design of the tire feed mechanism is now complete, and incorporates the critical concepts of the originally anticipated design; i.e., the double airlock system.

The design of the tire feed mechanism is best described as:

Whole tires will be received from state approved tire collection facilities or state approved tire collecting companies, and unloaded onto a conveyer which transports the tires to an elevator, and then to a combination conveyer/scale for correct proportioning of tires and fossil fuel. The tires will then be fed into the preheater/kiln through a patented rotary feeder, which seals the tire entry point at the preheater kiln from the atmosphere. The feeder is powered by a variable speed hydraulic drive for the desired proportioning of tires to fossil fuel. The feeder is protected against exposure to excessive heat radiating from the preheater by an air operating, fast acting slide gate.

3.3 Beryllium Test Requirements.

The original Florida Rock Permit (AC 01-267311/PSD-FL-228) required initial emission measurements for beryllium and further specified that a beryllium emission limit (representing BACT) would be determined from the results of these emission measurements. As required by permit condition, Florida Rock conducted beryllium emission measurements on the kiln/raw mill stack on July 24, 2000, and reported a beryllium emission rate of 0.06 pounds per hour. This reported emission rate appeared anomalous, and as a result, Specific Condition 6.b.(new) in the draft Amended Air Construction Permit requires Florida Rock to conduct quarterly beryllium emission measurements on the kiln/raw mill stack during calendar year 2001 by March 31, June 30, September 30, and December 31.

In compliance with this anticipated condition, Florida Rock conducted the first quarterly beryllium emission measurements on the kiln/raw mill stack on February 6-7, 2001. The results of these emission measurements demonstrated a beryllium emission rate of 0.000046 pounds per hour. This emission rate is nominally 1000 times lower than the emission rate reported for the July 24, 2000 emission measurements.

Suspecting a possible laboratory error, the laboratory that conducted the beryllium analyses on both sets of samples (Flowers Chemical Laboratories, Inc., Altamonte Springs, Florida) was contacted and asked to review both sets of data. Flowers responded that they had mistakenly reported the July 24, 2000 sample beryllium weights as milligrams of beryllium rather than the correct weight in micrograms. This accounts for the anomalous beryllium emission rate reported for the July 2000 test. The correct beryllium emission rate for the July 24, 2000 test should have been 0.000062 pounds per hour. This compares with the emission rate measured in February 2001 of 0.000046 pounds per hour.

Even at the emission rate of 0.000062 pounds per hour, the beryllium emissions from the FRI plant would be in the range of 0.5 pounds per year assuming the plant operated 100% of the time. This is less than the emission rate of 0.8 pounds per year which had been the PSD significant emission rate threshold for beryllium prior to this metal being delisted. (See Draft Amended Air Construction Permit, Technical Evaluation and Preliminary Determination, page 3).

As a result of the fact that beryllium has been delisted as a PSD pollutant, Florida Rock requests that the requirement for a beryllium emission limit be deleted from all permits. As a basis for this request, we cite an EPA Guidance Memo dated March 11, 1991 addressing the 1990 amendments to the Clean Air Act as they relate to beryllium and other PSD pollutants that were delisted. In part, the guidance memo states that:

“...States with an approved PSD Program may continue to regulate the ... air pollutants now exempted from Federal PSD... if the State PSD regulations provide an independent basis to do so...”

The Florida Air Rules do not regulate beryllium. As a result FRI requests that the Department remove the beryllium emission limit from all permits. This request is consistent with the referenced EPA Guidance ~~Manual~~ ^{memo} which states:

“...For Federal PSD permits containing PSD requirements for the pollutants exempted [such as beryllium]...issued on or after November 15, 1990, the permittee may request a revision (e.g., removal of a BACT limit) to their PSD permit to reflect the... exemption from Federal PSD applicabilities.” (Emphasis added.)

Consistent with this Federal guidance, and the fact that Florida presently has no regulations pertaining to beryllium, Florida Rock makes this request.

4.0 Comments Related to Clarification

4.1 Clarification of Preheater Feed Rate

Florida Rock requests that the hourly preheater feed rate and the hourly and daily clinker production rates specified in both the draft Amended Air Construction Permit and the draft Title V Permit be specified as 30-day average rates. That is, the hourly preheater feed rate would be specified as 149.9 tons per hour, 30-day rolling average, the hourly clinker production rate would be specified as 95.8 tons per hour, 30-day rolling average, and the daily clinker production rate would be specified as 2,300 tons per day, 30-day rolling average. In calculating these 30-day rolling averages, times when the kiln system is not operating will be excluded; in other words, the 30-day rolling average periods will include only periods of time when the kiln system was operating.

As a result of the fact that beryllium has been delisted as a PSD pollutant, Florida Rock requests that the requirement for a beryllium emission limit be deleted from all permits. As a basis for this request, we cite an EPA Guidance Memo dated March 11, 1991 addressing the 1990 amendments to the Clean Air Act as they relate to beryllium and other PSD pollutants that were delisted. In part, the guidance memo states that:

“...States with an approved PSD Program may continue to regulate the ... air pollutants now exempted from Federal PSD... if the State PSD regulations provide an independent basis to do so...”

The Florida Air Rules do not regulate beryllium. As a result FRI requests that the Department remove the beryllium emission limit from all permits. This request is consistent with the referenced EPA Guidance Memo which states:

“...For Federal PSD permits containing PSD requirements for the pollutants exempted [such as beryllium]...issued on or after November 15, 1990, the permittee may request a revision (e.g., removal of a BACT limit) to their PSD permit to reflect the... exemption from Federal PSD applicabilities.” (Emphasis added.)

Consistent with this Federal guidance, and the fact that Florida presently has no regulations pertaining to beryllium, Florida Rock makes this request.

4.0 Comments Related to Clarification

4.1 Clarification of Preheater Feed Rate

Florida Rock requests that the hourly preheater feed rate and the hourly and daily clinker production rates specified in both the draft Amended Air Construction Permit and the draft Title V Permit be specified as 30-day average rates. That is, the hourly preheater feed rate would be specified as 149.9 tons per hour, 30-day rolling average, the hourly clinker production rate would be specified as 95.8 tons per hour, 30-day rolling average, and the daily clinker production rate would be specified as 2,300 tons per day, 30-day rolling average. In calculating these 30-day rolling averages, times when the kiln system is not operating will be excluded; in other words, the 30-day rolling average periods will include only periods of time when the kiln system was operating.

With the annual clinker production limited to 712,500 tons per year, a condition which will not change, the annual emission caps cannot be exceeded. Additionally, Florida Rock will continue to comply with the maximum permitted emission limits for NO_x, SO₂, and VOCs, and demonstrate compliance with the CEMS for these pollutants. Thus, the Department will have assurance that even with the production limits being determined on a 30-day rolling average basis, the maximum permitted emission rates for NO_x, SO₂, and VOCs will not exceed the maximum permitted rates specified by permit.

4.2 Clarification of Compliance Plan

The draft Amended Air Construction Permit will extend the expiration date of construction permits until March 31, 2001, and authorizes the replacement and/or addition of continuous monitoring equipment and the conversion of the kiln system to a low NO_x multi-stage combustion calciner. The replacement and/or addition of continuous monitoring equipment and the conversion of the kiln system to the low NO_x multi-stage combustion calciner is to be completed by December 30, 2001. Work on these projects occurring after March 31, 2001 (the expiration of the Amended Air Construction Permit) is authorized by the Compliance Plan in the Title V Permit.

Certain statements made in the draft Amended Air Construction Permit and the draft Title V Permit related to the extension of the Air Construction Permit and the Compliance Plan in the Title V Permit require clarifications. For example, in the Technical Evaluation and Preliminary Determination of the draft Amended Air Construction Permit (page 2, 4th paragraph) it is stated:

Compliance with the NO_x limit by December 31, 2001 will be confirmed by the continuous emission monitoring system (CEMS). The [Amended Air Construction] Permit will be extended until March 31, 2001 to allow conversion of the precalciner, conduction additional fine-tuning, and provide the Department an FRI with time to review the results. This review may allow the Department to exercise the condition in Table II of the Permit to, "revise the [NO_x] limit to less than 2.8 lbs/ton clinker (30-day rolling average) based on compliance test and continuous emission monitoring data."

It is quite apparent that if compliance with the NO_x emission limit of 2.8 pounds per ton of clinker is not required until December 31, 2001, the review

of monitoring data and the Department's review of the permit limit can certainly not be completed by March 31, 2001. The earliest possible date for collecting and reviewing NOx emission data once the 2.8 lbs/ton of clinker NOx limit becomes effective would be March 31, 2002. This same date discrepancy appears in revised Table II of the draft Amended Air Construction Permit.

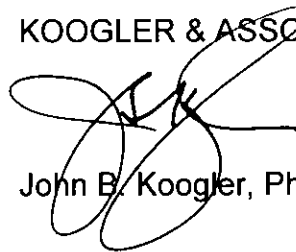
Both draft permits should be reviewed and references to the extended expiration date of the Air Construction Permit (March 31, 2001), the date for NOx Compliance Demonstration (December 30, 2001) and the date for reviewing NOx CEM data following the December 30, 2001 compliance date (March 31, 2002) need to be clarified. These dates should specifically be clarified in the Compliance Plan of the draft Title V Permit.

* * * * *

We appreciate your consideration of these comments. If there are questions, or if further information is required regarding these comments, please do not hesitate to contact me at 352-377-5822.

Very truly yours,

KOOGLER & ASSOCIATES



John B. Koogler, Ph.D., P.E.

JBK:jhm

- C: Al Linero, FDEP Tallahassee
Scott Sheplak, FDEP Tallahassee
Chris Kirts, FDEP Jacksonville
Fred Cohrs, Florida Rock, Jacksonville
Cary Cohrs, Florida Rock, Newberry
Segundo Fernandez, OHFC
Tim Atkinson, OHFC

OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.

301 SOUTH BRONOUGH STREET
SUITE 500
TALLAHASSEE, FLORIDA 32301

(850) 521-0700
FAX (850) 521-0720

MAILING ADDRESS:

POST OFFICE BOX 1110
TALLAHASSEE, FLORIDA 32302-1110

<http://www.ohfc.com>

TIMOTHY P. ATKINSON
JEFFREY BROWN
M. CHRISTOPHER BRYANT
C. ANTHONY CLEVELAND
TERRY COLE
SEGUNDO J. FERNANDEZ
SCOTT W. FOLTZ
KENNETH F. HOFFMAN
CHRISTOPHER D. JOHNSTON
KENNETH G. OERTEL
PATRICIA A. RENOVITCH

RECEIVED

MAR 2 2001

March 1, 2001

BUREAU OF AIR REGULATION

VIA HAND DELIVERY

Douglas W. Beason, Assistant General Counsel
Office of General Counsel
Florida Department of Environmental Protection
Florida Department of Environmental Protection
3900 Commonwealth Blvd.
Tallahassee, FL 32399-3000

Re: Second Request for Extension of Time to File Petition for Administrative Hearing
Draft Modified Air Construction Permit Modification: FDEP File No.: 0010087-003-
AC/PSD-FL-228-A
Draft Title V Permit No.: 0010087-002-AV
Thompson S. Baker Cement Plant, Newberry, Alachua County, Florida

Dear Doug:

Thank you for returning my call today. As you know, we represent Florida Rock Industries, Inc. with respect to the Air Construction Permit and Title V Permit for the above-referenced facility. The company received the Department's Intent to Issue the draft Air Construction Permit Modification and the draft Title V Permit on January 30, 2001. On February 8, 2001, we requested an extension of time to file a petition for administrative hearing on both draft permits, the air construction permit and the Title V permits, until March 1, 2001. Since that time, Florida Rock has exchanged information with the Department concerning the draft Modified Air Construction Permit and draft Title V Permit, and appreciates the cooperative nature of such discussions.

On behalf of Florida Rock Industries, Inc., and pursuant to Rule 28-106.111, Florida Administrative Code, we hereby file this request for an extension of time to file a petition for administrative hearing with respect to the draft Air Construction Permit Modification and with respect to the draft Title V Permit, both referenced above, for an additional 29 days, up to and including Monday, April 2, 2001. The applicant needs additional time to review the draft permits, which are quite lengthy and detailed.

Douglas W. Beason, Assistant General Counsel
March 1, 2001
Page 2

I understand that you will be in contact with Chris Kirts and Al Linero concerning this second extension request, and that you will call me following your discussions with them.

Thank you for your consideration. If you have any questions, please call me or Segundo J. Fernandez.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy P. Atkinson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Timothy P. Atkinson

c: Kirby B. Green, III
Howard Rhodes
C. H. Fancy, P.E.
Al Linero, P.E.
Chris Kirts
Fred W. Cohrs
John Koogler, Ph.D., P.E.