

## Memorandum

# Florida Department of Environmental Protection

TO: Trina Vielhauer, Bureau of Air Regulation  
THROUGH: Jeff Koerner, New Source Review *JK*  
FROM: Corrie Branum, New Source Review *CB*  
DATE: March 17, 2008  
SUBJECT: Extension of Air Construction Permit Expiration Date  
Florida Rock Industries, Inc. – Thompson S. Baker Cement Plant  
Project No. 0010087-033-AC  
Extension of Air Permit No. 0010087-021-AC

Attached for your approval and signature is a permit modification to extend the expiration date for the above referenced air permit. On October 11, 2006, the Department issued Air Permit No. 0010087-021-AC to construct a Selective Non-Catalytic Reduction (SNCR) system for the existing Kiln No. 1 as a control technology for nitrogen oxide (NO<sub>x</sub>) emissions. On March 10, 2008, the Department received a request to extend the expiration date of this permit for the following reasons.

- The permittee requests additional time to complete the installation of the SNCR system.
- The permittee requests additional time to perform operational checks, testing, and subsequent application for a Title V air operation permit.
- The permittee requests that the expiration date be extended from July 31, 2008 to December 31, 2008.

Based on subsequent conversations it is likely that testing will go through the rest of this year. Therefore, I recommend extending the expiration date through June 1, 2009. Based on the circumstances and information provided, I recommend your approval and signature.

Attachments



# Florida Department of Environmental Protection

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

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

March 17, 2008

*Sent by Electronic Mail – Received Receipt Requested*

Chris Horner, Plant Manager  
Florida Rock Industries, Inc.  
4000 NW CR 235  
Newberry, FL 32669

Re: Extension of Air Construction Permit Expiration Date  
Florida Rock Industries, Inc. – Thompson S. Baker Cement Plant  
Project No. 0010087-033-AC  
Extension of Air Permit No. 0010087-021-AC

Dear Mr. Horner:

On March 10, 2008, Florida Rock Industries, Inc. requested an extension of the expiration date of air construction Permit No. 0010087-021-AC for the control equipment being installed on the existing Kiln No. 1 at the Thompson S. Baker Cement Plant. This plant is located in Alachua County at Alachua County Road 235, approximately 2.5 miles northeast of Newberry, Florida. Florida Rock Industries, Inc. requests the additional time to complete the installation of a Selective Non-Catalytic Reduction System. Florida Rock also requests additional time for operational checks, testing, and subsequent application to incorporate it into the Title V operational permit. Based on the circumstances and information provided, the Department approves this request.

**Determination:** The expiration date is hereby extended from **July 31, 2008** to **June 1, 2009** to provide the necessary time to complete construction, conduct testing 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.

**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 Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**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 / Facsimile: 850/245-2303). 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. 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.

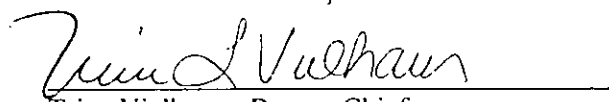
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this written notice. Persons whose substantial interests will be affected by any such 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 Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

  
Trina Vielhauer, Bureau Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this written notice of permit extension was sent by electronic mail with received receipt requested before the close of business on 3/18/08 to the persons listed below.

- Chris Horner, FRI ([chrish@flarock.com](mailto:chrish@flarock.com))
- Henry Gotsch, FRI ([hgotsch@flarock.com](mailto:hgotsch@flarock.com))
- John Koogler, P.E., Koogler & Associates ([jkoogler@kooglerassociates.com](mailto:jkoogler@kooglerassociates.com))  
Chair, Alachua County ([rjlong@alachuacounty.us](mailto:rjlong@alachuacounty.us))
- Chris Bird, Alachua County EMD ([chris@alachuacounty.us](mailto:chris@alachuacounty.us))
- Kathleen Forney ([Forney.Kathleen@epa.gov](mailto:Forney.Kathleen@epa.gov))
- Chris Kirts, DEP NED ([Christopher.Kirts@dep.state.fl.us](mailto:Christopher.Kirts@dep.state.fl.us))

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Mary J. Harvey      3/18/08  
(Clerk)      (Date)

# Tracking Page

Florida Rock Industries, Inc.  
Thompson S. Baker Cement Plant

Project No. 0010087-033-AC  
Extension of Permit No. 0010087-021-AC

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- ✓ Henry Gotsch, FRI ([hgotsch@flarock.com](mailto:hgotsch@flarock.com))
- ✓ John Koogler, P.E., Koogler & Associates ([jkoogler@kooglerassociates.com](mailto:jkoogler@kooglerassociates.com))  
Chair, Alachua County ([rjlong@alachuacounty.us](mailto:rjlong@alachuacounty.us))  
Chris Bird, Alachua County EMD ([chris@alachuacounty.us](mailto:chris@alachuacounty.us))
- ✓ Kathleen Forney ([Forney.Kathleen@epa.gov](mailto:Forney.Kathleen@epa.gov))  
Chris Kirts, DEP NED ([Christopher.Kirts@dep.state.fl.us](mailto:Christopher.Kirts@dep.state.fl.us))

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Mary D. Harvey  
(Clerk)

3/18/08  
(Date)

**Harvey, Mary**

**From:** John Koogler [jkoogler@kooglerassociates.com]  
**Sent:** Tuesday, March 18, 2008 4:27 PM  
**To:** Harvey, Mary  
**Subject:** RE: Project No. 0010087-033-AC - Florida Rock Industries, Inc.

Thank you!

John B Koogler  
Koogler & Associates, Inc  
4014 NW 13th St  
Gainesville, FL 32609  
352/377-5822  
jkoogler@kooglerassociates.com

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Tuesday, March 18, 2008 4:11 PM  
**To:** Chris Horner, FRI; Henry Gotsch, FRI; John Koogler, P.E., Koogler & Associates; Chair, Alachua County; Chris Bird, Alachua County EMD; Kathleen Forney; Kirts, Christopher  
**Cc:** Branum, Corrie; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Project No. 0010087-033-AC - Florida Rock Industries, Inc.

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:  
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

3/18/2008

## Harvey, Mary

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**From:** Horner, Chris [ChrisH@Flarock.com]  
**Sent:** Tuesday, March 18, 2008 4:20 PM  
**To:** Harvey, Mary  
**Subject:** RE: Project No. 0010087-033-AC - Florida Rock Industries, Inc.

CHRIS HORNER  
Plant Manager  
Vulcan Materials Company  
Florida Rock Division  
Thompson S. Baker Cement Plant  
4000 NW CR 235  
Newberry, FL 32669  
Ofc: (352) 472-4722 ext 130  
Cell: (352) 354-5090  
Fax: (352) 472-2449  
[HornerC@VMCMail.com](mailto:HornerC@VMCMail.com)

-----Original Message-----

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Tuesday, March 18, 2008 4:11 PM  
**To:** Horner, Chris; Gotsch, Henry; John Koogler, P.E., Koogler & Associates; Chair, Alachua County; Chris Bird, Alachua County EMD; Kathleen Forney; Kirts, Christopher  
**Cc:** Branum, Corrie; Walker, Elizabeth (AIR); Gibson, Victoria  
**Subject:** Project No. 0010087-033-AC - Florida Rock Industries, Inc.

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Thank you,

3/18/2008

**Harvey, Mary**

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**From:** Gotsch, Henry [HGotsch@Flarock.com]  
**Sent:** Tuesday, March 18, 2008 5:10 PM  
**To:** Harvey, Mary  
**Cc:** Horner, Chris  
**Subject:** RE: Project No. 0010087-033-AC - Florida Rock Industries, Inc.

Thank you, Ms. Harvey.

-----Original Message-----

**From:** Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]  
**Sent:** Tuesday, March 18, 2008 4:11 PM  
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**Harvey, Mary**

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**From:** Forney.Kathleen@epamail.epa.gov  
**Sent:** Tuesday, March 18, 2008 5:49 PM  
**To:** Harvey, Mary  
**Subject:** Re: FW: Project No. 0010087-033-AC - Florida Rock Industries, Inc.

thanks

-----  
Katy R. Forney  
Air Permits Section  
EPA - Region 4  
61 Forsyth St., SW  
Atlanta, GA 30303

Phone: 404-562-9130  
Fax: 404-562-9019

"Harvey, Mary"  
<Mary.Harvey@dep  
.state.fl.us>

03/18/2008 04:29  
PM

To  
Kathleen Forney/R4/USEPA/US@EPA  
cc  
Subject  
FW: Project No. 0010087-033-AC -  
Florida Rock Industries, Inc.

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