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DIVISION OF AIR
RESOURCE MANAGEMENT

Via Fed Ex #801942335594

January 10, 2013

Mr. Syed Arif Environmental Administrator
Florida Department of Environmental Protection
Division of Air Resources Management
2600 Blair Stone Rd, MS 5505
Tallahassee, Florida 32399-2400

RE: CEMEX Miami Cement Plant Title V Draft Air Permit No. 0250014-047-AC - Install
CO CEMS for compliance
Public Notice Proof of Publication

Dear Mr. Arif:

Please find attached the Certified Proof of Publication for the public notice that ran in the Miami Daily Business review on December 18, 2012 for the above referenced Draft Permit.

If there are any questions regarding this notification, please contact me at 305-229-2955 or email at charles.walz@cemex.com

Sincerely,

CEMEX Construction Materials Florida, LLC

A handwritten signature in black ink that reads "Charles E. Walz".

Charles E. Walz
Plant Environmental Manager

cc: File
Dr John Koogler

MIAMI DAILY BUSINESS REVIEW

Published Daily except Saturday, Sunday and
Legal Holidays
Miami, Miami-Dade County, Florida

STATE OF FLORIDA
COUNTY OF MIAMI-DADE:

Before the undersigned authority personally appeared MARIA MESA, who on oath says that he or she is the LEGAL CLERK, Legal Notices of the Miami Daily Business Review f/k/a Miami Review, a daily (except Saturday, Sunday and Legal Holidays) newspaper, published at Miami in Miami-Dade County, Florida; that the attached copy of advertisement, being a Legal Advertisement of Notice in the matter of

NOTICE OF INTENT TO ISSUE AIR PERMIT
CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC

in the XXXX Court,
was published in said newspaper in the issues of

12/18/2012

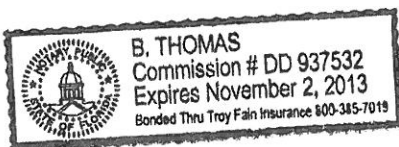
Affiant further says that the said Miami Daily Business Review is a newspaper published at Miami in said Miami-Dade County, Florida and that the said newspaper has heretofore been continuously published in said Miami-Dade County, Florida, each day (except Saturday, Sunday and Legal Holidays) and has been entered as second class mail matter at the post office in Miami in said Miami-Dade County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Sworn to and subscribed before me this

18 day of DECEMBER, A.D. 2012

(SEAL)

MARIA MESA personally known to me



PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DIVISION OF AIR RESOURCE MANAGEMENT,
OFFICE OF PERMITTING AND COMPLIANCE
DRAFT AIR PERMIT NO. 0250014-047-AC
CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC,
MIAMI CEMENT PLANT
MIAMI-DADE COUNTY, FLORIDA

Applicant: The applicant for this project is CEMEX Construction Materials Florida, LLC. The applicant's authorized representative and mailing address is: Mr. Luis G. Lopez, Plant Manager, CEMEX Construction Materials Florida, LLC, Miami Cement Plant, 1200 NW 137 Avenue in Miami, Florida 34601.

Facility Location: CEMEX Construction Materials Florida, LLC operates the existing Miami Cement Plant, which is located at the address given above.

Project: The applicant is requesting to establish the carbon monoxide (CO) emission standard applicable to the cement kiln on a 30-day basis with compliance by a new certified continuous emission monitoring system (CEMS). At the present time, the company demonstrates compliance with the CO emission standard of 2.81 pounds per ton of clinker by conducting a single annual stack test. The annual testing is complemented by use of a non-certified process monitor with an alarm that is activated when concentrations within the process reach 1,200 parts per million. The limit, averaging time and proposed compliance by CEMS in lieu of the process monitor is consistent with other operating cement plants in Florida.

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 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: 2600 Blair Stone Road, 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 physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents may be obtained by entering the project number given above at the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate 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.

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 written comments received 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 at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. 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 this Public Notice or receipt of a written notice, 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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 Public 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 for this proceeding.



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Miami Daily Business Review
Legal Advertising

Please Remit To:

CEMEX MIAMI CEMENT PLANT
Attention to: CHALRES WALZ
CHARLES WALZ
1200 NW 137 AVE.
MIAMI FL 33182

Customer #: 707250

Invoice #: 0199909504
Invoice Date: 12/18/2012
Due Date: Due Upon Receipt
AMOUNT DUE: \$267.03

PLEASE RETURN THIS SECTION WITH PAYMENT.

Amount Remitted

Miami Daily Business Review

TEAR HERE

None

Invoice #: 0199909504 Invoice Date: 12/18/2012 Customer #:707250 Case / P.O. #:

Table with 5 columns: Order #, Description, Ad Tag Line, Ad Size, Amount. Includes rows for 'Notice of intent to issue air permit' and 'PROOF FEE', and a subtotal/total amount due section.

Payment by Credit Card form with fields for Account #, Exp. Date, Security Code, Card Holder Name, and Signature.

For billing questions, please call: 305-347-6616 Fax: 305-371-4913

PAST DUE BALANCES WILL BE CHARGED A 1.5% PER MONTH SERVICE CHARGE (18% PER ANNUM).

