



# Department of Environmental Protection

Lawton Chiles  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Virginia B. Wetherell  
Secretary

December 21, 1998

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Scott Quaas, Environmental Manager  
Tarmac America, Inc.  
455 Fairway Drive  
Deerfield Beach, Florida 33441

Re: DEP File No. 0250020-007-AC (PSD-FL-142A)  
Modification of Coal Conversion Project

Dear Mr. Quaas:

Enclosed is one copy of the Draft Air Construction Permit Modification for Tarmac America's coal conversion project at 11000 NW 121 Way, Medley, Miami-Dade County. The Department's Intent to Issue Air Construction Permit Modification, the DRAFT Permit Modification, and the "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION" are also included.

The "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION" must be published as soon as possible in a newspaper of general circulation in the area affected (NW Dade County). Proof of publication, i.e., newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within 7 (seven) days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

Please note that Tarmac is required to implement this project in accordance with its Agreement with the Miami-Dade Department of Environmental Resources Management (DERM). This permit modification was already delayed largely by the time it took Tarmac to respond to the Department's Request for Additional Information in March as well as to the reminder sent to Tarmac in September. We urge the prompt publication of the Notice, followed by implementation of the project to comply with both the Agreement and the Department's BACT Determination.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A. A. Linero, P.E., Administrator, New Source Review Section at the above letterhead address. If you have any questions, please contact Ms. Teresa Heron at 850/921-9529 or Mr. Linero at 850/921-9523.

Sincerely,

C. H. Fancy, P.E., Chief,  
Bureau of Air Regulation

CHF/th

Enclosures

In the Matter of an  
Application for Permit Modification by:

Tarmac America, Inc.  
1151 Azalea Garden Road  
Norfolk, VA 23502

DEP File No. 0250020-007-AC (PSD-FL-142A)  
Portland Cement Manufacturing Plant  
Modification of Coal Conversion Project  
Dade County

**INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION**

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification (copy of DRAFT Permit Modification attached) for the proposed permit revisions, detailed in the application specified above, for the reasons stated below.

The applicant, Tarmac America Inc, applied on February 18, 1998 to the Miami-Dade Department of Environmental Resources Management (DERM) for modification of its existing air construction permit for the conversion of Kiln No. 2 to coal burning at the Tarmac facility in Medley, Miami-Dade County. The request is to install further equipment and perform modifications to accomplish the approved coal burning by indirect firing. By agreement with DERM, the Department is acting on this request.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, and 62-212. The above actions are not exempt from permitting procedures. The Department has determined that a permit modification is required to perform the described work at Tarmac's facility.

The Department intends to issue this air construction permit modification based on the belief that reasonable assurances have been provided to indicate that operation of these emission units will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1., F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION". The notice shall be published one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the applicant cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/ 922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

The Department will issue the FINAL Permit Modification, in accordance with the conditions of the enclosed DRAFT Permit Modification unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed DRAFT Permit Modification issuance action for a period of 14 (fourteen) days from the date of publication of "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION." Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the DRAFT Permit Modification and require, if applicable, another Public Notice.

The Department will issue the permit modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available for this action.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department'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.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542 F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.



C. H. Fancy, P.E., Chief  
Bureau of Air Regulation

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION (including the PUBLIC NOTICE, and the DRAFT Permit Modification) was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 12-22-98 to the person(s) listed:

Scott Quaas, Tarmac\*  
Hardy Johnson, Tarmac  
Gregg Worley, EPA  
Isidore Goldman, SED  
H. Patrick Wong, DERM  
Donna Edwards, DERM  
David Buff, P.E., Golder Associates

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.

  
(Clerk)

12-22-98  
(Date)

Z 333 612 576

US Postal Service

**Receipt for Certified Mail**

No Insurance Coverage Provided.

Do not use for International Mail (See reverse)

Sent to	
Scott Quass	
Street & Number	
Iarmac America	
Post Office, State, & ZIP Code	
Deerfield Bch. FL	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	
085002C-007AC 12-22-98	
PSD-FI-142A	

PS Form 3800 April 1995

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Scott Quass, EM  
 IARMAC America  
 455 Fairway Dr.  
 Deerfield Bch, FL  
 33441

4a. Article Number

7333 612 576

4b. Service Type

- Registered  Certified
- Express Mail  Insured
- Return Receipt for Merchandise  COD

7. Date of Delivery

5. Received By: (Print Name)

6. Signature: (Addressee or Agent)

X [Signature]

8. Addressee's Address (Only if requested and fee is paid)

Thank you for using Return Receipt Service.

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION**

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0250020-007-AC (PSD-FL-142A)

Tarmac America Inc.  
Portland Cement Manufacturing Facility  
Modification of Kiln No. 2 Coal Conversion Project  
Miami-Dade County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Tarmac America Inc. The permit is to modify the previously approved natural gas to coal conversion project for Kiln No. 2 at Tarmac's portland cement manufacturing facility in Medley, Miami-Dade County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. The applicant's name and address are Tarmac America, Inc. 455 Fairway Drive, Deerfield Beach, Florida 33441.

The modification includes installation of a new coal bin, baghouse, and ducting to support indirect firing to reduce nitrogen oxides emissions from Kiln No. 2. Kiln No. 2 already burns coal through direct firing and Tarmac is required by an agreement with the Miami-Dade Department of Environmental Resources Management to implement this project modification.

The Department will issue the FINAL permit modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit Modification." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the FINAL permit modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station # 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3) of

the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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 how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief.

A petition that does not dispute the material facts upon which the Department'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

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection	Miami-Dade Department of Environmental Resources Mgt.	Department of Environmental Protection
Bureau of Air Regulation	Air Quality Division	Southeast District Office
111 S. Magnolia Drive, Suite 4	33 SW Second Avenue, Suite 900	400 North Congress Avenue
Tallahassee, Florida, 32301	Miami, Florida 33130-1540	West Palm Beach, Florida 33401
Telephone: 850/488-0114	Telephone: 305/372-6925	Telephone: 407/681-6600
Fax: 850/922-6979	Fax: 305/372-6954	Fax: 407/681-6755

The complete project file includes the application, Draft Permit Modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

January XX, 1999

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Scott Quaas  
Environmental Manager  
Tarmac America Inc.  
455 Fairway Drive  
Deerfield Beach, Florida 33441

Re: DEP File No. 0250020-007-AC (PSD-FL-142A)  
Tarmac Pennsuco Portland Cement Plant, Miami-Dade County  
Modification of Coal Conversion Project - Kiln No. 2

Dear Mr. Quaas:

The Department reviewed the application received on February 18, 1998 by the Miami-Dade Department of Environmental Resources Management (DERM). By agreement with DERM, the Department is acting on your request.

Kiln No. 2 was previously converted from gas to *direct-fired* coal-burning. Tarmac proposes to switch to *indirect firing* for the purpose of reducing nitrogen oxides emissions. Primary air will be introduced to the kiln independently of the coal or secondary air. Secondary air will continue to be drawn from the clinker cooler. This greater control over the primary air to the kiln is expected by Tarmac to result in substantial NO<sub>x</sub> reductions for the purpose of complying with the original permit conditions applicable to the conversion of Kiln No. 2 to coal burning.

A new pulverized coal bin will be added downstream of the coal mill. Air from the coal mill will be exhausted through a new baghouse serving the coal bin. Pulverized coal from the coal bin and a small portion of air will be conveyed to the kiln, separately from the primary combustion air.

The existing coal handling system for the cement plant will be utilized for the Kiln No. 2 indirect system, including the coal mill. New screw feeders, weigh feeders, coal blower, and burner pipe will also be installed for the proposed modification. Particulate emissions from the pulverized coal bin will be controlled by a new baghouse.

The existing construction permit numbered AC13-169901 (PSD-FL-142) is hereby modified (amended) as follows:

Permit Expiration: Permit PSD-FL-142 (AC13-169901) is hereby extended to July 1, 2000.

**NEW SPECIFIC CONDITIONS**

- 16. Nitrogen Oxides Emissions:** Nitrogen oxides emissions shall be controlled by combustion controls including implementation of indirect-firing. [Tarmac - DERM Agreement signed January 30 and February 2, 1998]



17. Construction: Construction related to the implementation of indirect firing, including the new coal bin and baghouse, shall be completed within 12 months after issuance of this permit modification.  
**[Tarmac - DERM Agreement signed January 30 and February 2, 1998]**
18. General Visible Emissions Standard: Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer, or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20% opacity). The test method for visible emissions shall be EPA Method 9, incorporated and adopted by reference in Chapter 62-297, F.A.C. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C. **[Rule 62-296.320(4)(b)1, F.A.C.]**
19. Coal Bin and Baghouse Emissions: The maximum permitted allowable particulate emission rate from the new coal bin and baghouse shall not exceed 0.94 pounds per hour and 3.7 tons per year.  
**[Applicant, Rule 62-4.070(3) F.A.C.]**
20. Coal Bin and Baghouse Opacity: The permittee may demonstrate compliance with the allowable permitted emission rate by adhering to an opacity limit of 5% or less in lieu of particulate stack tests. If the Department has reason to believe that the particulate weight emission standard applicable to such an emissions unit is not being met, it may require that compliance be demonstrated by the test method specified in the applicable rule. **[Rule 62-297.620(4), F.A.C.]**
21. Test Methods: Compliance with the allowable emission limiting standards listed in Specific Condition 20 and 21 shall be determined by using the following reference methods as described in 40 CFR 60, Appendix A (1997, version) adopted by reference in Chapter 62-204, F.A.C.  
**Method 9** Visual Determination of the Opacity of Emissions from Stationary Sources initially and annually thereafter.  
**Method 5** Determination of Particulate Matter Emissions from Stationary Sources (if required).

This permit modification is issued pursuant to Chapter 403, Florida Statutes. Any party to this order (permit modification) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Sincerely,

Howard L. Rhodes, Director  
Division of Air Resources  
Management

Mr. Scott Quaas  
DEP File No 0250020-007-AC (PSD-FL-142A)  
January XX, 1999  
Page 3 of 3

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on \_\_\_\_\_ to the person(s) listed:

Scott Quaas, Tarmac\*  
Hardy Johnson, Tarmac  
Gregg Worley, EPA  
Isidore Goldman, DEP SED  
H Patrick Wong, DERM  
Donna Edwards, DERM  
David Buff, P.E., Golder Associates

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.

\_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Date)


DRAFT

2/21/1999

Florida Department of  
Environmental Protection

**Memorandum**

---

TO: Clair Fancy  
THRU: Al Linero  12/21  
FROM: Susan DeVore-Fillmore  
DATE: December 17, 1998  
SUBJECT: Tarmac Pennsucco Cement Plant  
Kiln No. 2 Coal Conversion Project Modification  
DEP File 0250020-007-AC (PSD-FL-142A)

Attached is a construction permit modification for Kiln No. 2 at the Tarmac's Portland Cement Manufacturing facility in Medley, Miami-Dade County. This permit modification addresses revisions to Permit PSD-FL-142 (AC13-169901) that allowed conversion from gas to coal burning. The modification is to install a new coal bin, baghouse, and ducting to convert Kiln No. 2 from direct to indirect firing.

Conversion to indirect firing is one of three options available to Tarmac in order to comply with an Agreement with Miami-Dade DERM. The Agreement required payment of approximately \$200,000 as well as achievement of the permit NO<sub>x</sub> limits by indirect firing, conversion to dry pyroprocessing, or shutdown of Kiln No. 2.

Tarmac also submitted an application to convert to dry pyroprocessing. DERM is acting on the non-PSD request with the Department's assistance on MACT requirements. Tarmac is pursuing permitting of two options and has not made a final determination on which one will be implemented.

I recommend your approval and signature.

AAL/sd

Attachments