

VIA ELECTRONIC MAIL

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Ms. Mallika Muthiah  
Air Quality Management Division  
Miami-Dade County Environmental Resources Management  
33 SW 2<sup>nd</sup> Avenue  
Miami, Florida 33130-1540

RE: **Pennsuco Cement**  
**Miami-Dade County – AP**  
**Draft Title V Permit Revision**  
**Permit No. 250020-013-AV**

Dear Ms. Muthiah:

Following are comments submitted on behalf of Tarmac America, LLC. (Tarmac) regarding Miami-Dade County's Department of Environmental Resources Management [DERM] issuance of the draft Title V permit revision referenced above. We appreciate the opportunity to submit these comments and look forward to discussing them with you at your earliest convenience.

- (1) The Intent to Issue is scheduled to be published the week of February 23<sup>rd</sup>.
- (2) This draft permit revision contains numerous specific conditions and references to the Consent Agreement between Tarmac and DERM, signed on February 2, 1998, including a new compliance plan regarding operation of CEMS at Kiln 2. As was explained in correspondence dated October 9, 2002 and December 16, 2002, the basis for the Consent Agreement – compliance with NO<sub>x</sub> emission limits – has been satisfied. It is Tarmac's understanding, therefore, that this Consent Agreement has expired and no longer provides authority for conditions in the Title V permit. Accordingly, Tarmac requests that all Title V permit conditions relying on the Consent Agreement for their authority be deleted, as well as all references to the Consent Agreement or the requirement to operate NO<sub>x</sub> CEMS (other than perhaps a historical reference in the "documents on file with the permitting authority" section, if desired).

- (3) Tarmac appreciates DERM's efforts regarding establishing that this facility is an area, not major, source for HAPs. However, the draft permit references the new kiln system which at this instance is not a part of the Title V operation permit. The revision goes on to state that once the new kiln starts up, the source will be major. It is premature to make such a conclusion, and inappropriate to make such a pre-judged applicability statement in the Title V permit. Site-specific data will be available when the new kiln conducts its initial compliance tests, and Tarmac requests that area or major source status for HAPs be re-determined for the facility at that time and/or at the new kiln inclusion into the Title V permit. Therefore, Tarmac requests that the permit simply state that the facility is currently an area HAP source. If desired, a reference could be included that the facility's HAP status will be re-assessed after the new kiln starts up. Tarmac currently expects that the new kiln will startup in mid-to-late Summer 2004.
- (4) Facility-wide Conditions 8 and 9 ("Kiln No. 2" and "Kiln No. 3"), states that the Kiln 2 and 3 data used to demonstrate non-major HAP status cannot be used for any other purpose. Tarmac does not understand the rationale for this limitation, and believes that this data is accurate, valuable, site-specific data that may be useful in the future. Tarmac request that this language be deleted.
- (5) In the "Permitting Note" under Subsection B., the reference to 40 CFR Part 60, Subpart F (NSPS for Portland Cement Plants) has been deleted. It is Tarmac's understanding that some Subpart F requirements apply to Tarmac's facility because it is an area HAP source.
- (6) Condition B.1. and D.1. – This rule language from 40 CFR 63.1356 was revised by EPA on April 5, 2002. Tarmac requests that these conditions be revised to reflect the current rule language. Note that the July 1, 2003 version of the CFR appears to contain a clerical error (subsections (a)(1) and (a)(2) are missing); you have to use the April 5 amendments and the prior version of this section to obtain the full correct rule quote.
- (7) Condition B.12. The column "EPA Testing Method" lists "Method 9/COM" under the visible emissions row. Rule 63.1349, Table 1, however states that COMs are only required for kilns, "if feasible." Accordingly, Tarmac requests that the reference to COMs be deleted from this condition.
- (8) Condition B.29. The authority for this condition is revised to include 40 CFR 63.1355(a), (b), and (c), but the language from subparagraph (c) is not included.

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- (9) Subsection D. There are several revisions in the description section to delete the reference to NSPS Subpart F and add NESHAP Subpart LLL. However, 40 CFR 63.1340 states that the NESHAP LLL only applies to these types of activities if the facility is major for HAPs. Similarly, Condition D.2 states that the activities in this Subsection of the permit shall comply with 40 CFR Part 63, Subpart (General Conditions), but Subpart A only applies if LLL (or another NESHAP) applies.
- (10) Condition D.7 appears to be citing this Title V permit revision as authority for the revised condition. This is circular and it is otherwise inappropriate to cite a Title V permit as authority for a Title V permit condition. Other conditions citing to this permit revision authority for the condition should similarly be corrected.

Thank you again for your consideration of our comments and should you have any questions please contact me at (954) 425-4165.

Sincerely,



Scott Quaas  
Environmental Manager  
Environmental Services—Florida Business

cc: P. Wong – DERM  
A. Townsend  
D. Buff – Golder  
R. Manning – HGS