



**RECEIVED**

May 21, 1997

**MAY 27 1997**

Certified Mail - Return Receipt Requested

**BUREAU OF  
AIR REGULATION**

Ms. Teresa Heron  
Florida Department of Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**RE: PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT  
Draft Permit No.: 0530010-001-AC (PSD-FL-233)**

Dear Ms. Heron:

The Florida Department of Environmental Protection's (FDEP) notice of its intent to issue an air construction permit modifications to Southdown, Inc., for a revision of the emission limits applicable to its portland cement facility has been published in the Hernando, Pasco, and Citrus County sections of The Tampa Tribune. The notice of intent was published on November 12, 1996. This fulfills the FDEP's requirement to publish the "Notice of Intent to Issue" within the thirty day time period.

A copy of this Notice and affidavit are attached.

If further action is required in regards to issuance of this permit, please do not hesitate to contact me at (352) 796-7241.

Sincerely,

Don B. Kelly  
Plant Manager

Attachments

DBK\dab

cc: T. Newton, BAR  
SWD  
HCPD  
EPA  
NPS  
Hoosler & Assoc.

**THE TAMPA TRIBUNE**  
**Published Daily**  
**Tampa, Hillsborough County, Florida**

State of Florida            )  
County of Hillsborough } ss.

Before the undersigned authority personally appeared J. Rosenthal, who on oath says that she is Classified Billing Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

\_\_\_\_\_  
LEGAL NOTICE PASCO  
\_\_\_\_\_

in the matter of \_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
PUBLIC NOTICE OF INTENT  
\_\_\_\_\_

was published in said newspaper in the issues of \_\_\_\_\_  
\_\_\_\_\_

MAY 15, 1997  
\_\_\_\_\_

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

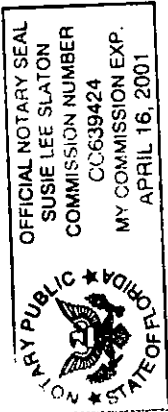
*J. Rosenthal*  
\_\_\_\_\_

Sworn to and subscribed before me, this 19 day  
of MAY, A.D. 1997

Personally Known \_\_\_\_\_ or Product Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

(SEAL)

*Susie Lee Slaton*  
\_\_\_\_\_



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

**STATE OF FLORIDA**

**DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**DRAFT Permit No. 0530010-003-AC, (PSD-FL-233)**

**Southdown Brooksville Cement Manufacturing Facility**

**Hernando County**

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Southdown, Inc., for an increase in process rates applicable to its portland cement facility located on Highway 98, Northwest of Brooksville, Hernando County. A Best Available Control Technology (BACT) determination was required for particulate matter (PM/PM<sub>10</sub>), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO) and volatile organic compounds (VOC) pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: Southdown, Inc. Post Office Box 6, Brooksville, Florida 34605-0006.

The new permit will replace four current construction permits for Cement Plants No. 1 and No. 2 which were originally permitted in 1973 and 1980, respectively. Each plant includes a coal/liquid fuel/gas-fired, dry process cement kiln with a preheater and clinker cooler. Air pollution control is achieved by fabric filters (baghouses) for PM/PM<sub>10</sub> from the kilns and coolers; absorption of sulfur compounds and metals into the product; and combustion controls for CO, volatile organic compounds (VOC), and nitrogen oxides (NO<sub>x</sub>).

Emissions will increase as a result of an increase in process feed rates to each kiln. The presently permitted process rates of 145 tons per hour (TPH as preheater feed on a 30 day average) will be increased to 150 TPH. The permit will account for increases in the permitted emissions of PM/PM<sub>10</sub> from Coolers No. 1 and No. 2 and Kiln No. 2; decrease of permitted emissions of PM/PM<sub>10</sub> from Kiln No. 1; establishment of or increase in permitted emission limits of CO and VOC from both kilns; and will set a BACT permit limit for NO<sub>x</sub> from Kiln No. 1.

Total emissions, including increases, of pollutants subject to PSD review shall not exceed the following limits:

| Pollutant           | Maximum Emissions Tons Per Year (TPY) |
|---------------------|---------------------------------------|
| CO                  | 1,576                                 |
| PM/PM <sub>10</sub> | 356                                   |
| VOC                 | 120                                   |
| NO <sub>x</sub>     | 2,448                                 |

The maximum emission rate of sulfur dioxide, which is not subject to PSD review by this action, will be TPY. An air quality impact analysis was conducted. Emissions from the facility will consume PSD increment but will not significantly contribute to or cause a violation of any state or federal ambient air quality standards. NO<sub>x</sub> emissions from the project have an insignificant PSD Class II impact. The maximum predicted PSD Class II PM<sub>10</sub> increments consumed by all sources in the area, including this project, will be as follows:

| PSD Class II Increment Consumed (ug/m <sup>3</sup> ) | Allowable Increment (ug/m <sup>3</sup> ) | Percent Increment Consumed |
|--|--|----------------------------|
| PM <sub>10</sub>                                     |  |                            |
| 24-hour 24.9   | 30                                       | 83                         |
| Annual 3.8   | 17                                       | 22                         |

The project has an insignificant impact on the Chassahowitzka PSD Class I area for the PM<sub>10</sub> annual averaging time. The maximum predicted PSD Class I PM<sub>10</sub> increment consumed by the project for the 24 hour averaging time is 1.03 ug/m<sup>3</sup> or 13% of the available 24 hour increment of 8 ug/m<sup>3</sup>. The maximum predicted PSD Class I NO<sub>2</sub> increment consumed by the project is 0.9 ug/m<sup>3</sup> or 36% of the available increment of 2.5 ug/m<sup>3</sup>.

The Department will issue the FINAL Permit in accordance with the conditions of the DRAFT Permit 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 and requests for public meetings concerning the proposed DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments and requests for public meetings 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 this DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

The Department will issue FINAL Permit with the conditions of the DRAFT Permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., or a party requests mediation as an alternative remedy under Section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the Department's 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 (received) in the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, telephone: 904/488-9370, fax: 904/487-4938. Petitions 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. A petitioner must 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 (or a request for mediation, as discussed below) 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 28-5.207, of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) a statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. 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 person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information: (a) the name, address, and telephone number of the person requesting mediation and that person's representative, if any; (b) a statement of the preliminary agency action; (c) A statement of the relief sought; and (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the request has already filed, and incorporating it by reference.

The agreement to mediate must include the following: (a) The names, addresses, and telephone numbers of any persons who may attend the mediation; (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time; (c) The agreed allocation of the costs and fees associated with the mediation; (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation; (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen; (f) The name of each party's representative who shall have authority to settle or recommend settlement; and (g) The signature of all parties or their authorized representatives.

As provided in Section 120.573 F.S., the timely agreement of all parties to mediate will toll the time limitation imposed by Section 120.569 and 120.57 F.S. for requesting an holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing process under Sections 120.569 and 120.57 F.S. remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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<br>Bureau of Air Regulation<br>111 S. Magnolia Drive, Suite 4<br>Tallahassee, Florida 32301<br>Telephone: 904/488-1344<br>Fax: 904/922-6979 | Department of Environmental Protection<br>Southwest District Office<br>3804 Coconut Palm Drive<br>Tampa, Florida 33619<br>Telephone: 813/744-6100<br>Fax: 813/744-6458 |
|--|--|

The complete project file includes the application, technical evaluations, Draft Permit, 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 904/488-1344, for additional information.

May 15, 1997

**HERNANDO  
TODAY**

Published Daily

BROOKSVILLE, HERNANDO, FLORIDA  
STATE OF FLORIDA  
COUNTY OF HERNANDO:

Before the undersigned authority personally appeared Sally Parmerter, who on oath says that she is Legal Ad Coordinator of the Hernando Today/Hernando Sunday, a daily newspaper published at Brooksville in Hernando County, Florida; that the attached copy of the advertisement, being a Public Notice in the matter of Intent to Issue Air Construction Permit, Draft Permit No.: 0530010-003-AC (PSD-FL-233)

in the N/A Court, was published in said newspaper in the issues of May 15, 1997

Affiant further says that the said Hernando Today/Hernando Sunday is a newspaper published at Brooksville, in said Hernando County, Florida, and that the said newspaper has heretofore been continuously published in said Hernando County, Florida, each week and has been entered as second class mail matter at the post office in Brooksville, in said Hernando County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that 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.

Sally Parmerter  
(Signature of Affiant)

Sworn to and subscribed before me this 19th day of May, 1997.

Kathleen R. Schiefelbein  
(Signature of notary public)

Kathleen R. Schiefelbein  
(Name of Notary typed, printed or stamped)

Personally Known    or  
Produced Identification     
Type of Identification Produced

Legals

Legals

Legals

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

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit No.: 0530010-003-AC, (PSD-FL-233)

Southdown Brooksville Cement Manufacturing Facility

Hernando County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification to Southdown, Inc., for an increase in process rates applicable to its portland cement facility located on Highway 98, Northwest of Brooksville, Hernando County. A Best Available Control Technology (BACT) determination was required for particulate matter (PM/PM<sub>10</sub>), nitrogen oxides (NO<sub>x</sub>), carbon monoxide (CO) and volatile organic compounds (VOC) pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are Southdown, Inc. Post Office Box 6, Brooksville, Florida 34605-0006.

The new permit will replace four current construction permits for Cement Plants No. 1 and No. 2 which were originally permitted in 1973 and 1980, respectively. Each plant includes a coal/liquid fuel/gas-fired, dry process cement kiln with a preheater and clinker cooler. Air pollution control is achieved by fabric filters (baghouses) for PM/PM<sub>10</sub> from the kilns and coolers; absorption of sulfur compounds and metals into the product; and combustion controls for CO, volatile organic compounds (VOC), and nitrogen oxides (NO<sub>x</sub>).

Emissions will increase as a result of an increase in process feed rates to each kiln. The presently permitted process rates of 145 tons per hour (TPH) as preheater feed on a 30 day average) will be increased to 150 TPH. The permit will account for increases in the permitted emissions of PM/PM<sub>10</sub> from Coolers No. 1 and No. 2 and Kiln No. 2; decrease of permitted emissions of PM/PM<sub>10</sub> from Kiln No. 1; establishment of or increase in permitted emission limits of CO and VOC from both kilns; and will set a BACT permit limit for NO<sub>x</sub> from Kiln No. 1. Total emissions, including increases, of pollutants subject to PSD review shall not exceed the following limits:

| Pollutant           | Maximum Emissions Tons Per Year (TPY) |
|---------------------|---------------------------------------|
| CO                  | 1,576                                 |
| PM/PM <sub>10</sub> | 356                                   |
| VOC                 | 120                                   |
| NO <sub>x</sub>     | 2,448                                 |

The maximum emission rate of sulfur dioxide, which is not subject to PSD review by this action, will be TPY. An air quality impact analysis was conducted. Emissions from the facility will consume PSD increment but will not significantly contribute to or cause a violation of any state or federal ambient air quality standards. NO<sub>x</sub> emissions from the project have an insignificant PSD Class II impact. The maximum predicted PSD Class II PM<sub>10</sub> increments consumed by all sources in the area, including this project, will be as follows:

| PSD Class II Increment Consumed (ug/m <sup>3</sup> ) | Allowable Increment (ug/m <sup>3</sup> ) | Percent Increment Consumed |
|--|--|----------------------------|
| PM <sub>10</sub>                                     |  |                            |
| 24-hour  | 24.9                                     | 30                         |
| Annual   | 3.8                                      | 17                         |
|  |  | 83                         |
|  |  | 22                         |

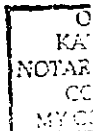
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PN

Southdown

0530010-003-AC

PSD-FI-233

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|  |  |
|--|--|
| Department of Environmental Protection<br>Bureau of Air Regulation<br>111 S. Magnolia Drive, Suite 4<br>Tallahassee, Florida 32301<br>Telephone: 904/488-1344<br>Fax: 904/922-6979 | Department of Environmental Protection<br>Southwest District Office<br>3804 Coconut Palm Drive<br>Tampa, Florida 33619<br>Telephone: 813/744-6100<br>Fax: 813/744-6458 |
|--|--|

The complete project file includes the application, technical evaluations, Draft Permit, 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 904/488-1344, for additional information.

May 15, 1997