

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET  
POST OFFICE BOX 6526

TALLAHASSEE, FLORIDA 32314

(904) 222-7500

FAX (904) 224-8551

CARLOS ALVAREZ  
JAMES S. ALVES  
BRIAN H. BIBEAU  
KATHLEEN BLIZZARD  
ELIZABETH C. BOWMAN  
WILLIAM L. BOYD, IV  
RICHARD S. BRIGHTMAN  
PETER C. CUNNINGHAM  
THOMAS M. DeROSE  
WILLIAM H. GREEN  
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WILLIAM D. PRESTON  
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ANGELA R. MORRISON  
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GARY V. PERKO  
MICHAEL P. PETROVICH  
DAVID L. POWELL  
DOUGLAS S. ROBERTS  
CECELIA C. SMITH

OF COUNSEL  
W. ROBERT FOKES

September 26, 1991

RECEIVED

SEP 27 1991

Division of Air  
Resources Management

BY HAND DELIVERY

Clair Fancy, P.E., Bureau Chief  
Bureau of Air Regulation  
Florida Department of Environmental  
Regulation  
2600 Blair Stone Road, Room 338  
Tallahassee, Florida 32399-2400

Re: Florida Mining & Materials  
Brooksville Cement Plant  
Kiln No. 1; Permit No. AC27-186923

Dear Clair:

I am writing on behalf of Florida Mining & Materials ("FMM") regarding the referenced air construction permit for Kiln No. 1 at the Brooksville Cement Plant, which was issued by the Department on March 12, 1991. The expiration date for this permit is December 31, 1991. Pursuant to Specific Condition 14 of the permit, and for the reasons set forth below, FMM hereby requests an extension of the permit expiration date to March 31, 1991.

As you will recall, the construction permit authorized use of Flolite in Kiln No. 1 and revised certain restrictions on production rate and annual hours of operation, in accordance with FMM's application. Specific Condition 12 of the permit provides as follows:

12. For PSD purposes and one time requirement, the permittee shall test for all pollutant emissions expected from the No. 1 kiln while firing the Flolite in all of its firing modes. At a minimum, the permittee shall test for the pollutants PM, PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO, and VOC using EPA Methods 5,

Clair Fancy, P.E., Bureau Chief  
September 26, 1991  
Page 2

201 or 201A, 6, 7, 10, and 25, respectively, or any other test method or equivalent that has received prior approval by the Department. An ultimate analysis of the particulate filter shall also be required. The test methods shall be in accordance with F.A.C. Rule 17-2.700 and 40 CFR (July, 1989 version).

In addition, Specific Condition 15 of the permit requires FMM to submit an application for an air operation permit for Kiln No. 1 at least 90 days prior to the construction permit expiration date. That application must include, among other items, "compliance test reports as required by this permit".

Assuming that the emissions testing required by Specific Condition 12 of the permit is considered "compliance testing", the test reports would have to be included in FMM's application for an operation permit, which is to be submitted by September 30, 1991. Unfortunately, completion of this emissions testing has been precluded because of delays in the issuance of Department permits that would adjust certain production rate restrictions for four "auxiliary sources" associated with Kiln No. 1. While the Department proposed issuance of these permits (AC27-191611 for Clinker Cooler No. 1; AC27-191616 for the Clinker Storage Silo; AC27-191615 for the Blending and Storage Silos; AC27-191612 for Raw Mill No. 1), final agency action has not been taken on them due to a third party request for an administrative hearing that is still pending. The production rate restrictions in the air operation permits for these sources thus remain in effect. As a result, Kiln No. 1 cannot be operated at the increased production rate authorized under permit No. AC27-186923, and emissions testing of Kiln No. 1 at the newly permitted capacity cannot be performed.

These circumstances constitute good cause for an extension of the expiration date for the Kiln No. 1 construction permit. An extension of 90 days, to March 31, 1991 will allow time for the required emissions testing and submission of an operation permit application by December 31, 1991, assuming the auxiliary source permit proceedings are resolved in the near future.

Please do not hesitate to call me if you or members of your staff have any questions regarding this request. As

Clair Fancy, P.E., Bureau Chief  
September 26, 1991  
Page 3

always, your consideration in this matter is much appreciated.

Sincerely,

*Peter C. Cunningham lds*  
Peter C. Cunningham

FancyLtr:PCC/gbb

cc: Bruce Mitchell  
Douglas Beason, Esquire  
Bill Thomas  
Joe Tessitore  
Diane Schenke, Esquire  
CHF/BA/PL

C.D 4A  
~#18

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OF COUNSEL  
W. ROBERT FOKES

July 29, 1991

RECEIVED

JUL 29 1991

Division of Air  
Resources Management

BY HAND DELIVERY

Mr. Steve Smallwood  
Director, Division of Air Resources  
Management  
Department of Environmental Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400

Re: Florida Mining & Materials;  
Request For Approval of New Stack at  
Brooksville Cement Plant Kiln No. 1  
Permit No. AC 27-186923

Dear Steve:

I am writing on behalf of Florida Mining & Materials (FMM) to clarify a statement made in your letter of June 25, 1991 to Mr. Don Kelly, Manager of the Brooksville Cement Plant, regarding the referenced matter. Your letter indicated that the Department does not object to FMM's request to construct a new stack for Kiln No. 1, but noted that "you will not be able to take credit for the increased plume rise by combining the 16 baghouse system flues (i.e., in any future modeling demonstrations)."

Joe Tessitore and I contacted Tom Rogers of the Bureau of Air Monitoring and Assessment to discuss this statement, and based upon that conversation we understand that it is intended solely to acknowledge that provisions of the Department's stack height rule (Florida Administrative Code Rule 17-2.270) may, in some cases, prohibit taking credit for certain "dispersion techniques" in modeling demonstrations. Mr. Rogers agreed that credit can be taken for the new stack height (150 feet), and that the referenced rule only precludes modeling credit for any increased "plume rise" that is associated with a new stack configuration. The attached letter from Mr. Tessitore sets forth pertinent facts about the new stack proposed for Kiln No. 1 which

Mr. Steve Smallwood  
July 29, 1991  
Page 2

demonstrate that there will be no increase in exhaust gas temperature and no increase (in fact a reduction) in exhaust gas exit velocity. Consequently, FMM understands that full modeling credit may be taken for the new stack parameters, which is the approach taken in the modeling analysis presented in the pending application (dated June 7, 1991) for approval of a test burn of solid hazardous waste fuel at Kiln No. 1.

In reliance upon this understanding, FMM intends to commence construction of the new stack for Kiln No. 1, at a cost of approximately \$1.3 million, within one week of the date of this letter unless the Department advises of any disagreement with FMM's analysis regarding the modeling credit allowable for the new stack.

The Department's continued consideration in this matter is much appreciated. Should you or members of your staff have any questions, please do not hesitate to call me.

Sincerely,



Peter C. Cunningham

/kkm:Smallwood

cc: Clair Fancy  
Tom Rogers  
Diane Schenke, Esquire  
Don Kelly  
Joe Tessitore

Attachment



CROSS/TESSITORE & ASSOCIATES, P.A.

4763 S. CONWAY ROAD, SUITE F  
ORLANDO, FLORIDA 32812  
407/851-1484

RECEIVED  
JUL 23 1991

Hopping Boyd  
Green & Sams

July 22, 1991

Mr. Peter C. Cunningham  
Hopping Boyd Green & Sam  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, Florida 32314

Subject: Florida Mining & Materials  
(C/TA # F03.360)

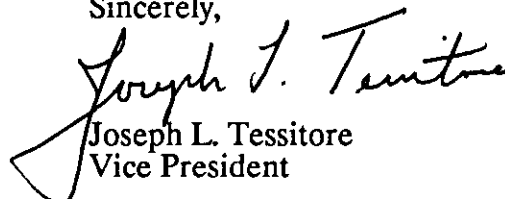
Dear Mr. Cunningham:

This letter is to address the statement contained in the June 25 letter from Mr. Steve Smallwood (FDER) regarding increased plume rise resulting from the proposed No. 1 Cement Kiln Stack modification. This modification will consist of combining the exhaust gas flows currently exiting 16 baghouse vents to one common stack. The letter from Mr. Smallwood states that credit cannot be taken for increased plume rise resulting from this modification. I have reviewed DER 17-2.270 Stack Height Policy which provides the relevant regulation and provides a description of dispersion techniques to effect such plume rise. I have concluded that there would be no increase in plume rise, associated with the proposed stack modification, as disallowed by the referenced regulation. The following facts support this conclusion:

- 1) The proposed stack height (150 ft) is less than 65 meters.
- 2) The proposed stack modification will not affect the exhaust gas flow temperature.
- 3) The proposed stack modification will effect a reduction in exhaust gas exit velocity, thus resulting in a decrease in plume rise due to the velocity component. The attached analysis provides supporting calculations for comparing current and proposed exit velocities.

Should you have any questions or comments regarding this information, please do not hesitate to contact me.

Sincerely,

  
Joseph L. Tessitore  
Vice President

JLT/slw  
cc: Diane Schenke, Southdown  
C3576.Doc

REGISTERED PROFESSIONAL ENGINEERS

Federal ID # 59-1638534

## NO. 1 CEMENT KILN

Current Velocity: (16 Baghouse Vents)

Total Exhaust Flow = 275,000 ACFM

Existing Baghouse Vent Dimensions = 35" x 22"

Existing Baghouse Vent Cross Sectional Area = 5.35 sf (per vent 16 total)

$$\begin{aligned}\text{Velocity} &= \frac{(275,000 \text{ CF/M})}{(60 \text{ S/M} (16) (5.35 \text{ sf}))} \\ &= 53.5 \text{ FPS}\end{aligned}$$

Proposed Velocity: (Single Common Stack)

Total Exhaust Flow = 275,000 ACFM

Proposed Baghouse Stack Diameter = 13.0 ft

Proposed Baghouse Stack Cross Sectional Area = 132.73 sf

$$\begin{aligned}\text{Velocity} &= \frac{(275,000 \text{ CF/M})}{(60 \text{ S/M} (132.73 \text{ sf}))} \\ &= 34.5 \text{ FPS}\end{aligned}$$

Current Velocity > Proposed Velocity

Thus no increase in Plume Rise due to Velocity Change from Stack Modification



# Interoffice Memorandum

FOR ROUTING TO OTHER THAN THE ADDRESSEE	
To: _____	LOCTN: _____
To: _____	LOCTN: _____
To: _____	LOCTN: _____
FROM: _____	DATE: _____

TO: Revenue Section  
Bureau of Finance and Accounting

FROM: Cost Center Air Regulation

SUBJECT: Cash Listing Number # 00102 Dated 06-28-91

The cash listing received from your office has been checked and confirmed to be correct in all areas.

7-8-91  
Date

*R. Bruce Mitchell*  
Signature of Verifying Party

RECEIVED  
 DEPARTMENT OF ENVIRONMENTAL REGULATION  
 91 JUL -2 PM 1:13

The cash listing received from your office has been checked and found to contain one or more discrepancies. A corrected cash listing is attached. Please adjust your records accordingly.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Verifying Party

Number of remittances in this cash listing \_\_\_\_\_.





State of Florida  
DEPARTMENT OF ENVIRONMENTAL REGULATION

For Routing To Other Than The Addressee	
To: _____	Location: _____
To: _____	Location: _____
To: _____	Location: _____
From: _____	Date: _____

# Interoffice Memorandum

TO: Cost Center Air Regulation

FROM: Revenue Section  
Bureau of Finance and Accounting

DATE: 006-28-91

SUBJECT: Cash Listing # 0102, Deposit # 0586

Please respond to the items marked below and return to the Revenue Section of the Bureau of Finance and Accounting.

- The monies on the attached cash listing have been deposited for your area by the Bureau of Finance and Accounting. A transaction needs to be recorded in PATS for:

<u>Applicant</u>	<u>Amount</u>	<u>Date Received</u>
Cross/Tessitore & Assoc. P.A.	\$ 250.00	

DEPARTMENT OF ENVIRONMENTAL REGULATION

91 JUL -2 PM 1:53

RECEIVED  
COMPTROLLER & CLERK

Please enter the transaction(s) and attach a copy of this memo to the PATS cash listing reflecting the payment(s).

- Receipt number \_\_\_\_\_ on your cash listing number \_\_\_\_\_ is out of balance by \$ \_\_\_\_\_. Please correct and forward a corrected cash listing to the Bureau of Finance and Accounting.
- Other:

jo/dg

Attachment(s)



CROSS/TESSITORE & ASSOCIATES, P.A.

4763 S. CONWAY ROAD, SUITE F  
ORLANDO, FLORIDA 32812  
407/851-1484

RECEIVED  
SER - MAIL ROOM  
1991 JUN 28 AM 10:13

June 26, 1991

Mr. Bruce Mitchell  
Bureau of Air Quality  
Florida Department of Environmental Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Subject: Florida Mining and Materials  
No. 1 Cement Kiln, Permit AC27-186923  
(C/TA # F03.360)

Dear Mr. Mitchell:

Please find enclosed a check (No. 5504) for a permit fee of \$250.00 required for the Florida Mining and Materials No. 1 Cement Kiln permit amendment for stack modification.

Should you have any questions or require any further information, please do not hesitate to contact me.

Sincerely,

*Patricia Kay Rykowski*

Patricia Kay Rykowski  
Project Engineer

PKR:slw  
Enc: a/s  
C3518.DOC

RECEIVED  
ACCOUNTING & BUDGETING  
91 JUL -2 PM 1:13  
DEPARTMENT OF  
ENVIRONMENTAL  
REGULATION

~~1033~~  
1031

**CROSS/TESSITORE  
& ASSOCIATES, P.A.**

4763 S. CONWAY ROAD, STE. F  
ORLANDO, FL 32812  
PHONE 407-851-1484

5504

83-751/631  
Branch 413

June 26 19 91

PAY TO THE ORDER OF Florida Dept. of Environmental Regulations

\$ 250.00

Two hundred fifty and no/100 DOLLARS



First Union National Bank  
of Florida  
Apopka, Florida 32703

*Joseph J. Tentina*  
*Margaret F. Cross*

FM&M No. 1 Cement Kiln Stack Modif.

⑈005504⑈ ⑆063107513⑆14138080195⑈

Florida Department of Environmental Regulation  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Subject: Florida Mining and Materials  
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(C/TA # F03.360)

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Sincerely,

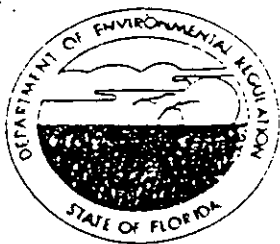
*Patricia Kay Rykowski*

Patricia Kay Rykowski  
Project Engineer

PKR:slw  
Enc: a/s  
C3518.DOC

RECEIVED  
ACCOUNTING & BUDGETING  
91 JUL -2 PM 1:13  
DEPARTMENT OF  
ENVIRONMENTAL  
REGULATION

~~1033~~  
1031



# Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400

Lawton Chiles, Governor

Carol M. Browner, Secretary

## FAX TRANSMITTAL LETTER

DATE: 7-2-91

TO:

NAME: Mr. Joe Tessitore

AGENCY: Cross / Tessitore + Associates

TELEPHONE: (407) 855-0369

# OF PAGES (INCLUDE COVER SHEET): 2

FROM:

NAME: Bruce Mitchell

AGENCY: DER / DARM / BAR

IF ANY PAGES ARE NOT CLEARLY RECEIVED, PLEASE CALL IMMEDIATELY. PHONE NO. 904-488-1344

SENDER'S NAME: Same

COMMENTS: FM + M: #1 kiln stack issue

MESSAGE CONFIRMATION

JUL-02-'91 TUE 10:57

TERM ID: DIU OF AIR RES MGMT P-9999

TEL NO: 904-922-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
094	07-02	10:55	00'01'20	407 855 0369		02	00

Department of Environmental Regulation

Daily Cash Listing # 0102

Date Received 06-28-91

DEP# 0586

Bureau of Accounting & Budgeting (Revenue Section)

Date Bureau of Air Regulation Received \_\_\_\_\_

Director's Signature Lil Sweeney

Signature of Receiver \_\_\_\_\_

REMITTED BY	CHECK NUMBER	AMOUNT	RECEIPT NUMBER	REVENUE CODE	FILE NUMBER
Cross/Tessitore & Associates P.A.	# 5504	\$ 250.00	✓ # 151288	001031	AC 27-199175

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

**Nº 151288**

RECEIPT FOR APPLICATION FEES AND MISCELLANEOUS REVENUE

Received from Cross/Tessitore & Assoc / FL Mining & Materials Date 07-02-91

Address 4763 Conway Road, Suite F Orlando, FL 32812 P.O. Box 6 Brooksville, FL 34605-0006 Dollars \$ 250.00

Applicant Name & Address Mr. Don Kelly (FM-1A)

Source of Revenue ✓ # 5504

Revenue Code 001031 Application Number AC 27-186923 amendment  
AC 27-199175 - (subcode M-1)

By R. Bruce Mitchell

RECEIVED  
 DEPARTMENT OF ENVIRONMENTAL REGULATION  
 91 JUL -2 PM 1:13

Total this Page

\$ 250.00