

OERTEL, FERNANDEZ, COLE & BRYANT, P.A.

301 SOUTH BRONOUGH STREET
SUITE 500
TALLAHASSEE, FLORIDA 32301

(850) 521-0700
FAX (850) 521-0720

MAILING ADDRESS:

POST OFFICE BOX 1110
TALLAHASSEE, FLORIDA 32302-1110

www.ohfc.com

TIMOTHY P. ATKINSON
JEFFREY BROWN
M. CHRISTOPHER BRYANT
GAVIN D. BURGESS
C. ANTHONY CLEVELAND
TERRY COLE
SEGUNDO J. FERNANDEZ
SCOTT W. FOLTZ
KENNETH G. OERTEL
TIMOTHY J. PERRY

OF COUNSEL:
PATRICIA A. RENOVITCH

July 31, 2007

RECEIVED

JUL 31 2007

BUREAU OF AIR REGULATION

VIA HAND DELIVERY

Trina Vielhauer, Chief
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blainstone Road
Tallahassee, Florida 32399-2400

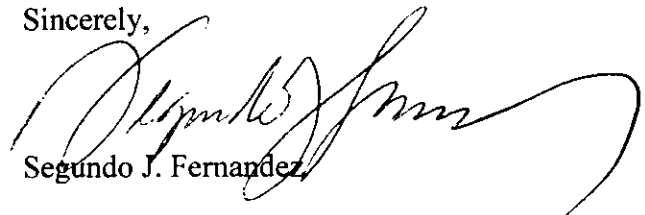
Re: DEP File No. 0530010-029-AC (PSD-FL-384)
Brooksville Plant – New Line 3

Dear Ms. Vielhauer:

The undersigned attorney represents CEMEX Cement, Inc., the permit applicant in the above-referenced matter. We are in receipt of your letter dated July 17, 2007 (copy attached), which forwarded to the company the Department's Intent to issue Air Construction Permit, the Technical Evaluation and Preliminary Determination, and the Public Notice of Intent to Issue Air Construction Permit.

After a review of the Agency's Proposed Agency Action and associated documents, I have been directed by my client to formally withdraw the pending permit application. Please accept this letter as a formal withdrawal of permit application DEP File No. 0530010-029-AC (PSD-FL-384) and as a request to formally close your files in this matter.

Sincerely,



Segundo J. Fernandez

SJF/rs

c: Leslie White, Executive VP and General Counsel, CEMEX
Michael A. Gonzalez
Dr. John B. Koogler, Ph.D., P.E.