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BUREAU OF AIR REGULATION

Mr. Al Linero
Florida Department of Environmental Protection
Division of Air Resource Management
2600 Blair Stone Road MS 5500
Tallahassee, Florida 32399-2400

RE: *Permitting Projects 0530010-018-AC and -019-AC; Outstanding Questions
CEMEX Cement, Inc., Brooksville Facility* ~~PSD FL 367~~

Dear Al:

Per several telephone conversations with Cindy Mulkey, there are a few remaining questions regarding the permitting projects 0530010-018-AC (increase process rates, thallium sampling removal, etc.) and 0530010-019-AC (bypass dampers replacement). The two remaining questions have been addressed below.

Removal of Thallium Sampling from the Title V Permit

Currently, the sampling of Kiln No. 1 baghouse dust for thallium concentrations is performed daily. In the last 5 years none of these tests have shown any thallium concentrations that would exceed the permit limit of 1.5%. The area currently being mined for limestone on the plant property has gradually turned toward the southwest over the last 6 years. The old mining area directly west of the plant was mined out and closed in the mid to late 1990's.

It seems as CEMEX has moved its' mining area toward the south/southwest of the plant area, the thallium levels have dropped in the limestone, therefore, the thallium concentrations in the baghouse dust have also dropped. Because of this, CEMEX is requesting removal of the sampling requirement, or a less frequent sampling schedule (e.g., quarterly sampling) for thallium concentrations in Kiln No. 1.

Question Regarding CEMEX Violations from Previous RAI Letters

Question: Has CEMEX or its affiliates had any violations (or warning letters) related to any Department or EPA regulations at any of their facilities in Florida and the United States? Have officers of CEMEX also been officers of other companies that have had violations (or warning letters) of Department regulations at any facilities?
Please provide all documentation in relation to any such violations.

Response:

Regarding violations of Department regulations, CEMEX resolved outstanding compliance issues in July 7, 2006, in Consent Order No. 05-2192. CEMEX resolved earlier compliance issues in April of 2005 in Consent Order No. 04-0685. Currently, CEMEX is investigating recent test

results indicating a D/F exceedance in Kiln 2 in raw mill down condition at the company's Brooksville, Florida cement plant. No other matters have yet to be resolved.

Regarding violations of EPA regulations and officers of CEMEX that have been officers of other companies that had violations of Department regulations, these questions seek information outside of the scope of FDEP statutes and rules. Further, the permit application is for a facility that is not comparable in many respects, to other CEMEX facilities. Moreover, in contravention of Section 403.0875, Florida Statutes, the Department's request for additional information (RAI) does not cite any regulatory authority for the question. The information contained in the permit application, including the responses to the Department's previous RAIs provide sufficient reasonable assurances.

Hopefully these responses satisfy the remaining questions regarding projects -018-AC and -019-AC, and the Department can move forward with processing this combined construction permit. If you need any additional information or have any questions, please feel free to contact me at (352) 377-5822 or FBergen@kooglerassociates.com, or Charles Walz, CEMEX Cement Inc., at (352) 799-2011, if you have any questions regarding this submittal.

Very truly yours,

KOOGLER & ASSOCIATES, INC.



Fawn W. Bergen, P.E.
Project Engineer

FB

c: T. Heron, FDEP
J. Gill, CEMEX
C. Walz, CEMEX