

**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

**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.

**OFFICIAL NOTARY SEAL  
KATHLEEN R SCHIEFELBEIN  
NOTARY PUBLIC STATE OF FLORIDA  
COMMISSION NO. CC478140  
MY COMMISSION EXP. JULY 5, 1999**

5/27

PN Southdown

0530010-003-AC

PSD-FI-233

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

Is your RETURN ADDRESS completed on the reverse side?

**SENDER:**

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1.  Addressee's Address
- 2.  Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:  
 Don Kelley, Plant Mgr  
 Southdown, Inc  
 PO Box 6  
 Brooksville, FL  
 34605-0006

4a. Article Number  
 Z 127 633 192

4b. Service Type  
 Registered  Insured  
 Certified Mail  Return Receipt for Merchandise  
 Express Mail

7. Date of Delivery  
 MAR 25 1996

8. Addressee's Address (Only if requested and fee is paid)

5. Signature (Addressee)

6. Signature (Agent)

Thank you for using Return Receipt Service.

Z 127 633 192



**Receipt for Certified Mail**

No Insurance Coverage Provided  
 Do not use for International Mail  
 (See Reverse)

Sent to Don Kelley	
Street and No. Southdown, Inc	
P.O., State and ZIP Code Brooksville, FL	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	3-21-96

PS Form 3800, March 1993

PSD-F1-233

NO Green Card  
Back as of  
3/97

P 339 251 154

US Postal Service  
**Receipt for Certified Mail**  
No Insurance Coverage Provided.  
Do not use for International Mail (See reverse)

Sent to <i>Don Kelly</i>	
Street & Number <i>Southdown Ave</i>	
Post Office, State, & ZIP Code <i>Brooksville, FL</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, & Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date	<i>9-23-96</i>
<i>Kins 1+2</i>	
<i>Coolers 1+2</i>	

PS Form 3800, April 1995