

Check Sheet

Company Name: Florida Mining and Minerals
Permit Number: AC 186 923, ~~AC 27-138850~~, AC 27-173474
PSD Number:
County:
Permit Engineer: PSD FL124B, 124A
Others involved: AO 27-213207

Application:

- Initial Application
- Incompleteness Letters
- Responses
- Final Application (if applicable)
- Waiver of Department Action
- Department Response
- Other

[Amendment to

AO 27-213207
AC 27-186923
AC 27-173474
PSD FL-124B

Intent:

- Intent to Issue
- Notice to Public
- Technical Evaluation
- BACT Determination
- Unsigned Permit
- Correspondence with:
 - EPA
 - Park Services
 - County
 - Other
- Proof of Publication
- Petitions - (Related to extensions, hearings, etc.)
- Other

Final Determination:

- Final Determination
- Signed Permit
- BACT Determination
- Other

Post Permit Correspondence:

- Extensions
- Amendments/Modifications
- Response from EPA
- Response from County
- Response from Park Services
- Other

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

ATTORNEYS AT LAW

TIMOTHY P. ATKINSON
M. CHRISTOPHER BRYANT
R. L. CALEEN, JR.
C. ANTHONY CLEVELAND
TERRY COLE
ROBERT C. DOWNIE, II
SEGUNDO J. FERNANDEZ
KENNETH F. HOFFMAN
KENNETH G. OERTEL
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THOMAS G. TOMASELLO
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TELEPHONE (904) 877-0099
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NORMAN H. HORTON, JR.
OF COUNSEL

JOHN H. MILLICAN
ENVIRONMENTAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

J. P. SUBRAMANI, PH. D., P. E.
ENVIRONMENTAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

April 12, 1994

RECEIVED
RECEIVED APR 12 1994

Mr. Bruce Mitchell
Bureau of Air Regulation
Florida Department of
Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

APR 12 1994

Bureau of
Air Regulation

Bureau of
Air Regulation

Buff
Dear Mr. Mitchell:

Hernando County and Florida Mining and Material have agreed to the following language being added to Specific Condition Number 10 of the draft permit:

Any physical modifications to the WTDF feed mechanism utilized during the test burn of WTDF/coal that results in an increased feed rate, a change in the location where WTDF is introduced into the kiln, or the introduction of WTDF into the kiln through the use of a mechanism other than a double air lock feed system may require a modification to this permit. If the WTDF feed mechanism is to be physically modified in this manner a description of such modifications shall be submitted to FDEP and HCBCC 90 days prior to actual modification. FDEP and HCBCC shall review this information and prior to any modification determine whether further stack testing is required in order to determine if such modifications will result in an increase in actual emissions, whether a permit modification is necessary and/or what the terms of any modified permit shall be. FDEP will provide a clear point of entry for Hernando County and any other substantially-affected parties to challenge any of FDEP's proposed determinations in this regard. FM&M shall bear the burden to provide reasonable assurances that such modifications will not affect the conclusions derived from the test burn of May and June 1993.

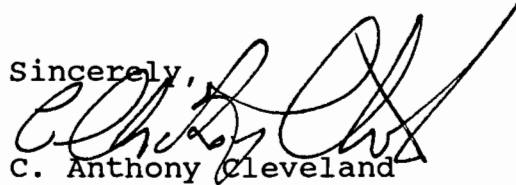
With regard to the issue of CO emission testing, Hernando County agrees with the testing procedure outlined in John Koogler's memorandum of March 28, 1994, to David Buff. I enclose a copy of

Mr. Bruce Mitchell
April 12, 1994
Page 2

this memorandum. It is my understanding that compliance testing for CO will be required on an annual basis by the permit. It is my further understanding that you agree with annual testing and that this provision will also appear in the permit to be issued by the Department.

Thank you very much for your assistance in regard to this matter. Please give me a telephone call if you have any questions or if I can provide you with any additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Anthony Cleveland', is written over the typed name. The signature is stylized and cursive.

C. Anthony Cleveland

CAC/dg/1579
C:\Work1\Mitch4Lt.CAC

Encl. a/s

xc: David Dee, Esq.

MEMORANDUM

VIA FAX

TO: Dave Buff
FROM: John Koogler
DATE: March 28, 1994
SUBJECT: Carbon Monoxide Limit for the
Florida Mining & Materials Kiln No. 1
While Using Tire Derived Fuel

RECEIVED

APR 12 1994

Bureau of
Air Regulation

I talked with Bruce Mitchell regarding the carbon monoxide emission limit for Kiln No. 1 at Florida Mining and Materials (FM&M) while the kiln was utilizing TDF as a fuel supplement. Bruce has arrived at a baseline emission rate of 34.9 pounds per hour (see attached for derivation). To this, he has added a 22.8 pounds per hour increase (99.9 tons per year annualized) and arrived at an emission limit of 57.7 pounds per hour (somehow Bruce arrived at 57.8 pounds per hour). I spoke with Bruce at some length regarding the averaging time and an acceptable method of demonstrating compliance. Bruce stated he did not care what averaging time was selected; 1-hour, 8-hours, 24-hours, etc., but whatever averaging time was selected, compliance would be demonstrated by three test runs over the selected averaging period. In other words, if FM&M selected an 8-hour averaging period, the Department would require three 8-hour test runs for compliance. Bruce stated that this has been the position taken by John Brown and others and, hence, the position he would follow.

I discussed this matter with FM&M personnel and it has been decided to select a 1-hour averaging time for the 57.7 pounds per hour limit, with compliance being demonstrated by three 1-hour test runs. In selecting this averaging period, we recognized that there were periods of time during the compliance test conducted on June 8, 1993, when the carbon monoxide limit exceeded 57.7 pounds per hour and also times when the average of three successive 1-hour emission rates exceeded 57.7 pounds per hour. As pointed out in our report comparing emission rates under baseline and TDF firing conditions (pages 26-31), it is our opinion that the carbon monoxide emission rates measured on June 8, 1993, were the result of a minor upset in kiln operations. The carbon monoxide emission rates measured on June 9, 1993, also while TDF was used as a fuel supplement, are well below 57.7 pounds per hour and are consistent with emission rates measured on Kilns 1 and 2 when the kilns were fired with coal and/or coal and Flolite. We are confident that FM&M can comply with the 57.7 pounds per hour (1-hour average) carbon monoxide emission limits except under upset conditions. Certainly, over an annual period, the increase in carbon monoxide emissions as a result of burning tire derived fuel will be much less than 100 tons per year.

Give me a call with your comments on this matter when you get back into the office. We need to get this matter resolved this week.



CARBON MONOXIDE DATA REVIEW
 FLORIDA MINING & MATERIALS
 BROOKSVILLE, FLORIDA
 MAY 5 AND JUNE 9, 1993

3/23/94

Baseline Data - (No TDF)					Coal/TDF Data			
Kiln Number	Test Date	Fuel Type	Preheater Feed Rate (tph)	Hourly Average Carbon Monoxide (lb/hr)	Kiln Number	Test Date	Preheater Feed Rate (tph)	Hourly Average Carbon Monoxide (lb/hr)
1	02/28/92	Coal	144	40.1 37.5 40.7	1	06/08/93	140-142	64.2 67.9 32.9
1	02/28/92	Coal/Flolite	144	32.6 37.5 40.7				46.2 52.4 80.9
2	03/24/92	Coal	139	38.6 40.7 41.4				55.5 43.9 44.8
2	02/10/93	Coal	139	41.6 47.3 41.8				50.5 71.3 68.8
			Set Average	40.0			Set Average	56.6
1	05/04/93	Coal	139-145	27.0 29.2 31.5 30.0 32.0 30.4 32.8 34.3 35.1 37.4 33.5 28.8	1	06/09/93	101-143	56.1 47.9 37.7 44.6 39.6 39.9 35.1 39.2 38.6 39.7 34.8 44.2
			Set Average	31.8			Set Average	41.5
1	05/05/93	Coal	105-146	33.8 28.0 30.7 35.3 29.1 30.7 32.3 32.3 32.9 29.0 30.7 32.5				

39.4
 36.9
 38.2 - 1992 avg

31.8
 31.4
 31.6 - 1993 avg

1992-93 Avg
 = (38.2 + 31.6) / 2
 = 34.9 lb/hr
 Max Increase

= 99.9 tph x 2000 / 270
 = 22.8 lb/hr
 Proposed Emission Rate
 = 34.9 + 22.8
 = 57.7 lb/hr



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

NOV 17 1993

4APT-AEB

Mrs. Evelyn Berlin
116 Paris Avenue
Spring Hill, Florida 34606-5960

RECEIVED

NOV 23 1993

Division of Air
Resources Management

Dear Mrs. Berlin:

This is in response to your letter of October 22, 1993, regarding the burning of tires at Southdown Corporation located in Hernando County, Florida. The United States Environmental Protection Agency (EPA) headquarters office in Washington, D.C., forwarded your letter to the EPA Regional office in Atlanta, Georgia, which is responsible for oversight of Clean Air Act issues in the State of Florida.

In Hernando County, the Florida Department of Environmental Protection (FDEP) is the primary air pollution control program with the responsibilities of permitting air pollution sources and enforcing state and federal Clean Air Act regulations. EPA, as intended by the United States Congress, acts in an oversight role of state and local pollution control programs to ensure that sources of air pollution comply with all requirements of the Clean Air Act.

EPA is aware of several industries in the United States that have been permitted or are seeking permits to use tires as fuel, including Florida Crushed Stone located in Brooksville, Florida. In order to gather specific information for the Southdown Corporation facility, a member of my staff contacted Mr. Bruce Mitchell, of FDEP's Tallahassee office, who is reviewing Southdown's permit application and the results of test burns conducted in May and June of this year. These tests, conducted as a combination of tires and coal were fired in one of the plant's two kilns, indicated a decrease in emissions of such air toxics as dioxin, furans, benzene, and mercury. In fact, all air pollutants decreased except carbon monoxide (CO). Despite the minor increase of CO, FDEP has determined that the air quality will not be significantly impacted. Please note that Southdown is not currently permitted to burn tires and any permit that may be issued would place a limit on the amount of tires that could be burned.

EPA realizes that old tires are promising sources of supplemental fuel provided they are burned under proper conditions, including the use of air pollution controls. Traditional disposal methods, such as landfilling, produce problems such as providing a breeding ground for insects and rodents and creating a potential fire hazard. EPA is supportive of emerging technologies so long as industry operates these sources in an environmentally sound manner. Let me assure you that EPA will continue its oversight role with the State of Florida in ensuring that sources of air pollution in your community operate in compliance with applicable regulations.

Department of Environmental Regulation
Routing and Transmittal Slip

To: (Name, Office, Location)

1. ~~John Brown JS~~
2. ~~Clair Fancay CM~~
3. Pathy → Site
- 4.

Remarks:

F Y I.

From: <i>Bruce Mitchell</i>	Date 11-23-93
	Phone

EPA appreciates your interest and concern in this matter. Should you desire additional information, Bruce Mitchell of FDEP has indicated that he would gladly answer any questions you may have. Mr. Mitchell can be reached at (904) 921-9506. If I may be of further assistance, please do not hesitate to contact me.

Sincerely yours,

Kay J. Prine

for
Winston A. Smith, Director
Air, Pesticides, and Toxics
Management Division

cc: Jim Pennington, FDEP (Tallahassee)
Bruce Mitchell, FDEP (Tallahassee) ✓



KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

KA 521-92-01

March 30, 1993

RECEIVED

APR 01 1993

Division of Air
Resources Management

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WDF Performance Test
Southdown, Inc. dba Florida Mining and Materials
Brooksville, Florida

Dear Mr. Lee:

At approximately 9:00 a.m. on Monday, March 29, 1993, the performance test to evaluate the use of whole-tire derived fuel (TDF) at Florida Mining and Materials commenced. During the initial 30-operating day period, TDF will be used on a continuous basis to provide up to 20 percent of the heat input to the No. 1 kiln. The 30-operating day period could require more than 30 calendar days due to scheduled or unscheduled plant or TDF feed equipment downtime. Emission measurements will not be conducted during this period.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES


John B. Koogler, Ph.D., P.E.

JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
Ms. Anetha Lue, P.E., Southdown, Inc.
Mr. Armajit Gill, P.E., Southdown, Inc.
Mr. Don Kelly, Florida Mining & Materials
Mr. Tony Cleveland, Esq., Oertel, Hoffman et al
Mr. David Dee, Esq., Carlton, Fields et al
Mr. David Buff, KBN Engineering, Gainesville



KOUGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

KA 521-92-01

March 22, 1993

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining and Materials
Brooksville, Florida

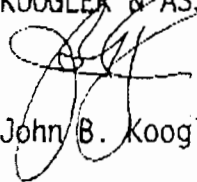
Dear Mr. Lee:

Due to a delay in completing the tire feeding system equipment, the start up of the performance test to evaluate the use of whole-tire derived fuel (TDF) at Florida Mining and Materials that was scheduled to begin today has been postponed. We will notify you of the date that the use of TDF commences as soon as the date is established. As stated in previous correspondence, emission measurements will not be conducted until 30 days of TDF use has been completed.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOUGLER & ASSOCIATES


John B. Koogler, Ph.D., P.E.

JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
Ms. Anetha Lue, P.E., Southdown, Inc.
Mr. Armajit Gill, P.E., Southdown, Inc.
Mr. Don Kelly, Florida Mining & Materials
Mr. Tony Cleveland, Esq., Oertel, Hoffman et al
Mr. David Dee, Esq., Carlton, Fields et al
Mr. David Buff, KBN Engineering, Gainesville



KOOGLE & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

Called M.S.
@ 8:44

FAX TRANSMITTAL FORM

TO: Bruce Mitchell

FROM: John B. Koogle

PROJECT: 521-92-01

SENT BY: Kenly

DATE: 3/22/93

FAX PHONE: 904-377-7158

The text being transmitted consists of 1 pages
PLUS this one.

REMARKS: _____



KOUGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

KA 521-92-01

March 19, 1993

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining and Materials
Brooksville, Florida

Dear Mr. Lee:

The start up of the performance test to evaluate the use of whole-tire derived fuel at Florida Mining and Materials is scheduled to begin Monday, March 22, 1993.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOUGLER & ASSOCIATES

John B. Koogler
John B. Koogler, Ph.D., P.E.

JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
Ms. Anetha Lue, P.E., Southdown, Inc.
Mr. Armajit Gill, P.E., Southdown, Inc.
Mr. Don Kelly, Florida Mining & Materials
Mr. Tony Cleveland, Esq., Oertel, Hoffman et al
Mr. David Dee, Esq., Carlton, Fields et al
Mr. David Buff, KBN Engineering, Gainesville



KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

FAX TRANSMITTAL FORM

TO: Bruce Mitchell

FROM: John Koogler

PROJECT: 521-92-01

SENT BY: _____

DATE: 3/19/93

FAX PHONE: 904-377-7158

The text being transmitted consists of 1 pages
PLUS this one.

REMARKS: Revised previous FAX



KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

KA 521-92-01

March 19, 1993

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining and Materials
Brooksville, Florida

Dear Mr. Lee:

The start up of the performance test to evaluate the use of whole-tire derived fuel at Florida Mining and Materials is scheduled to begin Monday, February 22, 1993.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES

John B. Koogler
John B. Koogler, Ph.D., P.E.

JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
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Mr. Don Kelly, Florida Mining & Materials
Mr. Tony Cleveland, Esq., Oertel, Hoffman et al
Mr. David Dee, Esq., Carlton, Fields et al
Mr. David Buff, KBN Engineering, Gainesville



KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

FAX TRANSMITTAL FORM

TO: Bruce Mitchell

FROM: John Kogler

PROJECT: 521-92-01

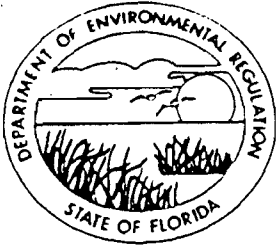
SENT BY: _____

DATE: 3/19/93

FAX PHONE: 904-377-7158

The text being transmitted consists of 1 pages
PLUS this one.

REMARKS: _____



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

FAX TRANSMITTAL SHEET

TO: Kathy Hiles

DATE: 3-16-93 PHONE: 754-4420

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 2

FROM: Bruce Mitchell

DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: Reschedule of FM's M's performance testing of whole
tires.

PHONE: 904-488-1344 FAX NUMBER: 904/922-6979

If there are any problems with this fax transmittal, please call the above phone number.



MESSAGE CONFIRMATION

MAR-16-'93 TUE 09:45

TERM ID: DIV OF AIR RES MGMT P-9999

TEL NO: 904-922-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
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KOGLER & ASSOCIATES

ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

KA 521-92-01

March 15, 1993

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining and Materials
Brooksville, Florida

Dear Mr. Lee:

The start up of the performance test to evaluate the use of whole-tire derived fuel at Florida Mining and Materials has been delayed from the anticipated start-up date of March 17, 1993. We will notify you as soon as a new date has been scheduled.

If you have any questions concerning this delay, please do not hesitate to contact me.

Very truly yours,

KOGLER & ASSOCIATES


John B. Koogler, Ph.D., P.E.

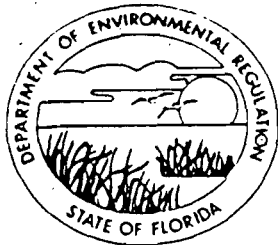
JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
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Mr. Armajit Gill, P.E., Southdown, Inc.
Mr. Don Kelly, Florida Mining & Materials
Mr. Tony Cleveland, Esq., Oertel, Hoffman et al
Mr. David Dee, Esq., Carlton, Fields et al
Mr. David Buff, KBN Engineering, Gainesville

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MAR 19 1993

Division of Air
Resources Management



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Virginia B. Wetherell, Secretary

FAX TRANSMITTAL SHEET

TO: Kathy Hiles

DATE: 3-12-93

PHONE: 904-754-4420

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 2

FROM: Bruce Mitchell

DIVISION OF AIR RESOURCES MANAGEMENT

COMMENTS: Postponement letter that we spoke of, still

no response on monitoring of time-pile run-off/leachate...

however, there is a document that is coming out soon that

may help - I'll copy you on it/them. The project that

Alex was working on on the Class I areas - he will be

back in-house next week and I'll get you the info that

you asked for. Talk with you the first of next week.

RAM

PHONE: 904-488-1344

FAX NUMBER: 904/922-6979

If there are any problems with this fax transmittal, please call the above phone number.



MESSAGE CONFIRMATION

MAR-12-'93 FRI 15:32

TERM ID: DIV OF AIR RES MGMT P-9999

TEL NO: 904-922-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
763	03-12	15:30	00:01:17	1 904 754 4420		02	00



KOOGLER & ASSOCIATES

ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

RECEIVED

KA 521-92-01

MAR 12 1993

March 11, 1993

Division of Air
Resources Management

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining and Materials
Brooksville, Florida

Dear Mr. Lee:

The performance test to evaluate the use of whole-tire derived fuel at Florida Mining and Materials is tentatively scheduled to begin on Wednesday, March 17, 1993. For the first 30 operating days of the test, whole-tire derived fuel will be used to supplement the heat input to the kiln. Emission measurements will not be conducted during this period.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES

John B. Koogler, Ph.D., P.E.

JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
Ms. Anetha Lue, P.E., Southdown, Inc.
Mr. Armajit Gill, P.E., Southdown, Inc.
Mr. Don Kelly, Florida Mining & Materials
Mr. Tony Cleveland, Esq., Oertel, Hoffman et al
Mr. David Dee, Esq., Carlton, Fields et al
Mr. David Buff, KBN Engineering, Gainesville



KOOGLER & ASSOCIATES

ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 ■ FAX 377-7158

KA 521-92-01

March 5, 1993

Bruce
Jy;
Clair

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining & Materials
Brooksville, Florida

Dear Mr. Lee:

The performance test that was scheduled to begin on March 8, 1993, has been postponed. We will notify you of the new test date as soon as possible.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES

John B. Koogler
John B. Koogler, Ph.D., P.E. *wa*

JBK:NMJ:wa

- c: Mr. Howard Rhodes, FDER, Tallahassee
- Mr. Bruce Mitchell, FDER, Tallahassee
- Ms. Jewell Harper, EPA, Atlanta
- Mr. John Bunyak, National Park Service
- Mr. Charles Hetrick, HCBC
- Mr. D. Beason, Esq., OGC, FDER
- Ms. A. Lue, P.E., Southdown, Inc.
- Mr. J. Gill, P.E., Southdown, Inc.
- Mr. Don Kelly, Florida Mining & Materials
- Mr. T. Cleveland, Esq., Oertel, Hoffman et al
- Mr. D. Dee, Esq., Carlton, Fields et al

RECEIVED

MAR 08 1993

Division of Air
Resources Management



ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5827 • FAX 377-7156

KA 521-92-01

March 5, 1993

VIA FAX

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: WTDF Performance Test
Southdown, Inc. dba Florida Mining & Materials
Brooksville, Florida

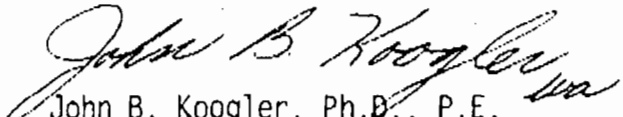
Dear Mr. Lee:

The performance test that was scheduled to begin on March 8, 1993, has been postponed. We will notify you of the new test date as soon as possible.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES


John B. Koogler, Ph.D., P.E.

JBK:NMJ:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, National Park Service
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
Ms. A. Lue, P.E., Southdown, Inc.
Mr. J. Gill, P.E., Southdown, Inc.
Mr. Don Kelly, Florida Mining & Materials
Mr. T. Cleveland, Esq., Oertel, Hoffman et al
Mr. D. Dee, Esq., Carlton, Fields et al



KOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

FAX TRANSMITTAL FORM

TO:

Mr. Bruce Mitchell

FROM:

John Kogler

PROJECT:

521-92-01

SENT BY:

Nancy

DATE:

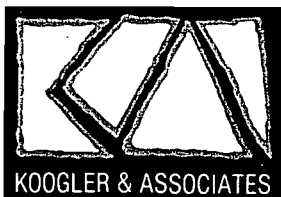
3/5/93

FAX PHONE:

904-377-7158

The text being transmitted consists of 1 pages
PLUS this one.

REMARKS:



KOGLER & ASSOCIATES

ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

KA 521-92-01

February 24, 1993

Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8318

Subject: Notification of WTDF Performance Test
Southdown, Inc. dba Florida Mining & Materials
Brooksville, Florida

Dear Mr. Lee:

On February 5, 1993, Southdown, Inc. received authorization to conduct performance tests on the Florida Mining & Materials No. 1 Cement Kiln while using whole tires to provide up to 20 percent of the heat input to the kiln.

I would like to confirm that on or about March 8, 1993, Southdown plans to begin the performance test. In accordance with approved test protocol, the initial 30-day period will constitute a period when WTDF will be used to provide 20 percent of the heat input to the No. 1 Kiln System. This period will allow Florida Mining & Materials to gain experience with the tire feed system and to confirm through chemical and physical analysis that WTDF will not effect clinker quality. No emission measurements will be conducted during this period.

Following the 30-day period when WTDF is used as a fuel supplement, there will be a five-day period when coal is used to provide 100 percent of the heat input. This will be followed by the baseline emission measurements (two days), a five-day period when coal/WTDF are fired and the coal/WTDF emission measurements (two days). Your office will be notified 15 days in advance of the emission measurement dates as these times can be confirmed. You are welcome to visit the plant during the initial 30-day WTDF use period to observe plant operations.

RECEIVED

MAR 01 1993

Division of Air
Resources Management

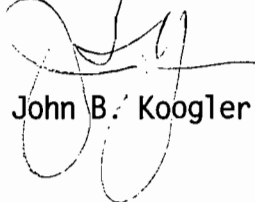
Mr. Chi-Sun Lee
Florida Department of
Environmental Regulation

February 24, 1993
Page 2

If this schedule should change, I will notify you as soon as possible. If you have any questions concerning this schedule, please do not hesitate to contact me.

Very truly yours,

KOGLER & ASSOCIATES



John B. Koogler, Ph.D., P.E.

JBK:wa

c: Mr. Howard Rhodes, FDER, Tallahassee
Mr. Bruce Mitchell, FDER, Tallahassee
Ms. Jewell Harper, EPA, Atlanta
Mr. John Bunyak, NPS
Mr. Charles Hetrick, HCBC
Mr. D. Beason, Esq., OGC, FDER
Ms. A. Lue, P.E., Southdown, Inc.
Mr. J. Gill, P.E., Southdown, Inc.
Mr. T. Cleveland, Esq., OHF&C
Mr. D. Dee, Esq., CFWES&C



P 062 921 965



Receipt for Certified Mail

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

Service to	
Don Kelly	
Street and No.	
Southdown, Inc	
City, 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	
2-9-93	
AO 27-213207	

PS Form 3800, June 1991

PS Form 3811, July 1983 447-845

SENDER: Complete items 1, 2, 3 and 4.

Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.

2. Restricted Delivery.

3. Article Addressed to:
Don Kelly, Plant Mgr.
Southdown, Inc
P.O. Box 6
Brooksville, FL 34605-0006

4. Type of Service:	Article Number
<input type="checkbox"/> Registered <input type="checkbox"/> Insured	P 062 921 965
<input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD	
<input type="checkbox"/> Express Mail	

Always obtain signature of addressee or agent and **DATE DELIVERED.**

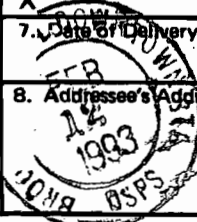
5. Signature - Addressee
X Audrey E. Maddox

6. Signature - Agent
X

7. Date of Delivery

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

DOMESTIC RETURN RECEIPT





Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

February 5, 1993

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Don Kelly
Plant Manager
Southdown, Inc. dba FM&M
Post Office Box 6
Brooksville, Florida 34605-0006

Dear Mr. Kelly:

Re: Letter Amendment to the Operation Permit, No. AO 27-213207, to Conduct Performance Tests for Pollutant Emissions on the Facility's No. 1 Cement Kiln While Firing Whole Tires with Coal

The Department has reviewed the request that you provided on August 18, 1992. We have also considered the Department's legal authority to allow Southdown, Inc. dba Florida Mining & Materials (FM&M) to conduct the performance tests. Paragraph 403.061(15), Florida Statutes (F.S.) authorizes the Department to consult with any person proposing to construct, install, or otherwise acquire a pollution control device or system concerning the efficacy of such device or system, or the pollution problem which may be related to the source, device, or system. Paragraph 403.061(16), F.S., authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Florida Administrative Code (F.A.C.) Rule 17-210.700(5) authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide practical regulatory controls consistent with the public interest.

In accordance with the provisions of Paragraphs 403.061(15), (16), and (18), F.S., and F.A.C. Rule 17-210.700(5), you are hereby authorized to conduct performance tests for pollutant emissions on FM&M's No. 1 cement kiln while firing whole tires with coal at a maximum firing rate of 20.0% of the total Btu heat input, or 2.14 tons per hour. The No. 1 cement kiln's maximum permitted heat input is 300 MMBtu/hr. The No. 1 cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to fire whole tires in accordance with the referenced permit.

The emissions tests are being proposed in order to gather data regarding pollutant emissions while firing whole tires with coal.

Mr. Don Kelly
Amendment to AO 27-213207
February 5, 1993
Page 2

Screening for a modification and Prevention of Significant Deterioration (PSD) shall be in accordance with Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version), which will compare the actual pollutant emissions of the baseline tests (100% coal) to the actual pollutant emissions of the performance tests while firing whole tires with coal. The performance test results will be evaluated by the Department's BAR and involved parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.).

The performance tests shall be subject to the following conditions:

1. The permittee shall notify, in writing, the Department's Southwest District and Bureau of Air Regulation (BAR) offices at least 15 days prior to commencement of the performance tests. A written report shall be submitted to these offices within 45 days upon completion of the last test run.
2. The pollutant emission results from the baseline tests (100% coal) shall be compared to the whole tire-coal pollutant emission tests to determine if:
 - a) PSD or non-PSD emissions review is required where actual emissions increased (baseline versus whole tire-coal firing), which includes a construction permit application and the appropriate processing fee; or,
 - b) the construction permit, No. AO 27-213207, can be amended to allow the firing of whole tires with coal in the facility's No. 1 cement kiln on a continuous basis.
3. All pollutant emissions results shall be compared to "actual emissions" for PSD review purposes (see Region IV, U.S. EPA's letter dated April 4, 1990).
4. The contents of Dr. John B. Koogler's letter with enclosure received October 26, 1992, Mr. David S. Dee's letter with attachments received November 17, 1992, and Mr. C. Anthony Cleveland's letter received December 7, 1992, are adopted by reference, with the following exceptions:
 - o If additional time is needed, the permittee shall request an extension of time and provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the performance tests.

Mr. Don Kelly
Amendment to AO 27-213207
February 5, 1993
Page 3

- o Daily accounting of the No. 1 cement kiln operations while firing whole tires with coal shall be required.
 - o A Type I audit is required and shall be coordinated with the Department's Southwest District office.
 - o Documentation of the firing rates of whole tires (i.e., actual firing rate by weight) shall be required.
 - o The Department will take the responsibility of providing a cover letter to and mailing the performance test results to the reviewing parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.).
5. These authorized performance tests shall not result in the release of objectionable odors pursuant to F.A.C. Rule 17-296.320(2).
 6. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.
 7. The performance tests for pollutant emissions shall be conducted under the direct supervision and responsible charge of a professional engineer registered in Florida.
 8. This Department action is just to authorize the performance tests for pollutant emissions on the facility's No. 1 cement kiln while firing whole tires with coal. Any firing of whole tires after the last performance test run is completed will be deemed a violation of the past construction permit, No. AC 27-186923, and operation permit, No. AO 27-213207.
 9. Complete documentation (recording) of any firing of whole tires in the facility's No. 1 cement kiln shall be required (i.e., testing results; materials utilized, by weight; etc.) and kept on file for a minimum of two years.
 10. The Department shall be notified in writing on the date of the last test run completion.
 11. The performance tests shall be conducted while the No. 1 cement kiln is operating at 90-100% of the permitted capacity.

Mr. Don Kelly
Amendment to AO 27-213207
February 5, 1993
Page 4

12. Attachments (See Attachment Section) are incorporated.

The Department has relied on the information referenced in the attachments and conversations with representatives of the FM&M, U.S. EPA-Region IV, Department of Interior's National Park Service, and Hernando County in authorizing this permit amendment to the operation permit, No. AO 27-213207.

This letter amendment and its Attachments must be attached to the air operation permit, No. AO 27-213207, and shall become a part of the permit.

Sincerely,



Howard L. Rhodes
Director
Division of Air Resources
Management

HLR/BM/rbm

Attachments

cc: B. Thomas, SW District
J. Koogler, Ph.D., P.E., K&A
J. Harper, EPA
J. Bunyak, NPS
C. Hetrick, HCBCC
D. Beason, Esq., DER
D. Buff, P.E., KBN
A. Lue, P.E., SI
J. Gill, P.E., SI
T. Cleveland, Esq., OHF&C
D. Dee, Esq., CFWES&C

Attachment Section

1. Ms. D. Anetha Lue's letter with enclosure received August 18, 1992.
2. Dr. John B. Koogler's letter with enclosure received October 26, 1992.
3. Mr. David S. Dee's letter with attachments received November 17, 1992.
4. Mr. C. Anthony Cleveland's letter received December 7, 1992.
5. 40 CFR (July, 1991 version).
6. Ms. Jewell A. Harper's letter dated April 4, 1990.
7. Ms. Jewell A. Harper's letter dated August 20, 1990.
8. Intent to Issue package dated December 17, 1992.
9. Public Notice received January 28, 1993.
10. Final Determination dated February 5, 1993.

Final Determination

Southdown, Inc./dba Florida Mining & Materials

Hernando County

Amendment to AO 27-213207

The amendment request package has been reviewed by the Department. Public Notice of the Department's Intent to Issue was published in The Tampa Tribune on January 15, 1993. The proposed amendment to the operation permit was distributed on December 18, 1992, and available for public inspection at the Department's Southwest District office and Bureau of Air Regulation office and the Hernando County Government Center Planning office.

There were no comments received during the public notice period. Therefore, it is recommended that the amendment to the operation permit be issued as drafted.



Brooksville Cement

A Southdown Company

January 22, 1992

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

RE: Southdown, Inc. d/b/a Florida Mining & Materials
Publication of Notice of Intent to Issue Amendment to Permit
#AO27-213207

Dear Mr. Mitchell:

Florida's Department of Environmental Regulation's notice of its intent to issue an amendment to the operation permit, No. AO 27-213207, authorizing performance tests while firing whole tires with coal in the No. 1 cement kiln, has been published in the Hernando County section of the Tampa Tribune. Notice of Intent was received on December 21, 1992 and published on January 15, 1993. This fulfills the requirement to publish the Notice of Intent to Issue within the thirty (30) day period.

A copy of this Notice and a receipt are attached.

If further action is required in regards to issuance of this Permit, please do not hesitate to contact me.

Sincerely,

Don B. Kelly,
Plant Manager

DBK/sd
Attachment
RR# P 237 527 238

RECEIVED

JAN 28 1993

Division of Air
Resources Management

Southdown, Inc.
P.O. Box 6 • Brooksville, Florida 34605-0006
(904) 796-7241 • Fax: (904) 754-9836

THE TAMPA TRIBUNE

Published Daily
Tampa, Hillsborough County, Florida

State of Florida
County of Hillsborough

Before the undersigned authority personally appeared R. Putney, who on oath says that he is Accounting 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 HERNANDO

in the matter of

STATE OF FLORIDA

was published in said newspaper in the issues of

JANUARY 15, 1993

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 he 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.

[Signature]

Sworn to and subscribed before me, this 15 day of JANUARY, A.D. 1993

[Signature]

(SEAL)

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF INTENT TO ISSUE

SOUTHDOWN, INC.
dba FLORIDA MINING & MATERIALS

Amendment to AD 27-213207

The Department of Environmental Regulation (Department) hereby gives notice of its intent to issue to Southdown, Inc. dba Florida Mining & Materials (FM&M) an amendment to the operation permit, No. AC 27-213207, authorizing performance tests for pollutant emissions while firing whole tires with coal in the facility's No. 1 cement kiln, as detailed in the application packet. The Department is issuing this intent to issue for the reasons stated below and in the proposed amendment.

The applicant, FM&M, Post Office Box 8, Brooksville, Florida 34605-0008, submitted a request on August 18, 1992, to the Department's Bureau of Air Regulation (BAR) for authorization to conduct pollutant emissions tests on the cement kiln while firing whole tires with coal in the facility's No. 1 cement kiln. The performance tests for pollutant emissions will be conducted on baseline conditions (100% coal) and while firing whole tires of a maximum feed rate of 20.0% of the total Btu heat input, or 2.14 tons per hour (tp) of fuel @ 14,000 Btu/lb. The permitted maximum heat input is 300 MMBtu/hr. The cement kiln was permitted under the construction permit, No. AC 27-184923, and is not permitted to fire whole tires in accordance with the referenced permit.

Screening for a modification and Prevention of Significant (PSD) will be in accordance with Chapter 403, Florida Statutes (F.S.); Florida Administrative Code (F.A.C.), Chapters 17-210 thru 17-297, and 17-4; and Title 40 Code of Federal Regulations (CFR), July, 1991 version.

If, after the performance test results are evaluated by the Department's BAR and affected parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.) and it is determined that actual pollutant emissions (baseline @ 100% coal vs. whole tire-coal combination) did not increase, then an amendment to the operation permit, No. AC 27-213207, will be issued with certain Specific Conditions authorizing continuous firing of whole tires with coal in the source. However, if there is an actual emissions increase in pollutant emissions, FM&M will not be permitted to fire whole tires in the source without further evaluation by the Department's BAR and involved parties.

The proposed project will occur at the applicant's facility located off U.S. Highway 98 NW of Brooksville, Hernando County, Florida.

The Department has permitting jurisdiction under Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and 40 CFR (July, 1991 version). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed activity.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel of the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The request/application are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida
32399-2400

Department of Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218

Hernando County Board of County Commission
20 North Main Street
Room 466
Brooksville, Florida 34601

Any person may send written comments on the proposed action to Mr. Preston Lewis, at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.
BV1291 1/15/93



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: Howard L. Rhodes
FROM: Clair Fancy *[Signature]*
DATE: February 3, 1993
SUBJ: Approval of Operation Permit Amendment
AO 27-213207: No. 1 Cement Kiln
Southdown, Inc./dba Florida Mining & Materials

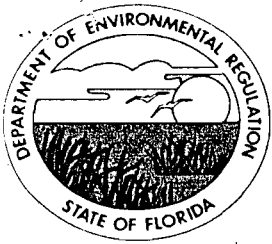
Attached for your approval and signature is an operation permit amendment prepared by the Bureau of Air Regulation for the above referenced company to allow testing of the No. 1 cement kiln while firing whole tires as a supplement to coal.

Southdown, Inc./dba FM&M is a major existing facility that produces cement from raw materials. As was done with Florida Crushed Stone Company, the company desires to see if the firing of whole tires as a supplement to coal is feasible without the requirements of additional control measures; and, to see what regulations the source would be subject to after the tests are concluded. The facility is located off U.S. Highway 98 northwest of Brooksville, Hernando County, Florida.

There were no comments received during the public notice period.

I recommend your approval and signature.

HLR/BM/rbm



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 SHEET

NAME(S): Dr. John Koogler

DEPARTMENT/COMPANY: KSA

DATE: 12-18-92

PHONE: 904-377-7158

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 4

FROM: Bruce Mitchell

DIVISION OF AIR RESOURCES MANAGEMENT

BUREAU: of Air Regulation

OFFICE PHONE: 904-488-1377 FAX PHONE: (904)922-6979

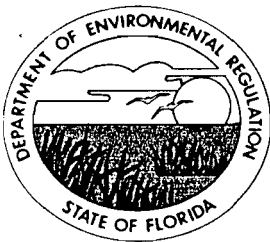
SENDER: Sam

COMMENTS: PA 60r FM & M's whole time test auth.

Note: please do not publish before the 22nd (Tuesday)

Hank
BBM

HAVE A NICE DAY!



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 SHEET

NAME(S): Mrs. Don Kelly

DEPARTMENT/COMPANY: Southdown, Inc

DATE: 12-14-92

PHONE: 904-754-9836

TOTAL NUMBER OF PAGES, INCLUDING COVER PAGE: 4

FROM: Bruce Mitchell

DIVISION OF AIR RESOURCES MANAGEMENT

BUREAU: of Air Regulation

OFFICE PHONE: 904-488-1344 FAX PHONE: (904)922-6979

SENDER: Same

COMMENTS: PM for the whole time test authorization

Note: Please do not publish before the 22nd (Tuesday)

Wish you a safe and enjoyable holiday season.

RBW

HAVE A NICE DAY!

MESSAGE CONFIRMATION

DEC-18-'92 FRI 09:58

TERM ID: DIV OF AIR RES MGMT P-9999

TEL NO: 904-922-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
165	12-18	09:55	00°03'05	904 377 7158		04	00

MESSAGE CONFIRMATION

DEC-18-'92 FRI 13:35

TERM ID: DIV OF AIR RES MGMT P-9999

TEL NO: 904-922-6979

NO.	DATE	ST. TIME	TOTAL TIME	ID	DEPT CODE	OK	NG
168	12-18	15:32	00°03'49	9047549836		04	00

State of Florida
Department of Environmental Regulation
Notice of Intent to Issue

Southdown, Inc. dba Florida Mining & Materials

Amendment to AO 27-213207

The Department of Environmental Regulation (Department) hereby gives notice of its intent to issue to Southdown, Inc. dba Florida Mining & Materials (FM&M) an amendment to the operation permit, No. AC 27-213207, authorizing performance tests for pollutant emissions while firing whole tires with coal in the facility's No. 1 cement kiln, as detailed in the application package. The Department is issuing this Intent to Issue for the reasons stated below and in the proposed amendment.

The applicant, FM&M, Post Office Box 6, Brooksville, Florida 34605-0006, submitted a request on August 18, 1992, to the Department's Bureau of Air Regulation (BAR) for authorization to conduct pollutant emissions tests on the cement kiln while firing whole tires with coal in the facility's No. 1 cement kiln. The performance tests for pollutant emissions will be conducted at baseline conditions (100% coal) and while firing whole tires at a maximum feed rate of 20.0% of the total Btu heat input, or 2.14 tons per hour (tire derived fuel @ ~14,000 Btu/lb). The permitted maximum heat input is 300 MMBtu/hr. The cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to fire whole tires in accordance with the referenced permit.

Screening for a modification and Prevention of Signification (PSD) will be in accordance with Chapter 403, Florida Statutes (F.S.); Florida Administrative Code (F.A.C.) Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version).

If, after the performance test results are evaluated by the Department's BAR and affected parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.) and it is determined that actual pollutant emissions [baseline @ 100% coal vs. whole tire-coal combination] did not increase, then an amendment to the operation permit, No. AC 27-213207, will be issued with certain Specific Conditions authorizing continuous firing of whole tires with coal in the source. However, if there is an actual emissions increase in pollutant emissions, FM&M will not be permitted to fire whole tires in the source without further evaluation by the Department's BAR and involved parties.

The proposed project will occur at the applicant's facility located off U.S. Highway 98 NW of Brooksville, Hernando County, Florida.

The Department has permitting jurisdiction under Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and, 40 CFR (July, 1991 version). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed activity.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the

approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The request/application are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Department of Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218

Hernando County Board of County Commission
20 North Main Street, Room 460
Brooksville, Florida 34601

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.

P 062 922 017



Receipt for Certified Mail

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

PS Form 3800, June 1991

Sent to Mr. Don Kelly, Southdown	
Street and No. P.O. Box 6	
P.O., State and ZIP Code Brooksville, FL 34605-0006	
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 Mailed: 12-18-92 Permit: A027-213207	

SENDER:

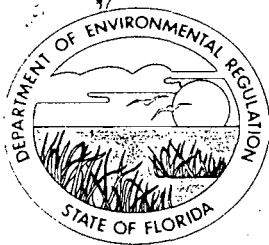
- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested"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

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

- Addressee's Address
- Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to: Mr. Don Kelly Plant Manager Southdown, Inc. dba FM&M P. O. Box 6 Brooksville, FL 34605-0006	4a. Article Number P 062 992 017
	4b. Service Type <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature (Addressee) <i>Don Kelly</i>	7. Date of Delivery 12-18-92
6. Signature (Agent) <i>Audrey Maddox</i>	8. Addressee's Address (Only if requested and fee is paid)



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

December 17, 1992

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Don Kelly
Plant Manager
Southdown, Inc. dba FM&M
Post Office Box 6
Brooksville, Florida 34605-0006

Dear Mr. Kelly:

Re: Request for Authorization to Conduct Pollutant Emissions Performance Tests While Firing a Combination of Whole Tires and Coal in Southdown, Inc. dba Florida Mining & Materials' No. 1 Cement Kiln

Attached is one copy of the proposed performance test authorization amendment to operation permit, No. AO 27-213207, for Southdown, Inc. dba Florida Mining & Materials (FM&M) to conduct pollutant emissions tests on the facility's No. 1 cement kiln. The proposed performance tests for pollutant emissions will be conducted at baseline conditions (100% coal) and while firing a combination of whole tires and coal. The whole tire maximum feed rate shall not exceed 20.0% of the total Btu heat input, or 2.14 tons per hour (tire derived fuel @ ~14,000 Btu/lb). The permitted maximum heat input is 300 MMBtu/hr. The No. 1 cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to utilize whole tires in accordance with the referenced permit.

The emissions tests are being proposed in order to gather data regarding pollutant emissions while firing whole tires with coal. Screening for a modification and Prevention of Signification (PSD) will be in accordance with Chapter 403, Florida Statutes; Florida Administrative Code (F.A.C.) Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version).

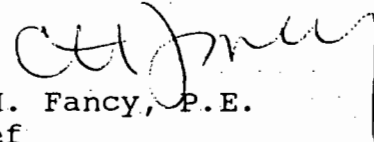
If, after the performance test results are evaluated by the Department's Bureau of Air Regulation and involved parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.) and it is determined that actual pollutant emissions [baseline @ 100% coal vs. whole tire-coal combination] did not increase, then the Department will issue an amendment to the operation permit, No. AO 27-213207, authorizing continuous utilization/firing of whole tires with coal in the facility's No. 1

Mr. Don Kelly
Amendment to AO 27-213207
December 17, 1992
Page Two

cement kiln. However, if there is an actual emissions increase in pollutant emissions, FM&M will not be permitted to fire whole tires in the source without further emissions evaluation by the Department's Bureau of Air Regulation and involved parties.

If there are any questions, please call Mr. Bruce Mitchell at (904)488-1344 or submit any written comments you wish to have considered concerning the Department's proposed action to me.

Sincerely,



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/BM/rbm

Attachments

c: B. Thomas, SW District
J. Koogler, Ph.D., P.E., K&A
J. Harper, EPA
B. Mitchell, NPS
C. Hetrick, HCBCC
D. Beason, Esq., DER
D. Buff, P.E., KBN
A. Lue, P.E., SI
J. Gill, P.E., SI
T. Cleveland, Esq., OHF&C
D. Dee, Esq., CFWES&C

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of
Application for Permit Amendment by:

Southdown, Inc. dba FM&M
P. O. Box 6
Brooksville, Florida 34605-0006

DER File No. AO 27-213207

INTENT TO ISSUE

The Department of Environmental Regulation (Department) hereby gives notice of its intent to issue to Southdown, Inc. dba Florida Mining & Materials (FM&M) an amendment to the operation permit, No. AO 27-213207, authorizing performance tests for pollutant emissions while firing whole tires with coal in the facility's No. 1 cement kiln, as detailed in the application package specified above. The Department is issuing this Intent to Issue for the reasons stated below and in the attached proposed amendment.

The applicant, FM&M, submitted a request on August 18, 1992, to the Department's Bureau of Air Regulation (BAR) for authorization to conduct pollutant emissions tests on the cement kiln while firing whole tires with coal in the facility's No. 1 cement kiln. The performance tests for pollutant emissions will be conducted at baseline conditions (100% coal) and while firing whole tires, at a maximum feed rate of 20.0% of the total Btu heat input, or 2.14 tons per hour (tire derived fuel @ ~14,000 Btu/lb). The permitted maximum heat input is 300 MMBtu/hr. The cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to fire whole tires in accordance with the referenced permit.

Screening for a modification and Prevention of Signification (PSD) will be in accordance with Chapter 403, Florida Statutes (F.S.); Florida Administrative Code (F.A.C.) Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version).

If, after the performance test results are evaluated by the Department's BAR and affected parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.) and it is determined that actual pollutant emissions [baseline @ 100% coal vs. whole tire-coal combination] did not increase significantly (see Table 17-212.400-2), then an amendment to the operation permit, No. AC 27-213207, will be issued with certain Specific Conditions authorizing continuous utilization/firing of whole tires with coal in the source. However, if there is an actual significant emissions increase in pollutant emissions, FM&M will not

be permitted to utilize/fire whole tires in the source without further evaluation by the Department's BAR and involved parties.

The proposed project will occur at the applicant's facility located off U.S. Highway 98 NW of Brooksville, Hernando County, Florida.

The Department has permitting jurisdiction under Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and, 40 CFR (July, 1991 version). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed activity.

Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue a Permit Amendment. The notice shall be published one time only within 30 days, in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be the one with significant circulation in the area that may be affected by the permitting action. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the amendment.

The Department will issue the permit amendment with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit amendment applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner,

the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;


(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office in General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.

Chief

Bureau of Air Regulation

Copies furnished to:

B. Thomas, SW District

J. Koogler, Ph.D., P.E., K&A

J. Harper, EPA

B. Mitchell, NPS

C. Hetrick, HCBCC

D. Beason, Esq., DER

D. Buff, P.E., KBN

A. Lue, P.E., SI

J. Gill, P.E., SI

T. Cleveland, Esq., OHF&C

D. Dee, Esq., CFWES&C

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on 12-18-92.

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statute, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.

Kira Weber
Clerk

12-18-92
Date

State of Florida
Department of Environmental Regulation
Notice of Intent to Issue

Southdown, Inc. dba Florida Mining & Materials

Amendment to AO 27-213207

The Department of Environmental Regulation (Department) hereby gives notice of its intent to issue to Southdown, Inc. dba Florida Mining & Materials (FM&M) an amendment to the operation permit, No. AC 27-213207, authorizing performance tests for pollutant emissions while firing whole tires with coal in the facility's No. 1 cement kiln, as detailed in the application package. The Department is issuing this Intent to Issue for the reasons stated below and in the proposed amendment.

The applicant, FM&M, Post Office Box 6, Brooksville, Florida 34605-0006, submitted a request on August 18, 1992, to the Department's Bureau of Air Regulation (BAR) for authorization to conduct pollutant emissions tests on the cement kiln while firing whole tires with coal in the facility's No. 1 cement kiln. The performance tests for pollutant emissions will be conducted at baseline conditions (100% coal) and while firing whole tires at a maximum feed rate of 20.0% of the total Btu heat input, or 2.14 tons per hour (tire derived fuel @ ~14,000 Btu/lb). The permitted maximum heat input is 300 MMBtu/hr. The cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to fire whole tires in accordance with the referenced permit.

Screening for a modification and Prevention of Signification (PSD) will be in accordance with Chapter 403, Florida Statutes (F.S.); Florida Administrative Code (F.A.C.) Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version).

If, after the performance test results are evaluated by the Department's BAR and affected parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.) and it is determined that actual pollutant emissions [baseline @ 100% coal vs. whole tire-coal combination] did not increase, then an amendment to the operation permit, No. AC 27-213207, will be issued with certain Specific Conditions authorizing continuous firing of whole tires with coal in the source. However, if there is an actual emissions increase in pollutant emissions, FM&M will not be permitted to fire whole tires in the source without further evaluation by the Department's BAR and involved parties.

The proposed project will occur at the applicant's facility located off U.S. Highway 98 NW of Brooksville, Hernando County, Florida.

The Department has permitting jurisdiction under Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and, 40 CFR (July, 1991 version). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed activity.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and,
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the

approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

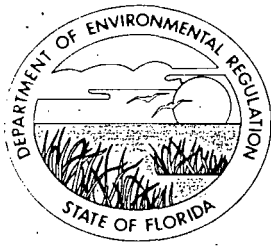
The request/application are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Department of Environmental Regulation
Southwest District Office
3804 Coconut Palm Drive
Tampa, Florida 33619-8218

Hernando County Board of County Commission
20 North Main Street, Room 460
Brooksville, Florida 34601

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination.



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

January xx, 1993

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Don Kelly
Plant Manager
Southdown, Inc. dba FM&M
Post Office Box 6
Brooksville, Florida 34605-0006

Dear Mr. Kelly:

Re: Letter Amendment to the Operation Permit, No. AO 27-213207, to Conduct Performance Tests for Pollutant Emissions on the Facility's No. 1 Cement Kiln While Firing Whole Tires with Coal

The Department has reviewed the request that you provided on August 18, 1992. We have also considered the Department's legal authority to allow Southdown, Inc. dba Florida Mining & Materials (FM&M) to conduct the performance tests. Paragraph 403.061(15), Florida Statutes (F.S.) authorizes the Department to consult with any person proposing to construct, install, or otherwise acquire a pollution control device or system concerning the efficacy of such device or system, or the pollution problem which may be related to the source, device, or system. Paragraph 403.061(16), F.S., authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Florida Administrative Code (F.A.C.) Rule 17-210.700(5) authorizes the Department to consider variation in industrial equipment and make allowances for excess emissions that provide practical regulatory controls consistent with the public interest.

In accordance with the provisions of Paragraphs 403.061(15), (16), and (18), F.S., and F.A.C. Rule 17-210.700(5), you are hereby authorized to conduct performance tests for pollutant emissions on FM&M's No. 1 cement kiln while firing whole tires with coal at a maximum firing rate of 20.0% of the total Btu heat input, or 2.14 tons per hour. The No. 1 cement kiln's maximum permitted heat input is 300 MMBtu/hr. The No. 1 cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to fire whole tires in accordance with the referenced permit.

The emissions tests are being proposed in order to gather data regarding pollutant emissions while firing whole tires with coal.

Recycled Paper

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Mr. Don Kelly
Amendment to AO 27-213207
January xx, 1993
Page 2

Screening for a modification and Prevention of Significant Deterioration (PSD) shall be in accordance with Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version), which will compare the actual pollutant emissions of the baseline tests (100% coal) to the actual pollutant emissions of the performance tests while firing whole tires with coal. The performance test results will be evaluated by the Department's BAR and involved parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.).

The performance tests shall be subject to the following conditions:

1. The permittee shall notify, in writing, the Department's Southwest District and Bureau of Air Regulation (BAR) offices at least 15 days prior to commencement of the performance tests. A written report shall be submitted to these offices within 45 days upon completion of the last test run.
2. The pollutant emission results from the baseline tests (100% coal) shall be compared to the whole tire-coal pollutant emission tests to determine if:
 - a) PSD or non-PSD emissions review is required where actual emissions increased (baseline versus whole tire-coal firing), which includes a construction permit application and the appropriate processing fee; or,
 - b) the construction permit, No. AO 27-213207, can be amended to allow the firing of whole tires with coal in the facility's No. 1 cement kiln on a continuous basis.
3. All pollutant emissions results shall be compared to "actual emissions" for PSD review purposes (see Region IV, U.S. EPA's letter dated April 4, 1990).
4. The contents of Dr. John B. Koogler's letter with enclosure received October 26, 1992, Mr. David S. Dee's letter with attachments received November 17, 1992, and Mr. C. Anthony Cleveland's letter received December 7, 1992, are adopted by reference, with the following exceptions:
 - o If additional time is needed, the permittee shall request an extension of time and provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done to complete the performance tests.

Mr. Don Kelly
Amendment to AO 27-213207
January xx, 1993
Page 3

- o Daily accounting of the No. 1 cement kiln operations while firing whole tires with coal shall be required.
 - o A Type I audit is required and shall be coordinated with the Department's Southwest District office.
 - o Documentation of the firing rates of whole tires (i.e., actual firing rate by weight) shall be required.
 - o The Department will take the responsibility of providing a cover letter to and mailing the performance test results to the reviewing parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.).
5. These authorized performance tests shall not result in the release of objectionable odors pursuant to F.A.C. Rule 17-296.320(2).
 6. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.
 7. The performance tests for pollutant emissions shall be conducted under the direct supervision and responsible charge of a professional engineer registered in Florida.
 8. This Department action is just to authorize the performance tests for pollutant emissions on the facility's No. 1 cement kiln while firing whole tires with coal. Any firing of whole tires after the last performance test run is completed will be deemed a violation of the past construction permit, No. AC 27-186923, and operation permit, No. AO 27-213207.
 9. Complete documentation (recording) of any firing of whole tires in the facility's No. 1 cement kiln shall be required (i.e., testing results; materials utilized, by weight; etc.) and kept on file for a minimum of two years.
 10. The Department shall be notified in writing on the date of the last test run completion.
 11. The performance tests shall be conducted while the No. 1 cement kiln is operating at 90-100% of the permitted capacity.

Mr. Don Kelly
Amendment to AO 27-213207
January xx, 1993
Page 4

12. Attachments (See Attachment Section) are incorporated.

The Department has relied on the information referenced in the attachments and conversations with representatives of the FM&M, U.S. EPA-Region IV, Department of Interior's National Park Service, and Hernando County in authorizing this permit amendment to the operation permit, No. AO 27-213207.

This letter amendment and its Attachments must be attached to the air operation permit, No. AO 27-213207, and shall become a part of the permit.

Sincerely,

Carol M. Browner
Secretary

CB/rbm

Attachments

c: B. Thomas, SW District
J. Koogler, Ph.D., P.E., K&A
J. Harper, EPA
B. Mitchell, NPS
C. Hetrick, HCBCC
D. Beason, Esq., DER
D. Buff, P.E., KBN
A. Lue, P.E., SI
J. Gill, P.E., SI
T. Cleveland, Esq., OHF&C
D. Dee, Esq., CFWES&C

Attachment Section

1. Ms. D. Anetha Lue's letter with enclosure received August 18, 1992.
2. Dr. John B. Koogler's letter with enclosure received October 26, 1992.
3. Mr. David S. Dee's letter with attachments received November 17, 1992.
4. Mr. C. Anthony Cleveland's letter received December 7, 1992.
5. 40 CFR (July, 1991 version).
6. Ms. Jewell A. Harper's letter dated April 4, 1990.
7. Ms. Jewell A. Harper's letter dated August 20, 1990.
8. Intent to Issue package dated December 17, 1992.

ATTACHMENTS 1 through 3

Available Upon Request

Attachment 4

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

ATTORNEYS AT LAW

TELEPHONE (904) 877-0099

FACSIMILE (904) 877-0981

SUITE C

2700 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32301

JOHN H. MILLICAN

ENVIRONMENTAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

MAILING ADDRESS:

J. P. SUBRAMANI, Ph. D., P. E.

POST OFFICE BOX 6507

ENVIRONMENTAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

TALLAHASSEE, FLORIDA 32314-6507

SUZANNE BROWNLESS
M. CHRISTOPHER BRYANT
R. L. CALEEN, JR.
C. ANTHONY CLEVELAND
TERRY COLE
ROBERT C. DOWNIE, II
SEGUNDO J. FERNANDEZ
KENNETH F. HOFFMAN
NORMAN H. HORTON, JR.
KENNETH G. OERTEL
PATRICIA A. RENOVITCH
SCOTT SHIRLEY
THOMAS G. TOMASELLO
W. DAVID WATKINS

December 7, 1992

HAND DELIVERY

Mr. R. Bruce Mitchell
Engineer IV
Department of Environmental
Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

DEC 7 1992

Division of Air
Resources Management

Dear Bruce:

This letter will confirm our telephone conversation of last Friday, December 4, 1992. At that time I informed you that Florida Mining and Materials/Southdown, Inc. had agreed to the following provisions relating to access to the facility during any test burn period:

The County staff and the County's consultant shall be allowed access at all times during any of the test period, including base line period.

County staff and the County's consultants shall have the right to examine, sample, and analyze the quality of klinker produced at any time during the test procedures.

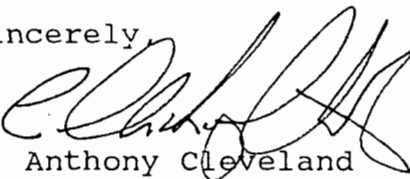
Southdown shall provide an opportunity for the Citizens Advisory Committee on Burning Hazardous Waste Fuel to view the burning of tire derived fuel during base line periods.

Mr. R. Bruce Mitchell
December 7, 1992
Page 2

Southdown shall allow the Citizens Advisory Committee on Burning Hazardous Waste Fuel to observe the second day of the emission data recording.

Please give me a telephone call if you have any questions regarding this matter.

Sincerely,



C. Anthony Cleveland

CAC:nhg

cac\1579\mitchel-.ltr

ATTACHMENT 5
AVAILABLE UPON REQUEST

ATTACHMENT 6



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

APR 4 1990

4APT-AEB

RECEIVED

APR 09 1990

DER-BAQM

Mr. C. H. Fancy, P.E., Chief
Bureau of Air Regulation
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Florida Crushed Stone (PSD-FL-091)

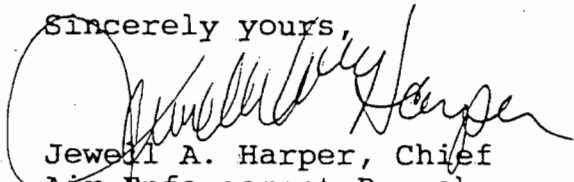
Dear Mr. Fancy:

This is to acknowledge receipt of your letter dated March 15, 1990, transmitting a request by Florida Crushed Stone to amend their prevention of significant deterioration (PSD) permit to allow the burning of tire derived fuel (TDF) in their cement kiln. The current permit for the source limits the fuel of the kiln to coal only. As discussed between Mr. Bruce Mitchell of your staff and Mr. Gregg Worley of my staff on March 30, 1990, we have the following comments.

Under the scenario presented by the source, the switch to the use of TDF in the kiln would not constitute a major modification for the purposes of PSD provided that the increase in pollutants due to the fuel switch did not exceed significant emissions increase levels. It is important to note that the change in emissions must be evaluated from "old actual" to "new allowable" emissions. The old actual emissions must be based on the previous two years of operating data unless some other period is deemed to be more representative of normal operating conditions. The new allowable emissions will be those emissions which are reflected in the amended permit. Also, it was noted that the list of pollutants to be tested did not include benzene. Since benzene is a pollutant regulated under the Clean Air Act for which a significant emissions rate has not been established, any increase of emissions of benzene would subject the source to PSD.

Thank you for the opportunity to review and comment on this package. If you have any further questions or comments, please do not hesitate to contact Mr. Gregg Worley of my staff at 404/347-2864.

Sincerely yours,


Jewell A. Harper, Chief
Air Enforcement Branch
Air, Pesticides and Toxics
Management Division

ATTACHMENT 7



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

AUG 20 1990

4APT-AE

Mr. Clair H. Fancy, P.E., Chief
Bureau of Air Regulation
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

AUG 24 1990

DEN-BAQM

RE: Florida Crushed Stone (PSD-FL-091)

Dear Mr. Fancy:

This is to acknowledge receipt of your letter dated June 27, 1990, concerning the above referenced source's request to process wastewater treatment sediment in their existing cement kiln. As discussed between Mr. Bruce Mitchell of your staff and Mr. Gregg Worley of my staff on July 26, 1990, we have the following comments to offer.

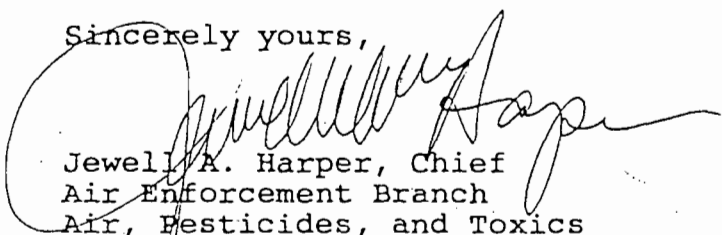
As presented in my letter to you dated April 4, 1990, concerning a proposed switch in fuel at the above referenced facility, the change in the method of operation of the kiln would not be a "major" modification for the purposes of Prevention of Significant Deterioration (PSD) unless the switch resulted in a "significant" increase in emissions. It was noted that emissions would be tested both prior to and after the fuel switch in order to correctly determine emissions increases.

Similarly, the addition of the capability to process wastewater treatment sediments would not constitute a "major" modification unless there was a significant increase in pollutants. Based on the lack of emission factors for this material, your plan of testing pollutant emissions before and after the modification should be sufficient to determine applicability of new source review. Also, a determination should be made as to whether this project is related to the earlier fuel switch and whether the increases in emissions from both modifications should be considered together in determining applicability.

The cement kiln will be subject to 40 C.F.R. Part 61, Subpart E which regulates stationary sources that incinerate or dry wastewater treatment sludge (sediment). This regulation will apply regardless of the mercury content of the sediment. Approval for processing the sediment by the Florida DER is necessary under 40 C.F.R. § 61.08.

Thank you for the opportunity to review and comment on this package. If you have any questions on these comments, please contact Mr. Gregg Worley of my staff at (404) 347-2904.

Sincerely yours,



Jewell A. Harper, Chief
Air Enforcement Branch
Air, Pesticides, and Toxics
Management Division

cc'd:

BA/CHF

B. Thomas, SW Dist.

} 8-24-90 RM

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

ATTORNEYS AT LAW

SUZANNE BROWNLESS
M. CHRISTOPHER BRYANT
R. L. CALEEN, JR.
C. ANTHONY CLEVELAND
TERRY COLE
ROBERT C. DOWNIE, II
SEGUNDO J. FERNANDEZ
KENNETH F. HOFFMAN
NORMAN H. HORTON, JR
KENNETH G. OERTEL
PATRICIA A. RENOVITCH
SCOTT SHIRLEY
THOMAS G. TOMASELLO
W. DAVID WATKINS

SUITE C
2700 BLAIR STONE ROAD
TALLAHASSEE, FLORIDA 32301

MAILING ADDRESS:
POST OFFICE BOX 6507
TALLAHASSEE, FLORIDA 32314-6507

TELEPHONE (904) 877-0099
FACSIMILE (904) 877-0981

JOHN H. MILLICAN
ENVIRONMENTAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)
J. R. SUBRAMANI, PH. D., P. E.
ENVIRONMENTAL CONSULTANT
(NOT A MEMBER OF THE FLORIDA BAR)

December 7, 1992

HAND DELIVERY

Mr. R. Bruce Mitchell
Engineer IV
Department of Environmental
Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RECEIVED

DEC 7 1992

Division of Air
Resources Management

Dear Bruce:

This letter will confirm our telephone conversation of last Friday, December 4, 1992. At that time I informed you that Florida Mining and Materials/Southdown, Inc. had agreed to the following provisions relating to access to the facility during any test burn period:

The County staff and the County's consultant shall be allowed access at all times during any of the test period, including base line period.

County staff and the County's consultants shall have the right to examine, sample, and analyze the quality of klinker produced at any time during the test procedures.

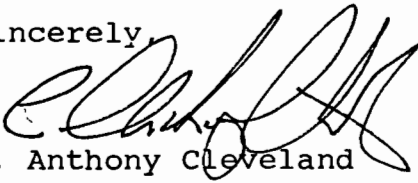
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Mr. R. Bruce Mitchell
December 7, 1992
Page 2

Southdown shall allow the Citizens Advisory Committee on Burning Hazardous Waste Fuel to observe the second day of the emission data recording.

Please give me a telephone call if you have any questions regarding this matter.

Sincerely,


C. Anthony Cleveland

CAC:nhg

cac\1579\mitchel-.ltr

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 648-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 659-7070 FAX (407) 659-7368	BARNETT TOWER P.O. BOX 2861 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
--	---	--	--	---	---

PLEASE REPLY TO :

December 3, 1992

Tallahassee

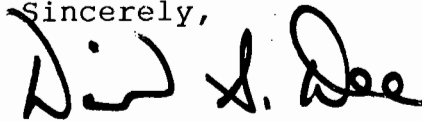
Bruce Mitchell
Department of Environmental
Regulation
2600 Blair Stone Road
Twin Towers Office Road
Tallahassee, Florida 32399

Re: Southdown's Waste Tire Derived Fuel Test

Dear Mr. Mitchell:

Enclosed for your review are the materials that we provided to Segundo Fernandez with our letter dated November 17, 1992. These materials concern potential metal emissions from tests with tire derived fuel.

Sincerely,



David S. Dee

RECEIVED

DEC 04 1992

Division of Air
Resources Management

File Copy

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 648-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 659-7070 FAX (407) 659-7368	BARNETT TOWER P.O. BOX 2861 ST PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
--	---	--	--	---	--

PLEASE REPLY TO :

November 17, 1992

Tallahassee

HAND DELIVERY

Segundo Fernandez
Oertel, Hoffman, Fernandez, & Cole
2700 Blair Stone Road
Suite C
Tallahassee, Florida 32301

RECEIVED

NOV 17 1992

Division of Air
Resources Management

Re: Test Protocol for Southdown
(d/b/a Florida Mining & Materials)

Dear Mr. Fernandez:

This law firm is assisting Southdown (d/b/a Florida Mining & Materials) with its efforts to obtain the necessary environmental approvals to conduct tests with whole tire derived fuel (WTDF) at Southdown's cement kiln in Brooksville, Florida. We are sending you this letter to confirm our understanding about the matters we discussed with you and other representatives of Hernando County on November 16, 1992.

On August 17, 1992, Southdown submitted its test protocol for WTDF to the Florida Department of Environmental Regulation (DER) and Hernando County. At Hernando County's request, Southdown agreed to substantially modify its test protocol and, on October 23, 1992, Southdown submitted a revised protocol to DER and Hernando County. To address Hernando County's remaining concerns, Southdown now is submitting this letter to DER and Hernando County as a formal revision to the current test protocol, which is dated October 23, 1992.

First, Southdown agrees that the timetable for the test protocol will be as follows: Southdown will use WTDF to provide up to 20% of the heat input to the No. 1 Kiln System for a total of 30 days. The 30 days of actual WTDF usage may require more than 30 calendar days to complete. The 30 days of WTDF usage will be followed by seven days when 100% of the heat input to the kiln will be provided by coal. Baseline emissions with coal will be measured during the last two days of this seven day period. The tests with 100% coal will be followed by seven days when up

Segundo Fernandez
Page Two
November 17, 1992

to 20% of the heat input to the No. 1 Kiln System will be provided by WTDF. The kiln's emissions with WTDF will be measured during the last two days of the seven day period when WTDF is utilized.

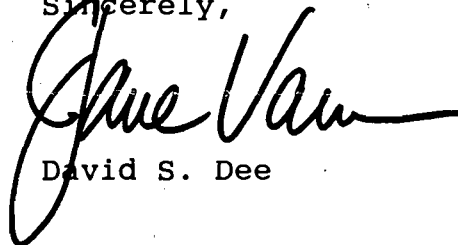
Second, Southdown agrees that the County's representatives and consultants, upon presentation of proper identification, may observe the WTDF and coal tests at any time during reasonable business hours, without providing advance notice to Southdown of the inspection.

Third, the current test protocol requires Southdown to measure the baseline and WTDF emissions for arsenic, chromium (total), lead, mercury, and zinc. These were the only metals measured by Florida Crushed Stone during its recent tests. Southdown believes that further testing for metals is unnecessary and has recent reports (attached) which confirm Southdown's belief about this subject. Given this new information, it is our understanding that Southdown's current test protocol for metals is satisfactory and does not need to be modified.

Finally, we anticipate that the Hernando County Commission will be prepared to discuss the test protocol, as revised herein, at the Commission meeting on November 24, 1992.

Please promptly notify us if our understanding about any of these issues is incorrect. Thank you for your assistance and cooperation.

Sincerely,



David S. Dee

cc: Tony Cleveland
J.P. Subramani
Don Kelly
Mike von Seebach
Anetha Lue
John Koogler
Bruce Mitchell
Charles Hetrick
Kathy Lile
Arne Adolfson

Bill Thomas, SWD
Brian Mitchell, NPS } 11-18-92 Ra
Jewell Hanger, ERA
JB/PL

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

HERNANDO COUNTY,

Petitioner,

vs.

OGC CASE NOS. 91-0986
91-0987

SOUTHDOWN, INC. d/b/a FLORIDA
MINING & MATERIALS and
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,

Respondents.

ORDER GRANTING REQUEST FOR NINTH EXTENSION
OF TIME TO FILE PETITION FOR HEARING

This cause has come before me upon receipt of a request made by Petitioner, Hernando County, pursuant to Florida Administrative Code Rule 17-103.070, to grant an extension of time to file a petition for administrative hearing concerning the Department's Application Nos. AC27-186923 and AC27-173474. See Exhibit 1 attached.

Counsel for Petitioner has discussed this request with counsel for Respondent, State of Florida Department of Environmental Regulation (DER), and the DER has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until December 25, 1992, to file a petition in this matter. Filing shall be complete upon receipt by the Department's Office

RECEIVED

NOV 05 1992

Division of Air
Resources Management

Department of Environmental Regulation
Routing and Transmittal Slip

To: (Name, Office, Location)

- 1. *Bruce Mitchell*
- 2.
- 3. *3RD floor*
- 4. *AIR*

Remarks:

RECEIVED

NOV 05 1992

**Division of Air
Resources Management**

From

Doug Beason

Date

11-5-92

Phone

278-9750

REVIEW

SPR 2 6

Division of Air Resources Management

of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida
32399-2400.

DONE AND ORDERED on this 4th day of ~~October~~ November 1992, in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

W.H. Crisp
DANIEL H. THOMPSON
General Counsel

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400
Telephone: (904) 488-9730

CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed to:

C. Anthony Cleveland
OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.
Post Office Box 6507
Tallahassee, FL 32314-6507

David S. Dee, Esq.
CARLTON, FIELDS, et al.
P.O. Drawer 190
Tallahassee, FL 32302

Peter Cunningham
HOPPING, BOYD, GREEN & SAMS
123 South Calhoun St.
Tallahassee, FL 32302

on this 5th day of ~~October~~ November 1992.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

W. Douglas Beason
W. DOUGLAS BEASON
Assistant General Counsel

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400
Telephone: (904) 488-9730

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

RECEIVED

OCT 22 1992

HERNANDO COUNTY,

Petitioner,

Dept. of Environmental Reg.
Office of General Counsel

vs.

OGC FILE NOS. 91-0986
91-0987

FLORIDA MINING & MATERIALS
and STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,

Respondents.

MOTION FOR EXTENSION
OF TIME FOR FILING PETITION

Pursuant to Rule 17-103.070, Florida Administrative Code, Hernando County files this its Motion for Extension of Time for Filing Petition. Hernando County requests an extension of time in which to file a petition for formal administrative proceedings concerning the Department's intent to issue a letter amendment to Florida Mining & Materials. In support thereof, Hernando County states as follows:

1. The proposed letter amendment to air construction permits, numbers AC 27-186923 and AC 27-173474, and PSD-FL-124B, was filed by the Department on April 12, 1991. The proposed amendments would permit Florida Mining & Materials to test its numbers 1 and 2 cement kilns for pollutant emissions while firing combinations of coal, tire derived fuel and on-specification used fuel oil.

2. On August 26, 1992, Hernando County timely filed its previous Motion for Extension of Time for Filing Petition.

Hernando County believed that an extension of time to file a petition for administrative hearing should be granted.

3. On September 1, 1992, the Department extended the time to file a petition for administrative hearing to October 26, 1992.

4. Hernando County has consulted with Jacob D. Varn, counsel for Florida Mining & Materials, Inc., and is authorized to state that Florida Mining and Materials, Inc., has no objection to an additional 60-day extension of time in which to file a petition for formal administrative proceedings. Such an extension will aid the parties in avoiding the initiation of administrative proceedings in this matter. Florida Mining & Materials, Inc., has previously represented to Hernando County that the interests of both parties was served by extensions of the time for filing petitions, particularly as further discussions with representatives of Hernando County are anticipated in conjunction with the ongoing Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at Florida Mining & Materials' Brooksville Cement Plant.

5. The undersigned attempted to contact W. Douglas Beason, counsel for the Department, regarding the Department's position with respect to this Motion. However, Mr. Beason is unavailable, due to out-of-town obligations.

WHEREFORE, Hernando County respectfully requests that the Department enter an order granting a 60-day extension of time to

December 28, 1992, in which the County may file a petition for formal administrative proceedings.

Respectfully submitted,

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

Post Office Box 6507
Tallahassee, FL 32314-6507
(904) 877-0099

Patricia A. Renovitch for

C. ANTHONY CLEVELAND
Fla. Bar ID#217859

Attorneys for Hernando County

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one (1) copy of the foregoing has been furnished by Hand Delivery to the **AGENCY CLERK**, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 and a true and correct copy of the same to **W. DOUGLAS BEASON**, Assistant General Counsel, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and by United States Mail to **JACOB D. VARN** and **DAVID DEE**, 5th Floor, First Florida Bank Building, 215 South Monroe Street, Tallahassee, Florida 32302 and **PETER CUNNINGHAM**, Hopping Boyd Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32302, this 22nd day of October, 1992.

Patricia A. Revonitch
Attorney

cac\1579\1579-10th.met



KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES
4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
904/377-5822 • FAX 377-7158

RECEIVED

OCT 26 1992

Bureau of
Air Regulation

KA 521-92-01

October 23, 1992

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

Subject: Test Protocol for Use of WTDF
Southdown, Inc. dba Florida Mining & Materials
Brooksville, Florida

Dear Mr. Mitchell:

Enclosed you will find the revised test protocol for the use of WTDF in the No. 1 Kiln at the Southdown cement plant in Brooksville, Florida. The protocol has been revised based on comments from Hernando County.

This protocol replaces the proposed protocol forwarded to you by Ms. Anetha Lue under cover of letter dated August 17, 1992.

The revised protocol is being distributed to all parties on the distribution list. By this letter we request that all parties involved forward any comments back to us by November 4, 1992.

If you have any questions concerning this protocol, please do not hesitate to give me a call.

Very truly Yours,

KOOGLER & ASSOCIATES

John B. Koogler, Ph.D., P.E.

JBK:mem

c: Ms. Anetha Lue, Southdown Environmental Systems
Mr. Don Kelly, Florida Mining & Materials
Mr. David Dee, Carlton Fields et al
Mr. Tony Cleveland, Oertel, Hoffman, Fernandez et al
Mr. Charles Hetrick Hernando County Commission
Ms. Katherine Lile, Hernando County Commission
Mr. Arne Adolfson, Hernando County Citizens Advisory

B. Mitchell, NPS
G. Harper, EPA
B. Thomas, SWD

PROTOCOL FOR A TEST TO
EVALUATE THE OPERATIONS OF THE
SOUTHDOWN, INC. NO. 1 KILN SYSTEM
UNDER BASELINE AND WTDF/COAL
FUEL CONDITIONS

1.0 INTRODUCTION

Southdown, Inc., doing business as Florida Mining & Materials (FM&M), operates two dry process cement kilns at its Brooksville facility off U.S. Highway 98 in Hernando County, Florida. Southdown originally requested approval from the Florida Department of Environmental Regulation (FDER) to burn whole tire derived fuel (WTDF) and on-specification used oil with coal in Nos. 1 and 2 Kiln Systems. The scope of this request has since been reduced to the burning of WTDF as proposed in the following test protocol.

The usage of WTDF at a maximum of 20 percent of the heat input to the kiln is proposed for the No. 1 Kiln System while the remaining heat input is to be provided by coal. The maximum allowable heat input to the kiln is 300 million British Thermal Units per hour (MMBTU/hr). This test protocol sets forth the emission measurements and cement plant monitoring that will be conducted while burning coal and WTDF in Kiln No. 1.

1.1 TEST OBJECTIVES

The objectives of this test are to show that there is no substantial change in the emissions to the environment while burning WTDF to supplement coal as a fuel in the kiln, and that the quality of the clinker produced is maintained. The test will be conducted under two conditions as shown in the following table.

10/23/92

PROPOSED PERFORMANCE TEST MATRIX FOR KILN NO. 1

	Condition 1 (Baseline)	Condition 2 (Baseline)
Coal (% of heat input)	100	≥ 80
Whole Tires (% of heat input)	0	≤ 20
Tires Per Minute	0	≤ 4

1.2 PROPOSED TEST DATE

This emission test has tentatively been scheduled to start on or about January 4, 1993, and conclude on or about March 3, 1993. The testing schedule (which is presented in this test protocol) will be coordinated with FDER. The Hernando County Commissioners and the Hernando County Citizen's Advisory Committee will be informed of the testing schedule.

1.3 EMISSION TESTING CONSULTANT

Koogler & Associates from Gainesville, Florida, has been contracted to provide technical support in terms of the Emission Test Plan development, emissions testing, project management, and oversight of sampling and analytical activities.

1.4 FACILITY DESCRIPTION

The FM&M cement plant consists of two dry process rotary cement kiln systems, two raw mills, three cement finish milling systems and numerous storage and blending silo facilities.

The raw materials used to manufacture clinker include limestone, sand, flyash and mill scale. These materials are accurately metered to two pre-

mixing bins prior to introduction to the raw mills. The mills dry and grind the raw materials to a fineness that is suitable for feedstock for the rotary kiln systems. The raw mill product is transported to raw meal blending silos where it is further mixed to assure physical and chemical consistency in the kiln feed stocks. The raw meal is then metered to the preheaters of the rotary kiln systems at a feed rate of 145 tons per hour for each system. Nominally 130 tons of feed per hour reaches each kiln with 15 tons per hour of feed being lost as dust (see following table).

PROCESS DATA FOR NO. 1 KILN SYSTEM

	Kiln No. 1
Maximum Raw Feed to Preheater, TPH	145
Kiln Feed Rate, TPH	130
Maximum Heat Input Rate, MMBTU/hr	300

In the rotary kilns, the raw meal is heated to temperatures exceeding 2600°F which results in the production of Portland cement clinker. The clinker is cooled and subsequently transported to the finish mill where it is mixed with gypsum for final processing into Portland cement. The finished product is stored in large silos prior to being shipped off-site in bulk by truck or rail cars or in bags.

The kiln exhaust gases are used to pre-heat incoming raw feed and to dry raw material in the raw grinding system prior to being cleaned in a baghouse. The preheating process takes place in a modified Gepol preheater which features four cyclones, a vortex vessel and two venturi sections. After being cleaned in the baghouse, the gases from the kiln exits the process through the primary kiln stack.

Coal is the primary fuel for both kilns. The kilns are also permitted to

use No. 6 oil as a back-up fuel and re-refined oil as a fuel supplement. Finely pulverized coal is fired in the front end of the kiln (this is the end where the clinker is discharged). Liquid fuel, when it is used, is also fired in the front end of the kiln. However, WTDF will be introduced in the back end of the kiln through a double air lock. Permit A027-213207 for Kiln No. 1 specifies a maximum heat input rate to the kiln of 300 MMBTU/hr. The heating values of the fuels to be used are shown in the following tables.

TYPICAL HEATING VALUE OF THE FUELS

	Heating Value
Coal	12,500 BTU/lb (approx.)
Tire Derived Fuel	14,000 BTU/lb (approx.)

Operation of the plant is achieved from a central location. Kiln system specific instrumentation features kiln shell radiation scanners and closed circuit TV monitors for observation of the kiln burning zone. Opacities of the exhaust gases are continuously monitored by Lear Seigler monitors located in the main stacks and are recorded on strip chart recorders.

A complete on-site laboratory exists for the analysis of raw materials, clinker and cement. The facility includes an X-ray Fluorescent System, wet chemistry laboratory, atomic absorption flame photometry instruments, and a cement physical testing laboratory.

1.5 EXISTING PERMITTED EMISSION LIMITS

Permit A027-213207 has been issued by FDER for the operation of Kiln No. 1. The permit limits the emissions from the stack and certain plant operating conditions. The permitted emission limiting standards are

summarized in the following table.

PERMITTED EMISSION LIMITS

	Kiln No. 1
Permit	A027-213207
Particulate Matter, PM	39 lb/hr
Opacity	20%

1.6 TEST SCHEDULE

This protocol establishes criteria for a performance test, including emission measurements and No. 1 Kiln System monitoring, that will demonstrate the effects of WTDF burning in the No. 1 Kiln System on air pollutant emissions from the plant. The entire test period is scheduled for 58 days; an initial 45 day period when WTDF will be used to provide up to 20 percent of the heat input to the No. 1 Kiln System, a four day period for the plant to stabilize on coal, a two day baseline (100 percent coal) emission test period, a five day period for the plant to stabilize on coal/WTDF and a two day coal/WTDF emission test period.

The performance test will begin on or about January 4, 1992. For the first 45 days of the test period, WTDF will provide approximately 20 percent of the heat input to the No. 1 Kiln System. This period will allow FM&M to gain experience with the tire feed system and to confirm through chemical and physical analysis that WTDF will not effect clinker quality. Beginning on or about Day 46 and continuing through Day 51, coal will be used to provide 100 percent of the heat input to the No. 1 Kiln System. On or about Day 49 of the test period, the test crew will arrive on site and mobilize in preparation for conducting baseline emission measurements. The baseline emission measurements (with coal being used

to provide 100 percent of the heat input to the No. 1 Kiln System) is scheduled to be conducted during Day 50 and Day 51 of the test period.

On the day following the conclusion of the baseline emission measurements (scheduled as Day 52), utilization of WTDF will begin again. The WTDF will be used to provide approximately 20 percent of the heat input to the No. 1 Kiln System for the next seven days (Day 52-58).

A period of five days (Day 52-56) will be allowed for the plant to reach steady-state operating conditions with WTDF being fired to the cement plant. On Day 57 of the test period, emission measurements with coal/WTDF are scheduled to begin. The WTDF emission measurements are scheduled to be conducted during Day 57 and Day 58 of the test period. If time in addition to two test days is required to conduct the baseline emission measurements (Day 50 and Day 51), the time period for conducting the WTDF emission measurements will be shifted accordingly; i.e., to allow at least five days for the No. 1 Kiln System to achieve steady-state operating conditions on coal/WTDF before the WTDF tests.

Following the conclusion of the WTDF emission measurements (scheduled Day 58), the performance test will terminate.

The entire 58 day performance test period will include 52 days during which coal and WTDF will be fired to the No. 1 Kiln System and six days during which coal only will be fired. The 58 day performance test period is defined as 58 days of plant operating time (58 operating days) and will not include periods of time when the cement kiln is not operating due to scheduled or unscheduled downtime. The approximate 58 day operating performance test period may require more than 58 calendar days because of scheduled or unscheduled outages of the cement kiln. The calendar day period of the performance test period will be automatically extended under the conditions of this protocol by the number of calendar days of cement kiln downtime and the schedule may be adjusted to avoid testing on weekends.

10/23/92

2.0 PLANT RECORDS

Beginning on Day 1 of the test period and continuing through the end of the approximate 58 operating day performance test period, the following plant operating parameters, which are continuously monitored by FM&M, will be documented.

No. 1 Kiln System

Coal Feed Rate	(tph)
WTDF Feed Rate	(tph)
Preheater Feed Rate	(tph)
Preheater Exit Gas Temp.	(°F)
Gas Temp. at Feed End of Kiln	(°F)
Oxygen at Feed End of Kiln	(%)

Material Analysis

Kiln Feed Analysis	(See following table)
Clinker Analysis	(See following table)

Stack

Opacity	(%)
---------	-----

During the test period, kiln feed will be sampled periodically by FM&M personnel with samples composited once per eight-hour shift in accordance with normal plant operating procedures. Samples will be analyzed in the FM&M quality control laboratory in accordance with normal plant operating procedures for the following parameters:

ANALYSES TO BE PERFORMED

	Raw Feed	Clinker
SiO ₂	Yes	Yes
Al ₂ O ₃	Yes	Yes
Fe ₂ O ₃	Yes	Yes
CaO	Yes	Yes
SO ₃	Yes	Yes
K ₂ O	No	Yes
Free CaO	No	Yes
200 Mesh	Yes	No
C ₃ S	Yes	Yes
C ₃ A	Yes	Yes
C ₄ AF	Yes	Yes
Cl	Yes	Yes

The results of these analyses will be used to demonstrate that the kiln continually operated under steady-state conditions and that clinker quality remained unchanged.

During the test period, clinker will be sampled on a nominal two hour schedule by FM&M personnel in accordance with normal plant operating procedures. These samples will be analyzed in the FM&M quality assurance laboratory by FM&M personnel in accordance with normal plant operating procedures. The results of the clinker analyses will be available for review by FDER and Hernando County.

Three composite clinker samples will be retained each day (representing each of three 8-hour shifts during the 24-hour operating day) to be reanalyzed for constituents or properties normally reported if questions should arise regarding the validity of the initially reported analyses. A duplicate sample or samples will be analyzed only if there is a legitimate concern regarding the validity of the original analyses of that sample or samples. These duplicate samples will be retained by FM&M at the FM&M cement laboratory and may be discarded by FM&M 30 days following the receipt of the final FM&M report by FDER and Hernando County.

3.0 WTDF/COAL FUEL PERIOD

WTDF will be used to provide up to 20 percent of the heat input to the No. 1 Kiln System with coal providing the balance of the heat input for a period of approximately 52 days. This performance test period will include approximately 52 days of kiln operations (52 operating days) and will not include periods of time when the kiln system is not operating due to scheduled or unscheduled downtime. The approximate 52 operating day performance test period may require more than 52 calendar days because of the scheduled or unscheduled outages of the system. The calendar day period will be automatically extended under the conditions of this protocol by the number of calendar days of kiln downtime.

The purpose of the approximate 52 operating day performance test period with WTDF and the associated testing described herein is to conclusively establish that using WTDF for up to 20 percent of the heat input to the kiln system does not negatively affect regulated air pollutant emissions or clinker quality and to optimize the use of WTDF at a rate of up to 20 percent of the kiln system heat input.

The 52 day WTDF/coal test period will be divided into two periods; a 45 day period of plant operations and a seven day period that will immediately proceed and include the emission testing associated with the use of WTDF/coal fuel. The two periods will be separated by a six day

period (Day 46-51) during which baseline (100 percent coal) tests will be conducted.

Beginning on or about Day 57 of the performance test period and the sixth day of the second WTDF/coal fuel period, emission measurements will be conducted by Koogler & Associates personnel at the No. 1 kiln stack. The No. 1 Kiln System will have been on-line and operating at least 12 hours prior to this test period to assure steady-state operating conditions. Emission measurements will be conducted for the following parameters:

Particulate Matter	From Front Half of EPA Method 26 (HCl) Sample Train
Hydrogen Chloride (HCl)	EPA Method 26*
Visible Emissions	EPA Method 9
Metals:	EPA Method 0012
Arsenic	
Chromium (Total)	
Lead	
Mercury	
Zinc	
Nitrogen Oxides	EPA Method 7E
Sulfur Dioxide	EPA Method 6C
Carbon Monoxide	EPA Method 10
Volatile Organic Compounds	EPA Method 25A
CO ₂ /O ₂	EPA Methods 3/3A
Stack Gas Flow/Moisture/Temp.	EPA Methods 1, 2 and 4 (in conjunction with EPA Methods 23, 26 and 0012)
Speciated Volatile Organic Compounds**	VOST (EPA Method 0030)
Dioxins and Furans	EPA Method 23

*Will include cation analysis of impinger solution.

**To be restricted to analyses for acetone, benzene, toluene, trichloroethylene, chlorobenzene, ethylbenzene, xylene, styrene, bromomethane, carbon disulfide, hexane and 1,1,1-trichloroethane.

During each day that WTDF emission measurements are conducted, it is anticipated that the test crew will be on-site approximately 12 hours. During the time on-site, the measurements described in the preceding paragraphs will be conducted. Each of the manual measurements (particulate matter, metals, speciated volatile organic compounds, dioxins and furans, hydrogen chloride and the associated stack gas flow, moisture and temperature) will consist of three replicate test runs with each test run being two hours in duration.

Visible emission observations will be conducted for a one-hour period between the first and second replicate test runs for particulate matter/HCl, for a one-hour period between the second and third replicate test runs for particulate matter/HCl and for similar periods during the metals measurements. This will result in four hours of visible emission observations during the WTDF test period.

The emission measurements that are made by instrumental methods (nitrogen oxides, sulfur dioxide, carbon monoxide and volatile organic compounds) will be conducted for the approximate 12-hour period during each of the two days required for WTDF emission measurements. The continuous measurements for nitrogen oxides, sulfur dioxide, carbon monoxide and volatile organic compounds will be made with instrumentation provided by Koogler & Associates. Continuous stack gas oxygen measurements will be made with Koogler & Associates equipment during each of the three replicate test runs for particulate matter/HCl, during each of the three replicate test runs for metals, and during each of the three replicate test runs for dioxins and furans.

During each day when WTDF emission measurements are conducted (two or more days), samples of both coal and WTDF will be collected by Koogler & Associates personnel. An ultimate fuel analysis and analyses for arsenic, total chromium, lead, mercury, zinc and chlorides will be conducted on each fuel sample. Also, during the period of time when the emission measurements are conducted, all plant operating parameters specified in Section 2.0 will continue to be monitored. The monitoring of plant parameters will continue through the end of the WTDF performance test period.

Due to unforeseen circumstances, it is possible that the WTDF emission measurements may require time in addition to the scheduled two day period. If additional test time is required, the additional time will not affect the validity of the WTDF emission measurements nor the validity of the overall performance test program.

4.0 BASELINE TESTS

The baseline emission test period will begin on or about Day 50. At the beginning of the test period and during the four operating day period preceding the baseline test period (Day 46 to Day 49), the No. 1 Kiln System will be, and will have been, operating under normal conditions with coal being used to provide 100 percent of the heat input to the plant.

On Day 49 of the performance test period, the test crew will arrive on site and mobilize in preparation for conducting baseline emission measurements. The baseline emission measurements (with coal being used to provide 100 percent of the heat input and with the cement plant operating under steady-state conditions) are scheduled to be conducted during Day 50 and Day 51 of the test period. The No. 1 Kiln System will be on-line and operating at least 12 hours prior to the two day baseline test period in order to assure steady-state operating conditions. Due to unforeseen circumstances, it is possible that the baseline emission measurements may require time in addition to the scheduled two day period.

10/23/92

If additional test time is required, the additional time will not affect the validity of the baseline emission measurements nor the validity of the overall performance test program.

During each day that emission measurements are conducted, it is anticipated that the test crew will be on-site approximately 12 hours. During the time on-site, the measurements described in the following paragraphs will be conducted. Each of the manual measurements (particulate matter, metals, speciated volatile organic compounds, dioxins and furans, hydrogen chloride and the associated stack gas flow, moisture and temperature) will consist of three replicate test runs with each test run being two hours in duration.

Visible emission observations will be conducted for a one-hour period between the first and second replicate test runs for particulate matter/HCl, for a one-hour period between the second and third replicate test runs for particulate matter/HCl and for similar periods during the metals measurements. This will result in four hours of visible emission observations during the baseline test period.

The emission measurements that are made by instrumental methods (nitrogen oxides, sulfur dioxide, carbon monoxide and volatile organic compounds) will be conducted for the approximate 12-hour period during each of the two days required for baseline emission measurements. The continuous measurements for nitrogen oxides, sulfur dioxide, carbon monoxide and volatile organic compounds will be made with instrumentation provided by Koogler & Associates. Continuous stack gas oxygen measurements will be made with Koogler & Associates equipment during each of the three replicate test runs for particulate matter/HCl, during each of the three replicate test runs for metals, and during each of the three replicate test runs for dioxins and furans.

Baseline emission measurements will be conducted by Koogler & Associates personnel at the No. 1 Kiln System kiln stack for the following

parameters:

Particulate Matter	From Front Half of EPA Method 26 (HCl) Sample Train
Hydrogen Chloride (HCl)	EPA Method 26*
Visible Emissions	EPA Method 9
Metals:	EPA Method 0012
Arsenic	
Chromium (Total)	
Lead	
Mercury	
Zinc	
Nitrogen Oxides	EPA Method 7E
Sulfur Dioxide	EPA Method 6C
Carbon Monoxide	EPA Method 10
Volatile Organic Compounds	EPA Method 25A
CO ₂ /O ₂	EPA Methods 3/3A
Stack Gas Flow/Moisture/Temp.	EPA Methods 1, 2 and 4 (in conjunction with EPA Methods 23, 26 and 0012)
Speciated Volatile Organic Compounds**	VOST (EPA Method 0030)
Dioxins and Furans	EPA Method 23

*Will include cation analysis of impinger solution.

**To be restricted to analyses for acetone, benzene, toluene, trichloroethylene, chlorobenzene, ethylbenzene, xylene, styrene, bromomethane, carbon disulfide, hexane and 1,1,1-trichloroethane.

During each day when baseline emission measurements are conducted (two or more days), coal samples will be collected by Koogler & Associates personnel. An ultimate fuel analysis plus analyses for arsenic, total chromium, lead, mercury, zinc and chlorides will be conducted on each coal

sample. Also, during the period of time when the baseline emission measurements are conducted, all No. 1 Kiln System operating parameters specified in Section 2.0 will be monitored.

5.0 COMPARISON OF TEST RESULTS

Plant operating data from the baseline and WTDF periods will be used to demonstrate normal fluctuations in plant operating conditions and to provide a long-term comparison of plant operating conditions under the two fuel firing scenarios.

Some differences in the temperature profile across the pre-heater are expected under the two fuel firing scenarios. During the baseline period (with coal providing 100 percent heat input to the kiln system), there will be a single fuel burning zone at the discharge end of the kiln. During the time WTDF is used to provide up to 20 percent of the heat input to the kiln, there will be a coal burning zone at the discharge end of the kiln and a WTDF burning zone at the kiln inlet. Differences in the temperature profile across the pre-heater under the two fuel firing scenarios will not, by themselves, indicate differences in kiln system operating conditions.

Also, spikes in the concentrations of gases (CO, NO_x, SO₂ and/or total hydrocarbons) that will be continuously monitored in the No. 1 kiln stack during the two emission measurement periods will not, by themselves, indicate differences in plant operating conditions or emission rates. E.R. Hansen in a paper entitled, *The Carbon Monoxide and Other Gases for Process Control* (IEEE Conference, 1985), discusses the factors affecting carbon monoxide levels in the gases exhausted from a dry process Portland cement plant and also discusses the relationship between carbon monoxide and nitrogen oxides concentrations. Hansen states that when a cement kiln is operating under optimum conditions the oxygen concentration in the gas stream discharged from the kiln is in the range of 1.5-2.0 percent, and that at this operating condition, significant changes in the carbon

monoxide in the kiln off-gas can be expected. This is referred to as operating on a "ragged edge" due to the ragged (spiked) appearance of the carbon monoxide concentration trace on a strip chart.

The average emission rates of constituents measured during each test run, including spike concentrations in the averages, will be used as points of comparisons. Also, clinker quality, which will be monitored during both the baseline and the WTDF test periods, will be used to demonstrate the similarity of kiln system operating conditions. Data from the oxygen and carbon monoxide monitors located in the cement plant will provide a continuous record of other parameters which can also be compared to demonstrate similarity of kiln operating conditions during the two test periods.

The average emission rates of the regulated air pollutants measured during the WTDF emission measurement period will be compared with average emission rates measured during the baseline period to determine if the use of WTDF to provide up to 20 percent of the heat input to the cement kiln affects emission rates from the plant.

With respect to the emissions of HCl and the volatile organic compounds, acetone, toluene, trichloroethylene, chlorobenzene, ethylbenzene, xylene, bromomethane, carbon disulfide, styrene, 1,1,1-trichloroethane and hexane, the concentration of each in the ambient air will be determined at the FM&M property line using emission rates measured during the baseline and WTDF test periods and the air quality modeling procedures set forth in the *Guideline for Air Quality Models* (Revised), EPA, 1990. These concentrations will be compared with the guideline No Threat Levels (NTLs) developed by FDER. The test report will also contain a description of the methodology, model(s) and other data describing the modeling procedure.

Attainment of the applicable guideline NTLs and applicable ambient air quality standards will demonstrate that FDER permitting criteria have been met regarding the emissions of HCl and the referenced volatile organic compounds.

A conclusive report comparing the emission rates of designated air pollutants and kiln operating conditions measured during the WTDF and baseline test periods described herein and comparing predicted ambient concentrations of selected constituents with NTLs, will be prepared by FM&M and submitted to FDER, Hernando County, and the Hernando County Citizen's Advisory Committee within approximately 30 days of the completion of the WTDF test period. This report will also include data documenting No. 1 Kiln System operating conditions during the WTDF test period and data documenting plant operating data during baseline operating periods.

The County will review the emission test data and file a conclusive report with FDER and FM&M as expeditiously as possible, but no later than 30 days following the receipt of the FM&M report. The Hernando County Citizen's Advisory Committee will also forward their comments on the test data to the County, within this 30 day period, should they wish to comment on the results of the test.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

HERNANDO COUNTY,

Petitioner,

vs.

OGC CASE NOS. 91-0986
91-0987

SOUTHDOWN, INC. d/b/a FLORIDA
MINING & MATERIALS and
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,

Respondents.

ORDER GRANTING EIGHTH REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING

This cause has come before me upon receipt of a request made by Petitioner, Hernando County, pursuant to Florida Administrative Code Rule 17-103.070, to grant an extension of time to file a petition for administrative hearing concerning the Department's Application Nos. AC27-186923 and AC27-173474. See Exhibit 1 attached.

Counsel for Petitioner has discussed this request with counsel for Respondent, State of Florida Department of Environmental Regulation (DER), and the DER has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until October 26, 1992, to file a petition in this matter. Filing shall be complete upon receipt by the Department's Office

Department of Environmental Regulation
Routing and Transmittal Slip

To: (Name, Office, Location)

1.

Bruce Mitchell

2.

3.

TT 310 D

4.

Remarks:

RECEIVED
SEP 2 1992
Division of Air
Resources Management

From

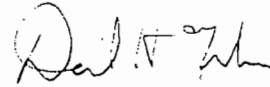
Date

Phone

of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida
32399-2400.

DONE AND ORDERED on this 1st day of September, 1992, in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



DANIEL H. THOMPSON
General Counsel

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400
Telephone: (904) 488-9730

CERTIFICATE OF SERVICE

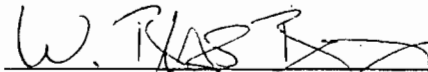
I HEREBY CERTIFY that a true and correct copy of the
foregoing has been furnished by U.S. Mail to:

C. Anthony Cleveland
OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.
Post Office Box 6507
Tallahassee, FL 32314-6507

David S. Dee, Esq.
CARLTON, FIELDS, et al.
P.O. Drawer 190
Tallahassee, FL 32302

on this 2ND day of September, 1992.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



W. DOUGLAS BEASON
Assistant General Counsel

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400
Telephone: (904) 488-9730

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

HERNANDO COUNTY,

Petitioner,

vs.

OGC FILE NOS. 91-0986
91-0987

FLORIDA MINING & MATERIALS
and STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,

Respondents.

RECEIVED

AUG 26 1992

Dept. of Environmental Reg.
Office of General Counsel

MOTION FOR EXTENSION
OF TIME FOR FILING PETITION

Pursuant to Rule 17-103.070, Florida Administrative Code, Hernando County files this its Motion for Extension of Time for Filing Petition. Hernando County requests an extension of time in which to file a petition for formal administrative proceedings concerning the Department's intent to issue a letter amendment to Florida Mining & Materials. In support thereof, Hernando County states as follows:

1. The proposed letter amendment to air construction permits, numbers AC 27-186923 and AC 27-173474, and PSD-FL-124B, was filed by the Department on April 12, 1991. The proposed amendments would permit Florida Mining & Materials to test its numbers 1 and 2 cement kilns for pollutant emissions while firing combinations of coal, tire derived fuel and on-specification used fuel oil.

2. On June 26, 1992, Hernando County timely filed its previous Motion for Extension of Time for Filing Petition.

Hernando County believed that an extension of time to file a petition for administrative hearing should be granted.

3. Hernando County has consulted with Jacob D. Varn, counsel for Florida Mining & Materials, Inc., and is authorized to state that Florida Mining and Materials, Inc., has no objection to an additional 60-day extension of time in which to file a petition for formal administrative proceedings. Such an extension will aid the parties in avoiding the initiation of administrative proceedings in this matter. Florida Mining & Materials, Inc., has previously represented to Hernando County that the interests of both parties was served by extensions of the time for filing petitions, particularly as further discussions with representatives of Hernando County are anticipated in conjunction with the ongoing Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at Florida Mining & Materials' Brooksville Cement Plant.

4. The undersigned has attempted but been unable to contact W. Douglas Beason, counsel for the Department, regarding the Department's position with respect to this Motion.

WHEREFORE, Hernando County respectfully requests that the Department enter an order granting a 60-day extension of time to

October 27, 1992, in which the County may file a petition for formal administrative proceedings.

Respectfully submitted,

OERTEL, HOFFMAN, FERNANDEZ &
COLE, P.A.
Post Office Box 6507
Tallahassee, FL 32314-6507
(904) 877-0099

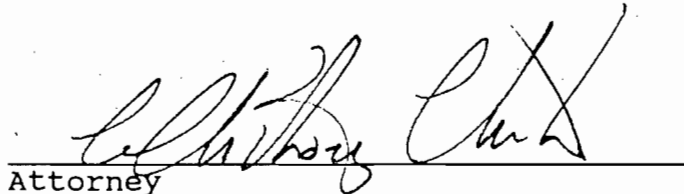


C. ANTHONY CLEVELAND
Fla. Bar ID#217859

Attorneys for Hernando County

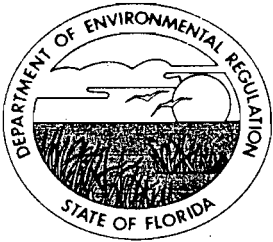
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one (1) copy of the foregoing has been furnished by Hand Delivery to the **AGENCY CLERK**, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400 and a true and correct copy of the same to **W. DOUGLAS BEASON**, Assistant General Counsel, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, and by United States Mail to **JACOB D. VARN** and **DAVID DEE**, 5th Floor, First Florida Bank Building, 215 South Monroe Street, Tallahassee, Florida 32302 and **PETER CUNNINGHAM**, Hopping Boyd Green & Sams, 123 South Calhoun Street, Tallahassee, Florida 32302, this 26th day of August, 1992.



Attorney

cac\1579\1579-9th.met



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

August 24, 1992

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Don Kelly
Plant Manager
Southdown, Inc.
Post Office Box 6
Brooksville, Florida 34605-0006

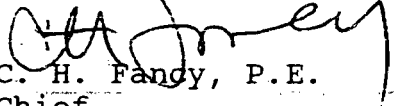
Dear Mr. Kelly:

Re: Request to Construct a Tire Conveyor System for the No. 1
Cement Kiln

The Department has reviewed Mr. David S. Dee's letter received August 13, 1992, which requested authorization to construct a tire conveyor system to deliver tires to the No. 1 Cement Kiln for the purpose of conducting tests while firing tires in combination with coal. Since the tire conveyor is not considered a source of air pollutant emissions, pursuant to Florida Administrative Code Chapter 17-2, a construction permit is not required. However, a permit amendment shall be required to authorize any performance tests while firing tires, since the No. 1 Cement Kiln is not permitted to fire tires.

If there are any questions, please call Bruce Mitchell at (904)488-1344 or write to me at the above address.

Sincerely,


C. H. Fandy, P.E.
Chief
Bureau of Air Regulation

CHF/BM/rbm

Attachment

cc: B. Thomas, SWD
D. Beason, Esq., DER
D. Dee, Esq., CFWES&C
A. Lue, P.E., SI
J. Koogler, Ph.D., P.E., K&A
C. Hetrick, HCBCC
T. Cleveland, Esq., OHF&C

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRST STATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 648-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTIL P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 659-7070 FAX (407) 659-7368	HARRIET TOWER P.O. BOX 2861 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
--	--	--	--	--	---

PLEASE REPLY TO :

August 13, 1992

Tallahassee

RECEIVED RECEIVED

AUG 1 1992

AUG 13 1992

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

Division of Air
 Resources Management

Division of Air
 Resources Management

Dear Mr. Mitchell:

As you know, Southdown, Inc., is doing business in Brooksville, Florida as Florida Mining & Materials (FMM). This law firm is assisting Southdown with its efforts to obtain approval from the Florida Department of Environmental Regulation (DER) to burn whole tire derived fuel (WTDF) in the two cement kilns at the FMM facility in Brooksville. On behalf of Southdown, we are sending you this letter to confirm our understanding about the matters we discussed with you during our recent telephone conversation.

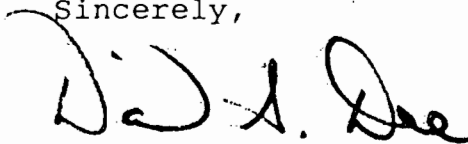
In the very near future Southdown will submit a test protocol to DER, Hernando County, and the Hernando County Citizen's Advisory Committee for a proposed test where WTDF will be used to supplement the coal in Southdown's kilns. In the interim, Southdown would like to construct a conveyor system that Southdown can use for its test program. Southdown wants to begin construction of the conveyor system immediately so that it will be ready to use by the time Southdown receives final DER approval for the test with WTDF.

It is our understanding that Southdown may lawfully build the conveyor, but tires cannot be burned until Southdown receives final DER authorization to proceed with the test program. The conveyor itself is not a "source" of pollution and, therefore, the construction of the conveyor is not subject to DER permitting requirements.

Bruce Mitchell
Page Two
August 13, 1992

Southdown wants to be sure that it fully complies with all of the applicable DER requirements. Accordingly, we would greatly appreciate it if the Department would confirm to us in writing that our understanding about these issues is correct. Thank you in advance for your assistance with this matter.

Sincerely,



David S. Dee

cc: Anetha Lue
Doug Beason

Bruce Mitchell

CHE/PL

411-2000-001

10/10/92



RECEIVED

August 17, 1992

AUG 31 1992

Division of Air
Resources Management

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

Re : Southdown Inc. (d/b/a Florida Mining & Materials)
Request for Permit Amendment to Allow Use of Whole Tire Derived Fuel in
Kiln No. 1
Request for Permit to Conduct Whole Tire Derived Fuel Test Burn in Kiln
No. 1

Dear Bruce:

Southdown Inc. (d/b/a Florida Mining & Materials) is submitting this request to the Florida Department of Environmental Regulations (FDER) to obtain permission for the use of whole tire derived fuel (WTDF) in Kiln No.1 at the Southdown cement plant in Brooksville, Florida.

Southdown's request to use tires and used oil, at this facility, was filed in April, 1990, however, the scope of this request is being limited to the permitting of WTDF only (as discussed herein).

Southdown Inc. is requesting that FDER amend the construction and operating permits for Kiln No.1 (AC27-186923, and AO27-213207) to allow the use of WTDF as a supplemental fuel in the kilns. This request is based on the anticipation of no increases in air pollutant emissions from present levels while using WTDF on the kiln. Thus, Southdown is requesting that FDER grant the requested permit amendment with the requirement for emissions testing on Kiln No.1. Emission testing on the kiln will be conducted for the purpose of documenting that the firing of WTDF does not result in increases in air pollutant emissions.

A copy of the proposed air emissions testing protocol for the kiln is attached. The test protocol proposes test procedures, a testing schedule and a schedule for reviewing the information generated during the test. It is hoped that the this proposal will meet with the approval of FDER, Hernando County Board of County Commissioners, and the Hernando County Citizens Advisory Committee and that comments will be readily forthcoming on any items of concern.

The Hernando County Board of County Commissioners is being requested to forward any comments they (and the county residents) may have on this request to the FDER within 21 days. Hernando County Citizens Advisory Committee is requested to forward their comments to the County Commissioners within 14 days (this committee was provided with the first draft of the test protocol in June, 1992).

Southdown has retained Dr. John Koogler of Koogler & Associates as a technical consultant to the project. David Dee Esq. of Carlton Fields will be providing Southdown with legal assistance on this project. Don Kelly (Plant Manager - Brooksville, Florida) will be coordinating activities at the site. These persons may be contacted at the addresses shown below and should be copied on all correspondence related to this project.

John Koogler, Ph.D., P.E.
Koogler & Associates Environmental Services
4014 NW 13th, Street
Gainesville, FL 32609
Ph : (904) 377-5822

David Dee, Esq.
Carlton Fields et al
P.O. Drawer 190
Tallahassee, FL 32302
Ph : (904) 224-1585

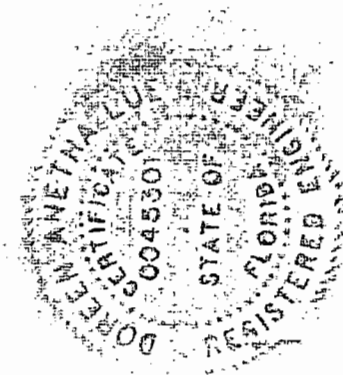
Don Kelly
Southdown Inc.
P.O. Box Six
Brooksville, FL 34605-0006
Ph : (904) 796-7241

Please contact me or Dr. Koogler with any questions you may have on this request. Your attention to this matter is appreciated.

Sincerely,



D. Anetha Lue, P.E.
Manager, Air Permitting



Enclosure - WTDF Test Protocol

MEMORANDUM

REC
Date: 8/23/92

AUG 31 1992

Division of Air
Resources Management

From: ANETHA LUE

To: BRUCE MITCHELL

AN ORIGINAL SEALED COPY OF
THE REQUEST FOR FM & M WTRF
PROJECT IS ATTACHED.

THANIS

al



August 17, 1992

RECEIVED
AUG 18 1992
Division of Air
Resources Management

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

Re : Southdown Inc. (d/b/a Florida Mining & Materials)
Request for Permit Amendment to Allow Use of Whole Tire Derived Fuel in
Kiln No. 1
Request for Permit to Conduct Whole Tire Derived Fuel Test Burn in Kiln
No. 1

Dear Bruce:

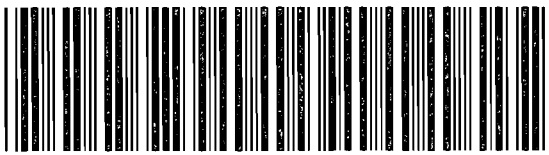



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Southdown Inc. is requesting that FDER amend the construction and operating permits for Kiln No.1 (AC27-186923, and AO27-213207) to allow the use of WTDF as a supplemental fuel in the kilns. This request is based on the anticipation of no increases in air pollutant emissions from present levels while using WTDF on the kiln. Thus, Southdown is requesting that FDER grant the requested permit amendment with the requirement for emissions testing on Kiln No.1. Emission testing on the kiln will be conducted for the purpose of documenting that the firing of WTDF does not result in increases in air pollutant emissions.

A copy of the proposed air emissions testing protocol for the kiln is attached. The test protocol proposes test procedures, a testing schedule and a schedule for reviewing the information generated during the test. It is hoped that this proposal will meet with the approval of FDER, Hernando County Board of County Commissioners, and the Hernando County Citizens Advisory Committee and that comments will be readily forthcoming on any items of concern.

0078 6616 664	REFERENCE NUMBER CORPORATE ENVIRONMENTAL
	NAME TELEPHONE ANETHA LUE 713-650-0200
	COMPANY SOUTHDOWN
	STREET ADDRESS 1200 SMITH #2400
	CITY STATE ZIP CODE HOUSTON TX 77002
	NAME TELEPHONE MR. BRUCE MITCHELL
	COMPANY FLA. DEPT. OF ENVIR. REG.
	STREET ADDRESS DEPT./FLOOR 2600 BLAIR STONE ROAD
	CITY STATE ZIP CODE TALLAHASSEE FL

UPS SHIPPER NUMBER N770-X76	
TRACKING NO. 0078 6616 664	
	
TIME	DRIVER PLEASE PRINT RECEIVER'S FIRST INITIAL LAST NAME
REMARKS	
  	

The Hernando County Board of County Commissioners is being requested to forward any comments they (and the county residents) may have on this request to the FDER within 21 days. Hernando County Citizens Advisory Committee is requested to forward their comments to the County Commissioners within 14 days (this committee was provided with the first draft of the test protocol in June, 1992).

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Please contact me or Dr. Koogler with any questions you may have on this request. Your attention to this matter is appreciated.

Sincerely,



D. Anetha Lue, P.E.
Manager, Air Permitting

Enclosure - WTDF Test Protocol

cc: Mr. Arne Adolfson, Hernando County Citizens Advisory Committee
Mr. David Dee, Carlton Fields et al
Mr. Charles Hetrick, Hernando County Commission
Mr. Don Kelly, Florida Mining & Materials
Dr. John Koogler, Koogler & Associates
Ms. Katherine Lile, Hernando County Commission

B. Mitchell
B. Thomas, SW Dist.
G. Harper, EPA
C. Shauer, NPS
CHF/PL

} 8-19-92

**PERFORMANCE TEST PROTOCOL
FOR WHOLE-TIRE-DERIVED-FUEL**

SOUTHDOWN, INC.

BROOKSVILLE, FLORIDA

AUGUST 17, 1992

**FOR
THE DEPARTMENT OF ENVIRONMENTAL REGULATION
STATE OF FLORIDA**

INTRODUCTION

Southdown, Inc., doing business as Florida Mining & Materials (FM&M), operates two dry process cement kilns at its Brooksville facility off U.S. Highway 98 in Hernando County, Florida. Southdown originally requested approval from the Florida Department of Environmental Regulation (FDER) to burn whole-tire-derived-fuel (WTDF) and on-specification used oil with coal in Nos. 1 and 2 Cement Kilns. The scope of this request has since been reduced to the burning of WTDF as proposed in the following test protocol.

The usage of WTDF at a maximum of 20% of the heat input to the kiln is proposed for Kiln 1 while the remaining heat input is to be provided by coal. The maximum allowable heat input to the kiln is 300 million British Thermal Units per hour (MMBTU/HR). This test protocol sets forth the emission measurements and cement plant monitoring that will be conducted while burning WTDF in kiln #1.

TEST OBJECTIVE

The objectives of this test are to show that there is no substantial change in the emissions to the environment while burning WTDF to supplement coal as a fuel in the kiln, and that the quality of the clinker produced is maintained. The test will be conducted under two conditions shown in TABLE 1 below:

TABLE 1
PROPOSED PERFORMANCE TEST MATRIX KILNS #1 & #2

	CONDITION 1	CONDITION 2
Coal (% of heat input)	100	≥ 80
Whole Tires (% of heat input)	0	≤ 20
Tires Per Minute	0	≤ 4

PROPOSED TEST DATE

This emission test has tentatively been scheduled to start on September 28, 1992 and conclude by November 2, 1992. The testing schedule (which is presented later in this test protocol) will be coordinated with FDER. The Hernando County Commissioners and the Citizens Advisory Committee will be kept informed of the testing schedule.

EMISSION TESTING CONSULTANT

Koogler & Associates from Gainesville, Florida has been contracted to provide technical support in terms of the Emission Test Plan development, emissions testing, project management and oversight of sampling and analytical activities.

FACILITY DESCRIPTION

The cement plant consists of two dry process rotary cement kiln systems, two raw mills, three cement finish milling systems and numerous storage and blending silo facilities.

The raw materials used to manufacture clinker include limestone, sand and flyash. These materials are accurately metered to two pre-mixing bins prior to introduction to the raw mills. The mills dry and grind the raw materials to a fineness that is suitable for feedstock for the rotary kiln systems. The raw mill product is transported to raw meal blending silos where it is further mixed to assure physical and chemical consistency in the kiln feed stocks. The raw meal is then metered to the rotary kiln systems at a net feed rate of 130 tons per hour for each kiln (see Table 2). In the rotary kilns, the raw meal is heated to temperatures exceeding 2600 °F which results in the production of Portland cement clinker. The clinker is cooled and subsequently transported to the finish milling where it is mixed with gypsum, for final processing into Portland cement. The finished product is stored in large silos. It is shipped offsite by truck or rail cars in bulk or in bags.

Permit AO27-213207 has been issued for the operation of Kiln #1. The permit limits the emissions from the stack. The kiln exhaust gasses are used to pre-heat incoming raw feed prior to being cleaned in a baghouse. The preheating process takes place in a modified Gepol design preheater which features four cyclones, a vortex vessel and two venturi sections. After being cleaned in the baghouse the gasses from the kiln exits the process through the primary kiln stack.

Coal is the primary fuel for both kilns. The kilns are also permitted to use No. 6 Oil as a back-up fuel and re-refined oil as a fuel supplement. Finely pulverized coal is fired in the front end of the kiln (this is the end where the clinker is discharged). Liquid fuel, when it is used, is also fired in the front end of the kiln. However, WTDF will be introduced in the back end of the kiln through a double air lock. Permit AO27-213207 for Kiln #1 specifies a maximum heat input rate to the kiln, of 300 million British Thermal Units (MMBTU) per hour. The heating values of the fuels to be used are shown in Table 3.

TABLE 2
PROCESS DATA FOR CEMENT KILN #1

	KILN #1
Max Raw Feed to Preheater, TPH	145
Kiln Feed Rate TPH	130
Maximum Heat Input Rate MMBTU/HR	300

TABLE 3
TYPICAL HEATING VALUE OF THE FUELS

	HEATING VALUE
COAL	12,500 BTU/LB (approx.)
TIRE-DERIVED-FUEL	14,000 BTU/LB (approx.)

Operation of the entire plant is achieved from a central location. Kiln system specific instrumentation features kiln shell radiation scanners and closed circuit TV monitors for observation of the kiln burning zone. Opacity of the exhaust gases is continuously monitored by Lear Seigler monitors located in the main stacks and recorded on strip chart recorders.

A complete on-site laboratory exists for the analysis of raw materials, clinker and cement. This facility includes an X-Ray Fluorescence System, wet chemistry laboratory, atomic absorption flame photometry instruments, and a cement physical testing laboratory.

EXISTING PERMITTED EMISSION LIMITS

TABLE 4
PERMITTED EMISSION LIMITS KILN #1

	KILN #1
Permits	AO27-213207
Particulate Matter PM	39 lb/hr
Oxides Of Nitrogen NO _x	NA
Sulfur Dioxide SO ₂	NA
Carbon Monoxide CO	NA
Volatile Organic Compounds VOC	NA
Opacity	20%

TEST SCOPE

The scope of the test will be to:

- 1 Measure the emissions while burning coal only (Condition 1, Table 1) to establish baseline emissions, and then measure the emissions while burning coal and WTDF (Condition 2, Table 1). Each test condition will consist of three replicate test runs with each test run being two hours in duration.
- 2 Assure that the quality of the clinker produced during Condition 2 (Coal and WTDF) will meet the standards for the production of Portland Cement.

During testing on each kiln operating data will be collected under the supervision of Koogler & Associates to document operating conditions. This data is shown in Table 5 conditions.

**TABLE 5
OPERATING DATA**

PARAMETER	UNITS
Coal Feed Rate	TPH
WTDF Feed Rate	TPH
Preheater Feed Rate	TPH
Preheater Exit Gas Temperature	°F
Kiln Feed Inlet Gas Temperature	°F
Kiln Exit Gas Oxygen	%
Stack Gas Opacity	%

Stack gas sampling for the kiln will be conducted under Conditions 1 and 2 in accordance with the EPA Methods listed in Table 6. The matrix of analyses to be performed is shown in Table 7.

TABLE 6
STACK GAS SAMPLING TEST METHODS

ITEM	EPA SAMPLING METHOD
Oxides of Nitrogen	7E
Carbon Monoxide	10
Volatile Organic Compounds	25A
Carbon Dioxide And Oxygen	EPA Method 3/3A
Particulate Matter	Front Half - Multi-Metals Train Method SW846-0012
Stack Gas Flow/Moisture/Temperature	2 & 4 in Conjunction With 4 Particular Matter Testing
Visible Emissions	9
Benzene	VOST - SW846-0030
Metals: Arsenic Chromium (Total) Lead Mercury Zinc	Multi - Metals Train Method SW846-0012

The determination of the concentrations of the parameters listed in Table 5 will be accomplished by averaging the results of three replicate runs. Each test run will be two hours in duration (except for Method 9 which will be 1-hour in duration).

During the time period when emission measurements are being conducted, samples of the raw feed stock (to the preheater), clinker, and fuel will be collected by Koogler & Associates personnel for the following analyses.

TABLE 7
ANALYSES TO BE PERFORMED

	Raw Feed	Clinker	Coal	WTDF
Heating Value	NA	NA	X	X
Chromium	X	X	X	X
Lead	X	X	X	X
Mercury	X	X	X	X
Arsenic	X	X	X	X
Zinc	X	X	X	X

TESTING SCHEDULE

Testing is tentatively scheduled to begin on September 28, 1992. As outlined below, the testing is expected to require a minimum of 25 days to complete. Testing will be conducted using TDF prior to collecting data on 100% coal to allow the tire feed system to be tested simultaneous with the stabilization of the kiln on tires.

Day 1 - 14	Test tire feed system. Stabilize Kiln #1 on WTDF and coal.
Day 15	Set up test equipment.
Day 16 & 17	Conduct Emission Testing While Burning Coal & WTDF
Day 18 - 22	Stabilize Kiln #1 on 100% Coal ¹ . Test preparation.
Day 23 & 24	Conduct Emission Testing While Burning 100% Coal
Day 25	Testing Complete

¹ Extra time allowed for this activity to avoid testing on weekend. Two days are sufficient to stabilize kiln on coal.

Should problems with equipment develop during testing, additional time may be required during any of the steps shown above. Should delays occur, these delays will in no way affect the validity of the completed runs or the overall performance test program.

On Day 16 and 17 testing will be performed at or near the maximum proposed tire input rate (20%). However, should air emissions data indicate changes in emissions above values previously anticipated, additional testing will be conducted under Condition 2 at a reduced tire feed rate (approximately 10 to 15% of maximum heat input).

Thus to allow for possible problems with equipment malfunction, and or having to conduct additional testing while burning coal and WTDF, a total of 35 days is being specified as the test period.

FDER, Hernando County, and the Citizens Advisory Committee will be kept informed of any changes in the testing schedule outlined above.

EVALUATION OF DATA

- * The operating data from the kiln while feeding WTDF and while feeding 100% coal will be monitored to demonstrate similar operation of the kilns during both conditions. The clinker quality will also be determined under both test conditions to verify the production of Portland Cement grade clinker.
- * The average emission rates of the air pollutants monitored while feeding WTDF and while feeding 100% coal will then be compared, for each kiln, in order to document air impacts for the two test conditions. 40CFR60 Appendix C is the method of choice for statistical evaluation of this data.
- * A report detailing all operational, sampling and analytical data and conclusions will be forwarded to FDER, Hernando County Commissioners and the Citizens Advisory Committee by Southdown once a final copy of the test results have been received.
- * An evaluation of the test results by the Citizens Advisory Committee shall be forwarded to FDER and Hernando County Commissioners within 15 days of receipt of the test results. Similarly, an evaluation of operating impacts by the Hernando County Commissioners shall be forwarded to FDER within 20 days of their receipt of the test results.
- * Should the results demonstrate no increase in emissions (as defined by 40CFR60 Appendix C), the conditions for issuance of a permit amendment will have been satisfied. If the results demonstrate an increase in emissions, within the limits permitted by FDER, additional evaluation of the data and or a permit modification request will be forwarded to FDER by Southdown.

BEST AVAILABLE COPY

CARLTON, FIELDS, WARD, EMMANUEL, SMITH & CUTLER, P. A.

ATTORNEYS AT LAW

ONE HARBOUR PLACE P.O. BOX 3239 TAMPA, FLORIDA 33601 (813) 223-7000 FAX (813) 229-4133	FIRSTSTATE TOWER P.O. BOX 1171 ORLANDO, FLORIDA 32802 (407) 849-0300 FAX (407) 648-9099	HARBOURVIEW BUILDING P.O. BOX 12426 PENSACOLA, FLORIDA 32582 (904) 434-0142 FAX (904) 434-5366	FIRST FLORIDA BANK BUILDING P.O. DRAWER 190 TALLAHASSEE, FLORIDA 32302 (904) 224-1585 FAX (904) 222-0398	ESPERANTE P.O. BOX 150 WEST PALM BEACH, FLORIDA 33402 (407) 659-7070 FAX (407) 659-7368	BARNETT TOWER P.O. BOX 2861 ST. PETERSBURG, FLORIDA 33731 (813) 821-7000 FAX (813) 822-3768
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PLEASE REPLY TO :

August 13, 1992

Tallahassee

RECEIVED RECEIVED

AUG 1 1992

AUG 13 1992

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

Division of Air
 Resources Management

Division of Air
 Resources Management

Dear Mr. Mitchell:

As you know, Southdown, Inc., is doing business in Brooksville, Florida as Florida Mining & Materials (FMM). This law firm is assisting Southdown with its efforts to obtain approval from the Florida Department of Environmental Regulation (DER) to burn whole tire derived fuel (WTDF) in the two cement kilns at the FMM facility in Brooksville. On behalf of Southdown, we are sending you this letter to confirm our understanding about the matters we discussed with you during our recent telephone conversation.

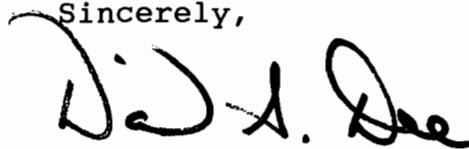
In the very near future Southdown will submit a test protocol to DER, Hernando County, and the Hernando County Citizen's Advisory Committee for a proposed test where WTDF will be used to supplement the coal in Southdown's kilns. In the interim, Southdown would like to construct a conveyor system that Southdown can use for its test program. Southdown wants to begin construction of the conveyor system immediately so that it will be ready to use by the time Southdown receives final DER approval for the test with WTDF.

It is our understanding that Southdown may lawfully build the conveyor, but tires cannot be burned until Southdown receives final DER authorization to proceed with the test program. The conveyor itself is not a "source" of pollution and, therefore, the construction of the conveyor is not subject to DER permitting requirements.

Bruce Mitchell
Page Two
August 13, 1992

Southdown wants to be sure that it fully complies with all of the applicable DER requirements. Accordingly, we would greatly appreciate it if the Department would confirm to us in writing that our understanding about these issues is correct. Thank you in advance for your assistance with this matter.

Sincerely,



David S. Dee

cc: Anetha Lue
Doug Beason

Bruce Mitchell }
CHF/PL } 8-17-92 PRM
BIM Thomas, SWD }
Charles Hetrick, HCRCC } 8-17-92 PRM
Lawrence Jennings }
Kathy Wiles }

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AC# 1810534 STATE OF FLORIDA
 DEPARTMENT OF PROFESSIONAL REGULATION
 BOARD OF PROFESSIONAL ENGINEERS

ISSUE DATE	VICINITY	NUMBER
06/05/92	PE 0045301	07462

THE PROFESSIONAL ENGINEER REG.
 NAMED BELOW HAS REGISTERED
 UNDER THE PROVISIONS OF CHAPTER 471 F.S. FOR THE YEAR
 EXPIRING FEB 28, 1993

LUC BOREN AMETRA
 13912 HAMPTON VILLAGE DRIVE
 TAMPA FL 33613

Lawton Chiles
 LAWTON CHILES
 GOVERNOR

DISPLAY IN A CONSPICUOUS PLACE

George Bryant, Jr.
 GEORGE BRYANT, JR.
 REGISTERED P.E.



ENVIRONMENTAL AFFAIRS DEPARTMENT
Telecopy Number (713) 653-8567

High Priority _____ Medium Priority Normal Priority _____

DATE: 8/12/92

TOTAL PAGES: 2

TO: Bruce Mitchell

AT: DEK

FAX NO: _____

FROM: FINETHA LUC

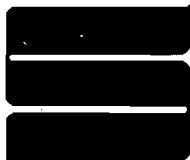
If problems occur during transmisslon, please phone (713) 650-6200.

MESSAGE: Requested P.E. LEGISLATION ATTACHED

The information contained in this facsimile message is intended only for the personal and confidential use of the designated recipient(s) named above. If the reader of this message is not the intended recipient(s) or an agent responsible for delivering it to the intended recipient(s), you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone and return the original message to us by mail. Thank you.

Environmental Affairs Group: Barbara R. Berardi / Phil Bronson / Leslie M. Cook / Lillian F. DePrimo / Amarjit ("Jeet") S. Gill / Daniel W. Heintz / Linda Ingram / Janet Krolczyk / Beth Panuska / Phillip W. Sadowski / Carl Staszak / Mike A. Tilton

Edgar J. Marston III
EXECUTIVE VICE PRESIDENT
AND GENERAL COUNSEL



Path

RECEIVED

APR 13 1992

Division of Air
Resources Management

April 9, 1992

Mr. C. H. Fancy, P.E., Chief
Bureau of Air Regulation
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Letter of Authorization

Dear Mr. Fancy:

Please be advised that Mr. Don Kelly, Plant Manager for Florida Mining and Materials' (FM&M) Brooksville facility, is hereby authorized to sign environmental permit applications and other related correspondence on behalf of Southdown, Inc.

Sincerely,

Edgar J. Marston III

li

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS
123 SOUTH CALHOUN STREET
POST OFFICE BOX 6526
TALLAHASSEE, FLORIDA 32314
(904) 222-7500
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CARLOS ALVAREZ
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RICHARD S. BRIGHTMAN
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THOMAS M. DEROSE
WILLIAM H. GREEN
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RICHARD D. MELSON
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CAROLYN S. RAEPPLE
GARY P. SAMS
ROBERT P. SMITH
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CHARLES A. CULP
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JAMES C. GOODLETT
RICHARD W. MOORE
ANGELA R. MORRISON
MARIBEL N. NICHOLSON
LAURA BOYD PEARCE
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
JULIE B. ROME
KRISTIN C. RUBIN
CECELIA C. SMITH
OF COUNSEL
W. ROBERT FOKES

February 28, 1992

BY HAND DELIVERY

Carol M. Browner, Secretary
c/o Office of General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Re: Florida Mining & Materials
Brooksville Cement Plant Kilns No. 1 and 2
Permits No. AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Secretary Browner:

On April 15, 1991, Florida Mining & Materials ("FMM") received the Department's Notice of Intent to amend the referenced air construction permits to authorize performance testing of Kilns No. 1 and 2 with tire derived fuel and/or used oil at its Brooksville Cement Plant located in Hernando County, Florida. Pursuant to your Order dated February 7, 1992, FMM has until February 28, 1992 to file a petition for administrative proceedings regarding the permits.

I am writing on behalf of FMM to request an extension of sixty (60) additional days, to and including April 28, 1992, in which to file a petition for administrative proceedings regarding the permits. This request is made pursuant to Florida Administrative Code Rule 17-103.070, which provides that a timely request for extension of time shall toll the running of the time period in which to file an appropriate petition. As good cause for granting the requested extension of time for filing, FMM would show the following:

1. As proposed, the amended permits contain fourteen specific conditions that would establish various requirements applicable to performance testing and related matters.

Carol M. Browner, Secretary
February 28, 1992
Page 2

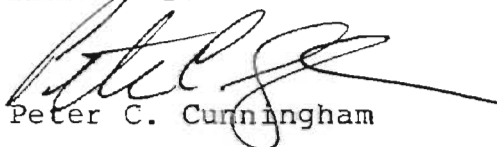
2. FMM understands that Hernando County Board of County Commissioners is interested in the proposed permit amendments. Additional discussions with representatives of Hernando County are anticipated, in conjunction with the Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at FMM's Brooksville Cement Plant.

3. This request is filed as a protective measure to avoid waiver of FMM's rights to challenge the permit amendments as proposed. Grant of this request will allow all interested parties an opportunity to discuss the pertinent permit provisions and to achieve a mutually acceptable resolution of points in need of clarification or correction, without the initiation of formal administrative proceedings.

I hereby certify that I have contacted Bruce Mitchell, of the Department's Bureau of Air Regulation, regarding this matter and that he does not object to the grant of this request.

Accordingly, I respectfully request that you formally extend the time for filing of a petition for administrative proceedings in regard to the Department's Notice of Intent to revise air construction permits No. AC 27-173474, AC 27-186923 and PSD-FL-124B to and including April 28, 1992.

Sincerely,



Peter C. Cunningham

FlMinExt:gbb

cc: Clair Fancy, P.E.
Bruce Mitchell
W. Douglas Beason, Esquire
Segundo Fernandez, Esquire
Don Kelly
Diane Schenke, Esquire



Brooksville Cement

A Southdown Company

January 22, 1992

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

RE: Southdown, Inc. d/b/a Florida Mining & Materials
Publication of Notice of Intent to Issue Amendment to Permit
#AO27-213207

Dear Mr. Mitchell:

Florida's Department of Environmental Regulation's notice of its intent to issue an amendment to the operation permit, No. AO 27-213207, authorizing performance tests while firing whole tires with coal in the No. 1 cement kiln, has been published in the Hernando County section of the Tampa Tribune. Notice of Intent was received on December 21, 1992 and published on January 15, 1993. This fulfills the requirement to publish the Notice of Intent to Issue within the thirty (30) day period.

A copy of this Notice and a receipt are attached.

If further action is required in regards to issuance of this Permit, please do not hesitate to contact me.

Sincerely,

Don B. Kelly,
Plant Manager

Bruce Mitchell 1-28-93 RA
Bill Thomas, SWD } 1-28-93 RA
Charles Hetrick, HCBCC }

DBK/sd
Attachment
RR# P 237 527 238

RECEIVED

JAN 28 1993

DIVISION of Air
resources Management

Southdown, Inc.
P.O. Box 6 • Brooksville, Florida 34605-0006
(904) 796-7241 • Fax: (904) 754-9836

THE TAMPA TRIBUNE
 Published Daily
 Tampa, Hillsborough County, Florida

State of Florida }
 County of Hillsborough } ss.

Before the undersigned authority personally appeared R. Putney, who on oath says that he is Accounting 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 HERNANDO

in the matter of

STATE OF FLORIDA

was published in said newspaper in the issues of

JANUARY 15, 1993

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 he 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.

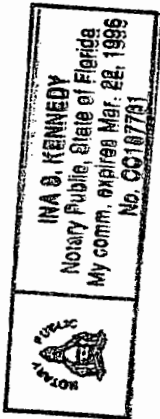
R. Putney

Sworn to and subscribed before me, this 15 day

JANUARY A.D. 1993

Imas Kennedy

(SEAL)



STATE OF FLORIDA
 DEPARTMENT OF
 ENVIRONMENTAL
 REGULATION
 NOTICE OF INTENT TO ISSUE

SOUTHDOWN, INC.
 dba FLORIDA MINING
 & MATERIALS

Amendment to AO 27-213207

The Department of Environmental Regulation (Department) hereby gives notice of its intent to issue to Southdown, Inc. dba Florida Mining & Materials (FM&M) an amendment to the operation permit, No. AC 27-213207, authorizing performance tests for pollutant emissions while firing whole tires with coal in the facility's No. 1 cement kiln, as detailed in the application package. The Department is issuing this intent to issue for the reasons stated below and in the proposed amendment.

The applicant, FM&M, Post Office Box 6, Brooksville, Florida 34605-0006, submitted a request on August 18, 1992, to the Department's Bureau of Air Regulation (BAR) for authorization to conduct pollutant emissions tests on the cement kiln while firing whole tires with coal in the facility's No. 1 cement kiln. The performance tests for pollutant emissions will be conducted at baseline conditions (100% coal) and while firing whole tires at a maximum feed rate of 20.0% of the total Etu heat input, or 2.14 tons per hour (tire derived fuel @ 14,000 Btu/lb). The permitted maximum heat input is 300 MMBtu/hr. The cement kiln was permitted under the construction permit, No. AC 27-186923, and is not permitted to fire whole tires in accordance with the referenced permit.

Screening for a modification and Prevention of Significance (PSD) will be in accordance with Chapter 403, Florida Statutes (F.S.); Florida Administrative Code (F.A.C.) Chapters 17-210 thru 17-297, and 17-4; and, Title 40 Code of Federal Regulations (CFR; July, 1991 version).

If, after the performance test results are evaluated by the Department's BAR and affected parties (i.e., Department's Southwest District, U.S. EPA, National Park Service, Hernando County, etc.) and it is determined that actual pollutant emissions (baseline @ 100% coal vs. whole tire-coal combination) did not increase, then an amendment to the operation permit, No. AC 27-213207, will be issued with certain Specific Conditions authorizing continuous firing of whole tires with coal

in the source. However, if there is an actual emissions increase in pollutant emissions, FM&M will not be permitted to fire whole tires in the source without further evaluation by the Department's BAR and involved parties.

The proposed project will occur at the applicant's facility located off U.S. Highway 98 NW of Brooksville, Hernando County, Florida.

The Department has permitting jurisdiction under Chapter 403, F.S.; F.A.C. Chapters 17-210 thru 17-297, and 17-4; and, 40 CFR (July, 1991 version). The project is not exempt from permitting procedures. The Department has determined that a permit amendment is required for the proposed activity.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel at the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner

er contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the

Department with regard to the request/application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The request/application are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of
 Environmental Regulation
 Bureau of Air Regulation
 2600 Blair Stone Road
 Tallahassee, Florida
 32399-2400

Department of
 Environmental Regulation
 Southwest District Office
 3804 Coconut Palm Drive
 Tampa, Florida 33619-8218

Hernando County Board of
 County Commission
 20 North Main Street
 Room 460
 Brooksville, Florida 34601

Any person may send written comments on the proposed action to Mr. Preston Lewis at the Department's Tallahassee address. All comments received with 14 days of the publication of this notice will be considered in the Department's final determination.

BV1291

1/15/93



Brooksville Cement

A Southdown Company

January 4, 1992

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

RE: Southdown, Inc. d/b/a Florida Mining & Materials
Publication of Notice of Intent to Issue Amendment to Permit
#AO27-213207

Dear Mr. Mitchell:

Florida's Department of Environmental Regulation's notice of its intent to issue an amendment to the operation permit, No. AO 27-213207, authorizing performance tests while firing whole tires with coal in the No. 1 cement kiln, has been published in the Hernando County section of the Tampa Tribune. Notice of Intent was received on December 21, 1992 and published on December 30, 1992. This fulfills the requirement to publish the Notice of Intent to Issue within the thirty (30) day period.

A copy of this Notice and a receipt are attached.

If further action is required in regards to issuance of this Permit, please do not hesitate to contact me.

Sincerely,

Don B. Kelly,
Plant Manager

RECEIVED

JAN 08 1993

Division of Air
Resources Management

DBK/sd
Attachment
RR# P 237 527 237

*1-12-93 - Bruce Mitchell
spoke to Pradeep
Raval, K&A. They
will re-publish*

Southdown, Inc.
P.O. Box 6 • Brooksville, Florida 34605-0006
(904) 796-7241 • Fax: (904) 754-9836

THE TAMPA TRIBUNE

Published Daily
Tampa, Hillsborough County, Florida

State of Florida
County of Hillsborough

Before the undersigned authority personally appeared
R. Putney, who on oath says that he is Accounting Manager of The Tampa
Tribune, a daily newspaper published at Tampa in Hillsborough County, Flori-
da; that the attached copy of advertisement being a

LEGAL NOTICE PASCO, HERNANDO, CITRUS

in the matter of

BEFORE THE STATE OF FLORIDA

was published in said newspaper in the issues of

DECEMBER 30, 1992

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 here-
tofore 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 pub-
lication of the attached copy of advertisement; and affiant further says that he has
neither paid nor promised any person, firm, or corporation any discount, rebate, com-
mission or refund for the purpose of securing this advertisement for publication in the
said newspaper.

[Signature of R. Putney]

Sworn to and subscribed before me, this 30 day

of DECEMBER A.D. 19 92

[Signature of Ina S. Kennedy]

(SEAL)

INA S. KENNEDY
Notary Public, State of Florida
My comm. expires Mar. 22, 1996
No. CC187731



BEFORE THE
STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
REGULATION

DER File No. AO 27-213207
In the Matter of
Application for Permit
Amendment by:

Southdown, Inc. dba FM&M
P.D. Box 6
Brooksville, Florida 34605-0006

INTENT TO ISSUE

The Department of Environ-
mental Regulation (Depart-
ment) hereby gives notice of
its intent to issue to South-
down, Inc. dba Florida Mining
& Materials (FM&M) an
amendment to the operation
permit, No. AO 27-213207, au-
thorizing performance tests
for pollutant emissions while
firing whole tires with coal in
the facility's No. 1 cement kiln,
as detailed in the application
package specified above. The
Department is issuing this in-
tent to issue for the reasons
stated below and in the at-
tached proposed amendment.

The applicant, FM&M, sub-
mitted a request on August 18,
1992, to the Department's Bu-
reau of Air Regulation (BAR)
for authorization to conduct
pollutant emissions tests on
the cement kiln while firing
whole tires with coal in the
facility's No. 1 cement kiln.
The performance tests for
pollutant emissions will be
conducted at baseline condi-
tions (100% coal) and while
firing whole tires at a maxi-
mum feed rate of 20.0% of the
total Btu heat input, or 2.14
tons per hour (tire derived fuel
@ 14,000 Btu/lb). The permit-
ted maximum heat input is
300 MMbtu/hr. The cement
kiln was permitted under the
construction permit, No. AC
27-186923, and is not permit-
ted to fire whole tires in ac-
cordance with the referenced
permit.

Screening for a modification
and Prevention of Significa-
tion (PSD) will be in ac-
cordance with Chapter 403, Flori-
da Statutes (F.S.); Florida Ad-
ministrative Code (F.A.C.)
Chapters 17-210 thru 17-297,
and 17-4; and, Title 40 Code of
Federal Regulations (CFR; Ju-
ly, 1991 version).

If, after the performance
test results are evaluated by
the Department's BAR and af-
fected parties (i.e., Depart-
ment's Southwest District,
U.S. EPA, National Park Ser-
vice, Hernando County, etc.)
and it is determined that actu-
al pollutant emissions (base-
line @ 100% coal vs. whole
tire-coal combination) did not

increase significantly (see Ta-
ble 17-212.400-2), then an
amendment to the operation
permit, No. AC 27-213207, will
be issued with certain Specific
Conditions authorizing contin-
uous utilization/firing of
whole tires with coal in the
source. However, if there is an
actual significant emissions
increase in pollutant emis-
sions, FM&M will not be per-
mitted to utilize/fire whole
tires in the source without fur-
ther evaluation by the Depart-
ment's BAR and involved par-
ties.

The proposed project will
occur at the applicant's facil-
ity located off U.S. Highway 98
NW of Brooksville, Hernando
County, Florida.

The Department has per-
mitting jurisdiction under
Chapter 403, F.S.; F.A.C. Chap-
ters 17-210 thru 17-297, and
17-4; and, 40 CFR (July, 1991
version). The project is not
exempt from permitting pro-
cedures. The Department has
determined that a permit
amendment is required for
the proposed activity.

Pursuant to Section 403.815,
F.S. and DER Rule 17-103.150,
F.A.C., you (the applicant) are
required to publish at your
own expense the enclosed No-
tice of Intent to Issue a Permit
Amendment. The notice shall
be published one time only
within 30 days, in the legal ad-
dition of a newspaper of
general circulation in the area
affected. For the purpose of
this rule, "publication in a
newspaper of general circula-
tion in the area affected"
means publication in a news-
paper meeting the require-
ments of Sections 50.011 and
50.031, F.S., in the county
where the activity is to take
place. Where there is more

than one newspaper of gener-
al circulation in the county,
the newspaper used must be
the one with significant cir-
culation in the area that may be
affected by the permitting ac-
tion. If you are uncertain that
a newspaper meets these re-
quirements, please contact
the Department at the ad-
dress or telephone number
listed below. The applicant
shall provide proof of publica-
tion to the Department's Bu-
reau of Air Regulation, 2600
Blair Stone Road, Tallahassee,
Florida 32399-2400, within sev-
en days of publication. Failure
to publish the notice and pro-
vide proof of publication with-
in the allotted time may result
in the denial of the amend-
ment.

The Department will issue
the permit amendment with
the attached conditions unless
a petition for an adminis-
trative proceeding (hearing) is
filed pursuant to the provi-
sions of Section 120.57, F.S.

A person whose substantial
interests are affected by the
Department's proposed per-
mitting decision may petition
for an administrative pro-

ceeding (hearing) in accor-
dance with Section 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 at 2600
Blair Stone Road, Tallahassee,
Florida 32399-2400. Petitions
filed by the permit amend-
ment applicant and the parties
listed below must be filed
with 14 days of receipt of this
intent. Petitions filed by other
persons must be filed within
14 days of publication of the
public notice or within 14 days
of receipt of this intent,
whichever first occurs. Peti-
tioner shall mail a copy of the
petition to the applicant at the
address indicated above at the
time of filing. Failure to
file a petition within this time
period shall constitute a waiver
of any right such person
may have to request an ad-
ministrative determination
(hearing) under Section
120.57, F.S.

The Petition shall contain
the following information:
(a) The name, address, and
telephone number of each
petitioner; the applicant's
name and address, the De-
partment Permit File Num-
ber and the county in
which the project is pro-
posed;
(b) A statement of how and
when each petitioner re-
ceived notice of the Depart-
ment's action or proposed
action;

(c) A statement of how
each petitioner's substan-
tial interests are affected
by the Department's action
or proposed action;

(d) A statement of the ma-
terial facts disputed by Pe-
titioner, if any;
(e) A statement of facts
which petitioner contends
warrant reversal or modifi-
cation of the Department's
action or proposed action;

(f) A statement of which
rules or statutes petitioner
contends require reversal
or modification of the De-
partment's action or pro-
posed action; and,
(g) A statement of the relief
sought by petitioner, stat-
ing precisely the action pe-
titioner wants the Depart-
ment to take with respect
to the Department's action
or proposed action.

If a petition is filed, the admin-
istrative hearing process is
designed to formulate agen-
cy action. Accordingly, the
Department's final action
may be different from the
position taken by it in this
notice. Persons whose sub-
stantial interests will be af-
fected by any decision of the
Department with regard to
the request/application have

the right to petition to be-
come a party to the proceed-
ing. The petition must con-
form to the requirements
specified above and be filed
(received) within 14 days of
publication of this notice in
the Office in General Counsel
at the above address of the
Department. Failure to peti-
tion within the allowed time
frame constitutes a waiver
of any right such person has
to request a hearing under
Section 120.57, F.S., and to
participate as a party to this
proceeding. Any subsequent
intervention will only be at
the approval of the presiding
officer upon motion filed
pursuant to Rule 28-5.207,
F.A.C.

Executed in Tallahassee, Flori-
da.

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
REGULATION

C.H. Fancy, P.E.
Chief

Bureau of Air Regulation
BV 1284 12/30/92

I N T E R O F F I C E M E M O R A N D U M

Date: 31-Dec-1991 11:35am EST
From: Iris Littleton (TAL)
LITTLETON_I
Dept: Office General Counsel
Tel No: 904/488-9730

TO: Remote Addressee (REVELL,DUANE)
CC: Janet Llewellyn (TAL) (LLEWELLYN_J)
CC: Pat Manning (TAL) (MANNING_P)
Subject: New OGC Case Assignments

TO: Duane Revell
FROM: Iris - OGC - Tallahassee

Received 12/26/91 request for an Administrative Hearing from Michael E. Savastio against intent to issue dredge and fill permit 52-176846-9 to Pinellas County.

Received 12/30/91 request for an Extension of Time from Florida Mining & Materials/Brooksville Cement Plant permits AC27-173474 and AC27-186923.

cc: B. Mitchell

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET

POST OFFICE BOX 8526

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. D'ROSE
WILLIAM H. GREEN
WADE L. HOPPING
FRANK E. MATTHEWS
RICHARD D. MELSON
WILLIAM D. PRESTON
CAROLYN S. RAEPPEL
GARY P. SAMS
ROBERT P. SMITH, JR.
CHERYL G. STUART

RICHARD W. MOORE
ANGELA R. MORRISON
MIRBEL N. NICHOLSON
DIANA M. PARKER
LAURA BOYD PEARCE
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH

RECEIVED

OCT 30 1991

Division of Air Resources Management
OF COUNSEL
ROBERT FOXES

October 29, 1991

BY HAND DELIVERY

Carol M. Browner, Secretary
c/o Office of General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Re: Florida Mining & Materials
Brooksville Cement Plant Kilns No. 1 and 2
Permits No. AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Secretary Browner:

On April 15, 1991, Florida Mining & Materials ("FMM") received the Department's Notice of Intent to amend the referenced air construction permits to authorize performance testing of Kilns No. 1 and 2 with tire derived fuel and/or used oil at its Brooksville Cement Plant located in Hernando County, Florida. Pursuant to your Order dated September 9, 1991, FMM has until October 29, 1991 to file a petition for administrative proceedings regarding the permits.

I am writing on behalf of FMM to request an extension of sixty-two (62) additional days, to and including December 30, 1991, in which to file a petition for administrative proceedings regarding the permits. This request is made pursuant to Florida Administrative Code Rule 17-103.070, which provides that a timely request for extension of time shall toll the running of the time period in which to file an appropriate petition. As good cause for granting the requested extension of time for filing, FMM would show the following:

1. As proposed, the amended permits contain fourteen specific conditions that would establish various requirements applicable to performance testing and related matters.

Carol M. Browner, Secretary
October 29, 1991
Page 2

2. FMM understands that Hernando County Board of County Commissioners is interested in the proposed permit amendments. Additional discussions with representatives of Hernando County are anticipated, in conjunction with the Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at FMM's Brooksville Cement Plant.

3. This request is filed as a protective measure to avoid waiver of FMM's rights to challenge the permit amendments as proposed. Grant of this request will allow all interested parties an opportunity to discuss the pertinent permit provisions and to achieve a mutually acceptable resolution of points in need of clarification or correction, without the initiation of formal administrative proceedings.

I hereby certify that I have contacted Bruce Mitchell, of the Department's Bureau of Air Regulation, regarding this matter and that he does not object to the grant of this request.

Accordingly, I respectfully request that you formally extend the time for filing of a petition for administrative proceedings in regard to the Department's Notice of Intent to revise air construction permits No. AC 27-173474, AC 27-186923 and PSD-FL-124B to and including December 30, 1991.

Sincerely,



Peter C. Cunningham

FLMinExt:gbg

cc: Clair Fancy, P.E. ✓
Bruce Mitchell
W. Douglas Beason, Esquire
Segundo Fernandez, Esquire
Don Kelly
Diane Schenke, Esquire

HOPPING BOYD GREEN & SAMS

PATTY

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET

POST OFFICE BOX 6226

TALLAHASSEE, FLORIDA 32311

(904) 222-7500

FAX (904) 224-8551

RECEIVED

AUG 30 1991

Division of Air
Resources Management

August 30, 1991

CARLOS ALVAREZ
JAMES S. ALVES
BRIAN H. BIBEAU
KATHLEEN BLIZZARD
ELIZABETH C. BOWMAN
WILLIAM L. BOYD, IV
RICHARD S. BRIGHTMAN
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MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH

OF COUNSEL
W. ROBERT FOKES

BY HAND DELIVERY

Carol M. Browner, Secretary
c/o Office of General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Re: Florida Mining & Materials
Brooksville Cement Plant Kilns No. 1 and 2
Permits No. AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Secretary Browner:

On April 15, 1991, Florida Mining & Materials ("FMM") received the Department's Notice of Intent to amend the referenced air construction permits to authorize performance testing of Kilns No. 1 and 2 with tire derived fuel and/or used oil at its Brooksville Cement Plant located in Hernando County, Florida. Pursuant to your Order dated June 3, 1991, FMM has until August 30, 1991 to file a petition for administrative proceedings regarding the permit.

I am writing on behalf of FMM to request an extension of sixty (60) additional days, to and including October 29, 1991, in which to file a petition for administrative proceedings regarding the permit. This request is made pursuant to Florida Administrative Code Rule 17-103.070, which provides that a timely request for extension of time shall toll the running of the time period in which to file an appropriate petition. As good cause for granting the requested extension of time for filing, FMM would show the following:

1. The proposed permit amendments contain fourteen specific conditions that would establish various requirements applicable to the performance testing and related matters.

Carol M. Browner, Secretary
August 30, 1991
Page 2

2. FMM understands that Hernando County Board of County Commissioners is interested in the proposed permit amendments. Additional discussions with representatives of Hernando County are anticipated, in conjunction with the Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at FMM's Brooksville Cement Plant.

3. This request is filed as a protective measure to avoid waiver of FMM's rights to challenge the permit amendments as proposed. Grant of this request will allow all interested parties an opportunity to discuss the pertinent permit provisions and to achieve a mutually acceptable resolution of points in need of clarification or correction, without the initiation of formal administrative proceedings.

I hereby certify that I have contacted Bruce Mitchell of the Department's Bureau of Air Regulation, regarding this matter and that he does not object to the grant of this request.

Accordingly, I respectfully request that you formally extend the time for filing of a petition for administrative proceedings in regard to the Department's Notice of Intent to revise air construction permits No. AC 27-173474, AC 27-186923 and PSD-FL-124B to and including October 29, 1991.

Sincerely,



Peter C. Cunningham

F1MinExt:gb

cc: Clair Fancy, P.E. ✓
Bruce Mitchell
W. Douglas Beason, Esquire
Segundo Fernandez, Esquire
C. M. Coleman, Jr.
Diane Schenke, Esquire

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
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DIANA M. PARKER
LAURA BOYD PEARCE
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH

OF COUNSEL
W. ROBERT FOKES

June 26, 1991

RECEIVED

JUN 26 1991

BY HAND DELIVERY

Carol M. Browner, Secretary
c/o Office of General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

Bureau of
Air Regulation

Re: Florida Mining & Materials
Brooksville Cement Plant Kilns No. 1 and 2
Permits No. AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Secretary Browner:

On April 15, 1991, Florida Mining & Materials ("FMM") received the Department's Notice of Intent to amend the referenced air construction permits to authorize performance testing of Kilns No. 1 and 2 with tire derived fuel and/or used oil at its Brooksville Cement Plant located in Hernando County, Florida. Pursuant to your Order dated May 27, 1991, FMM has until July 1, 1991 to file a petition for administrative proceedings regarding the permit.

I am writing on behalf of FMM to request an extension of sixty (60) additional days, to and including August 30, 1991, in which to file a petition for administrative proceedings regarding the permit. This request is made pursuant to Florida Administrative Code Rule 17-103.070, which provides that a timely request for extension of time shall toll the running of the time period in which to file an appropriate petition. As good cause for granting the requested extension of time for filing, FMM would show the following:

1. The proposed permit amendments contain fourteen specific conditions that would establish various requirements applicable to the performance testing and related matters.

Carol M. Browner, Secretary
June 26, 1991
Page 2

2. FMM understands that Hernando County Board of County Commissioners is interested in the proposed permit amendments. Additional discussions with representatives of Hernando County are anticipated, in conjunction with the Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at FMM's Brooksville Cement Plant.

3. This request is filed as a protective measure to avoid waiver of FMM's rights to challenge the permit amendments as proposed. Grant of this request will allow all interested parties an opportunity to discuss the pertinent permit provisions and to achieve a mutually acceptable resolution of points in need of clarification or correction, without the initiation of formal administrative proceedings.

I hereby certify that I have contacted Bruce Mitchell of the Department's Bureau of Air Regulation regarding this matter and that he does not object to the grant of this request.

Accordingly, I respectfully request that you formally extend the time for filing of a petition for administrative proceedings in regard to the Department's Notice of Intent to revise air construction permits No. AC 27-173474, AC 27-186923 and PSD-FL-124B to and including August 30, 1991.

Sincerely,



Peter C. Cunningham

FlMinExt:gbb

cc: Clair Fancy, P.E.
Bruce Mitchell
W. Douglas Beason, Esquire
Segundo Fernandez, Esquire
C. M. Coleman, Jr.
Diane Schenke, Esquire
B. Thomas, SW Dist.
J. Harper, EPA
C. Shaver, NPS
CHFB
C. Strick, HCBC

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
ELIZABETH C. BOWMAN
WILLIAM L. BOYD, IV
RICHARD S. BRIGHTMAN
PETER C. CUNNINGHAM
THOMAS M. DeROSE
WILLIAM H. GREEN
WADE L. HOPPING
FRANK E. MATTHEWS
RICHARD D. MELSON
WILLIAM D. PRESTON
CAROLYN S. RAEPPEL
GARY P. SAMS
ROBERT P. SMITH, JR.
CHERYL G. STUART

KATHLEEN BLIZZARD
RICHARD W. MOORE
ANGELA R. MORRISON
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DIANA M. PARKER
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GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH

OF COUNSEL
W. ROBERT FOKES

June 26, 1991

RECEIVED

JUN 28 1991

Bureau of
Air Regulation

Bruce Mitchell
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 338
Tallahassee, Florida 32399-2400

Re: Florida Mining & Materials
Amendment of Permits No.
AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Bruce:

I am writing to clarify one point in Joseph L. Tessitore's letter of June 7, 1991 to Clair Fancy transmitting Florida Mining & Materials' application for approval to perform a demonstration test burn using solid hazardous waste fuel at Kiln No. 1. Specifically, please be advised that Florida Mining is not requesting any action by the Department at this time regarding the amendments to the referenced permits to authorize a test burn using tire derived fuel (TDF) and/or used oil at Kiln No. 1 or Kiln No. 2. As we have discussed, those permit amendments have, in effect, been put on "hold" pending further discussions between representatives of Florida Mining and Hernando County. A copy of Florida Mining's second request for extension of time to petition for administrative proceedings on the TDF/used oil test burn approval is attached for your information.

Florida Mining remains hopeful that agreement on both the TDF/used oil test burn and the solid hazardous waste fuel test burn can be reached, and appropriate Department approvals issued, to allow the test burns to proceed by late summer. This letter is intended merely to confirm our conversation regarding the absence of any immediate need for Department action on the TDF/used oil permit amendments.

Your continued consideration in this matter is much appreciated.

Bruce Mitchell
June 26, 1991
Page 2

As always, please do not hesitate to call me if you have any questions.

Sincerely,



Peter C. Cunningham

Mitchell:gbb

cc: C. M. Coleman
Edgar Marston, Esquire
Diane Schenke, Esquire
Segundo Fernandez, Esquire
B. Thomas, SW Dist
J. Harper, EPA
C. Shauer, NPS
C. Detrick, HCBCC
CITF/BA



United States Department of the Interior
FISH AND WILDLIFE SERVICE



IN REPLY REFER TO:

MAILING ADDRESS:
Post Office Box 25486
Denver Federal Center
Denver, Colorado 80225

STREET LOCATION:
134 Union Blvd.
Lakewood, Colorado 80228

RW Air Quality
Mail Stop 60130

MAY 24 1991

RECEIVED

MAY 30 1991

Division of Air
Resources Management

Mr. C.H. Fancy, P.E., Deputy Chief
Bureau of Air Quality Management
Florida Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Dear Mr. Fancy:

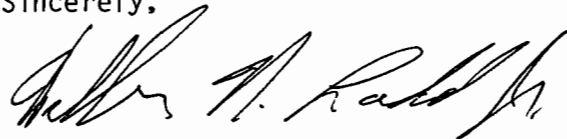
We have reviewed the information that you forwarded to us regarding Florida Mining and Materials' (FM&M) request to conduct performance tests while burning Tire Derived Fuel (TDF) and/or used oil with coal in Kilns 1 and 2 at their Brooksville, Florida, cement plant. The FM&M facility is located approximately 25 km southeast of the Chassahowitzka Wilderness Area, a class I air quality area administered by the U.S. Fish and Wildlife Service.

Florida Mining and Materials expects that actual pollutant emissions would not increase as a result of firing these fuel mixtures. We are pleased to see that the conditions you specified for the proposed performance tests are very extensive and complete. If the performance tests confirm FM&M's assertion that actual emissions of the listed pollutants would not increase, then we would not object to the firing of these fuels in the kilns on a continuous basis. However, given the proximity of the Chassahowitzka Wilderness Area and the toxic nature of the pollutants to be tested (i.e., heavy metals, dioxins, furans, benzene, polynuclear aromatic hydrocarbons, etc.), we would be concerned about potential impacts on sensitive resources at the wilderness area if the emissions of these pollutants would increase. Consequently, if the performance tests show that emissions would increase as a result of firing TDF and used oil in the kilns, FM&M should perform a thorough assessment of the potential effects of the emission increases on resources at the wilderness area. We ask that you then provide us ample opportunity to review this assessment to determine if such impacts would be adverse, before you permit FM&M to burn these fuels continuously.

We understand that Florida Crushed Stone (FCS) has also requested a permit amendment to allow burning of TDF in a kiln at their Brooksville cement plant. If the emissions of toxic pollutants would increase as a result of FCS burning TDF, we would have the same concerns as those discussed above for the FM&M proposal.

We appreciate you keeping us informed about permitting activities that could impact our resources. We will await the results of the FM&M performance tests. In the meantime, if you have any questions regarding this matter, please contact John Bunyak of our Air Quality Office at (303) 969-2071.

Sincerely,



Wilbur N. Ladd, Jr.
Assistant Regional Director
Refuges and Wildlife, Region 6

- cc: B. Mitchell
- B. Thomas, SW Dist.
- C. Detrick, HCBC
- C. Coleman, FM&M
- J. Jessitore, CT/A
- P. Cunningham, HB&S
- D. Stone FCS
- A. Koogler, R&A
- Z. Sellers, H&K
- CHF/BA

I N T E R O F F I C E M E M O R A N D U M

Date: 03-May-1991 11:03am GMT
From: Iris Littleton
LITTLETON_I
Dept: Office General Counsel
Tel No: 904/488-9730

TO: DUANE REVELL

(REVELL,DUANE)

CC: Pat Manning
CC: Dottie Diltz

(MANNING_P)
(DILTZ_D)

Subject: New OGC Case Assignments

TO: Duane Revell

FROM: Iris - OGC - Tallahassee

Received 4/29/91 request for an Extension of Time from Florida Mining & Materials concerning two permits AC27-173474, and 186923.

Received 5/014/30/91 request for an Extension of Time from Bone Valley Service Company permit IC53-192686.

I N T E R O F F I C E M E M O R A N D U M

Date: 01-May-1991 04:23pm GMT
From: Iris Littleton
LITTLETON_I
Dept: Office General Counsel
Tel No: 904/488-9730

TO: DUANE REVELL

(REVELL,DUANE)

CC: Janet G. Llewellyn

(LLEWELLYN,JANET)

CC: Pat Manning

(MANNING_P)

Subject: New OGC Case Assignments

TO: Duane Revell

FROM: Iris - OGC - Tallahassee

Received 4/26/91 request for an Extension of Time from O. B. Miley, III, concerning dredge and fill permit 52-182338-3.

Received 4/26/91 request for an Extension of Time from Hernando County against intent to issue two permits to Florida Mining & Materials permit nos. AC27-186923 and AC27-173474.



CROSS/TESSITORE & ASSOCIATES, P.A.

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

D. E. R.

April 30, 1991

MAY 2 1991

SOUTHWEST DISTRICT
TAMPA

Mr. Bill Thomas, P.E.
Air Engineering Section
FDER - Southwest District
4520 Oak Fair Blvd.
Tampa, Florida 33610-7347

Subject: Florida Mining & Materials
Performance Testing on Kilns No. 1 and No. 2
Proof of Publication
C/TA # F03.669

Dear Mr. Thomas:

Please find enclosed the affidavit of legal publication,
dated April 24, 1991, on the subject notice of Intent to
Issue for Performance Testing on Kilns No. 1 and No.2
located in Brooksville, Florida.

Should you have any questions, please do not hesitate to
contact me.

Sincerely,

Gregory R. Gonzales
Environmental Specialist

GRG:slw
Enc: a/s
cc: Ralph Shepard - FM&M

B. Mitchell
Q. Harper, EPA
C. Hauer, OPS

APR 26 1991

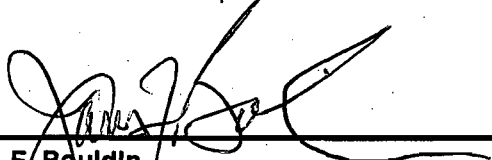
AFFIDAVIT OF LEGAL PUBLICATION

**The Sun-Journal
Published Wednesday
Brooksville, Hernando, Florida
STATE OF FLORIDA
COUNTY OF HERNANDO**

Before the undersigned authority personally appeared J.F. Bouldin, who on oath says he is General Manager of the Sun-Journal, a weekly newspaper published at 703 Lamar Ave., Brooksville in Hernando County, Florida; that the attached copy of advertisement, being a legal advertisement in

the matter of Notice of Intent
in the _____ Court
was published in said newspaper in the issues of _____
4-24

Affiant says that the said Sun-Journal is a newspaper published at 703 Lamar Ave., Brooksville, in said Hernando County, Florida, and that said newspaper has heretofore been continuously published in said Hernando County, Florida, each Wednesday 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 further says that he 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.



J. F. Bouldin
General Manager, The Sun-Journal

Sworn to and subscribed before me this 24th day of April

1991 AD
NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP SEPT. 27, 1994
BONDED THRU GENERAL INS. UND.

BY  _____
Notary Public

Filed 19, at 19 O'clock 19 M. and Recorded in _____

Book No. _____, Page _____

Record Verified _____

Clerk, _____ Court, Hernando County, FL

By _____ D.C.

State of Florida
Department of
Environmental
Regulation
Notice of Intent
to Issue

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit amendment to Florida Mining & Materials (FM&M), Post Office Box 6, Brooksville, Florida 34605-0006, to conduct performance tests on the Nos. 1 and 2 Cement Kilns for pollutant emissions while firing: 1) 100% coal for baseline conditions (actuals); 2) 80% coal and 20% tire derived fuel (TDF); 3) 50% coal and 50% on-specification used oil fuel; and, 4) 30% coal, 20% TDF and 50% on-specification used oil fuel. All of the percentages (%) referenced above relate to the maximum total (100%) fuel input of the Nos. 1 and 2 Cement Kilns. The on-specification used oil fuel shall be as defined in 40 CFR 266.40 (July, 1990 version):-

Although the applicant, FM&M, expects that there will be no actual pollutant emission increases, the Nos. 1 and 2 Cement Kilns are not permitted to fire these fuel mixtures and such claims will have to be verified. The purpose of this amendment is to allow FM&M the opportunity to obtain the data necessary to determine whether the Nos. 1 and 2 Cement Kilns are capable of accommodating TDF and/or on-specification used oil fuel with coal under the Nos. 1 and 2 Cement Kilns' present physical configurations and what regulations the Nos. 1 and 2 Cement Kilns will be subject to if they are to be permitted to fire TDF and/or on-specification used oil fuel with coal on a continuous basis. The proposed project will occur at the applicant's facility located on U.S. Highway 98 NW of Brooksville, Hernando County, Florida. The Department is issuing this Intent to Issue for the reasons stated in the proposed letter amendment to air construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

DEPARTMENT OF ENVIRONMENTAL REGULATION

ROUTING AND TRANSMITTAL SLIP

ACTION NO

ACTION DUE DATE

1. TO: (NAME, OFFICE, LOCATION)

Barry Andrews

Initial

Date

2. *BAR* RECEIVED

Initial

Date

3. *Vallohosen* MAY 7 1991

Initial

Date

4. Division of Air Resources Management

Initial

Date

REMARKS:

We made a copy for our files.

INFORMATION

Review & Return

Review & File

Initial & Forward

DISPOSITION

Review & Respond

Prepare Response

For My Signature

For Your Signature

Let's Discuss

Set Up Meeting

Investigate & Report

Initial & Forward

Distribute

Concurrence

For Processing

Initial & Return

FROM:

Darry Burns

DATE

5/2

PHONE

The petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action of proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the applications have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Department of Environmental Regulation
Southwest District Office
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347

Hernando County Board of County Commission
20 North Main Street, Room 460
Brooksville, Florida 34601

Any person may send written comments on the proposed action to Mr. Barry Andrews at the Department's Tallahassee address. All comments mailed within 14 days of the publication of this notice will be considered in the Department's final determination.

PUBLISH: April 24, 1991

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
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LAURA BOYD PEARCE
GARY V. PERKO
MICHAEL P. PETROVICH
DAVID L. POWELL
DOUGLAS S. ROBERTS
CECELIA C. SMITH

OF COUNSEL
W. ROBERT FOXES

April 29, 1991

BY HAND DELIVERY

Carol M. Browner, Secretary
c/o Office of General Counsel
Florida Department of Environmental
Regulation
2600 Blair Stone Road, Room 654
Tallahassee, Florida 32399-2400

RECEIVED

APR 29 1991

DER-BAQM

Re: Florida Mining & Materials
Brooksville Cement Plant Kilns No. 1 and 2
Permits No. AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Secretary Browner:

On April 15, 1991, Florida Mining & Materials ("FMM") received the Department's Notice of Intent to amend the referenced air construction permits to authorize performance testing of Kilns No. 1 and 2 with tire derived fuel and/or used oil at its Brooksville Cement Plant located in Hernando County, Florida. Pursuant to the Notice of Intent and Florida Administrative Code Rule 17-103.155, FMM has until April 29, 1991 to file a petition for administrative proceedings regarding the permit.

I am writing on behalf of FMM to request an extension of sixty (60) days, to and including June 28, 1991, in which to file a petition for administrative proceedings regarding the permit. This request is made pursuant to Florida Administrative Code Rule 17-103.070, which provides that a timely request for extension of time shall toll the running of the time period in which to file an appropriate petition. As good cause for granting the requested extension of time for filing, FMM would show the following:

1. The proposed permit amendments contain fourteen specific conditions that would establish various

Carol M. Browner, Secretary
April 29, 1991
Page 2

requirements applicable to the performance testing and related matters.

2. FMM desires additional time to complete its review of the proposed permit conditions.

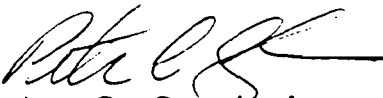
3. FMM understands that Hernando County Board of County Commissioners is interested in the proposed permit amendments. Additional discussions with representatives of Hernando County are anticipated, in conjunction with the Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at FMM's Brooksville Cement Plant.

4. This request is filed as a protective measure to avoid waiver of FMM's rights to challenge the permit amendments as proposed. Grant of this request will allow all interested parties an opportunity to discuss the pertinent permit provisions and to achieve a mutually acceptable resolution of points in need of clarification or correction, without the initiation of formal administrative proceedings.

I hereby certify that I have contacted Clair Fancy, Chief of the Department's Bureau of Air Regulation, regarding this matter and that he does not object to the grant of this request.

Accordingly, I respectfully request that you formally extend the time for filing of a petition for administrative proceedings in regard to the Department's Notice of Intent to revise air construction permits No. AC 27-173474, AC 27-186923 and PSD-FL-124B to and including June 28, 1991.

Sincerely,


Peter C. Cunningham

FlMinExt:gbb

cc: Clair Fancy, P.E.
Bruce Mitchell
Gary Smallridge, Esquire
Segundo Fernandez, Esquire
C. M. Coleman, Jr.
Diane Schenke, Esquire
B. Thomas, SW Dist
J. Harper, EPA
C. Shriver, NPS
C. Metrick, HEBC

P 407 852 662

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NDT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1989-234-555

PS Form 3800, June 1985

Sent to Mr. Segundo Fernandez	
Street and No. P. O. Box 6507	
P.O. State and ZIP Code Tallahassee, FL 32314-6507	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date Mailed: 4-12-91 Permit: FM&M Test Burn Intent to Issue only	

● **SENDER:** Complete items 1 and 2 when additional services are desired, and complete items 3 and 4.
Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Mr. Segundo Fernandez Oertel, Hoffman, Fernandez and Cole P. O. Box 6507 Tallahassee, FL 32314-6507	4. Article Number P 407 852 662
Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise	
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Sealed Envelope</i>	
7. Date of Delivery APR 15 1991	

P 407 852 661

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED
NOT FOR INTERNATIONAL MAIL

(See Reverse)

U.S.G.P.O. 1989-234-555

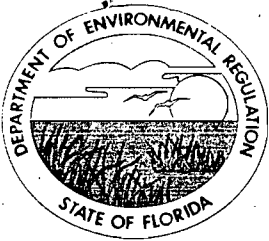
PS Form 3800, June 1985

Sent to Mr. C. M. Coleman, FM&M	
Street and No. P. O. Box 6	
P.O., State and ZIP Code Brooksville, FL 34739-0006	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt showing to whom and Date Delivered	
Return Receipt showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	\$
Postmark or Date Mailed: 4-12-91 Permit: Kiln No. 1 & 2 Test Burn	

SENDER: Complete items 1 and 2 when additional services are desired, and complete items 3 and 4. Put your address in **RETURN TO:** Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional service(s) requested.

1. Show to whom delivered, date, and addressee's address. 2. Restricted Delivery (Extra charge)

3. Article Addressed to: Mr. C. M. Coleman, Jr. Vice President & General Manager Florida Mining and Materials P. O. Box 6 Brooksville, FL 32749-0006	4. Article Number P 407 852 661 Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
5. Signature - Addressee X	Always obtain signature of addressee or agent and DATE DELIVERED .
6. Signature - Agent X <i>S. Adam Williams</i>	8. Addressee's Address (ONLY if requested and fee paid)
7. Date of Delivery 4-18-91	



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

April 9, 1991

CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. C. M. Coleman Jr.
Vice President and General Manager
Florida Mining & Materials
Post Office Box 6
Brooksville, Florida 34749-0006

Dear Mr. Coleman:

Re: Requests to Allow Performance Tests While Burning Tire Derived Fuel and/or On-Specification Used Oil Fuel with Coal in the Nos. 1 and 2 Cement Kilns

Attached is one copy of the proposed letter amendment to air construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B, for Florida Mining & Materials (FM&M) to performance test the Nos. 1 and 2 Cement Kilns for pollutant emissions while firing: 1) 100% coal for baseline conditions (actuals); 2) 80% coal and 20% tire derived fuel (TDF); 3) 50% coal and 50% on-specification used oil fuel; and, 4) 30% coal, 20% TDF and 50% on-specification used oil fuel. All of the percentages (%) referenced above relate to the maximum total (100%) fuel input to the Nos. 1 and 2 Cement Kilns. The on-specification used oil fuel shall be as defined in 40 CFR 266.40 (July, 1990 version).

Although your company expects that there will be no actual pollutant emission increases from firing these fuel mixtures, the Nos. 1 and 2 Cement Kilns are not permitted to fire these fuels and such claims will have to be verified. Therefore, the purpose of this letter amendment is to allow FM&M the opportunity to obtain the data necessary to determine whether the Nos. 1 and 2 Cement Kilns are capable of accommodating TDF and/or on-specification used oil fuel with coal under the Nos. 1 and 2 Cement Kilns' present physical configurations and what regulations the Nos. 1 and 2 Cement Kilns will be subject to if they are to be permitted to fire TDF and/or on-specification used oil fuel with coal on a continuous basis.

Mr. C. M. Coleman Jr.
April 9, 1991
Page Two

If there are any questions, please call Bruce Mitchell at (904)488-1344 or submit any written comments you wish to have considered concerning the Department's proposed action to me.

Sincerely,



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/BM/rbm

Attachments

c: B. Thomas, SW District
J. Tessitore, P.E., C/T&A
C. Shaver, NPS
J. Harper, EPA
C. Hetrick, HCBCC
G. Smallridge, DER
P. Cunningham, HBG&S

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In the Matter of
Applications for Amendment by:

FM&M
P. O. Box 6
Brooksville, Florida 34605-0006

DER File Nos. AC 27-186923
AC 27-173474
PSD-FL-124B

INTENT TO ISSUE

The Department of Environmental Regulation hereby gives notice of its intent to issue an amendment (copy attached) for the proposed project as detailed in the applications for an amendment specified above. The Department is issuing this Intent to Issue for the reasons stated in the attached letter amendment.

The applicant, Florida Mining & Materials (FM&M), requested on September 25, 1990, to the Department of Environmental Regulation for authorization to performance test the Nos. 1 and 2 Cement Kilns for pollutant emissions while firing: 1) 100% coal for baseline conditions (actuals); 2) 80% coal and 20% tire derived fuel (TDF); 3) 50% coal and 50% on-specification used oil fuel; and, 4) 30% coal, 20% TDF and 50% on-specification used oil fuel. All of the percentages (%) referenced above relate to the maximum total (100%) fuel input to the Nos. 1 and 2 Cement Kilns. The on-specification used oil fuel shall be as defined in 40 CFR 266.40 (July, 1990 version).

Although the applicant, FM&M, expects that there will be no actual pollutant emission increases, the Nos. 1 and 2 Cement Kilns are not permitted to fire these fuel mixtures and such claims will have to be verified. The purpose of this amendment is to allow FM&M the opportunity to obtain the data necessary to determine whether the Nos. 1 and 2 Cement Kilns are capable of accommodating TDF and/or on-specification used oil fuel with coal under the Nos. 1 and 2 Cement Kilns' present physical configurations and what regulations the Nos. 1 and 2 Cement Kilns will be subject to if they are to be permitted to fire TDF and/or on-specification used oil fuel with coal on a continuous basis. The proposed project will occur at the applicant's facility located on U.S. Highway 98 NW of Brooksville, Hernando County, Florida.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 17-2 and 17-4. The project is not exempt from permitting procedures. The Department has determined that an amendment is required for the proposed work.

Pursuant to Section 403.815, F.S. and DER Rule 17-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue. The notice shall be published one time only within 30 days, in the legal ad section of a newspaper of general circulation in the area affected. For the

purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department, at the address specified within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the amendment.

The Department will issue the amendment with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit amendment applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

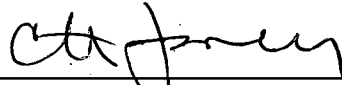
(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the applications have the

right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office in General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



C. H. Fancy, P.E.
Chief
Bureau of Air Regulation


Copies furnished to:

B. Thomas, SW District	G. Smallridge, DER
J. Tessitore, P.E., C/T&A	P. Cunningham, HBG&S
C. Shaver, NPS	C. Hetrick, HCBCC
J. Harper, EPA	

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF INTENT TO ISSUE and all copies were mailed before the close of business on 4-12-91.

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statute, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.


Clerk

4-12-91
Date

State of Florida
Department of Environmental Regulation
Notice of Intent to Issue

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit amendment to Florida Mining & Materials (FM&M), Post Office Box 6, Brooksville, Florida 34605-0006, to conduct performance tests on the Nos. 1 and 2 Cement Kilns for pollutant emissions while firing: 1) 100% coal for baseline conditions (actuals); 2) 80% coal and 20% tire derived fuel (TDF); 3) 50% coal and 50% on-specification used oil fuel; and, 4) 30% coal, 20% TDF and 50% on-specification used oil fuel. All of the percentages (%) referenced above relate to the maximum total (100%) fuel input of the Nos. 1 and 2 Cement Kilns. The on-specification used oil fuel shall be as defined in 40 CFR 266.40 (July, 1990 version).

Although the applicant, FM&M, expects that there will be no actual pollutant emission increases, the Nos. 1 and 2 Cement Kilns are not permitted to fire these fuel mixtures and such claims will have to be verified. The purpose of this amendment is to allow FM&M the opportunity to obtain the data necessary to determine whether the Nos. 1 and 2 Cement Kilns are capable of accommodating TDF and/or on-specification used oil fuel with coal under the Nos. 1 and 2 Cement Kilns' present physical configurations and what regulations the Nos. 1 and 2 Cement Kilns will be subject to if they are to be permitted to fire TDF and/or on-specification used oil fuel with coal on a continuous basis. The proposed project will occur at the applicant's facility located on U.S. Highway 98 NW of Brooksville, Hernando County, Florida. The Department is issuing this Intent to Issue for the reasons stated in the proposed letter amendment to air construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;

(f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the applications have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The applications are available for public inspection during business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Regulation
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Department of Environmental Regulation
Southwest District Office
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347

Hernando County Board of County Commission
20 North Main Street, Room 460
Brooksville, Florida 34601

Any person may send written comments on the proposed action to Mr. Barry Andrews at the Department's Tallahassee address. All comments mailed within 14 days of the publication of this notice will be considered in the Department's final determination.



Florida Department of Environmental Regulation

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

Lawton Chiles, Governor

Carol M. Browner, Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. C. M. Coleman Jr.
Vice President and General Manager
Florida Mining & Materials
Post Office Box 6
Brooksville, Florida 34605-0006

Dear Mr. Coleman:

Re: Amendment to Construction Permits Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B to Conduct Performance Test(s) on the Nos. 1 and 2 Cement Kilns While Burning Tire Derived Fuel and/or On-Specification Used Oil Fuel with Coal.

The Department has reviewed the requests that you provided on September 25, 1990. We have also considered the Department's legal authority to allow you to conduct the requested performance test(s). Paragraph 403.061(15), Florida Statutes (F.S.), authorizes the Department to consult with any person proposing to construct, install, or otherwise acquire a pollution control device or system concerning the efficacy of such device or system, or the pollution problem which may be related to the source, device, or system. Paragraph 403.061(16), F.S., authorizes the Department to encourage voluntary cooperation by persons in order to achieve the purposes of the state environmental control act. Paragraph 403.061(18), F.S., authorizes the Department to encourage and conduct studies, investigations, and research relating to the causes and control of pollution. Florida Administrative Code (F.A.C.) Rule 17-2.250(5) authorizes the Department to consider variations in industrial equipment and make allowances for excess emissions that provide practical regulatory controls consistent with the public interest.

In accordance with the provisions of Paragraphs 403.061(15), (16) and (18), F.S., and F.A.C. Rule 17-2.250(5), you are hereby authorized to conduct performance tests the Nos. 1 and 2 Cement Kilns for pollutant emissions while firing: 1) 100% coal for baseline conditions (actuals); 2) 80% coal and 20% tire derived fuel (TDF); 3) 50% coal and 50% on-specification used oil fuel; and, 4) 30% coal, 20% TDF and 50% on-specification used oil fuel. All of the percentages (%) referenced above relate to the maximum total (100%) fuel input to the Nos. 1 and 2 Cement Kilns.

Mr. C. M. Coleman Jr.

Page Two

The purpose of this authorization is to provide FM&M the opportunity to obtain performance test data on the Nos. 1 and 2 Cement Kilns to verify pollutant emissions and to see if the Nos. 1 and 2 Cement Kilns are capable of accommodating TDF and/or on-specification used oil fuel with coal under the Nos. 1 and 2 Cement Kilns' present physical configuration and what regulations the Nos. 1 and 2 Cement Kilns will be subject to if they are to be permitted to fire TDF and/or on-specification used oil fuel with coal on a continuous basis.

The performance test(s) shall be subject to the following conditions.

1. The permittee shall notify, in writing, the Department's Southwest District and Bureau of Air Regulation offices at least 15 days prior to commencement of the performance test(s). The test reports shall be submitted to these offices no later than 45 days upon completion of the last test run.
2. Prior to or after conducting pollutant emissions tests on the Nos. 1 and 2 Cement Kilns while firing combinations of TDF and/or on-specification used oil fuel with coal (Post-tests; Tables 1, 2, 3, 4 and 5;), emissions tests (Pre-tests) shall be conducted on the Nos. 1 and 2 Cement Kilns while firing 100% coal for all of the identified pollutants and pollutant categories (Table 2) in order to establish background levels, unless performance tests have already been conducted and the results can be provided to the Department. These tests, "Pre-tests" (i.e. coal only), shall be compared to the post-tests (TDF and/or on-specification used oil fuel with coal) to determine if:
 - a. PSD or non-PSD review is required, which includes the construction permit application(s) and the appropriate processing fee(s); or,
 - b. The current construction permits can be amended to allow the use of TDF and/or on-specification used oil fuel with coal.
3. All post-test results shall be compared to "actual emissions" for PSD review purposes (see Region IV, U.S. EPA's letter dated April 4, 1990).
4. a. The performance tests shall be in accordance with Table 1;

Mr. C. M. Coleman Jr.
Page Three

- b. The test parameters and methods shall be in accordance with Table 2; however, other test methods may be used if prior written approval from the Department has been received;
 - c. The performance test fuel combination scenarios shall be in accordance with Table 3;
 - d. The on-specification used oil fuel shall be as defined in 40 CFR 266.40 (July, 1990 version) and shall not exceed the constituent/property levels specified in Table 6 (40 CFR 266.40(e)); total halogens shall be limited to 1,000 ppm maximum;
 - e. Analysis and recordkeeping for on-specification used oil fuel shall be in accordance with 40 CFR 266.43(b)(1) and (6);
 - f. Maximum process input rates shall be in accordance with Table 5;
 - g. The use of on-specification used oil fuel shall be in accordance with all applicable provisions of 40 CFR 266, Subpart E (July, 1990 version); and,
 - h. An ultimate analysis of each delivery of on-specification used oil fuel shall be required and submitted to the Department prior to performance testing and shall establish, at a minimum, the levels of the sulfur content (weight %), metals on a constituent basis, moisture content, etc., using the appropriate ASTM Methods (i.e., ASTM D1552-83, ASTM D396-78, ASTM D129-64, etc.) in accordance with F.A.C. Rule 17-2.700 and 40 CFR (July, 1990 version).
5. An ultimate analysis of the particulate filter(s) shall be required. Also, an ultimate analysis of a representative sample(s) from the baghouse hopper shall be required.
 6. This authorized performance test(s) shall not result in the release of objectionable odors pursuant to F.A.C. Rule 17-2.620(2).
 7. Performance testing shall immediately cease upon the occurrence of a valid environmental complaint by a citizen or other party, or a nuisance or danger to public health or welfare. Performance testing shall not resume until appropriate measures to correct the problem have been implemented.

Mr. C. M. Coleman Jr.

Page Four

8. The performance test(s) shall be conducted under the direct supervision and responsible charge of a professional engineer registered in Florida.
9. This Department action is just to authorize the performance tests for pollutant emissions on the Nos. 1 and 2 Cement Kilns while firing TDF and/or on-specification used oil fuel with coal. The firing of TDF and used oil after the last performance test run is completed will be deemed a violation of the current air construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B.
10. Complete documentation of the amount (i.e., weight or volume) of TDF and on-specification used oil fuel usage in the Nos. 1 and 2 Cement Kilns shall be required (i.e., start-up and testing).
11. The Department shall be notified in writing on the date of the last test run completion.
12. From the initial date of using TDF and on-specification used oil fuel, which shall be documented in writing to the Department, the permittee shall be limited to 45 days to stabilize the Nos. 1 and 2 Cement Kilns and to submit notification of performance testing. If additional time is needed, the permittee shall provide the Department with documentation of the progress accomplished to date and shall identify what is left to be done in order to achieve stabilization of the Nos. 1 and 2 Cement Kilns for performance testing purposes.
13. Visible emissions shall not exceed 10% opacity in accordance with EPA Method 9 pursuant to F.A.C. Rules 17-2.660 and 17-2.700 and 40 CFR 60 (July, 1990 version).
14. This amendment does not relieve the permittee from complying with the conditions of the construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124.
15. Attachments (See Attachment Section) are incorporated.

The Department has relied on the information referenced in the Attachments and conversations with representatives of FM&M, the U.S. EPA-Region IV, and the Department of Interior's National Park Service in authorizing this permit letter amendment to the air construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B.

Mr. C. M. Coleman Jr.
Page Five

A copy of this letter and its Attachments shall be attached to the air construction permits, Nos. AC 27-186923 & AC 27-173474 and PSD-FL-124B.

Issued this _____ day
of _____, 1991

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Carol M. Browner
Secretary

CMB/bm

Attachments

cc: B. Thomas, SW District
J. Tessitore, P.E., C/T&A
C. Shaver, NPS
J. Harper, EPA
G. Smallridge, DER
P. Cunningham, HBG&S
C. Hetrick, HCBCC

TABLE 1

PROCESS DATA

Cement Kiln No. 1 or 2

Kiln Feed Rate	130 T/hr
Clinker Production Rate	79.6 T/hr
Maximum Heat Input	3.0×10^8 Btu/hr

TABLE 2

PROPOSED PERFORMANCE TEST MATRIX

Cement Kiln No. 1 or 2

The proposed testing would include stack sampling during four separate cases for the kiln. These are represented in the following matrix.

Fuel Type	Test Conditions			
	1*	2	3	4
	% of Total Fuel Supply			
Coal (min.)	100	80	50	30
Waste Tires (max.)	0	20	0	20
Used Oil (max.)	0	0	50	50

*Baseline

FMMZTIRE.DOC

TABLE 3

FUEL COMBINATION SUMMARY DATA

Cement Kiln No. 1 or 2

	Current Fuels		Proposed Fuels	
	Coal	Flolite ¹	Waste Tires	Used Oil
Case 1				
Consumption	24,170 lb/hr	--	0	0
Heat Input (Btu/hr)	3.0×10^8	--	0	0
Portion of Total Fuel Supply (%)	100	--	0	0
Case 2				
Consumption	19,336 lb/hr	--	4286 lb/hr	0
Heat Input (Btu/hr)	2.4×10^8	--	0.6×10^8	0
Portion of Total Fuel Supply (%)	80	--	20	0
Case 3				
Consumption	12,085 lb/hr	--	0	1034 gal/hr
Heat Input (Btu/hr)	1.5×10^8	--	0	1.5×10^8
Portion of Total Fuel Supply (%)	50	--	0	50
Case 4				
Consumption	7251 lb/hr	--	4286 lb/hr	1034 gal/hr
Heat Input (Btu/hr)	0.9×10^8	--	0.6×10^8	1.5×10^8
Portion of Total Fuel Supply (%)	30	--	20	50

¹ Flolite will mainly be used during start-up of kiln operations and during periods when raw materials feed is stopped and kiln temperature must be maintained, and flolite is normally used only as a substitute for coal. In cases where flolite and coal are used concurrently, the maximum heat input rate will not exceed 3.0×10^8 Btu/hr.

TABLE 4
ADDITIONAL FUELS DATA

	Heat Capacity	Sulfur Content ²
Current:		
Coal	12,500 Btu/lb	1.0 %
Flolite ¹	145,000 Btu/gal	1.0 %
Proposed:		
Used Oil	145,000 Btu/gal	1.5 %
Waste Tires	14,000 Btu/lb	< 1.0 %

- (1) Flolite will mainly be used during start-up of kiln operations and during periods when raw materials feed is stopped and kiln temperature must be maintained, and flolite is normally used only as a substitute for coal. In cases where flolite and coal are used concurrently, the maximum heat input rate will not exceed 3.0×10^6 Btu/hr.
- (2) Values shown are approximate.

TABLE 5

SUMMARY OF TEST PARAMETERS

Particulate Matter	EPA Method 5
Visible Emissions	EPA Method 9
Metals:	EPA Method 5 (filter and probe rinse)
Aluminum	Barium
Arsenic	Copper
Cadmium	Nickel
Chromium (Total)	Iron
Lead	Vanadium
Zinc	
NO _x	EPA Method 7
Sulfur Dioxide	EPA Method 6 (in back half of Method 5 train)
Carbon Monoxide	EPA Method 10
Volatile Organic Compounds	VOST
Semi-Volatile Organic Compounds	Modified Method 5
CO ₂ /O ₂	EPA Method 3
Stack Gas Flow/Moisture/Temp.	EPA Methods 2 and 4 (in conjunction with EPA Method 5)
PCDDS/PCDFS	EPA Method 23
Polynuclear Aromatic Hydrocarbons	Modified Method 5
Benzene	EPA Method 18
Mercury	EPA Method 101 or 101A

TABLE 6

ON-SPEC USED OIL FUEL CHARACTERISTICS

As specified in 40 CFR 266.40(e), "Used Oil Burned For Energy Recovery", the following characteristics are applicable to on-specification used oil fuel:

Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash Point	100° F minimum
Total Halogens	1,000 ppm maximum

Attachment Section

1. Ms. Patricia K. Rykowski's letter with enclosures received September 25, 1990.
2. Ms. Jewell A. Harper's letter dated April 4, 1990.
3. 40 CFR (July, 1990 version).
4. Ms. Kay Rykowski's letter received April 1, 1991, via FAX.
5. Intent to Issue Package dated April 9, 1991.
6. 40 CFR 266, Subpart E (July, 1990 version)

ATTACHMENT 1

Available Upon Request

ATTACHMENT 2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

APR 4 1990

4APT-AEB

RECEIVED

APR 09 1990

Mr. C. H. Fancy, P.E., Chief
Bureau of Air Regulation
Florida Department of Environmental
Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

DER-BAQM

RE: Florida Crushed Stone (PSD-FL-091)

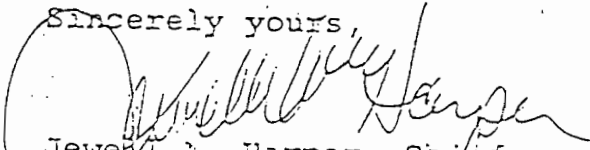
Dear Mr. Fancy:

This is to acknowledge receipt of your letter dated March 15, 1990, transmitting a request by Florida Crushed Stone to amend their prevention of significant deterioration (PSD) permit to allow the burning of tire derived fuel (TDF) in their cement kiln. The current permit for the source limits the fuel of the kiln to coal only. As discussed between Mr. Bruce Mitchell of your staff and Mr. Gregg Worley of my staff on March 30, 1990, we have the following comments.

Under the scenario presented by the source, the switch to the use of TDF in the kiln would not constitute a major modification for the purposes of PSD provided that the increase in pollutants due to the fuel switch did not exceed significant emissions increase levels. It is important to note that the change in emissions must be evaluated from "old actual" to "new allowable" emissions. The old actual emissions must be based on the previous two years of operating data unless some other period is deemed to be more representative of normal operating conditions. The new allowable emissions will be those emissions which are reflected in the amended permit. Also, it was noted that the list of pollutants to be tested did not include benzene. Since benzene is a pollutant regulated under the Clean Air Act for which a significant emissions rate has not been established, any increase of emissions of benzene would subject the source to PSD.

Thank you for the opportunity to review and comment on this package. If you have any further questions or comments, please do not hesitate to contact Mr. Gregg Worley of my staff at 404/347-1864.

Sincerely yours,


Jewel A. Harper, Chief
Air Enforcement Branch
Air, Pesticides and Toxics
Management Division

ATTACHMENT 3

Available Upon Request

ATTACHMENT 4

CROSS/TESSITORE & ASSOCIATES, P.A.
4763 South Conway Road, Suite F.
Orlando, Florida 32812

Telephone: 407-851-1484
Fax#: 407-855-0369

URGENT FACSIMILE DOCUMENT

ATTN: BRUCE MITCHELL FAX#: 904-487-4938

COMPANY: FDER/BUREAU OF AIR REGULATION

FROM: KAY RYKOWSKI FAX#: 407-855-0369

SUBJECT: FLORIDA MINING & MATERIALS

C/TA PROJECT NUMBER: F03.178

DATE: MARCH 29, 1991

NO. OF PAGES (INCLUDING THIS SHEET): 1 HARD COPY TO FOLLOW YES X
NO

Bruce:

My records show the current permit for Florida Mining & Materials' No. 2 Kiln as AC27-173474 which expires December 31, 1991. Please let me know if the extension is still required.

Thank you,

Kay Rykowski

ATTACHMENT 6

(d) *Required notices.* Before a burner accepts the first shipment of hazardous waste fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

- (1) He has notified EPA and identified his waste-as-fuel activities; and
- (2) He will burn the fuel only in a boiler or furnace identified in § 266.31(b).

(e) *Recordkeeping.* In addition to the applicable recordkeeping requirements of Parts 264 and 265 of this chapter, a burner must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives hazardous waste fuel from that marketer.

(The notification requirements contained in paragraph (b) of this section were approved by the Office of Management and Budget under control number 2050-0028. The storage requirements contained in paragraph (c) of this section were approved by the Office of Management and Budget under control number 2050-0009. The certification requirements contained in paragraph (d) of this section were approved by the Office of Management and Budget under control number 2050-0047. The recordkeeping requirements contained in paragraph (e) of this section were approved by the Office of Management and Budget under control number 2050-0047.)

[50 FR 49204, Nov. 29, 1985, as amended at 52 FR 11821, Apr. 13, 1987]

Subpart E—Used Oil Burned for Energy Recovery

SOURCE: 50 FR 49205, Nov. 29, 1985, unless otherwise noted.

§ 266.40 Applicability.

(a) The regulations of this subpart apply to used oil that is burned for energy recovery in any boiler or industrial furnace that is not regulated under Subpart O of Part 264 or 265 of this chapter, except as provided by paragraphs (c) and (e) of this section. Such used oil is termed "used oil fuel". Used oil fuel includes any fuel produced from used oil by processing, blending, or other treatment.

(b) "Used oil" means any oil that has been refined from crude oil, used, and, as a result of such use, is contaminated by physical or chemical impurities.

(c) Except as provided by paragraph (d) of this section, used oil that is mixed with hazardous waste and burned for energy recovery is subject to regulation as hazardous waste fuel under Subpart D of Part 266. Used oil containing more than 1000 ppm of total halogens is presumed to be a hazardous waste because it has been mixed with halogenated hazardous waste listed in Subpart D of Part 261 of this chapter. Persons may rebut this presumption by demonstrating that the used oil does not contain hazardous waste (for example, by showing that the used oil does not contain significant concentrations of halogenated hazardous constituents listed in Appendix VIII of Part 261 of this chapter).

(d) Used oil burned for energy recovery is subject to regulation under this subpart rather than as hazardous waste fuel under Subpart D of this part if it is a hazardous waste solely because it:

(1) Exhibits a characteristic of hazardous waste identified in Subpart C of Part 261 of this chapter, provided that it is not mixed with a hazardous waste; or

(2) Contains hazardous waste generated only by a person subject to the special requirements for small quantity generators under § 261.5 of this chapter.

(e) Except as provided by paragraph (c) of this section, used oil burned for energy recovery, and any fuel produced from used oil by processing, blending, or other treatment, is subject to regulation under this subpart unless it is shown not to exceed any of the allowable levels of the constituents and properties in the specification shown in the following table. Used oil fuel that meets the specification is subject only to the analysis and recordkeeping requirements under § 266.43(b) (1) and (6). Used oil fuel that exceeds any specification level is termed "off-specification used oil fuel".

USED OIL EXCEEDING ANY SPECIFICATION LEVEL IS SUBJECT TO THIS SUBPART WHEN BURNED FOR ENERGY RECOVERY *

Constituent/property	Allowable level
Arsenic.....	5 ppm maximum.
Cadmium.....	2 ppm maximum.
Chromium.....	10 ppm maximum.
Lead.....	100 ppm maximum.
Flash Point.....	100 °F minimum.
Total Halogens.....	4,000 ppm maximum.*

* The specification does not apply to used oil fuel mixed with a hazardous waste other than small quantity generator hazardous waste.

† Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under § 266.40(c). Such used oil is subject to Subpart D of this part rather than this subpart when burned for energy recovery unless the presumption of mixing can be successfully rebutted.

§ 266.41 Prohibitions.

(a) A person may market off-specification used oil for energy recovery only:

(1) To burners or other marketers who have notified EPA of their used oil management activities stating the location and general description of such activities, and who have an EPA identification number; and

(2) To burners who burn the used oil in an industrial furnace or boiler identified in paragraph (b) of this section.

(b) Off-specification used oil may be burned for energy recovery in only the following devices:

(1) Industrial furnaces identified in § 260.10 of this chapter; or

(2) Boilers, as defined in § 260.10 of this chapter, that are identified as follows:

(i) Industrial boilers located on the site of a facility engaged in a manufacturing process where substances are transformed into new products, including the component parts of products, by mechanical or chemical processes;

(ii) Utility boilers used to produce electric power, steam, or heated or cooled air or other gases or fluids for sale; or

(iii) Used oil-fired space heaters provided that:

(A) The heater burns only used oil that the owner or operator generates or used oil received from do-it-yourself oil changers who generate used oil as household waste;

(B) The heater is designed to have a maximum capacity of not more than 0.5 million Btu per hour; and

(C) The combustion gases from the heater are vented to the ambient air.

§ 266.42 Standards applicable to generators of used oil burned for energy recovery.

(a) Except as provided in paragraphs (b) and (c) of this section, generators of used oil are not subject to this subpart.

(b) Generators who market used oil directly to a burner are subject to § 266.43.

(c) Generators who burn used oil are subject to § 266.44.

§ 266.43 Standards applicable to marketers of used oil burned for energy recovery.

(a) Persons who market used oil fuel are termed "marketers". Except as provided below, marketers include generators who market used oil fuel directly to a burner, persons who receive used oil from generators and produce, process, or blend used oil fuel from these used oils (including persons sending blended or processed used oil to brokers or other intermediaries), and persons who distribute but do not process or blend used oil fuel. The following persons are not marketers subject to this subpart:

(1) Used oil generators, and collectors who transport used oil received only from generators, unless the generator or collector markets the used oil directly to a person who burns it for energy recovery. However, persons who burn some used oil fuel for purposes of processing or other treatment to produce used oil fuel for marketing are considered to be burning incidentally to processing. Thus, generators and collectors who market to such incidental burners are not marketers subject to this subpart;

(2) Persons who market only used oil fuel that meets the specification under § 266.40(e) and who are not the first person to claim the oil meets the specification (i.e., marketers who do not receive used oil from generators or initial transporters and marketers who

neither receive nor market off-specification used oil fuel).

(b) Marketers are subject to the following requirements:

(1) *Analysis of used oil fuel.* Used oil fuel is subject to regulation under this subpart unless the marketer obtains analyses or other information documenting that the used oil fuel meets the specification provided under § 266.40(e).

(2) *Prohibitions.* The prohibitions under § 266.41(a);

(3) *Notification.* Notification to EPA stating the location and general description of used oil management activities. Even if a marketer has previously notified EPA of his hazardous waste management activities under section 3010 of RCRA and obtained a U.S. EPA Identification Number, he must renotify to identify his used oil management activities.

(4) *Invoice system.* When a marketer initiates a shipment of off-specification used oil, he must prepare and send the receiving facility an invoice containing the following information:

(i) An invoice number;

(ii) His own EPA identification number and the EPA identification number of the receiving facility;

(iii) The names and addresses of the shipping and receiving facilities;

(iv) The quantity of off-specification used oil to be delivered;

(v) The date(s) of shipment or delivery; and

(vi) The following statement: "This used oil is subject to EPA regulation under 40 CFR Part 266";

NOTE: Used oil that meets the definition of combustible liquid (flash point below 200 °F but at or greater than 100 °F) or flammable liquid (flash point below 100 °F) is subject to Department of Transportation Hazardous Materials Regulations at 49 CFR Parts 100 through 177.

(5) *Required notices.* (i) Before a marketer initiates the first shipment of off-specification used oil to a burner or other marketer, he must obtain a one-time written and signed notice from the burner or marketer certifying that:

(A) The burner or marketer has notified EPA stating the location and general description of his used oil management activities; and

(B) If the recipient is a burner, the burner will burn the off-specification used oil only in an industrial furnace or boiler identified in § 266.41(b); and

(ii) Before a marketer accepts the first shipment of off-specification used oil from another marketer subject to the requirements of this section, he must provide the marketer with a one-time written and signed notice certifying that he has notified EPA of his used oil management activities; and

(6) *Recordkeeping*—(i) *Used oil fuel that meets the specification.* A marketer who first claims under paragraph (b)(1) of this section that used oil fuel meets the specification must keep copies of analysis (or other information used to make the determination) of used oil for three years. Such marketers must also record in an operating log and keep for three years the following information on each shipment of used oil fuel that meets the specification. Such used oil fuel is not subject to further regulation, unless it is subsequently mixed with hazardous waste or unless it is mixed with used oil so that it no longer meets the specification.

(A) The name and address of the facility receiving the shipment;

(B) The quantity of used oil fuel delivered;

(C) The date of shipment or delivery; and

(D) A cross-reference to the record of used oil analysis (or other information used to make the determination that the oil meets the specification) required under paragraph (b)(6)(i) of this section.

(ii) *Off-specification used oil fuel.* A marketer who receives or initiates an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received or prepared. In addition, a marketer must keep a copy of each certification notice that he receives or sends for three years from the date he last engages in an off-specification used oil fuel marketing transaction with the person who sends or receives the certification notice.

(The analysis requirements contained in paragraph (b)(1) of this section were approved by OMB under control number 2050-

0047. The notification requirements contained in paragraph (b)(3) of this section were approved by OMB under control number 2050-0028. The invoice requirements contained in paragraph (b)(4) of this section were approved by OMB under control number 2050-0047. The certification requirements contained in paragraph (b)(5) of this section were approved by OMB under control number 2050-0047. The recordkeeping requirements contained in paragraph (b)(6) of this section were approved by OMB under control number 2050-0047.)

[50 FR 49205, Nov. 29, 1985, as amended at 52 FR 11822, Apr. 13, 1987]

§ 266.44 Standards applicable to burners of used oil burned for energy recovery.

Owners and operators of facilities that burn used oil fuel are "burners" and are subject to the following requirements:

(a) *Prohibition.* The prohibition under § 266.41(b);

(b) *Notification.* Burners of off-specification used oil fuel, and burners of used oil fuel who are the first to claim that the oil meets the specification provided under § 266.40(e), except burners who burn specification oil that they generate, must notify EPA stating the location and general description of used oil management activities. Burners of used oil fuel that meets the specification who receive such oil from a marketer that previously notified EPA are not required to notify. Owners and operators of used oil-fired space heaters that burn used oil fuel under the provisions of § 266.41(b)(2) are exempt from this notification requirement. Even if a burner has previously notified EPA of his hazardous waste management activities under section 3010 of RCRA and obtained an identification number, he must renotify to identify his used oil management activities.

(c) *Required notices.* Before a burner accepts the first shipment of off-specification used oil fuel from a marketer, he must provide the marketer a one-time written and signed notice certifying that:

(1) He has notified EPA stating the location and general description of his used oil management activities; and

(2) He will burn the used oil only in an industrial furnace or boiler identified in § 266.41(b); and

(d) *Used oil fuel analysis.* (1) Used oil fuel burned by the generator is subject to regulation under this subpart unless the burner obtains analysis (or other information) documenting that the used oil meets the specification provided under § 266.40(e).

(2) Burners who treat off-specification used oil fuel by processing, blending, or other treatment to meet the specification provided under § 266.40(e) must obtain analyses (or other information) documenting that the used oil meets the specification.

(e) *Recordkeeping.* A burner who receives an invoice under the requirements of this section must keep a copy of each invoice for three years from the date the invoice is received. Burners must also keep for three years copies of analyses of used oil fuel as may be required by paragraph (d) of this section. In addition, he must keep a copy of each certification notice that he sends to a marketer for three years from the date he last receives off-specification used oil from that marketer.

(The notification requirements contained in paragraph (b) of this section were approved by OMB under control number 2050-0028. The certification requirements contained in paragraph (c) of this section were approved by OMB under control number 2050-0047. The analysis requirements contained in paragraph (d) of this section were approved by OMB under control number 2050-0047. The recordkeeping requirements contained in paragraph (e) of this section were approved by OMB under control number 2050-0047.)

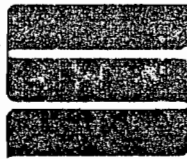
[50 FR 49205, Nov. 29, 1985, as amended at 52 FR 11822, Apr. 13, 1987]

Subpart F—Recyclable Materials Utilized for Precious Metal Recovery

§ 266.70 Applicability and requirements.

(a) The regulations of this subpart apply to recyclable materials that are reclaimed to recover economically significant amounts of gold, silver, platinum, palladium, irridium, osmium, rhodium, ruthenium, or any combination of these.

(b) Persons who generate, transport, or store recyclable materials that are regulated under this subpart are subject to the following requirements:



"REVISED"

March 29, 1991

RECEIVED

APR 9 1991

DER-BAQM

Florida Department of
Environmental Regulation
Twin Tower Office Bldg.
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Pending Part B Permit Application

Dear Sir or Madam:

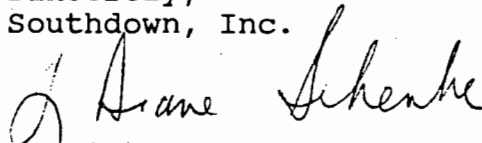
As you know, Moore McCormack Resources, Inc., a wholly-owned subsidiary of Southdown, Inc. d/b/a Florida Mining & Materials, operates a cement manufacturing facility in Brooksville, Florida.

This letter is to inform you that Southdown, Inc. is in the process of consolidating its cement and concrete products operations. As part of that consolidation, Florida Mining & Materials will be merged with and into Southdown, Inc., its parent company, effective by April 30, 1991. The merger will not result in any change in personnel or current operations at the Brooksville facility, and the facility will continue doing business as Florida Mining & Materials, a division of Southdown, Inc. By operation of law, after the merger all of the liabilities and obligations of Florida Mining & Materials, as well as all of its assets, franchises, rights and privileges, become those of Southdown, Inc.

Please make any necessary annotations to reflect the name of Southdown, Inc. in the records for each permit listed above for the Brooksville facility.

Please call Ralph Shepard at (904) 796-7241 or me at (713) 653-6827 if you have any questions, or if you would like additional information.


Sincerely,
Southdown, Inc.


L. Diane Schenke

LDS/pls

21 SOUTHEAST\MEW\78410\A001\7220328.LTR

cc: *B. Mitchell*
g. Reynolds

Recycled paper 

Southdown, Inc.

■ CITICORP CENTER, 1200 SMITH STREET, SUITE 2400
■ HOUSTON, TEXAS 77002-4486 ■ TELEPHONE: (713) 650-6200

Board of County Commissioners

Hernando County



20 North Main Street, Room 460
Brooksville, FL 34601

November 1, 1990

RECEIVED
NOV 13 1990
DER - BAQM
(904)-754-4000
(904)-754-4002

Mr. Clare Fancy, Bureau Chief
Department of Environmental Regulation
Bureau of Air Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Dear Mr. Fancy:

Mr. Segundo Fernandez of Oertel, Hoffman, Fernandez & Cole, P.A. is acting as the County's representative for air sources in Hernando County as related to Florida Mining and Materials and Florida Crushed Stone. Mr. Fernandez' firm will review all permitting documents to ensure that the County's interests are protected. Please forward all correspondence relating to these facilities to the attention of Mr. Segundo Fernandez, P.A. at the following address:

Oertel, Hoffman, Fernandez, and Cole, P.A.
2700 Blair Stone Road
Post Office Box 6507
Tallahassee, FL 32314-6507

Mr. Bruce Mitchell of your staff indicated that DER is required to copy the County but is not required to copy the County's legal representative. The County is requesting that you forward the County's official notification to Mr. Fernandez.

If you should need any additional information, please contact me.

Sincerely,

Hernando County Board of
County Commissioners

Henry D. Ledbetter
Chairman

KPL/mre

cc: Richard Garrity, DER (Tampa Office)
Charles B. Hetrick, County Administrator
R. Bruce Snow, County Attorney
Segundo Fernandez, P.A., OHF&C
Larry Jennings, Planning Department Manager

E. Mitchell
J. Reynolds
OHF/BA

HERNANDO COUNTY PLANNING DEPARTMENT

FAX TRANSMITTAL SHEET

MESSAGE TO:	Bruce Mitchell	DATE:	11-1-90
COMPANY/AGENCY:	DER		
FAX NUMBER:	904-922-6979		
SUBJECT:	Hazardous Waste / FURN		

MESSAGE FROM:	Larry Jennings, Manager		
AGENCY:	Hernando County Planning Department Government Complex/Administration Bldg. 20 N. Brooksville Avenue, Room 262 Brooksville, Florida 34601		
FAX NUMBER:	904-754-4420		

NUMBER OF PAGES INCLUDING COVER SHEET: 2

If you do not receive the number of pages indicated above, please contact the sender at this number: 904-754-4057.

NOTES/COMMENTS:

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

ATTORNEYS AT LAW

SUZANNE BROWNLESS
 M. CHRISTOPHER BRYANT
 R. L. CALEEN, JR.
 C. ANTHONY CLEVELAND
 TERRY COLE
 ROBERT C. DOWNIE, II
 MARTHA J. EDENFIELD
 SEGUNDO J. FERNANDEZ
 KENNETH F. HOFFMAN
 KENNETH G. OERTEL
 HAROLD F. X. PURNELL
 PATRICIA A. RENOVITCH
 SCOTT SHIRLEY
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SUITE C
 2700 BLAIR STONE ROAD
 TALLAHASSEE, FLORIDA 32301

MAILING ADDRESS:
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 TALLAHASSEE, FLORIDA 32314-6507

TELEPHONE (904) 877-0099
 FACSIMILE (904) 877-0981

JOHN H. MILLICAN
 ENVIRONMENTAL CONSULTANT
 (NOT A MEMBER OF THE FLORIDA BARI)

J. P. SUBRAMANI, PH. D., P. E.
 ENVIRONMENTAL CONSULTANT
 (NOT A MEMBER OF THE FLORIDA BARI)

November 1, 1990

HAND DELIVERY

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

- RE: (1) Florida Crushed Stone Company; Amendment to
 AC 27-118674; and**
- (2) Florida Mining and Materials Company;
 Amendments to AC 27-169616 and AC 27-173474.**

Dear Mr. Fancy:

Our law firm has been retained by Hernando County to evaluate the proposals by the Florida Crushed Stone Company and Florida Mining and Materials to respectively burn industrial sludge, and tires and used oil, in their cement manufacturing operations. We respectfully request that the Department reconsider the permit authorization granted to Florida Crushed Stone Company to burn industrial sludge. We also request the Department not to allow the burning of the tires in the cement kilns owned by the Florida Mining and Materials Company. Our reasons are stated below.

- 1. Proposal by Florida Crushed Stone Company to
 burn industrial sludge (AC 27-118674)**

Our evaluation of this proposal clearly indicates that the Department approval was granted based on an inadequate and inappropriate review of the EP and TCLP toxicity characterization of the industrial sludge from the Jacksonville Electric Authority (JEA). The EP and TCLP procedures evaluate the solubility characteristics of the metals in the water medium and have no direct relationship to air pollution evaluation factors. The EP and TCLP characterization, while indicative of heavy metals content, is primarily appropriate for evaluating the threat to groundwater and surface water contamination.

ORIGINAL INFORMATION TRANSMISSIONS & COMM. DIV.

Request For Messenger Service

FILE NO. **1579-3** **Nov. 1** 19 **90** TIME **4:00 P.** M.

CHARGE TO **Hernando County** MATTER

PICK UP FROM:

DELIVER TO: **Clair Jacey**
ADDRESS **DER** ROOM **306F**

TRIP MUST BE COMPLETED NO LATER THAN **5:00 P.M. 11/1/90** TIME Delivered M.

MESSENGER TIME of Departure M. TIME Returned M.

RECEIPT REQUESTED: YES NO GIVE RECEIPT TO

INSTRUCTIONS OR MESSENGER'S MESSAGE
Ret. Stamped Copy

JP / Gina
AUTHORIZED BY

Gina
MESSENGER SERVICE REQUESTED BY

Secondly, the Department authorization appears to have been based on the test results of the Gifford-Hill Cement Company in Harleyville, South Carolina. That test report indicates that the metals content of the industrial sludge are much lower than those of the JEA sludge. A comparison of the concentration of certain metals is listed below.

<u>PARAMETER</u>	<u>SOUTH CAROLINA SLUDGE (ppm)</u>	<u>JEA SLUDGE (ppm)</u>
Arsenic	40	6,500
Molybdenum	910	16,000
Nickel	8,200	20,000
Vanadium	26,800	64,000
Selenium	24	330

Additionally, the JEA sludge contains 170,000 ppm iron, 41,000 ppm magnesium, 66,000 ppm sulfates and 5,800 ppm chlorides. No information is available as to the Department's evaluation of air pollution effects due to high contents of these components in the sludge. We also note that the Department has relaxed the requirement of emission testing for dioxins and furons. The chemistry for dioxin formation is not clearly understood and therefore testing for the precursors may not yield reliable information.

2. Proposal by Florida Mining and Materials Company to burn tires and used oil


The company's proposal is to burn as much as 70 percent supplementary fuel consisting of tires and used oil. We believe there will be increases in the emissions of many air pollutants, especially, fine particulate matter, and heavy metals such as arsenic, cadmium, chromium, lead and zinc. We also believe that there will be significant increase in the emissions of sulfur dioxide, acid mist and polynuclear aromatic compounds. We learned that the Department had earlier authorized Florida Crushed Stone to test burn tires in its Brooksville facility. We would appreciate receiving copies of the stack test emissions for the above pollutants. We would also appreciate receiving test reports for the Modesto Energy facility located in Westley, California.

Clair H. Fancy, P.E.
November 1, 1990
Page Three

HAND DELIVERY

Please feel free to contact me if you have any questions.

Sincerely,



J. P. Subramani

JPS:gg

cc: Bruce Snow, Esq.
Kathy Liles
Bruce Mitchell

File Copy



Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary

October 5, 1990

Mrs. Kathy Liles
20 North Main Street, Room 262
Brooksville, Florida 34601

Dear Mrs. Liles:

Re: Request to Process Tire Derived Fuel and Used Oil
Florida Mining and Materials - Cement Kilns Nos. 1 and 2

The enclosed information is being forwarded to you for completeness review.

Florida Mining and Materials has requested to process tire derived fuel and used oil in their existing cement kilns. Even though the claim is that there will be no actual pollutant emission increases, which will have to be verified, the sources are not permitted to process these fuels.

Due to the potential controversy with this operational change, the Department will require public notice of the company's intent prior to amending their construction permits.

If you have any questions, please call Bruce Mitchell at 904-488-1344 or write to me at the above address. All comments, written or oral, should be received by November 2, 1990. If it is convenient to FAX a response to us, the FAX number to use is 904-922-6979.

Sincerely,

C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/BM/plm

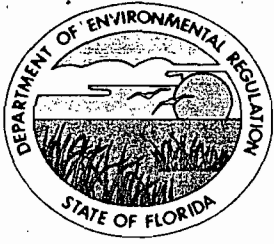
Attachments

c: B. Mitchell, BAR

Ready File

} 10-5-90 RM

File 10/7



Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachmann, Secretary

John Shearer, Assistant Secretary

October 5, 1990

Ms. Jewell Harper, Chief
Air Enforcement Branch
U.S. EPA, Region IV
345 Courtland Street, N.E.
Atlanta, Georgia 30365

Dear Ms. Harper:

Re: Request to Process Tire Derived Fuel and Used Oil
Florida Mining and Materials - Cement Kilns Nos. 1 and 2

The enclosed information is being forwarded to you for completeness review.

Florida Mining and Materials has requested to process tire derived fuel and used oil in their existing cement kilns. Even though the claim is that there will be no actual pollutant emission increases, which will have to be verified, the sources are not permitted to process these fuels.

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Sincerely,

C. H. Fancy
C. H. Fancy, P.E.
Chief

Bureau of Air Regulation

CHF/BM/plm.

Attachments

c: B. Mitchell, BAR }
Reading File } 10-5-90 BA

File copy



Florida Department of Environmental Regulation

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

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

October 5, 1990

Mr. Bill Thomas, Administrator
Air Programs
Southwest District
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347

Dear Mr. Thomas:

Re: Request to Process Tire Derived Fuel and Used Oil
Florida Mining and Materials - Cement Kilns Nos. 1 and 2

The enclosed information is being forwarded to you for completeness review.

Florida Mining and Materials has requested to process tire derived fuel and used oil in their existing cement kilns. Even though the claim is that there will be no actual pollutant emission increases, which will have to be verified, the sources are not permitted to process these fuels.

Due to the potential controversy with this operational change, the Department will require public notice of the company's intent prior to amending their construction permits.

If you have any questions, please call Bruce Mitchell at 904-488-1344 or write to me at the above address. All comments, written or oral, should be received by November 2, 1990. If it is convenient to FAX a response to us, the FAX number to use is 904-922-6979.

Sincerely,


C. H. Fancy, P.E.
Chief

Bureau of Air Regulation

CHF/BM/plm

Attachments

c: B. Mitchell, BAR }
Ready File } 10-5-90

File 107



Florida Department of Environmental Regulation

Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-2400
Bob Martinez, Governor Dale Twachtmann, Secretary John Shearer, Assistant Secretary

October 5, 1990

Mrs. Chris Shaver, Chief
Permit Review and Technical Support Branch
National Park Service
Air Quality Division
Post Office Box 25287
Denver, Colorado 80255

Dear Mrs. Shaver:

Re: Request to Process Tire Derived Fuel and Used Oil
Florida Mining and Materials - Cement Kilns Nos. 1 and 2

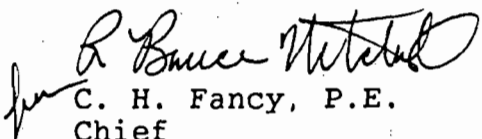
The enclosed information is being forwarded to you for completeness review.

Florida Mining and Materials has requested to process tire derived fuel and used oil in their existing cement kilns. Even though the claim is that there will be no actual pollutant emission increases, which will have to be verified, the sources are not permitted to process these fuels.

Due to the potential controversy with this operational change, the Department will require public notice of the company's intent prior to amending their construction permits.

If you have any questions, please call Bruce Mitchell at 904-488-1344 or write to me at the above address. All comments, written or oral, should be received by November 2, 1990. If it is convenient to FAX a response to us, the FAX number to use is 904-922-6979.

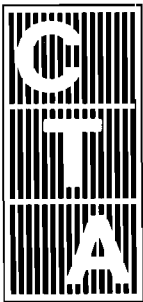
Sincerely,


C. H. Fancy, P.E.
Chief
Bureau of Air Regulation

CHF/BM/plm

Attachments

c: B. Mitchell, BAR }
Ready File } 10-5-90 gm



CROSS/TESSITORE & ASSOCIATES, P.A.

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

September 14, 1990

Mr. C.H. Fancy, P.E.
Department of Environmental Regulation
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

SUBJECT: Florida Mining & Materials (F03.669)

Dear Mr. Fancy:

Please find enclosed four (4) copies of each of the following documents:

- 1) Application to Amend FDER Air Pollution Source Permit AC27-169616 For Performance Testing of Waste Tires and Used Oil in Cement Kiln No. 1; and
- 2) Application to Amend FDER Air Pollution Source Permit AC27-173474 for Performance Testing of Waste Tires and Used Oil in Cement Kiln No. 2.

The purpose of the requested permit amendments is to allow Florida Mining and Materials (FM&M) to:

- (1) Evaluate the energy conservation benefits of utilizing waste tires and used oil as a fuel supplement to coal.
- (2) Determine if the existing facility in its present physical configuration is capable of operating with these fuel combinations.
- (3) Determine emissions levels from the cement kilns during operation with these various fuel combinations.

A modification of the existing sources is not requested at this time.

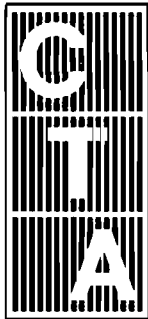
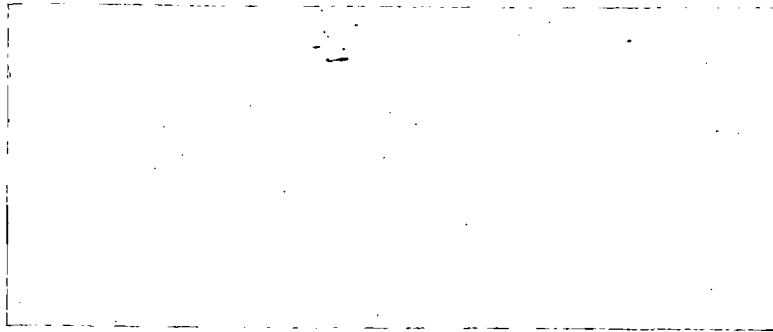
Should you have any questions or comments regarding these applications, please do not hesitate to contact me.

Sincerely,

Patricia K. Rykowski

Patricia K. Rykowski
Project Engineer

PKR/bdf
Enc. a/s
C0900.Doc



CROSS/TESSITORE & ASSOCIATES, P.A.

REGISTERED PROFESSIONAL ENGINEERS

ENVIRONMENTAL ENGINEERS

4763 SOUTH CONWAY ROAD
ORLANDO, FLORIDA 32812

**APPLICATION TO AMEND FDER
AIR POLLUTION SOURCE PERMIT
AC27-173474 FOR PERFORMANCE TESTING
OF WASTE TIRES AND USED OIL
IN CEMENT KILN NO. 2**

and
AC27-138850
PSD-FL-124
-124A

**FLORIDA MINING AND MATERIALS
BROOKSVILLE, FLORIDA**

September 14, 1990

Cross/Tessitore & Associates, P.A.
4763 South Conway Road, Suite F.
Orlando, Florida 32812
(407) 851-1484
F03.178/FMM2TIRE

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Florida Department of Environmental Regulation
Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, Florida 32399-1-00

DER Form #	_____
Print Name	_____
Emission Date	_____
DER Approval No.	_____

Filed in by DER

APPLICATION TO OPERATE/CONSTRUCT AIR POLLUTION SOURCES

SOURCE TYPE: Portland Cement Plant [] New¹ [x] Existing¹
 APPLICATION TYPE: [] Construction [] Operation [x] Modification
 COMPANY NAME: Moore McCormack, Inc. d/b/a Florida Mining & Materials COUNTY: Hernando
 Identify the specific emission point source(s) addressed in this application (i.e. Lime Kiln No. 4 with Venturi Scrubber; Peaking Unit No. 2, Gas Fired) No. 2 Cement Kiln
 SOURCE LOCATION: Street U.S. Highway 98 City NW of Brooksville
 UTM: East 17-356 North 3169
 Latitude 28° 38' 34"N Longitude 82° 28' 25"W
 APPLICANT NAME AND TITLE: C. M. Coleman Jr., Vice President and General Manager
 APPLICANT ADDRESS: P.O. Box 6, Brooksville, Florida 34605-0006

SECTION I: STATEMENTS BY APPLICANT AND ENGINEER

A. APPLICANT

I am the undersigned owner or authorized representative* of Moore McCormack Inc. d/b/a Florida Mining & Materials

I certify that the statements made in this application for a modification permit are true, correct and complete to the best of my knowledge and belief. Further, I agree to maintain and operate the pollution control source and pollution control facilities in such a manner as to comply with the provision of Chapter 403, Florida Statutes, and all the rules and regulations of the department and revisions thereof. I also understand that a permit, if granted by the department, will be non-transferable and I will promptly notify the department upon sale or legal transfer of the permitted establishment.

*Attach letter of authorization

Signed: [Signature]
C.M. Coleman Jr., Vice President
and General Manager
 Name and Title (Please Type)

Date: 09/14/90 Telephone No. (904)796-7241

B. PROFESSIONAL ENGINEER REGISTERED IN FLORIDA (where required by Chapter 471, F.S.)

This is to certify that the engineering features of this pollution control project have been designed/examined by me and found to be in conformity with modern engineering principles applicable to the treatment and disposal of pollutants characterized in the permit application. There is reasonable assurance, in my professional judgment, that

¹ See Florida Administrative Code Rule 17-2.100(57) and (104)

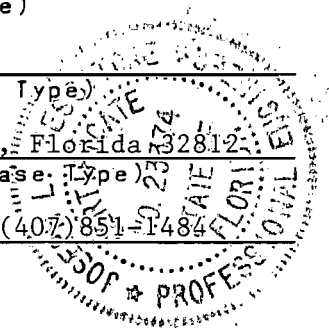
the pollution control facilities, when properly maintained and operated, will discharge an effluent that complies with all applicable statutes of the State of Florida and the rules and regulations of the department. It is also agreed that the undersigned will furnish, if authorized by the owner, the applicant a set of instructions for the proper maintenance and operation of the pollution control facilities and, if applicable, pollution sources.

Signed Joseph L. Tessitore
 Joseph L. Tessitore, P.E.
 Name (Please Type)

Cross/Tessitore & Associates, P.A.
 Company Name (Please Type)

4763 S. Conway Rd., Ste. F, Orlando, Florida 32812
 Mailing Address (Please Type)

Florida Registration No. 23374 Date: 9/14/90 Telephone No. (407) 851-1484



SECTION II: GENERAL PROJECT INFORMATION

A. Describe the nature and extent of the project. Refer to pollution control equipment, and expected improvements in source performance as a result of installation. State whether the project will result in full compliance. Attach additional sheet if necessary.

See Supplemental Information: Section II

B. Schedule of project covered in this application (Construction Permit Application Only)

Start of Construction N/A Completion of Construction N/A

C. Costs of pollution control system(s): (Note: Show breakdown of estimated costs only for individual components/units of the project serving pollution control purposes. Information on actual costs shall be furnished with the application for operation permit.) The following information represents the initial costs associated with the existing baghouse system. No additional air pollution control equipment will be required for the subject modification.

Baghouse Equipment	\$2,825,000.00
Erection	\$2,800,000.00
Total	5,625,000.00

D. Indicate any previous DER permits, orders and notices associated with the emission point, including permit issuance and expiration dates.

See Supplemental Information: Section II

8,200 hrs/yr

E. Requested permitted equipment operating time: hrs/day ___; days/wk ___; wks/yr ___; if power plant, hrs/yr ___; if seasonal, describe: _____

F. If this is a new source or major modification, answer the following questions. (Yes or No)

- 1. Is this source in a non-attainment area for a particular pollutant? No
 - a. If yes, has "offset" been applied? _____
 - b. If yes, has "Lowest Achievable Emission Rate" been applied? _____
 - c. If yes, list non-attainment pollutants. _____
- 2. Does best available control technology (BACT) apply to this source? Yes¹
If yes, see Section VI.
- 3. Does the State "Prevention of Significant Deterioration" (PSD) requirement apply to this source? If yes, see Sections VI and VII. Yes²
- 4. Do "Standards of Performance for New Stationary Sources" (NSPS) apply to this source? Yes
- 5. Do "National Emission Standards for Hazardous Air Pollutants" (NESHAP) apply to this source? No

- H. Do "Reasonably Available Control Technology" (RACT) requirements apply to this source? No
 - a. If yes, for what pollutants? _____
 - b. If yes, in addition to the information required in this form, any information requested in Rule 17-2.650 must be submitted.

Attach all supportive information related to any answer of "Yes". Attach any justification for any answer of "No" that might be considered questionable.

¹ BACT has been determined for particulate emissions under the previous Permit AC 27-30450; BACT has been determined for Sulfur Dioxide and Nitrogen Dioxide (NO_x) under the previous Permit AC 27-138850. No BACT review was required for Carbon Monoxide and Volatile Organic Compound emissions.

² PSD review for particulate, Sulfur Dioxide and Nitrogen Dioxide (NO_x) was conducted under previous Permits AC 27-30450 and AC 27-138850 (PSD-FL-124).

SECTION III: AIR POLLUTION SOURCES & CONTROL DEVICES (Other than Incinerators)

A. Raw Materials and Chemicals Used in your Process, if applicable:

Description	Contaminants		Utilization Rate - lbs/hr	Relate to Flow Diagram
	Type	% Wt		
Limestone	Particulate	0.02	207,640	
Sand/Clay	Particulate	0.08	20,774	See Supplemental
Fly Ash	Particulate	0.14	26,182	Information: Section II
Staurolite	Particulate	1.40	2,704	
Mill Scale	Particulate	1.40	2,704	

B. Process Rate, if applicable: (See Section V, Item 1)

- Total Process Input Rate (lbs/hr): 260,000
- Product Weight (lbs/hr): 159,250

C. Airborne Contaminants Emitted: (Information in this table must be submitted for each emission point, use additional sheets as necessary)

Name of Contaminant	Emission ¹		Allowed ² Emission Rate per Rule 17-2	Allowable ³ Emission lbs/hr	Potential ⁴ Emission		Relate to Flow Diagram
	Maximum lbs/hr	Actual T/yr			lbs/yr	T/yr	
	See Supplemental		Information:	Section III			

See Section V, Item 2.

²Reference applicable emission standards and units (e.g. Rule 17-2.600(5)(b)2. Table II, E. (1) - 0.1 pounds per million BTU heat input)

³Calculated from operating rate and applicable standard.

⁴Emission, if source operated without control (See Section V, Item 3).

D. Control Devices: (See Section V, Item 4)

Name and Type (Model & Serial No.)	Contaminant	Efficiency	Range of Particles Size Collected (in microns) (If applicable)	Basis for Efficiency (Section V Item 5)
Fuller Reverse	Particulate	99.9	0-60	Testing
Air (Variable Cycle)				
Fabric Filter				

E. Fuels

Type (Be Specific)	Consumption*		Maximum Heat Input (MMBTU/hr)
	avg/hr	max./hr	
See Supplemental Information: Section III			

*Units: Natural Gas--MMCF/hr; Fuel Oils--gallons/hr; Coal, wood, refuse, other--lbs/hr.

Fuel Analysis: See supplemental information: Section II

Percent Sulfur: _____ Percent Ash: _____

Density: _____ lbs/gal Typical Percent Nitrogen: _____

Heat Capacity: _____ BTU/lb _____ BTU/gal

Other Fuel Contaminants (which may cause air pollution): _____

F. If applicable, indicate the percent of fuel used for space heating.

Annual Average _____ Maximum _____

G. Indicate liquid or solid wastes generated and method of disposal.

Solids collected from the fabric filter during normal operation will be
returned to the kiln feed and recycled through the system.

Emission Stack Geometry and Flow Characteristics (Provide data for each stack):

Stack Height: 90 ft. Stack Diameter: 14.0 ft.
 Gas Flow Rate: 300,000 ACFM 199,000 DSCFM Gas Exit Temperature: ~ 380 °F.
 Water Vapor Content: ~ 10 % Velocity: 24.87 FPS

SECTION IV: INCINERATOR INFORMATION
NOT APPLICABLE

Type of Waste	Type 0 (Plastics)	Type I (Rubbish)	Type II (Refuse)	Type III (Garbage)	Type IV (Pathological)	Type V (Liq. & Gas By-prod.)	Type VI (Solid By-prod.)
Actual lb/hr Incinerated	NOT APPLICABLE						
Uncontrolled (lbs/hr)							

Description of Waste _____
 Total Weight Incinerated (lbs/hr) _____ Design Capacity (lbs/hr) _____
 Approximate Number of Hours of Operation per day _____ day/wk _____ wks/yr. _____
 Manufacturer _____
 Date Constructed _____ Model No. _____

	Volume (ft) ³	Heat Release (BTU/hr)	Fuel		Temperature (°F)
			Type	BTU/hr	
Primary Chamber	NOT APPLICABLE				
Secondary Chamber					

Stack Height: _____ ft. Stack Diameter: _____ Stack Temp. _____
 Gas Flow Rate: _____ ACFM _____ DSCFM* Velocity: _____ FPS

If 50 or more tons per day design capacity, submit the emissions rate in grains per standard cubic foot dry gas corrected to 50% excess air.

Type of pollution control device: Cyclone Wet Scrubber Afterburner
 Other (specify) _____

Brief description of operating characteristics of control devices: _____

NOT APPLICABLE

Ultimate disposal of any effluent other than that emitted from the stack (scrubber water, ash, etc.):

NOT APPLICABLE

NOTE: Items 2, 3, 4, 6, 7, 8, and 10 in Section V must be included where applicable.

SECTION V: SUPPLEMENTAL REQUIREMENTS

See Supplemental Information: Section V

Please provide the following supplements where required for this application.

1. Total process input rate and product weight -- show derivation [Rule 17-2.100(127)]
2. To a construction application, attach basis of emission estimate (e.g., design calculations, design drawings, pertinent manufacturer's test data, etc.) and attach proposed methods (e.g., FR Part 60 Methods 1, 2, 3, 4, 5) to show proof of compliance with applicable standards. To an operation application, attach test results or methods used to show proof of compliance. Information provided when applying for an operation permit from a construction permit shall be indicative of the time at which the test was made.
3. Attach basis of potential discharge (e.g., emission factor, that is, AP42 test).
With construction permit application, include design details for all air pollution control systems (e.g., for baghouse include cloth to air ratio; for scrubber include cross-section sketch, design pressure drop, etc.)
4. With construction permit application, attach derivation of control device(s) efficiency. Include test or design data. Items 2, 3 and 5 should be consistent: actual emissions = potential (1-efficiency).
5. An 8 1/2" x 11" flow diagram which will, without revealing trade secrets, identify the individual operations and/or processes. Indicate where raw materials enter, where solid and liquid waste exit, where gaseous emissions and/or airborne particles are evolved and where finished products are obtained.
6. An 8 1/2" x 11" plot plan showing the location of the establishment, and points of airborne emissions, in relation to the surrounding area, residences and other permanent structures and roadways (Example: Copy of relevant portion of USGS topographic map).
7. An 8 1/2" x 11" plot plan of facility showing the location of manufacturing processes and outlets for airborne emissions. Relate all flows to the flow diagram.

- 9. The appropriate application fee in accordance with Rule 17-4.05. The check should be made payable to the Department of Environmental Regulation.
- 10. With an application for operation permit, attach a Certificate of Completion of Construction indicating that the source was constructed as shown in the construction permit.

SECTION VI: BEST AVAILABLE CONTROL TECHNOLOGY

NOT APPLICABLE

BACT levels have been previously determined in Permit AC 27-138850 and previous Permit AC27-30450

- 1. Are standards of performance for new stationary sources pursuant to 40 C.F.R. Part 60 applicable to the source?

Yes No

Contaminant	Rate or Concentration

- 2. Has EPA declared the best available control technology for this class of sources (If yes, attach copy)

Yes No

Contaminant	Rate or Concentration

- 3. What emission levels do you propose as best available control technology?

Contaminant	Rate or Concentration

- 4. Describe the existing control and treatment technology (if any).

- | | |
|---------------------------|--------------------------|
| 1. Control Device/System: | 2. Operating Principles: |
| 3. Efficiency:* | 4. Capital Costs: |

*Explain method of determining

- 5. Useful Life:
- 7. Energy:
- 9. Emissions:

- 6. Operating Costs:
- 8. Maintenance Cost:

Contaminant

Rate or Concentration

NOT APPLICABLE

10. Stack Parameters

- a. Height: ft. b. Diameter: ft.
- c. Flow Rate: ACFM d. Temperature: °F.
- e. Velocity: FPS

1. Describe the control and treatment technology available (As many types as applicable, use additional pages if necessary).

- 1.
 - a. Control Device: b. Operating Principles:
 - c. Efficiency:¹ d. Capital Cost:
 - e. Useful Life: f. Operating Cost:
 - g. Energy:² h. Maintenance Cost:
 - i. Availability of construction materials and process chemicals:
 - j. Applicability to manufacturing processes:
 - k. Ability to construct with control device, install in available space, and operate within proposed levels:

- 2.
 - a. Control Device: b. Operating Principles:
 - c. Efficiency:¹ d. Capital Cost:
 - e. Useful Life: f. Operating Cost:
 - g. Energy:² h. Maintenance Cost:
 - i. Availability of construction materials and process chemicals:

¹ Explain method of determining efficiency.
² Energy to be reported in units of electrical power - KWH design rate.

NOT APPLICABLE

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

3.

a. Control Device:

b. Operating Principles:

c. Efficiency:¹

d. Capital Cost:

e. Useful Life:

f. Operating Cost:

g. Energy:²

h. Maintenance Cost:

i. Availability of construction materials and process chemicals:

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

4.

a. Control Device:

b. Operating Principles:

c. Efficiency:¹

d. Capital Costs:

e. Useful Life:

f. Operating Cost:

g. Energy:²

h. Maintenance Cost:

i. Availability of construction materials and process chemicals:

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

Describe the control technology selected:

1. Control Device:

2. Efficiency:¹

3. Capital Cost:

4. Useful Life:

5. Operating Cost:

6. Energy:²

7. Maintenance Cost:

8. Manufacturer:

9. Other locations where employed on similar processes:

a. (1) Company:

(2) Mailing Address:

(3) City:

(4) State:

¹ Explain method of determining efficiency.

² Energy to be reported in units of electrical power - KWH design rate.

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:¹

Contaminant

Rate or Concentration

NOT APPLICABLE

(8) Process Rate:¹

b. (1) Company:

(2) Mailing Address:

(3) City:

(4) State:

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:¹

Contaminant

Rate or Concentration

NOT APPLICABLE

(8) Process Rate:¹

10. Reason for selection and description of systems:

Applicant must provide this information when available. Should this information not be available, applicant must state the reason(s) why.

SECTION VII - PREVENTION OF SIGNIFICANT DETERIORATION

A. Company Monitored Data Not Applicable NOT APPLICABLE

1. _____ no. sites _____ TSP _____ () SO₂* _____ Wind spd/dir

Period of Monitoring _____ / _____ / _____ to _____ / _____ / _____
month day year month day year

Other data recorded _____

Attach all data or statistical summaries to this application.

Specify bubbler (B) or continuous (C).

NOT APPLICABLE

2. Instrumentation, Field and Laboratory

- a. Was instrumentation EPA referenced or its equivalent? Yes No
- b. Was instrumentation calibrated in accordance with Department procedures?
 Yes No Unknown

B. Meteorological Data Used for Air Quality Modeling

- 1. _____ Year(s) of data from _____ / _____ / _____ to _____ / _____ / _____
month day year month day year
- 2. Surface data obtained from (location) _____
- 3. Upper air (mixing height) data obtained from (location) _____
- 4. Stability wind rose (STAR) data obtained from (location) _____

C. Computer Models Used

- 1. _____ Modified? If yes, attach description.
- 2. _____ Modified? If yes, attach description.
- 3. _____ Modified? If yes, attach description.
- 4. _____ Modified? If yes, attach description.

Attach copies of all final model runs showing input data, receptor locations, and principle output tables.

D. Applicants Maximum Allowable Emission Data

Pollutant	Emission Rate
TSP	_____ grams/sec
SO ²	_____ grams/sec

E. Emission Data Used in Modeling

Attach list of emission sources. Emission data required is source name, description of point source (on NEDS point number), UTM coordinates, stack data, allowable emissions, and normal operating time.

F. Attach all other information supportive to the PSD review.

Discuss the social and economic impact of the selected technology versus other applicable technologies (i.e., jobs, payroll, production, taxes, energy, etc.). Include assessment of the environmental impact of the sources.

Attach scientific, engineering, and technical material, reports, publications, journals, and other competent relevant information describing the theory and application of the requested best available control technology.

SUPPLEMENTAL INFORMATION: SECTION II

1. Project Description
2. Table II-1
Proposed Performance Test Matrix
3. Figure II-1
Kiln No. 2 Process Flow Diagram
4. Figure II-2
Kiln No. 2 Temperature and
Retention Time Profile
5. Table II-2
Permitting and
Compliance Activities
6. Table II-3
Summary of Test Parameters

PROJECT DESCRIPTION

The subject of this application is to request that FDER Permit AC27-173474 be amended to allow Florida Mining and Materials to conduct performance tests on Cement Kiln No. 2 for the burning of waste tires, used oil, and coal in various combination as presented in Table II-1.

The purpose of this testing is to allow Florida Mining and Materials (FM&M) to:

- (1) Evaluate the energy conservation benefits of utilizing waste tires and used oil as a fuel supplement to coal.
- (2) Determine if the existing facility in its present physical configuration is capable of operating with these fuel combinations.
- (3) Determine emission levels from the cement kiln during operation with these various fuel combinations.

The proposed performance test would include emission testing for the four separate fuel combinations as presented in Table II-1. The proposed test parameters and methods are provided in Table II-2. The results of this emission testing will be reported to FDER and may be used as a basis for amending FDER permit AC27-173474 for permanent operation with waste tires and used oil as supplemental fuels.

The cement kiln system provides an excellent environment for utilization of waste tires and used oil as kiln fuels. Initially, thermal destruction of organic compounds is ensured by the available combustion conditions, including temperatures of at least 2800° F and retention times of up to four (4) seconds within the kiln itself. Turbulent gas flow is maintained throughout the kiln which further enhances the environment for thermal destruction. Further in the system, exhaust gases are exposed to a counter current flow of raw materials feed which consists largely of calcium carbonate. Thus conditions are present for effective neutralization of acid gases contained in the exhaust. The counter current flow includes a high concentration of particulate matter which provides substantial surface area for condensation of volatile metal species as well as any residual organic compounds. To complete the system, the fabric filter then provides for maximum removal of particulates from the gas stream. Each of these phases combine to make up an efficient industrial process which offers a perfect opportunity for use of these fuel resources with an insignificant impact on the environment.

Estimated emissions relating to the current permit FDER No. AC27-173474 are detailed in the supporting information for Sections III and V of this application. No increase in emissions for currently limited compounds is expected as a result of this permit amendment. The baghouses currently operated with the No. 2 Kiln will remain as the air pollution control device, thus continuing to provide Best Available Control Technology as previously determined.

No significant emission increases are expected for particulates and/or SO₂ due to the high removal efficiency of the system as demonstrated in the attached Section V. Also, NO_x emissions are expected to decrease due to the use of waste tires since this would provide a better distribution of heat release and less fixation of atmospheric nitrogen. For the case of CO and HC, the emission rates are based on the process

combustion efficiency, and due to the high temperatures and long retention times, no decrease in combustion efficiency is expected.

For the case of the remaining compounds listed in Table II-3 (Metals, PCDDS/PCDFS, Polynuclear Aromatic Hydrocarbons, Benzene, Mercury) no substantial data base is available to estimate emission rates from the kiln No. 2 process. Although it can be generalized that the combination of high particulate removal, caustic scrubbing, and high combustion efficiency would minimize these emissions, exact emission rates for the various fuel combinations in Table II-1 cannot be determined. Therefore, it is the intent of the performance test to measure the baseline levels during coal combustion and subsequent emission changes for the various waste tire and used oil combinations.

In conclusion, it should be emphasized that this requested amendment does not include any significant and/or substantial change to the Kiln No.2 physical system and includes only the substitution of waste tires and used oil for coal. This amendment only includes the performance testing of Kiln No. 2 with these fuels and is not for operational purposes. It is also understood that any operation after the performance testing with these fuels would require a permanent amendment of Kiln No.2 Permit AC27-173474 by FDER and EPA.

TABLE II-1
PROPOSED PERFORMANCE TEST MATRIX

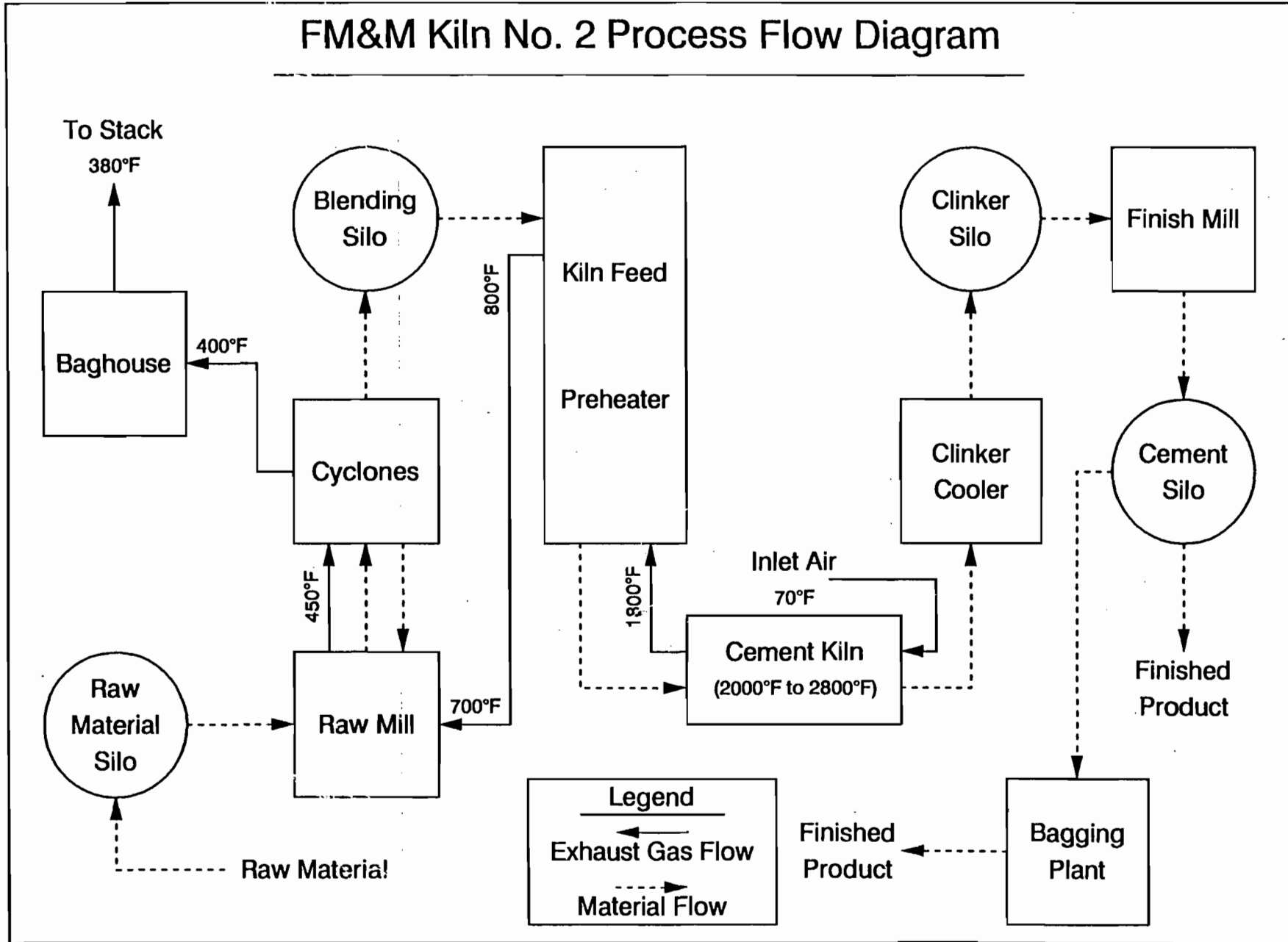
The proposed testing would include stack sampling during four separate cases for the kiln. These are represented in the following matrix.

Fuel Type	Test Conditions			
	1*	2	3	4
	% of Total Fuel Supply			
Coal (min.)	100	80	50	30
Waste Tires (max.)	0	20	0	20
Used Oil (max.)	0	0	50	50

*Baseline

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FIGURE II-1



FMM2FLOW.DRW

C
T
A Cross/Tessitore & Assoc., P.A.
Environmental Engineers Orlando, Florida

17

FIGURE II-2

FM&M Kiln No. 2 Temperature and Retention Time Profile

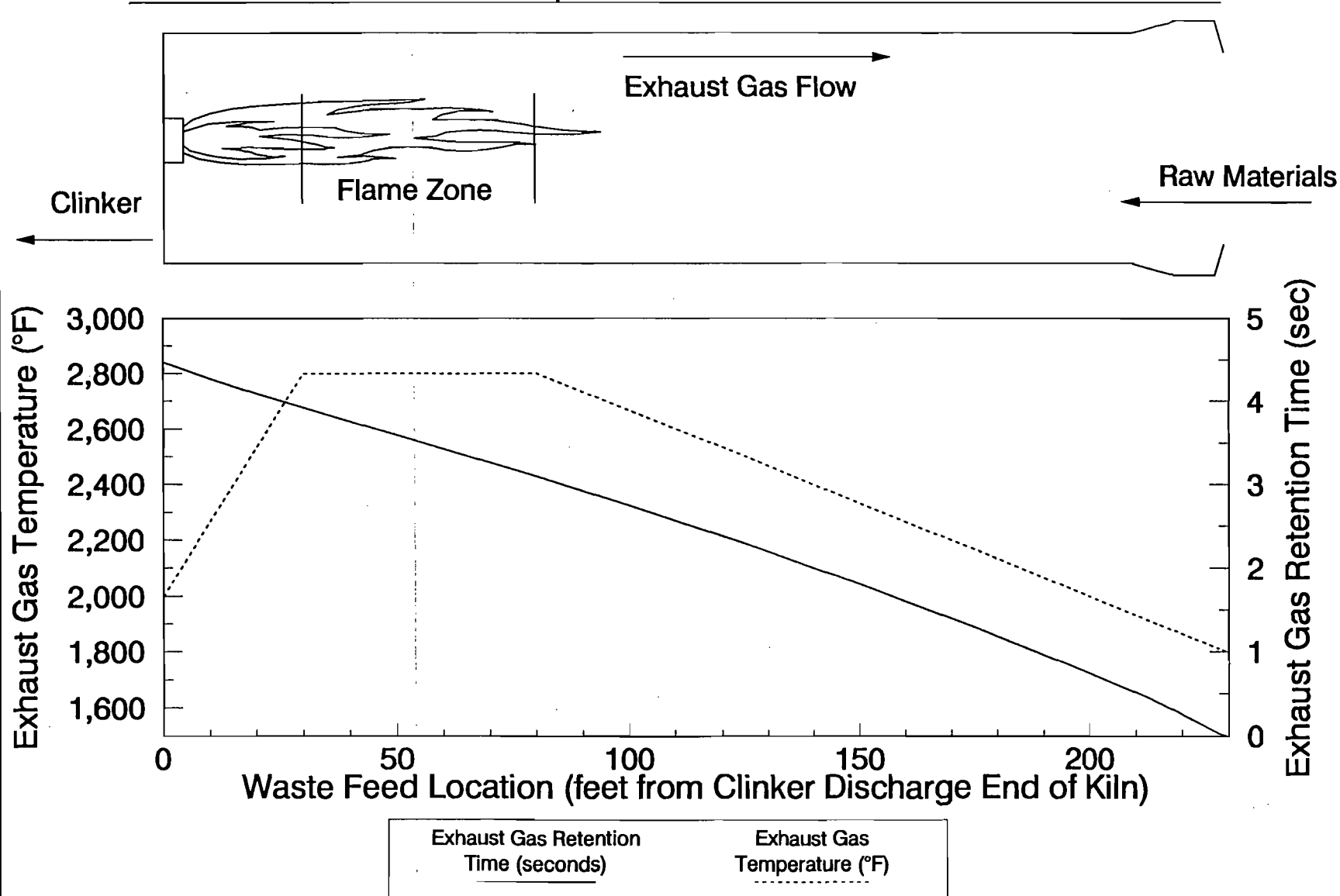


TABLE II-2
PERMITTING AND COMPLIANCE ACTIVITIES

<u>Activity</u>	<u>Number</u>	<u>Issued</u>	<u>Expired</u>
Construction Permit	AC27-30450	July 25, 1980	December 31, 1983
Operating Permit	AO27-65207	August 16, 1983	August 16, 1988
Consent Order	OGC-86-1471	January 23, 1987	-----
Consent Order	OGC-87-1685	September 1, 1988	-----
Construction Permit	AC27-138850	November 3, 1988	January 1, 1990
Construction Permit	AC27-173474	July 20, 1990	December 31, 1991

FMM2TIRE.Doc

TABLE II-3
SUMMARY OF TEST PARAMETERS

Particulate Matter		EPA Method 5
Visible Emissions		EPA Method 9
Metals:		EPA Method 5 (filter and probe rinse)
Aluminum	Barium	
Arsenic	Copper	
Cadmium	Nickel	
Chromium (Total)	Iron	
Lead	Vanadium	
Zinc		
NO _x		EPA Method 7
Sulfur Dioxide		EPA Method 6 (in back half of Method 5 train)
Carbon Monoxide		EPA Method 10
Volatile Organic Compounds		VOST
Semi-Volatile Organic Compounds		Modified Method 5
CO ₂ /O ₂		EPA Method 3
Stack Gas Flow/Moisture/Temp.		EPA Methods 2 and 4 (in conjunction with EPA Method 5)
PCDDS/PCDFS		EPA Method 23
Polynuclear Aromatic Hydrocarbons		Modified Method 5
Benzene		EPA Method 18
Mercury		EPA Method 101 or 101A

FMM2TIRE

SUPPLEMENTAL INFORMATION: SECTION III

1. Table III-1
Regulated Emissions Summary
2. Table III-2
Fuels Summary
3. Table III-3
Additional Fuels Data

TABLE III-1
REGULATED EMISSIONS SUMMARY

Parameter	Current Allowable Emissions		Allowed Emission Rate Per Rule 17-2	Potential Emissions		Relate to⁽¹⁾ Flow Diagram
	lbs/hr	T/yr		lbs/hr	T/yr	
Particulate	13.5	55.3	36 lb/hr (17-2.660)	13.5	55.3	E-19
Sulfur Dioxide	11.5	47.0	N/A ⁽²⁾	11.5	47.0	E-19
Nitrogen Dioxide (NO _x)	162.3	665.3	N/A ⁽²⁾	162.3	665.3	E-19
Volatile Organic Compounds	7.4	31.2	N/A ⁽²⁾	7.4	31.2	E-19
Carbon Monoxide	64.0	262.2	N/A ⁽²⁾	64.0	262.2	E-19
Opacity	10 %	--	20% (17-2.660)	10 %	--	E-19

(1) See Figure V-6.

(2) Allowable emissions for these compounds have been previously established as stated in existing Construction Permit AC 27-173474.

TABLE III-2
FUEL COMBINATION SUMMARY DATA

	<u>Current Fuels</u>		<u>Proposed Fuels</u>	
	<u>Coal</u>	<u>Flolite¹</u>	<u>Waste Tires</u>	<u>Used Oil</u>
Case 1				
Consumption	24,170 lb/hr	--	0	0
Heat Input (Btu/hr)	3.0×10^8	--	0	0
Portion of Total Fuel Supply (%)	100	--	0	0
Case 2				
Consumption	19,336 lb/hr	--	4286 lb/hr	0
Heat Input (Btu/hr)	2.4×10^8	--	0.6×10^8	0
Portion of Total Fuel Supply (%)	80	--	20	0
Case 3				
Consumption	12,085 lb/hr	--	0	1034 gal/hr
Heat Input (Btu/hr)	1.5×10^8	--	0	1.5×10^8
Portion of Total Fuel Supply (%)	50	--	0	50
Case 4				
Consumption	7251 lb/hr	--	4286 lb/hr	1034 gal/hr
Heat Input (Btu/hr)	0.9×10^8	--	0.6×10^8	1.5×10^8
Portion of Total Fuel Supply (%)	30	--	20	50

1 Flolite will mainly be used during start-up of kiln operations and during periods when raw materials feed is stopped and kiln temperature must be maintained, and flolite is normally used only as a substitute for coal. In cases where flolite and coal are used concurrently, the maximum heat input rate will not exceed 3.0×10^8 Btu/hr.

TABLE III-3
ADDITIONAL FUELS DATA

	Heat Capacity	Sulfur Content ²
Current:		
Coal	12,500 Btu/lb	1.0 %
Flolite ¹	145,000 Btu/gal	1.0 %
Proposed:		
Used Oil	145,000 Btu/gal	1.5 %
Waste Tires	14,000 Btu/lb	<1.0 %

- (1) Flolite will mainly be used during start-up of kiln operations and during periods when raw materials feed is stopped and kiln temperature must be maintained, and flolite is normally used only as a substitute for coal. In cases where flolite and coal are used concurrently, the maximum heat input rate will not exceed 3.0×10^8 Btu/hr.
- (2) Values shown are approximate.

TABLE III-4

OFF-SPEC USED OIL CHARACTERISTICS*

Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash Point	100° F minimum
Total Halogens	4,000 ppm maximum

* As specified in 40 CFR Part 266.40, "Used Oil Burned For Energy Recovery".

FMM2TIRE.Doc

SUPPLEMENTAL INFORMATION: SECTION V

1. Table V-1
Process Data (Feed, Production, Heat Input Rates)
2. Emissions Calculations
3. Figure V-1
Process Flow Diagram
4. Figure V-2
USGS Topographical Map
5. Figure V-3
Facility Plot Plan

TABLE V-1
PROCESS DATA

Kiln Feed Rate	130 T/hr
Clinker Production Rate	79.6 T/hr
Maximum Heat Input	3.0×10^8 Btu/hr

EMISSIONS CALCULATIONS

1. PARTICULATE

The anticipated emissions rate for particulate is the same as the currently permitted level. In order to determine the efficiency of the air pollution control device, the potential emission loading to the baghouse is calculated based on an emissions factor from the EPA Guidance Document AP-42, Table 8.6-1.

Calculation of Allowable Emissions:

Allowable Emissions = 13.5 lb/hr
(Permit AC27-173474)
= 55.3 T/yr
(Permit AC27-173474)

Calculation of Potential Emissions:

Potential Emissions = 13.5 lb/hr
= 55.35 T/yr

Calculation of Control Device Removal Efficiency:

Uncontrolled Emissions Factor = 245.0 lb/ton clinker

Production Rate = 79.6 T/hr clinker

Potential Emission Loading to Baghouse = (245 lb/ton) x (79.6 T/hr)
= 19,502.0 lb/hr

Control Device Removal Efficiency = (19,502 lb/hr - 13.5 lb/hr)
- (19,502 lb/hr)
= 99.9%

EMISSIONS CALCULATIONS

2. SULFUR DIOXIDE

The anticipated emissions rate for Sulfur Dioxide is the same as the current permitted level. Sulfur Dioxide is generated in the cement kiln from two sources: 1) The minerals present in the raw process feed, and 2) The combustion of fuel. Uncontrolled emissions factors for Sulfur Dioxide, found in the EPA Guidance Document AP-42, are used in calculating the potential loading to the from each source.

Calculation of Allowable Emissions:

Allowable Emissions = 11.5 lb/hr
(Permit AC27-173474)
= 47.0 T/yr
(Permit AC27-173474)

Calculation of Potential Emissions:

Potential Emissions = 11.5 lb/hr
= 47.0 T/yr

Calculation of System Removal Efficiency:

Mineral Source:

Sulfur Dioxide Emission Factor = 10.2 lb SO₂/ton clinker
(from AP-42)

Clinker Production Rate = 79.6 T/hr

Potential Emissions Loading
to the Fabric Filter = (79.6 tons clinker/hr)
x (10.2 lb SO₂/ton clinker)
= 811.9 lb/hr

EMISSIONS CALCULATIONS

Calculation of System Removal Efficiency: (continued)

Fuel Source:

Sulfur dioxide emissions associated with fuels sources of sulfur are minimized through compliance with current permit specific condition No. 4. This condition restricts the sulfur content of the coal currently used to a maximum of 1.0 percent by weight assuming a heating value of 12,387 Btu/lb. Coals with heating values lower than 12,387 Btu/lb are restricted to a maximum of 0.83 pounds of sulfur per MMBtu of heat input. The following analysis is provided to calculate the typical sulfur characteristics of the proposed waste fuels.

Waste Tires:

Heating Value	= 14,000 Btu/lb
Sulfur Content	= 0.72% (Based on available analytical Data)
Sulfur/Btu Ratio	= $\frac{(0.0072 \text{ lb S/lb fuel})}{(0.014 \text{ MMBtu/lb fuel})}$ = 0.51 lb S/MMbtu

Used Oil:

Heating Value	= 145,000 Btu/lb
API Gravity, 60/60 °F	= 30 (Based on available analytical data)
Specific Gravity	= $\frac{141,500}{1000 (30 + 131.5)}$ = 0.88
Density	= (0.88) x (62.3 lb/ft ³) = 54.8 lb/ft ³
Sulfur Content	= 1.5%
Sulfur/Btu Ratio	= $\frac{(0.015 \text{ lb S/lb fuel})}{0.0145 \text{ MMBtu/gal}}$
Sulfur/Btu Ratio	= $\frac{(0.015 \text{ lb S/lb fuel}) \times (54.8 \text{ lb fuel/ft}^3)}{(0.145 \text{ MMBtu/gal}) \times (7.48 \text{ gal/ft}^3)}$ = 0.76 lb S/MMBtu

This analysis shows that waste tires and used oil do not contain sulfur levels exceeding the maximum criteria for coal. Therefore the use of these fuels should not result in an increase in sulfur dioxide emissions beyond the allowable rate for baseline coal usage. Fuel source emissions of sulfur dioxide are calculated as follows:

Maximum Fuel Consumption Rate = 300 mmBtu/hr

Maximum Fuel Sulfur Content = 0.83 lb/mmBtu

Conversion Factor = 2 lb SO₂/lb S

Potential Emissions Loading
to the Fabric Filter = (300 mmBtu fuel/hr)
x (0.83 lb sulfur/mmBtu fuel)
x (2 lb SO₂/lb S)
= 498 lb/hr SO₂

Total:

Estimated Total Potential Emissions
Loading to the Fabric Filter = 498 lb/hr + 811.9 lb/hr
= 1,310 lb/hr SO₂

System Removal Efficiency = (1,310 lb/hr - 11.5 lb/hr)
÷ (1,310 lb/hr)
= 99.1%

EMISSIONS CALCULATIONS

3. NITROGEN DIOXIDE (NO_x)

Nitrogen Dioxide (NO_x) emissions are a function of the kiln combustion process only. It is assumed that no control is provided by the fabric filter. The anticipated emissions are the same as the current permitted level.

Allowable Emissions	= 162.3 lb/hr NO _x (Permit AC27-173474)
	= 665.3 T/yr (Permit AC27-173474)
Potential Emissions	= 162.3 lb/hr
	= 665.3 T/yr
Control Device Removal Efficiency	= 0%

EMISSIONS CALCULATIONS

4. CARBON MONOXIDE

Carbon Monoxide emissions are a function of the kiln combustion and process reactions only. It is assumed that no control is provided by the fabric filter. The anticipated emission rate is the same as the current permitted level.

Allowable Emissions	= 64.0 lb/hr (Permit AC27-173474)
	= 262.2 T/yr (Permit AC27-173474)
Estimated Potential Emissions	= 64.0 lb/hr
	= 262.2 T/yr
Control Device Removal Efficiency	= 0%

EMISSIONS CALCULATIONS

5. VOLATILE ORGANIC COMPOUNDS (TOTAL HYDROCARBONS)

Control of volatile organic compounds (hydrocarbons) is achieved through properly maintained combustion conditions within the kiln system. The proposed anticipated rate is the same as the current permitted level.

Allowable Emissions = 7.4 lb/hr
(Permit AC27-173474)

= 31.2 T/yr
(Permit AC27-173474)

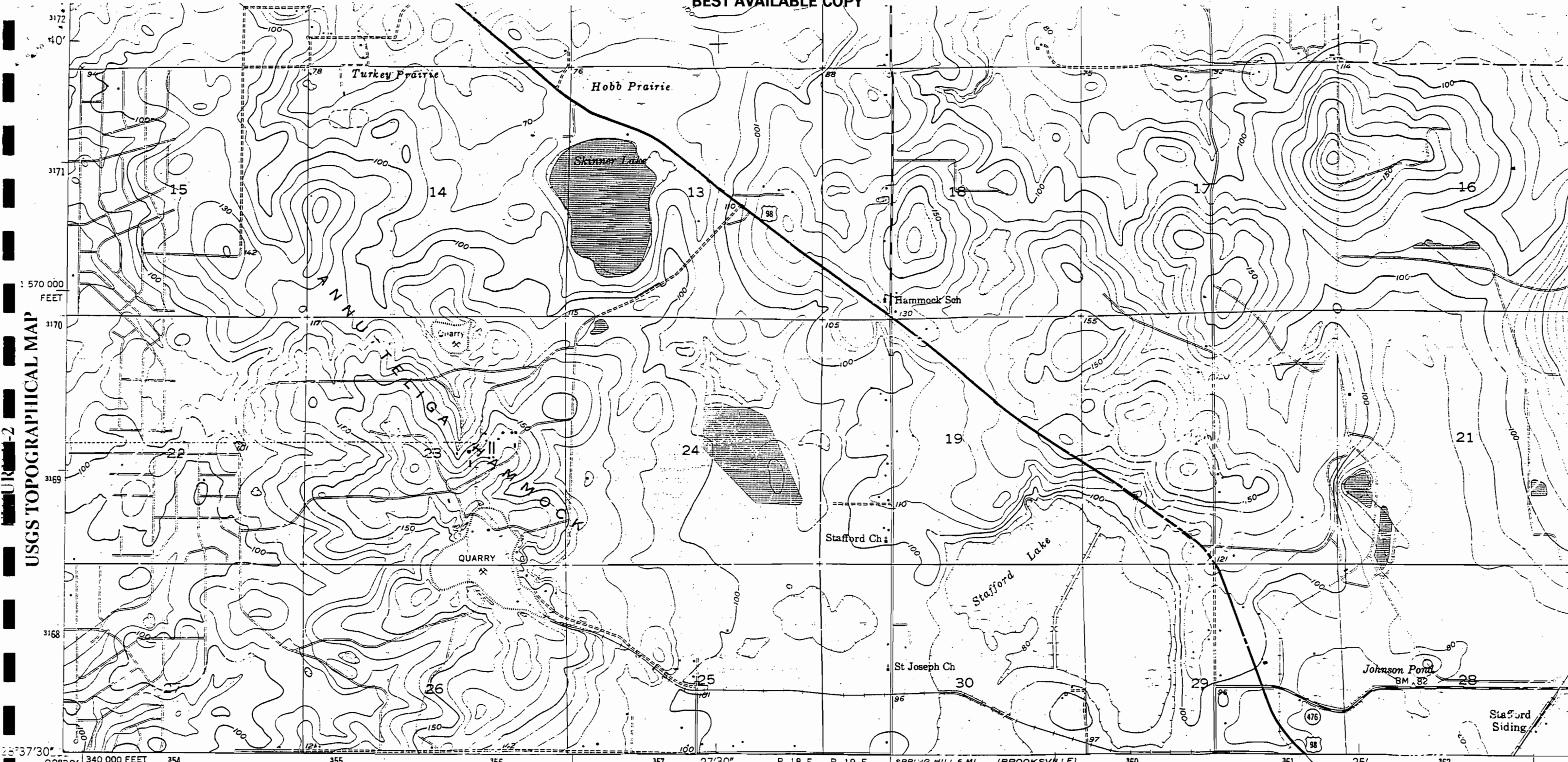
Potential Emissions = 7.4 lb/hr

= 31.2 T/yr

Control Device Removal Efficiency = 0%

USGS TOPOGRAPHICAL MAP

WACHEE (SPRING) 441 II SE



26°37'30"

Mapped, edited, and published by the Geological Survey

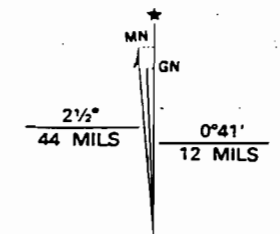
Control by USGS and USC&GS

Topography from aerial photographs by Kelsh plotter
Aerial photographs taken 1951. Field check 1954

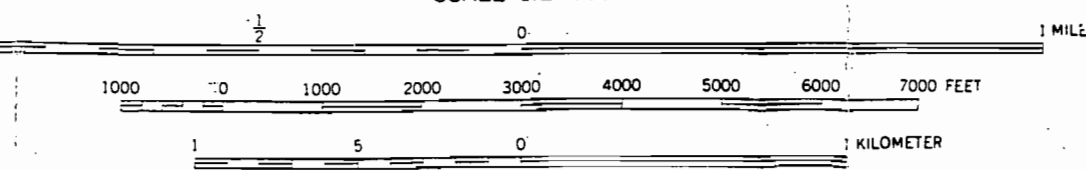
Polyconic projection. 1927 North American datum
10,000-foot grid based on Florida coordinate system,
west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 17, shown in blue

To place on the predicted North American Datum 1983,
move the projection lines 27 meters south and
16 meters west as shown by dashed corner ticks
There may be private inholdings within the boundaries of
the National or State reservations shown on this map



UTM GRID AND 1988 MAGNETIC NORTH DECLINATION AT CENTER OF SHEET



SCALE 1:24000
CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

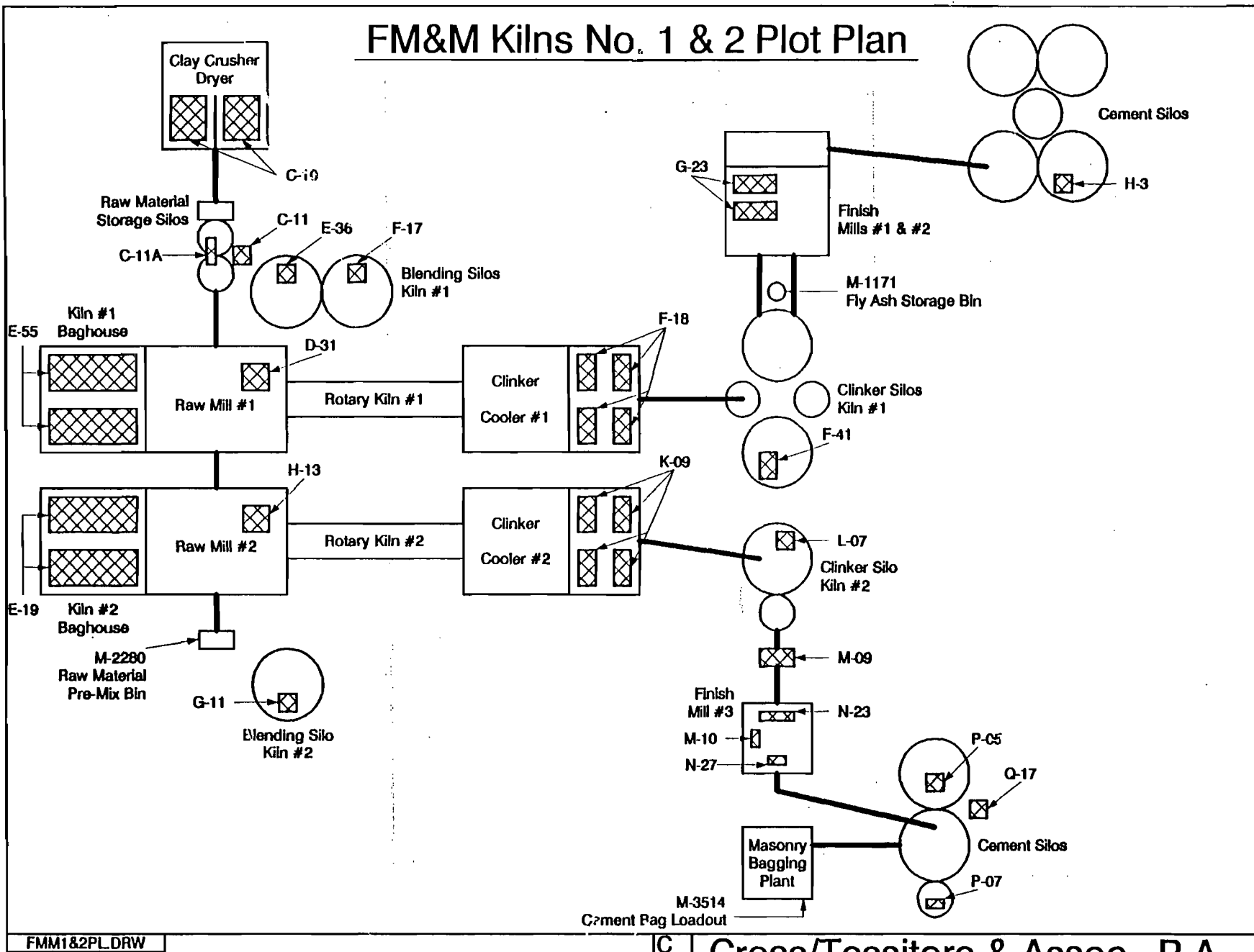
SPRING HILL 6 MI. (BROOKSVILLE)
BROOKSVILLE 9.7 MI. 4541 III SW
BROOKSVILLE 5.8 MI.
DACS CITY 29 MI.



QUADRANGLE LOCATION

Revisions shown in purple compiled from aerial photographs
other sources. This information not field checked. Map scale

FIGURE V-3



37

FMM1&2PL.DRW

C
T
A
Cross/Tessitore & Assoc., P.A.
 Environmental Engineers Orlando, Florida

FEDERAL EXPRESS

QUESTIONS? CALL 800-238-5355 TOLL FREE

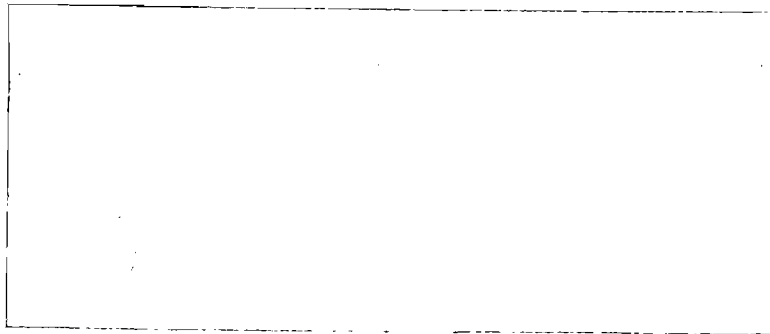
AIRBILL PACKAGE TRACKING NUMBER

8418584036

243 8418584036

RECIPIENT'S COPY

Date 9/14/90		To (Recipient's Name) Please Print Mr. C.H. Fancy		Recipient's Phone Number (Very Important) 904 488-1344			
From (Your Name) Please Print Patricia Kay Rykowski		Your Phone Number (Very Important) 407-851-1424		Recipient's Phone Number (Very Important)			
Company CROSS-TESSITORE & ASSOCIATES		Department/Floor No.		Company FDER-Twin Towers Office Building			
Street Address 4765 S CONWAY RD STE F		City ORLANDO FL		Exact Street Address (We Cannot Deliver to P.O. Boxes or P.O. Zip Codes) 2600 Blair Stone Road			
State FL		ZIP Required 32812		City Tallahassee, Florida			
State FL		ZIP Required 32399-2400		State FL			
YOUR INTERNAL BILLING REFERENCE INFORMATION (First 24 characters will appear on invoice) E03.669			IF HOLD FOR PICK-UP, Print FEDEX Address Here Street Address				
PAYMENT <input checked="" type="checkbox"/> Bill Sender <input type="checkbox"/> Bill Recipient's FedEx Acct. No. <input type="checkbox"/> Bill 3rd Party FedEx Acct. No. <input type="checkbox"/> Bill Credit Card			City State ZIP Required				
<input type="checkbox"/> Cash/Check			City State ZIP Required				
SERVICES (Check only one box) Priority Overnight Service (Delivery by next business morning) <input type="checkbox"/> YOUR PACKAGING 51 <input type="checkbox"/> FEDEX LETTER 56 <input checked="" type="checkbox"/> FEDEX PAK 52 <input type="checkbox"/> FEDEX BOX 53 <input type="checkbox"/> FEDEX TUBE 54 Economy Two-Day Service (formerly Standard Air) (Delivery by second business day) <input type="checkbox"/> ECONOMY TWO-DAY SVC 80 Heavyweight Service (for Extra Large or any package over 150 lbs.) <input type="checkbox"/> HEAVYWEIGHT 70 <input type="checkbox"/> DEFERRED HEAVYWEIGHT 80		DELIVERY AND SPECIAL HANDLING (Check services required) <input checked="" type="checkbox"/> DELIVER TO ROOM <input checked="" type="checkbox"/> DELIVER WEEKDAY <input type="checkbox"/> DELIVER SATURDAY (Extra charge) (Not available to all locations) <input type="checkbox"/> DANGEROUS GOODS (Extra charge) <input type="checkbox"/> DRYICE lbs. <input type="checkbox"/> OTHER SPECIAL SERVICE <input type="checkbox"/> SATURDAY PICK-UP (Extra charge) <input type="checkbox"/> HOLIDAY DELIVERY (if offered) (Extra charge)		PACKAGES WEIGHT In Pounds Only YOUR DECLARED VALUE \$ Emp. No. 114360 Date 9/14/90 Received At <input type="checkbox"/> Regular Stop <input type="checkbox"/> Drop Box <input type="checkbox"/> B.S.C. <input type="checkbox"/> Station <input type="checkbox"/> On-Call Stop		Federal Express Use <input type="checkbox"/> Cash Received <input type="checkbox"/> Return Shipment <input type="checkbox"/> Third Party <input type="checkbox"/> Chg. To Del. <input type="checkbox"/> Chg. To Hold Street Address City State Zip Received By Date/Time Received FedEx Employee Number Base Charges Declared Value Charge Other 1 Other 2 Total Charges REVISION: DATE 8/90 PART #118501 FXEM 8/90 FORMAT #041 1990 F.E.C. PRINTED IN U.S.A.	



CROSS/TESSITORE & ASSOCIATES, P.A.

REGISTERED PROFESSIONAL ENGINEERS

ENVIRONMENTAL ENGINEERS

4763 SOUTH CONWAY ROAD
ORLANDO, FLORIDA 32812

186923

**APPLICATION TO AMEND FDER
AIR POLLUTION SOURCE PERMIT
AC27-169516 FOR PERFORMANCE TESTING
OF WASTE TIRES AND USED OIL
IN CEMENT KILN NO. 1**

**FLORIDA MINING AND MATERIALS
BROOKSVILLE, FLORIDA**

September 14, 1990

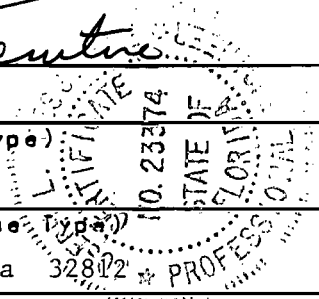
Cross/Tessitore & Associates, P.A.
4763 South Conway Road, Suite F.
Orlando, Florida 32812
(407) 851-1484
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the pollution control facilities, when properly maintained and operated, will discharge an effluent that complies with all applicable statutes of the State of Florida and the rules and regulations of the department. It is also agreed that the undersigned will furnish, if authorized by the owner, the applicant a set of instructions for the proper maintenance and operation of the pollution control facilities and, if applicable, pollution sources.

Signed Joseph L. Tessitore
Joseph L. Tessitore, P.E.
Name (Please Type)
Cross/Tessitore and Associates, P.A.
Company Name (Please Type)
4763 S. Conway Road, Orlando, Florida 32812
Mailing Address (Please Type)



Florida Registration No. 23374 Date: 9/14/80 Telephone No. (407)851-1484

SECTION II: GENERAL PROJECT INFORMATION

A. Describe the nature and extent of the project. Refer to pollution control equipment, and expected improvements in source performance as a result of installation. State whether the project will result in full compliance. Attach additional sheet if necessary.

SEE SUPPLEMENTAL INFORMATION: Section II

Schedule of project covered in this application (Construction Permit Application Only)

Start of Construction Existing Completion of Construction Existing

Costs of pollution control system(s): (Note: Show breakdown of estimated costs only for individual components/units of the project serving pollution control purposes. Information on actual costs shall be furnished with the application for operation permit.) The following information represents the initial costs associated with the existing baghouse system. No additional air pollution equipment will be required for the subject modification.

Baghouse Equipment	\$ 582,000.00
Erection	\$ 640,000.00
TOTAL	\$1,286,000.00

D. Indicate any previous DER permits, orders and notices associated with the emission point, including permit issuance and expiration dates.

SEE SUPPLEMENTAL INFORMATION: Section II

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



Bob Martinez
GOVERNOR
Dale Twachtman
SECRETARY
Alex Alexander
DISTRICT MANAGER

APPLICATION TO OPERATE/CONSTRUCT AIR POLLUTION SOURCES

SOURCE TYPE: Portland Cement Plant [] New¹ [X] Existing¹
APPLICATION TYPE: [] Construction [] Operation [X] Modification
COMPANY NAME: Moore McCormack, Inc. d/b/a Florida Mining & Materials COUNTY: Hernando
Identify the specific emission point source(s) addressed in this application (i.e. Lime
Kiln No. 4 with Venturi Scrubber; Peaking Unit No. 2, Gas Fired) No. 1 Cement Kiln
SOURCE LOCATION: Street U.S. Highway 98 City N.W. of Brooksville
UTM: East 17-356.00 North 3169.89
Latitude 28 ° 38 ' 34 "N Longitude 82 ° 28 ' 25 "W
APPLICANT NAME AND TITLE: C. M. Coleman Jr., Vice President and General Manager
APPLICANT ADDRESS: P.O. Box 6, Brooksville, Florida 34605-0006

SECTION I: STATEMENTS BY APPLICANT AND ENGINEER

A. APPLICANT

Moore McCormack, Inc. d/b/a

I am the undersigned owner or authorized representative* of Florida Mining & Materials

I certify that the statements made in this application for a Modification permit are true, correct and complete to the best of my knowledge and belief. Further, I agree to maintain and operate the pollution control source and pollution control facilities in such a manner as to comply with the provision of Chapter 403, Florida Statutes, and all the rules and regulations of the department and revisions thereof. I also understand that a permit, if granted by the department, will be non-transferable and I will promptly notify the department upon sale or legal transfer of the permitted establishment.

*Attach letter of authorization

Signed: [Signature]

C.M. Coleman Jr., Vice President and General Manager
Name and Title (Please Type)

Date: 09/14/90 Telephone No. (904) 796-7241

B. PROFESSIONAL ENGINEER REGISTERED IN FLORIDA (where required by Chapter 471, F.S.)

This is to certify that the engineering features of this pollution control project have been designed/examined by me and found to be in conformity with modern engineering principles applicable to the treatment and disposal of pollutants characterized in the permit application. There is reasonable assurance, in my professional judgment, that

¹ See Florida Administrative Code Rule 17-2.100(57) and (104)

E. Requested permitted equipment operating time: hrs/day 24 ; days/wk 7 ; wks/yr 52 ;
if power plant, hrs/yr _____; if seasonal, describe: _____

F. If this is a new source or major modification, answer the following questions.
(Yes or No)

1. Is this source in a non-attainment area for a particular pollutant? NO
 - a. If yes, has "offset" been applied? _____
 - b. If yes, has "Lowest Achievable Emission Rate" been applied? _____
 - c. If yes, list non-attainment pollutants. _____
2. Does best available control technology (BACT) apply to this source?
If yes, see Section VI. NO
3. Does the State "Prevention of Significant Deterioration" (PSD)
requirement apply to this source? If yes, see Sections VI and VII. NO
4. Do "Standards of Performance for New Stationary Sources" (NSPS)
apply to this source? YES
5. Do "National Emission Standards for Hazardous Air Pollutants"
(NESHAP) apply to this source? NO

- H. Do "Reasonably Available Control Technology" (RACT) requirements apply
to this source? NO
- a. If yes, for what pollutants? _____
 - b. If yes, in addition to the information required in this form,
any information requested in Rule 17-2.650 must be submitted.

Attach all supportive information related to any answer of "Yes". Attach any justifi-
cation for any answer of "No" that might be considered questionable.

SECTION III: AIR POLLUTION SOURCES & CONTROL DEVICES (Other than Incinerators)

Raw Materials and Chemicals Used in your Process, if applicable:

Description	Contaminants		Utilization Rate - lbs/hr	Relate to Flow Diagram
	Type	% Wt		
Limestone	Particulate	0.02	207,640	
Sand/Clay	Particulate	0.08	20,774	SEE SUPPLEMENTAL
Fly Ash	Particulate	0.14	26,182	INFORMATION:
Staurolite	Particulate	1.40	2,704	Section V
Mill Scale	Particulate	1.40	2,704	Figure V-4

8. Process Rate, if applicable: (See Section V, Item 1)

1. Total Process Input Rate (lbs/hr): 260,000

2. Product Weight (lbs/hr): 159,250

9. Airborne Contaminants Emitted: (Information in this table must be submitted for each emission point, use additional sheets as necessary)

Name of Contaminant	Emission ¹		Allowed ² Emission Rate per Rule 17-2	Allowable ³ Emission lbs/hr	Potential ⁴ Emission		Relate to Flow Diagram
	Maximum lbs/hr	Actual T/yr			lbs/hr	T/yr	
	SEE SUPPLEMENTAL INFORMATION: Section III, Table III-1						

¹ See Section V, Item 2.

² Reference applicable emission standards and units (e.g. Rule 17-2.600(5)(b)2. Table II, E. (1) - 0.1 pounds per million BTU heat input)

³ Calculated from operating rate and applicable standard.

⁴ Emission, if source operated without control (See Section V, Item J).

D. Control Devices: (See Section V, Item 4)

Name and Type (Model & Serial No.)	Contaminant	Efficiency	Range of Particles Size Collected (in microns) (If applicable)	Basis for Efficiency (Section V Item 5)
Fuller Dracco				
Joy Western baghouse	Particulate	99.5%	≥ 10 Micron	Manufacturer's Data

E. Fuels see SUPPLEMENTAL INFORMATION: Section III

Type (Be Specific)	Consumption*		Maximum Heat Input (MMBTU/hr)
	avg/hr	max./hr	

*Units: Natural Gas--MMCF/hr; Fuel Oils--gallons/hr; Coal, wood, refuse, other--lbs/hr.

Fuel Analysis: SEE SUPPLEMENTAL INFORMATION: Section III,

Percent Sulfur: _____ Percent Ash: _____

Density: _____ lbs/gal Typical Percent Nitrogen: _____

Heat Capacity: _____ BTU/lb _____ BTU/gal

Other Fuel Contaminants (which may cause air pollution): _____

F. If applicable, indicate the percent of fuel used for space heating.

Annual Average _____ Maximum _____

G. Indicate liquid or solid wastes generated and method of disposal.

Solids collected from the fabric filter during normal operation will be returned
to the kiln feed and recycled through the system.

4. Emission Stack Geometry and Flow Characteristics (Provide data for each stack):

Stack Height: 70 ft. Stack Diameter: 3.0 (each vent) ft.
 Gas Flow Rate: 250,000 ACFM / DSCFM Gas Exit Temperature: ~ 260 °F.
 Water Vapor Content: ~ 10 % Velocity: 69 FPS

SECTION IV: INCINERATOR INFORMATION
NOT APPLICABLE

Type of Waste	Type 0 (Plastics)	Type I (Rubbish)	Type II (Refuse)	Type III (Garbage)	Type IV (Pathological)	Type V (Liq. & Gas By-prod.)	Type VI (Solid By-prod.)
Actual lb/hr Incinerated			NOT APPLICABLE				
Uncontrolled (lbs/hr)							

Description of Waste _____

Total Weight Incinerated (lbs/hr) _____ Design Capacity (lbs/hr) _____

Approximate Number of Hours of Operation per day _____ day/wk _____ wks/yr. _____

Manufacturer _____

Date Constructed _____ Model No. _____

	Volume (ft) ³	Heat Release (BTU/hr)	Fuel		Temperature (°F)
			Type	BTU/hr	
Primary Chamber		NOT APPLICABLE			
Secondary Chamber					

Stack Height: _____ ft. Stack Diameter: _____ Stack Temp. _____

Gas Flow Rate: _____ ACFM _____ DSCFM* Velocity: _____ FPS

If 50 or more tons per day design capacity, submit the emissions rate in grains per standard cubic foot dry gas corrected to 50% excess air.

Type of pollution control device: Cyclone Wet Scrubber Afterburner
 Other (specify) _____

Brief description of operating characteristics of control devices: _____

NOT APPLICABLE

Estimate disposal of any effluent other than that emitted from the stack (scrubber water, ash, etc.):

NOT APPLICABLE

NOTE: Items 2, 3, 4, 6, 7, 8, and 10 in Section V must be included where applicable.

SECTION V: SUPPLEMENTAL REQUIREMENTS

SEE SUPPLEMENTAL INFORMATION: Section V

Please provide the following supplements where required for this application.

1. Total process input rate and product weight -- show derivation [Rule 17-2.100(127)]
2. To a construction application, attach basis of emission estimate (e.g., design calculations, design drawings, pertinent manufacturer's test data, etc.) and attach proposed methods (e.g., FR Part 60 Methods 1, 2, 3, 4, 5) to show proof of compliance with applicable standards. To an operation application, attach test results or methods used to show proof of compliance. Information provided when applying for an operation permit from a construction permit shall be indicative of the time at which the test was made.
3. Attach basis of potential discharge (e.g., emission factor, that is, AP42 test).
With construction permit application, include design details for all air pollution control systems (e.g., for baghouse include cloth to air ratio; for scrubber include cross-section sketch, design pressure drop, etc.)
4. With construction permit application, attach derivation of control device(s) efficiency. Include test or design data. Items 2, 3 and 5 should be consistent: actual emissions = potential (1-efficiency).
5. An 8 1/2" x 11" flow diagram which will, without revealing trade secrets, identify the individual operations and/or processes. Indicate where raw materials enter, where solid and liquid waste exit, where gaseous emissions and/or airborne particles are evolved and where finished products are obtained.
6. An 8 1/2" x 11" plot plan showing the location of the establishment, and points of airborne emissions, in relation to the surrounding area, residences and other permanent structures and roadways (Example: Copy of relevant portion of USGS topographic map).
7. An 8 1/2" x 11" plot plan of facility showing the location of manufacturing processes and outlets for airborne emissions. Relate all flows to the flow diagram.

9. The appropriate application fee in accordance with Rule 17-4.05. The check should be made payable to the Department of Environmental Regulation.

10. With an application for operation permit, attach a Certificate of Completion of Construction indicating that the source was constructed as shown in the construction permit.

SECTION VI: BEST AVAILABLE CONTROL TECHNOLOGY NOT APPLICABLE

A. Are standards of performance for new stationary sources pursuant to 40 C.F.R. Part 60 applicable to the source?

Yes No

Contaminant

Rate or Concentration

B. Has EPA declared the best available control technology for this class of sources (If yes, attach copy)

Yes No

Contaminant

Rate or Concentration

C. What emission levels do you propose as best available control technology?

Contaminant

Rate or Concentration

D. Describe the existing control and treatment technology (if any).

1. Control Device/System:

2. Operating Principles:

3. Efficiency:*

4. Capital Costs:

Explain method of determining

5. Useful Life:

6. Operating Costs:

7. Energy:

8. Maintenance Cost:

9. Emissions:

Contaminant

Rate or Concentration

NOT APPLICABLE

10. Stack Parameters

a. Height:

ft.

b. Diameter:

ft.

c. Flow Rate:

ACFM

d. Temperature:

°F.

e. Velocity:

FPS

E. Describe the control and treatment technology available (As many types as applicable, use additional pages if necessary).

1.

a. Control Device:

b. Operating Principles:

c. Efficiency:¹

d. Capital Cost:

e. Useful Life:

f. Operating Cost:

g. Energy:²

h. Maintenance Cost:

i. Availability of construction materials and process chemicals:

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

2.

a. Control Device:

b. Operating Principles:

c. Efficiency:¹

d. Capital Cost:

e. Useful Life:

f. Operating Cost:

g. Energy:²

h. Maintenance Cost:

i. Availability of construction materials and process chemicals:

¹Explain method of determining efficiency.

²Energy to be reported in units of electrical power - KWH design rate.

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

3.

a. Control Device:

b. Operating Principles:

c. Efficiency:¹

d. Capital Cost:

e. Useful Life:

f. Operating Cost:

g. Energy:²

h. Maintenance Cost:

i. Availability of construction materials and process chemicals:

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

4.

a. Control Device:

b. Operating Principles:

c. Efficiency:¹

d. Capital Costs:

e. Useful Life:

f. Operating Cost:

g. Energy:²

h. Maintenance Cost:

i. Availability of construction materials and process chemicals:

j. Applicability to manufacturing processes:

k. Ability to construct with control device, install in available space, and operate within proposed levels:

F. Describe the control technology selected:

1. Control Device:

2. Efficiency:¹

3. Capital Cost:

4. Useful Life:

5. Operating Cost:

6. Energy:²

7. Maintenance Cost:

8. Manufacturer:

9. Other locations where employed on similar processes:

a. (1) Company:

(2) Mailing Address:

(3) City:

(4) State:

¹ Explain method of determining efficiency.

² Energy to be reported in units of electrical power - KWH design rate.

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:¹

Contaminant

Rate or Concentration

NOT APPLICABLE

(8) Process Rate:¹

b. (1) Company:

(2) Mailing Address:

(3) City:

(4) State:

(5) Environmental Manager:

(6) Telephone No.:

(7) Emissions:¹

Contaminant

Rate or Concentration

NOT APPLICABLE

(8) Process Rate:¹

10. Reason for selection and description of systems:

Applicant must provide this information when available. Should this information not be available, applicant must state the reason(s) why.

SECTION VII - PREVENTION OF SIGNIFICANT DETERIORATION

A. Company Monitored Data

NOT APPLICABLE

1. _____ no. sites _____ TSP _____ () SO₂+ _____ Wind spd/dir

Period of Monitoring _____ / _____ / _____ to _____ / _____ / _____
month day year month day year

Other data recorded _____

Attach all data or statistical summaries to this application.

Specify bubbler (B) or continuous (C).

NOT APPLICABLE

2. Instrumentation, Field and Laboratory

a. Was instrumentation EPA referenced or its equivalent? [] Yes [] No

b. Was instrumentation calibrated in accordance with Department procedures?

[] Yes [] No [] Unknown

B. Meteorological Data Used for Air Quality Modeling

1. _____ Year(s) of data from _____ / _____ / _____ to _____ / _____ / _____
month day year month day year

2. Surface data obtained from (location) _____

3. Upper air (mixing height) data obtained from (location) _____

4. Stability wind rose (STAR) data obtained from (location) _____

C. Computer Models Used

1. _____ Modified? If yes, attach description.

2. _____ Modified? If yes, attach description.

3. _____ Modified? If yes, attach description.

4. _____ Modified? If yes, attach description.

Attach copies of all final model runs showing input data, receptor locations, and principle output tables.

D. Applicants Maximum Allowable Emission Data

Pollutant	Emission Rate
TSP	_____ grams/sec
SO ²	_____ grams/sec

E. Emission Data Used in Modeling

Attach list of emission sources. Emission data required is source name, description of point source (on NEDS point number), UTM coordinates, stack data, allowable emissions, and normal operating time.

Attach all other information supportive to the PSD review.

3. Discuss the social and economic impact of the selected technology versus other applicable technologies (i.e., jobs, payroll, production, taxes, energy, etc.). Include assessment of the environmental impact of the sources.

4. Attach scientific, engineering, and technical material, reports, publications, journals, and other competent relevant information describing the theory and application of the requested best available control technology.

SUPPLEMENTAL INFORMATION: SECTION II

1. Project Description
2. Table II-1
Proposed Performance Test Matrix
3. Figure II-1
Kiln No.2 Process Flow Diagram
4. Figure II-2
Kiln No. 2 Temperature and Retention
Time Profile
5. Table II-2
Permitting and
Compliance Activities
6. Table II-3
Summary of Test Parameters

PROJECT DESCRIPTION

The subject of this application is to request that FDER Permit AC27-169616 be amended to allow Florida Mining and Materials to conduct performance tests on Cement Kiln No. 1 for the burning of waste tires, used oil, and coal in various combination as presented in Table II-1.

The purpose of this testing is to allow Florida Mining and Materials (FM&M) to:

- (1) Evaluate the energy conservation benefits of utilizing waste tires and used oil as a fuel supplement to coal.
- (2) Determine if the existing facility in its present physical configuration is capable of operating with these fuel combinations.
- (3) Determine emission levels from the cement kiln during operation with these various fuel combinations.

The proposed performance test would include emission testing for the four separate fuel combinations as presented in Table II-1. The proposed test parameters and methods are provided in Table II-2. The results of this emission testing will be reported to FDER and may be used as a basis for amending FDER permit A027-169616 for permanent operation with waste tires and used oil as supplemental fuels.

The cement kiln system provides an excellent environment for utilization of waste tires and used oil as kiln fuels. Initially, thermal destruction of organic compounds is ensured by the available combustion conditions, including temperatures of at least 2800° F and retention times of up to four (4) seconds within the kiln itself. Turbulent gas flow is maintained throughout the kiln which further enhances the environment for thermal destruction. Further in the system, exhaust gases are exposed to a counter current flow of raw materials feed which consists largely of calcium carbonate. Thus conditions are present for effective neutralization of acid gases contained in the exhaust. The counter current flow includes a high concentration of particulate matter which provides substantial surface area for condensation of volatile metal species as well as any residual organic compounds. To complete the system, the fabric filter then provides for maximum removal of particulates from the gas stream. Each of these phases combine to make up an efficient industrial process which offers a perfect opportunity for use of these fuel resources with an insignificant impact on the environment.

Estimated emissions relating to the current permit FDER No. A027-169616 are detailed in the supporting information for Sections III and V of this application. No increase in emissions for currently regulated compounds is expected as a result of this permit amendment. The baghouses currently operated with the No. 1 Kiln will remain as the air pollution control device, thus continuing to provide Best Available Control Technology as previously determined.

No significant emission increases are expected for particulates and/or SO₂ due to the high removal efficiency of the system as demonstrated in the attached Section V. Also, NO_x emissions are expected to decrease due to the use of waste tires since this would provide a better distribution of heat release and less fixation of atmospheric nitrogen. For the case of CO and HC, the emission rates are based on the process

combustion efficiency, and due to the high temperatures and long retention times, no decrease in combustion efficiency is expected.

For the case of the remaining compounds listed in Table II-3 (Metals, PCDDS/PCDFS, Polynuclear Aromatic Hydrocarbons, Benzene, Mercury) no substantial data base is available to estimate emission rates from the Kiln No. 1 process. Although it can be generalized that the combination of high particulate removal, caustic scrubbing, and high combustion efficiency would minimize these emissions, exact emission rates for the various fuel combinations in Table II-1 cannot be determined. Therefore, it is the intent of the performance test to measure the baseline levels during coal combustion and subsequent emission changes for the various waste tire and used oil combinations.

In conclusion, it should be emphasized that this requested amendment does not include any significant and/or substantial change to the Kiln No. 1 physical system and includes only the substitution of waste tires and used oil for coal. This amendment only includes the performance testing of Kiln No. 1 with these fuels and is not for operational purposes. It is also understood that any operation after the performance testing with these fuels would require a permanent amendment of Kiln No. 1 Permit AC27-169616 by FDER and EPA.

TABLE II-1

PROPOSED PERFORMANCE TEST MATRIX

The proposed testing would include stack sampling during four separate cases for the kiln. These are represented in the following matrix.

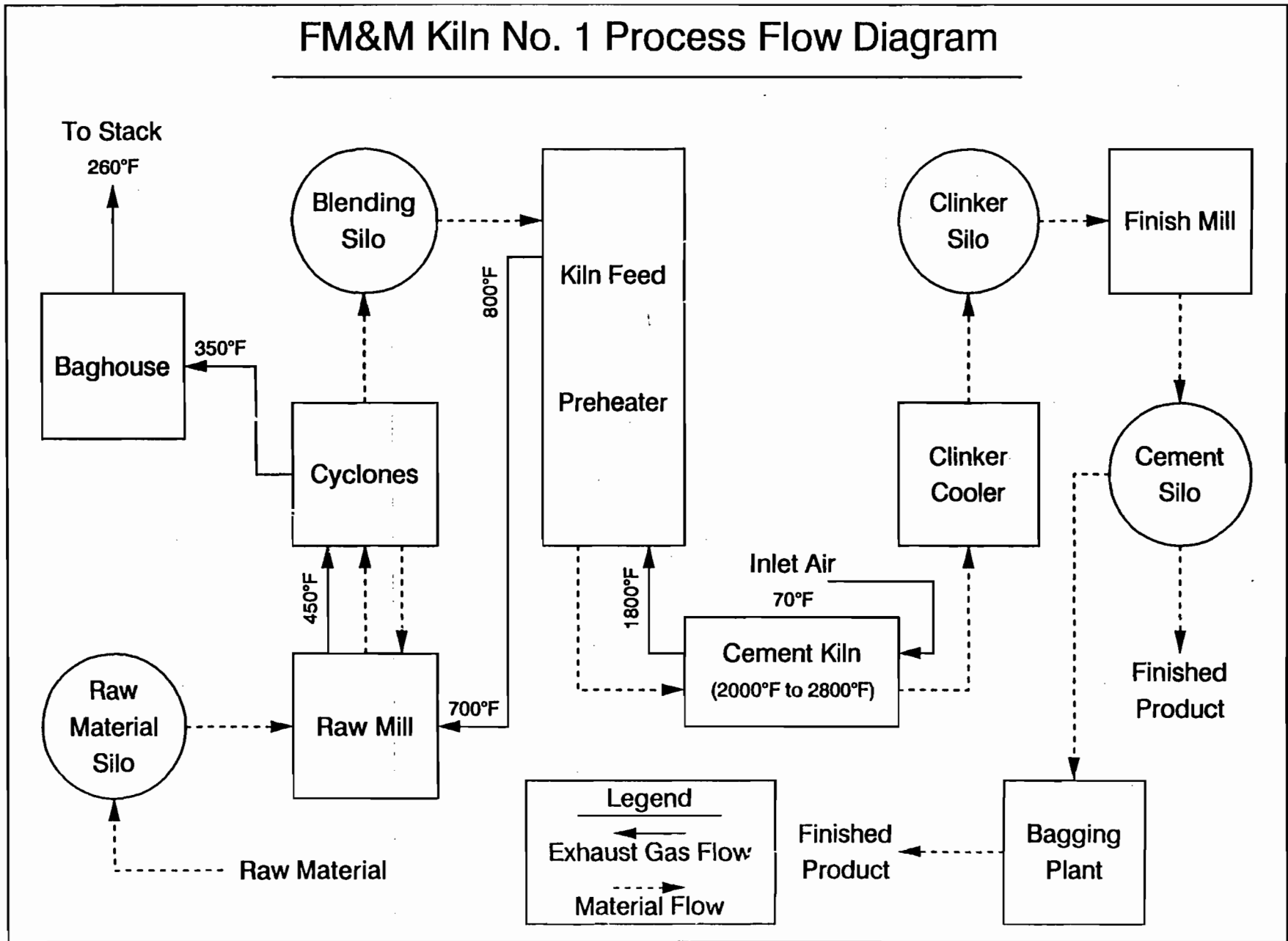
Fuel Type	Test Conditions			
	1*	2	3	4
	% of Total Fuel Supply			
Coal (min.)	100	80	50	30
Waste Tires (max.)	0	20	0	20
Used Oil (max.)	0	0	50	50

*Baseline

FMMITIRE.DOC

FIGURE II-1

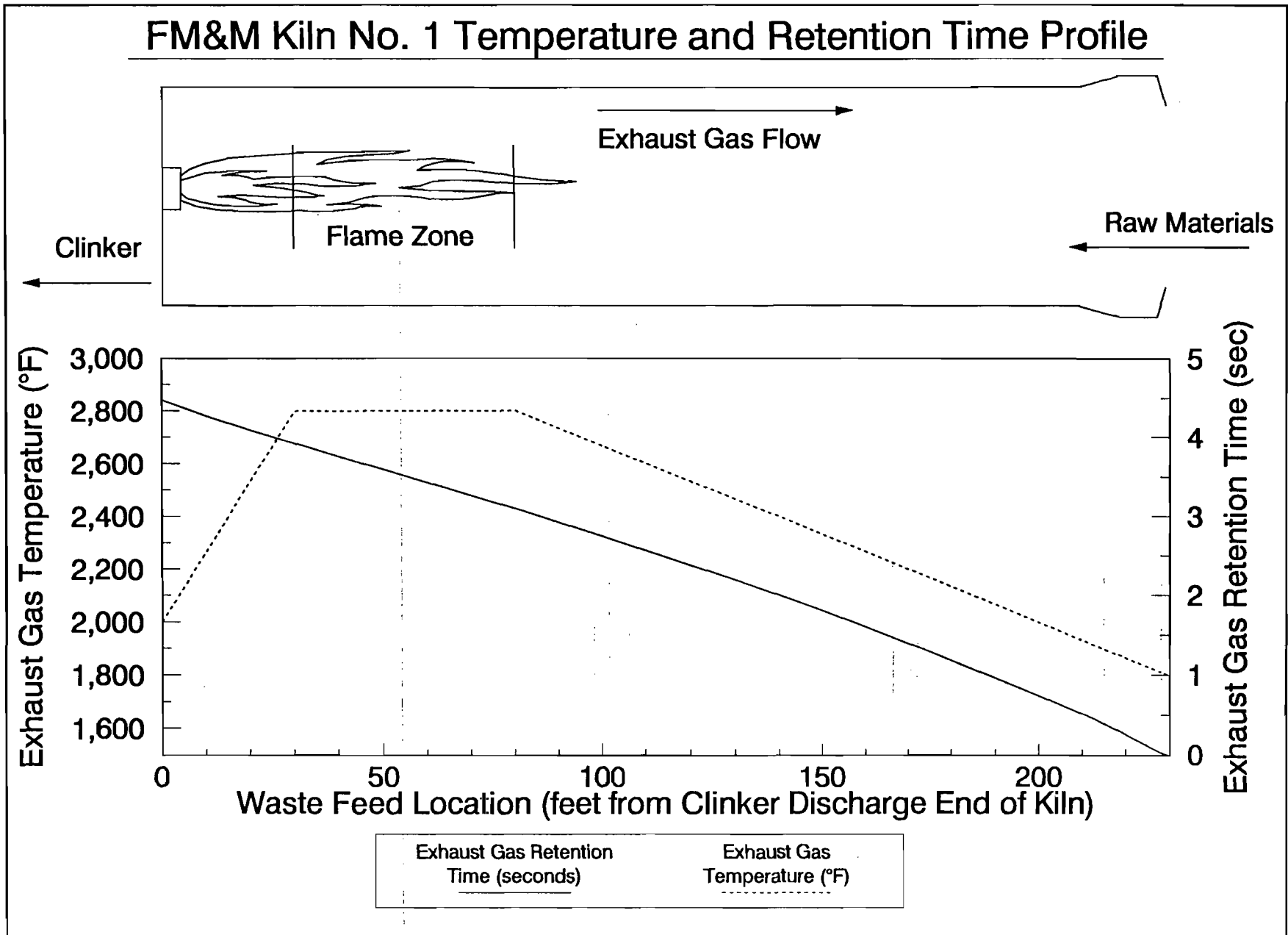
FM&M Kiln No. 1 Process Flow Diagram



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Environmental Engineers Orlando, Florida

FIGURE II-2



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TABLE II-2
PERMITTING AND COMPLIANCE ACTIVITIES

<u>Activity</u>	<u>Number</u>	<u>Issued</u>	<u>Expired</u>
Construction Permit	AC27-2255	December 18, 1973	March 1, 1976
Construction Permit Extension	AC27-2255	--	--
Operating Permit	A027-20213	August 13, 1979	August 7, 1984
Operating Permit	A027-89814	October 5, 1984	October 3, 1989
Operating Permit	A027-169616	January 24, 1990	January 18, 1995

TABLE II-3
SUMMARY OF TEST PARAMETERS

Particulate Matter	EPA Method 5
Visible Emissions	EPA Method 9
Metals:	EPA Method 5 (filter and probe rinse)
Aluminum	Barium
Arsenic	Copper
Cadmium	Nickel
Chromium (Total)	Iron
Lead	Vanadium
Zinc	
NO _x	EPA Method 7
Sulfur Dioxide	EPA Method 6 (in back half of Method 5 train)
Carbon Monoxide	EPA Method 10
Volatile Organic Compounds	VOST
Semi-Volatile Organic Compounds	Modified Method 5
CO ₂ /O ₂	EPA Method 3
Stack Gas Flow/Moisture/Temp.	EPA Methods 2 and 4 (in conjunction with EPA Method 5)
PCDDS/PCDFS	EPA Method 23
Polynuclear Aromatic Hydrocarbons	Modified Method 5
Benzene	EPA Method 18
Mercury	EPA Method 101 or 101A

SUPPLEMENTAL INFORMATION: SECTION III

1. Table III-1
Regulated Emissions Summary
2. Table III-2
Fuel Combination Summary Data
3. Table III-3
Additional Fuels Data

TABLE III-1
REGULATED EMISSIONS SUMMARY

Parameter	Current Allowable Emissions		Allowed Emission Rate Per Rule 17-2	Potential Emissions ¹	
	lbs/hr	T/yr		lbs/hr	T/yr
Particulate	36.0	----	N/A	36.0	151.2
Opacity	10%	----	Rule 17-2.660	10%	----

1 Relate to Figure V-6, Flow Diagram

TABLE III-2
FUEL COMBINATION SUMMARY DATA

	<u>Current Fuels</u>			<u>Proposed Fuels</u>	
	<u>Coal</u>	<u>No. 6 Fuel Oil¹</u>	<u>Flolite²</u>	<u>Waste Tires</u>	<u>Used Oil</u>
Case 1					
Consumption	24,170 lb/hr	--	--	0	0
Heat Input (Btu/hr)	3.0×10^8	--	--	0	0
Portion of Total Fuel Supply (%)	100	--	--	0	0
Case 2					
Consumption	19,336 lb/hr	--	--	4286 lb/hr	0
Heat Input (Btu/hr)	2.4×10^8	--	--	0.6×10^8	0
Portion of Total Fuel Supply (%)	80	--	--	20	0
Case 3					
Consumption	12,085 lb/hr	--	--	0	1034 gal/hr
Heat Input (Btu/hr)	1.5×10^8	--	--	0	1.5×10^8
Portion of Total Fuel Supply (%)	50	--	--	0	50
Case 4					
Consumption	7251 lb/hr	--	--	4286 lb/hr	1034 gal/hr
Heat Input (Btu/hr)	0.9×10^8	--	--	0.6×10^8	1.5×10^8
Portion of Total Fuel Supply (%)	30	--	--	20	50

(1) The proposed testing would not include baseline testing of No. 6 fuel oil.

(2) Flolite is mainly used during start-up of kiln operations and during periods when raw materials feed is stopped and kiln temperature must be maintained, and flolite is normally used only as a substitute for coal. In cases where flolite and coal are used concurrently, the maximum heat input rate will not exceed 3.0×10^8 Btu/hr.

**TABLE III-3
ADDITIONAL FUELS DATA**

	Heat Capacity	Sulfur Content ²
Current:		
Coal	12,500 Btu/lb	1.0 %
No. 6 Diesel Oil	152,000 Btu/gal	0.77 %
Flolite ¹	145,000 Btu/gal	1.0 %
Proposed:		
Used Oil	145,000 Btu/gal	1.5 %
Waste Tires	14,000 Btu/lb	1.0 %

- (1) Flolite is mainly used during start-up of kiln operations and during periods when raw materials feed is stopped and kiln temperature must be maintained, and flolite is normally used only as a substitute for coal. In cases where flolite and coal are used concurrently, the maximum heat input rate will not exceed 3.0×10^8 Btu/hr.
- (2) Values shown are approximate.

TABLE III-4

OFF-SPEC USED OIL CHARACTERISTICS *

Arsenic	5 ppm maximum
Cadmium	2 ppm maximum
Chromium	10 ppm maximum
Lead	100 ppm maximum
Flash Point	100° F minimum
Total Halogens	4,000 ppm maximum

* As specified in 40 CFR Part 266.40, "Used Oil Burned For Energy Recovery".

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SUPPLEMENTAL INFORMATION: SECTION V

1. **Table V-1
Process Data (Feed, Production, Heat Input Rates)**
2. **Emissions Calculations**
3. **Figure V-1
Process Flow Diagram**
4. **Figure V-2
USGS Topographical Map**
5. **Figure V-3
Facility Plot Plan**

TABLE V-1
PROCESS DATA

Kiln Feed Rate	130 T/hr
Clinker Production Rate	79.6 T/hr
Maximum Heat Input	3.0×10^8 Btu/hr

EMISSIONS CALCULATIONS

1. PARTICULATE

The anticipated emissions rate for particulate is the same as the currently permitted level. In order to determine the efficiency of the air pollution control device, the potential emission loading to the baghouse is calculated based on an emissions factor from the EPA Guidance Document AP-42, Table 8.6-1.

Calculation of Allowable Emissions:

Allowable Emissions = 36.0 lb/hr
(Permit AO27-169616)

Calculation of Potential Emissions:

Potential Emissions = 36.0 lb/hr
= 157.7 T/yr

Calculation of Control Device Removal Efficiency:

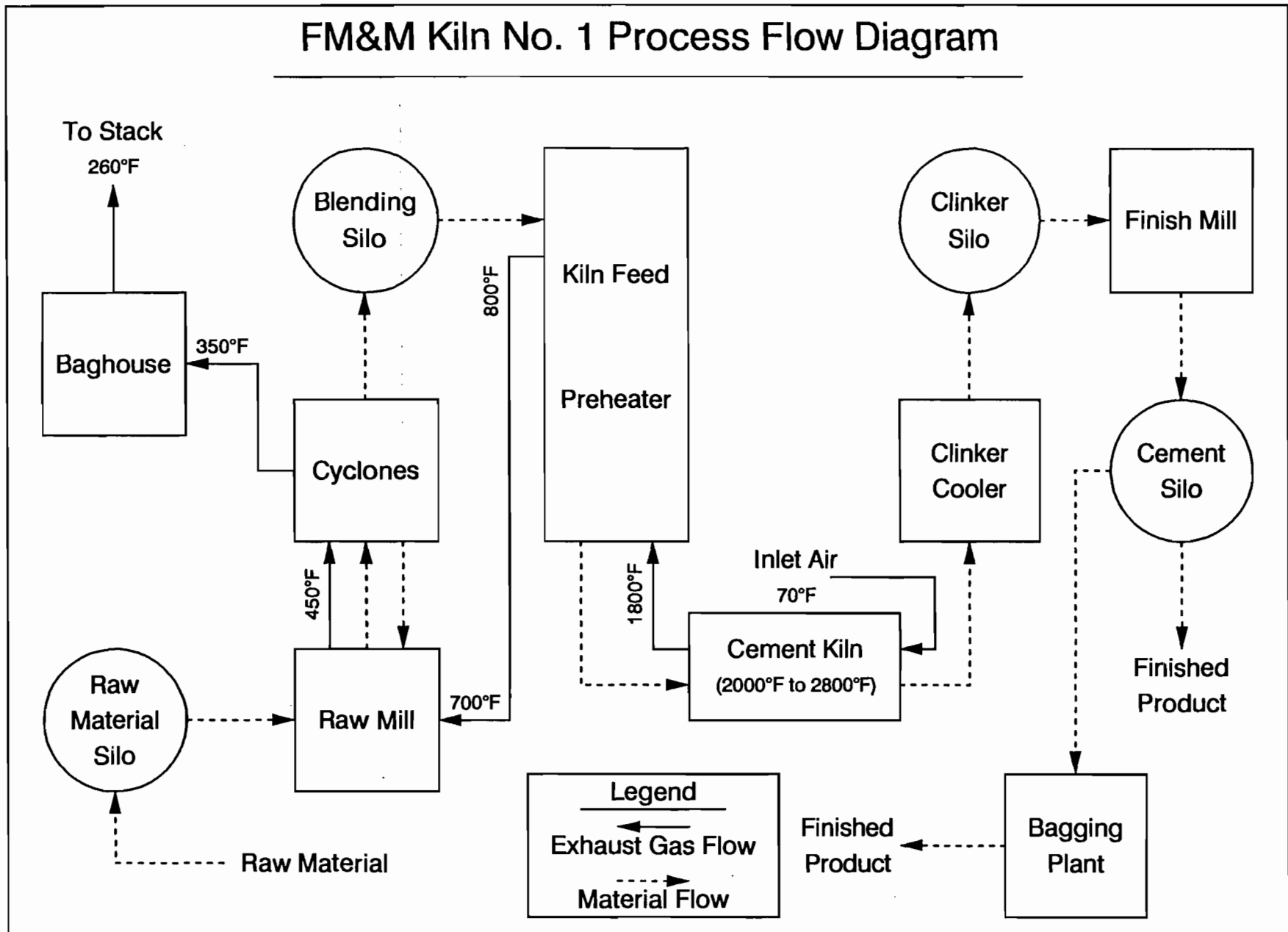
Uncontrolled Emissions Factor = 245.0 lb/ton clinker

Production Rate = 79.6 T/hr clinker

Potential Emission Loading to Baghouse = (245 lb/ton) x (79.6 T/hr)
= 19,502.0 lb/hr

Control Device Removal Efficiency = (19,502 lb/hr - 36.0 lb/hr)
- (19,502 lb/hr)
= 99.8%

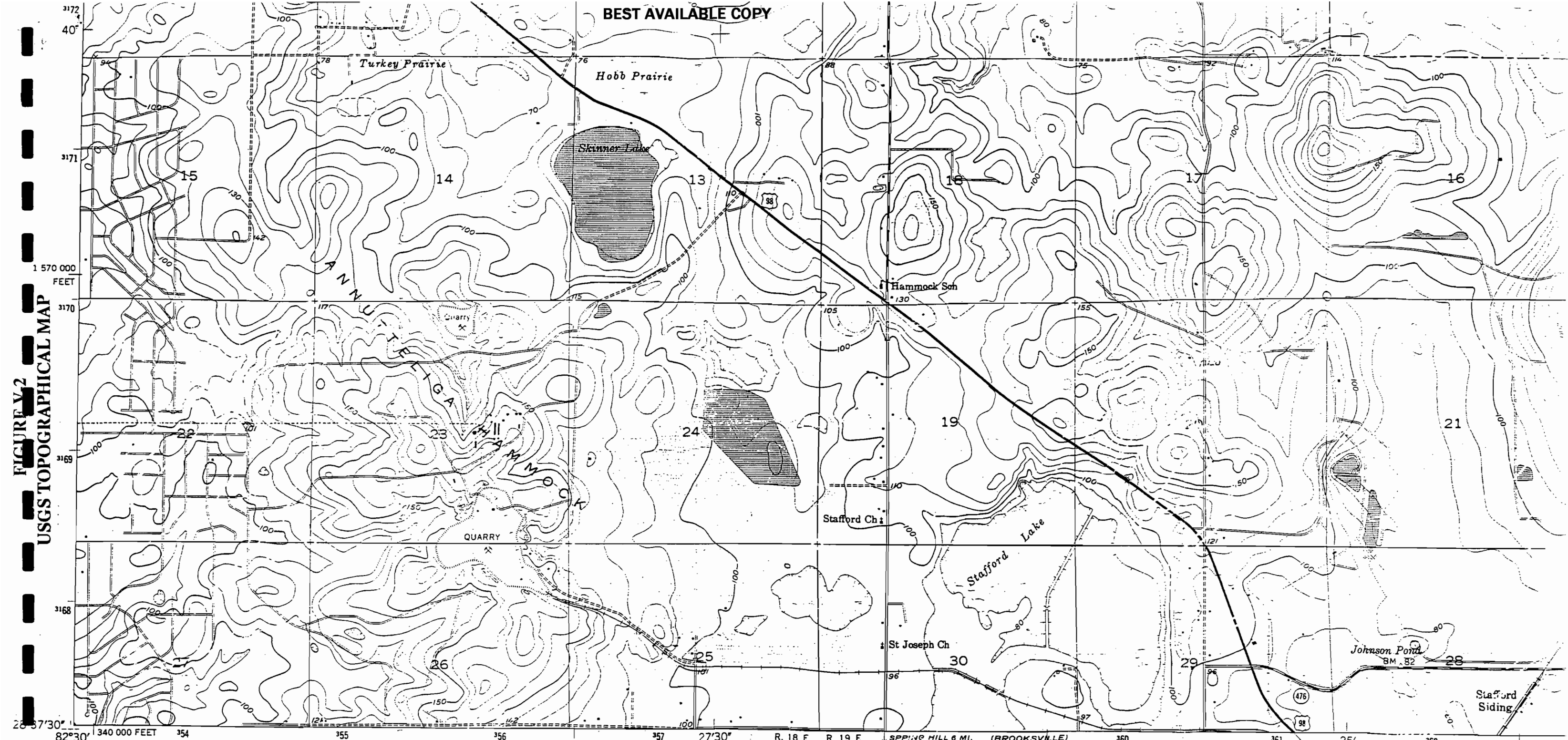
FIGURE V-1



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FIGURE 2
USGS TOPOGRAPHICAL MAP



WEEK 44
ACHEE
SPRING
4441 II SE

Mapped, edited, and published by the Geological Survey

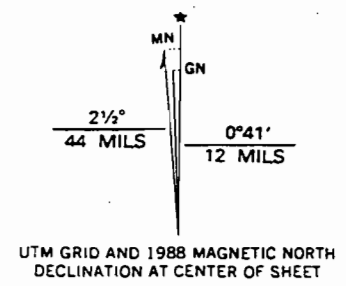
Control by USGS and USC&GS

Topography from aerial photographs by Kelsh plotter
Aerial photographs taken 1951. Field check 1954

Polyconic projection. 1927 North American datum
10,000-foot grid based on Florida coordinate system,
west zone

1000-meter Universal Transverse Mercator grid ticks,
zone 17, shown in blue

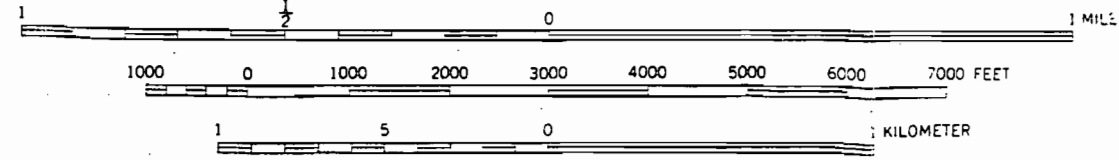
To place on the predicted North American Datum 1983,
move the projection lines 27 meters south and
16 meters west as shown by dashed corner ticks
There may be private inholdings within the boundaries of
the National or State reservations shown on this map



UTM GRID AND 1988 MAGNETIC NORTH
DECLINATION AT CENTER OF SHEET

SPRING HILL 6 MI. (BROOKSVILLE)
BROOKSVILLE 9.7 MI. 4541 III SW
25' BROOKSVILLE 5.8 MI.
DADE CITY 29 MI.

SCALE 1:24 000



CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

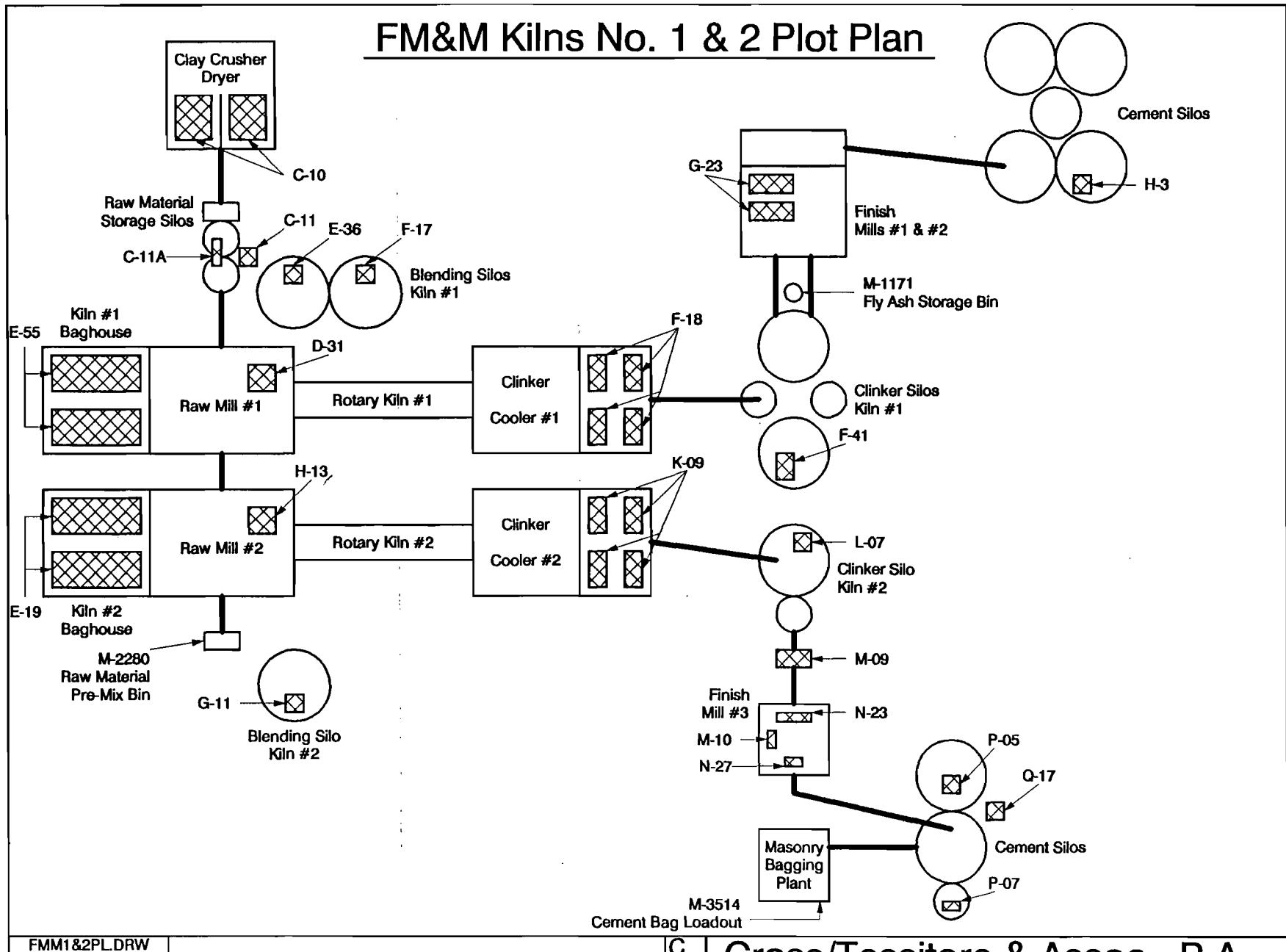


QUADRANGLE LOCATION

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY
DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Revisions shown in purple compiled from aerial photographs
other sources. This information not field checked. Map scale

FIGURE V-3



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Cross/Tessitore & Assoc., P.A.
Environmental Engineers Orlando, Florida

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Section 5
Water Quality Monitoring Plan