


INTEROFFICE MEMORANDUM

TO: Howard Rhodes

FROM: Trina Vielhauer 

SUBJECT: Final Air Construction Permit No.: 0530021-006-AC
PSD Permit Amendments Nos.: PSD-FL-090(A) & 091(E)
Florida Crushed Stone Company
Brooksville Cement and Power Plants

DATE: May 6, 2003

The attached Final Air Construction Permit (letter) is being issued to revise the throughput rates for the Raw Meal Transfer (EU 004), the two Blend Storage Silos (EU 006), and the Kiln Feed Surge Bin (EU 007) to match the throughput rates (138 TPH) of their subsequent in-series processing emissions units. The particulate matter emissions from each of the subject emissions units are controlled with a baghouse. No construction is required for this correction to the internal inconsistencies. In addition, the company intends to install a baghouse control system for the clinker transfer from the clinker cooler to the deep bucket conveyor (L-03), which conveys clinker to clinker storage. The permit will contain the proposed changes and recognize the baghouse installation. Florida Crushed Stone Company's Brooksville Cement and Power Plants are located in Hernando County, Florida.

There were no comments received during the 14-day Public Comment period. This permitting action should not be considered controversial. Therefore, it is recommended that the attached Final Air Construction Permit/PSD Permit Amendments, Nos. 0530021-006-AC/PSD-FL-090(A) & 091(E), be signed as drafted and noticed.

TLV/bm

Attachment

cc: Scott M. Sheplak, P.E.

NOTICE OF FINAL AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENTS

In the Matter of an
Application for Permit:

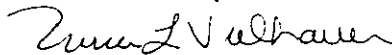
Mr. Pat Venable
Environmental Manager
Florida Crushed Stone Company
Post Office Box 1508
Brooksville, Florida 34605-1508

DEP File No.: 0530021-006-AC/PSD-FL-090(A) & 091(E)
Brooksville Cement and Power Plants
Hernando County

Enclosed is the Final Air Construction Permit/PSD Permit Amendments (letter), Nos. 0530021-006-AC/PSD-FL-090(A) & 091(E). The subject of the Air Construction Permit/PSD Permit Amendments is to revise the throughput rates for the Raw Meal Transfer (EU 004), the two Blend Storage Silos (EU 006), and the Kiln Feed Surge Bin (EU 007) to match the throughput rates (138 TPH) of their subsequent in-series processing emissions units. The particulate matter emissions from each of the subject emissions units are controlled with a baghouse. No construction is required for this correction to the internal inconsistencies. In addition, the company intends to install a baghouse control system for the clinker transfer from the clinker cooler to the deep bucket conveyor (L-03), which conveys clinker to clinker storage. The permits will contain the proposed changes and recognize the baghouse installation. The facility is located in Hernando County. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.). There were no comments received during the Public Notice period.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer
Chief
Bureau of Air Regulation

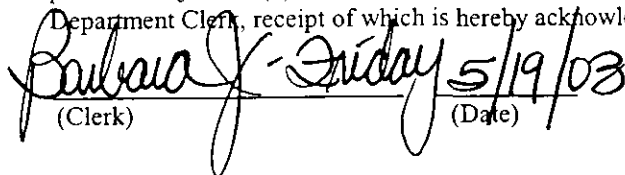
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENTS (including the FINAL Permit/PSD Permit Amendments (letter)) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 5/19/03 to the person(s) listed or as otherwise noted:

Mr. Steven C. Cullen, P.E., K&A
Mr. Gerald Kissel, SWD
Mr. Buck Oven, DEP-PPS
Ms. Dawn Durham, HCPD
U.S. EPA, Region 4 (INTERNET E-mail Memorandum)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) 5/19/03 (Date)

Final Determination

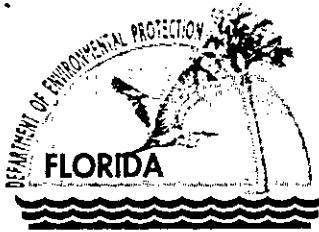
Florida Crushed Stone Company

Air Construction Permit/PSD Permit Amendments Nos.: 0530021-006-AC/PSD-FL-090(A) & 091(E)

Brooksville Cement and Power Plants

An Intent to Issue an air construction permit/PSD permit amendments to Florida Crushed Stone Company's Brooksville Cement and Power Plants located off Cobb Road 2 miles Northwest of Brooksville, Brooksville, Hernando County, Florida, was distributed on April 2, 2003. The Public Notice of Intent to Issue an Air Construction Permit/PSD Permit Amendments was published in the Hernando Times on April 11, 12 and 13, 2003. Comments were not submitted in response to the Public Notices.

The final action of the Department will be to issue the air construction permit/PSD permit amendments (letter) as proposed.



Department of Environmental Protection

Jeb Bush
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

David B. Struhs
Secretary

May 16, 2003

CERTIFIED MAIL -- Return Receipt Requested

Mr. Pat Venable
Environmental Manager
Florida Crushed Stone Company
Post Office Box 1508
Brooksville, Florida 34605-1508

Re: Final Air Construction Permit/PSD Permit Amendments Nos.: 0530021-006-AC/PSD-FL-090(A) & 091(E)
Florida Crushed Stone Company
Brooksville Cement and Power Plants

Dear Mr. Venable:

This letter modification changes the federally enforceable throughput rates established in the initial Title V Permit, No. 0530021-002-AV, issued/clerked on October 18, 2000. The changes are being incorporated into the Title V Air Operation Permit under revision No. 0530021-007-AV. Therefore, the following Specific Conditions are changed:

1. Specific Condition A.2. (0530021-002-AV).

FROM:

A.2. Permitted Capacity. The maximum process/transfer/throughput rates are:

| E.U. ID No. | Brief Description | Maximum Rate |
|-------------|-----------------------------------|--------------|
| -004 | Raw Meal Transfer with Baghouse | 125 TPH |
| -006 | Blending Silo with Baghouse | 125 TPH |
| -007 | Kiln Feed Surge Bin with Baghouse | 125 TPH |

TO:

A.2. Permitted Capacity. The maximum process/transfer/throughput rates are:

| E.U. ID No. | Brief Description | Maximum Rate |
|-------------|-----------------------------------|--------------|
| -004 | Raw Meal Transfer with Baghouse | 138 TPH |
| -006 | Blending Silo with Baghouse | 138 TPH |
| -007 | Kiln Feed Surge Bin with Baghouse | 138 TPH |

2. Specific Condition B.3. (0530021-002-AV).

FROM:

B.3. Permitted Capacity. The maximum process/transfer/throughput rates are:

| E.U. ID No. | Brief Description | Maximum Rate |
|-------------|-----------------------------------|--------------|
| -004 | Raw Meal Transfer with Baghouse | 125 TPH |
| -006 | Blending Silo with Baghouse | 125 TPH |
| -007 | Kiln Feed Surge Bin with Baghouse | 125 TPH |

"More Protection, Less Process"

Printed on recycled paper.

Mr. Pat Venable
Florida Crushed Stone Company
0530021-006-AC/PSD-FL-090(A) & 091(E)
Page 2 of 2

TO:

B.3. Permitted Capacity. The maximum process/transfer/throughput rates are:

| E.U. ID No. | Brief Description | Maximum Rate |
|-------------|-----------------------------------|--------------|
| -004 | Raw Meal Transfer with Baghouse | 138 TPH |
| -006 | Blending Silo with Baghouse | 138 TPH |
| -007 | Kiln Feed Surge Bin with Baghouse | 138 TPH |

3. Specific Conditions A.6 and B.7. (0530021-002-AV). There will be no changes in the allowable emission limits established in 0530021-002-AV.

4. Part I. Specific Conditions A.2.g. and B.11. (PSD-FL-090 & 091).

FROM:

A.2. Stack emissions from the combined cement plant and power plant boiler shall not exceed the following site specific limits:

g. Beryllium: 0.0005 lb/hr.

and,

B.11. Compliance with beryllium limits in Specific Condition A.2.g. shall be demonstrated, if required by EPA, in accordance with EPA Method 104, and 40 CFR 60.8

TO:

A.2.g. Reserved.

and,

B.11. Reserved.

This permit (letter) is issued pursuant to Chapter 403, Florida Statutes (F.S.). Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

Sincerely,



Howard L. Rhodes, Director
Division of Air Resource Management

HLR/rbm

cc: Mr. Steven C. Cullen, P.E., K&A
Mr. Gerald Kissel, SWD
Mr. Buck Oven, DEP-PPS
Ms. Dawn Durham, HCPD
Ms. Jeaneanne Gettle, Chief, Air Permits Section, U.S. EPA, Region 4

Bruce M.

000635820

HERNANDO TIMES

An Edition of the St. Petersburg Times

Published Daily

Brooksville, Hernando County, Florida

RECEIVED

APR 30 2003

BUREAU OF AIR REGULATION

STATE OF FLORIDA COUNTY OF HERNANDO:

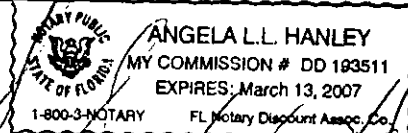
Before the undersigned authority personally appeared Mary Fanter who on oath says that she is Legal Clerk of the Hernando Times a daily newspaper published at Brooksville, in Hernando County, Florida: that the attached copy of advertisement, being a Legal Notice in the matter of RE: Public Notice of Intent

_____ in the _____ Court was published in said newspaper in the issues of April 11, 12 and 13, 2003

Affiant further says the said Hernando Times is a newspaper published at Brooksville, in said Hernando County, Florida, and that the said newspaper has heretofore been continuously published in said Hernando County, Florida, each day and has been entered as second class mail matter at the post office in Brooksville, in said Hernando County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Mary Fanter
Signature of Affiant

Sworn to and subscribed before me this 13th day of April, 2003.



Signature of Notary Public

Personally known x or produced identification

Type of identification produced _____

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT/PSD PERMIT AMENDMENTS AND A TITLE V AIR OPERATION PERMIT REVISION

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Air Construction Permit/PSD Amendments Nos.: 0530021-006-AC/PSD-FL-090(A) & 091(E)
DRAFT Title V Air Operation Permit Revision No.: 0530021-007-AV
Florida Crushed Stone Company
Brooksville Cement and Power Plants
Hernando County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an Air Construction Permit/PSD Permit Amendments and a Title V Permit Revision to the Florida Crushed Stone Company for its Brooksville Cement and Power Plants located off Cobb Road 2 miles Northwest of Brooksville, Brooksville, Hernando County. The applicant's name and address are: Mr. Pat Venable, Environmental Manager, Florida Crushed Stone Company, Post Office Box 1508, Brooksville, Florida 34605-1508.

The subject of the Air Construction Permit/PSD Permit Amendments is to revise the throughput rates for the Raw Meal Transfer (EU 004), the two Blend Storage Silos (EU 006), and the Kiln Feed Surge Bin (EU 007) to match the throughput rates (138 TPH) of their subsequent in-sens processing emissions units. The particulate matter emissions from each of the subject emissions units are controlled with a baghouse. No construction is required for this correction to the internal inconsistencies. In addition, the company intends to install a baghouse control system for the clinker transfer from the clinker cooler to the deep bucket conveyor (L-33), which conveys clinker to clinker storage. The permits will contain the proposed changes and recognized the baghouse installation. The permits will contain the proposed changes.

In addition, the subject of the Air Construction Permit/PSD Permit Amendments is to remove the beryllium limitation and its associated testing requirement. There was no rule basis for establishing the limit.

The subject for the Title V Permit Revision is to: 1) incorporate the changes being made in the Air Construction Permit/PSD Permit Amendments; 2) remove the Chemical Lime Plant Operations from the Title V Permit; and, 3) to incorporate the Operation and Maintenance Plan (see Appendix O & M) pursuant to 40 CFR 63.1350(a).

The permitting authority will issue the Air Construction Permit/PSD Permit Amendments (letter) and the PROPOSED Title V Permit Revision, and subsequent FINAL Title V Permit Revision, in accordance with the conditions of the Draft Air Construction Permit/PSD Permit Amendments and the DRAFT Title V Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments and requests for public meetings concerning the proposed Draft Air Construction Permit/PSD Permit Amendment and DRAFT Title V Permit Revision issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation at 2600 Blar Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blar Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in these Draft Air Construction Permit/PSD Permit Amendments and DRAFT Title V Permit Revision, the permitting authority shall issue a Revised Draft Air Construction Permit/PSD Permit Amendments and a Revised DRAFT Title V Permit Revision and require, if applicable, another Public Notice.

The permitting authority will issue these permits unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.), or a party requests mediation as an alternative remedy under Section 120.573, F.S., before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/487-4938). Petitions filed by any persons other than those entitled to written notice under Section 120.603, F.S., must be filed within fourteen (14) days of publication of the public notice or within fourteen (14) days of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, Florida Administrative Code (F.A.C.).

A petition must contain the following information:

- The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit File Number, and the county in which the project is proposed;
- A statement of how and when each petitioner received notice of the permitting authority's action or proposed action;
- A statement of how each petitioner's substantial interests are affected by the permitting authority's action or proposed action;
- A statement of the material facts disputed by the petitioner, if any;
- A statement of the facts that the petitioner contends warrant reversal or modification of the permitting authority's action or proposed action;
- A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the permitting authority's action or proposed action; and,
- A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the permitting authority to take with respect to the action or proposed action addressed in this notice of intent.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

A person whose substantial interests are affected by the permitting authority's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department of Environmental Protection a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, FL 32399-3000, by the same deadline as set forth above for the filing of a petition.

A request for mediation must contain the following information:

- The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- A statement of the preliminary agency action;
- A statement of the relief sought; and,
- Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference.

The agreement to mediate must include the following:

- The names, addresses, and telephone numbers of any persons who may attend the mediation;
- The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- The agreed allocation of the costs and fees associated with the mediation;
- The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- The name of each party's representative who shall have authority to settle or recommend settlement; and,
- The signatures of all parties or their authorized representatives.

As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within 60 (sixty) days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department of Environmental Protection must enter an order incorporating the agreement of the parties in accordance with the provisions of Section 403.0872(7), F.S. If mediation terminates without settlement of the dispute, the permitting authority shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661(c)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661(c)(2) and must be filed with the Administrator of the EPA at 410 M. Street, SW, Washington, D.C. 20460.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Permitting Authority:
Department of Environmental Protection
Bureau of Air Regulation
111 South Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-8979

Affected District Authority:
Department of Environmental Protection
Southwest District Office
Air Resources
3604 Coconut Palm Drive
Tampa, Florida 33619-6219
Telephone: 813/744-6100
Fax: 813/744-6084

The complete project file includes the Technical Evaluation and Preliminary Determination and associated Draft Air Construction Permit, PSD Permit Amendments and DRAFT Title V Permit Revision, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/921-9532, for additional information.