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RESOURCE MANAGEMENT

January 31, 2012

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Ms. Christy DeVore, P.E.  
Professional Engineer II  
Florida Department of Environmental Protection  
Division of Air Resource Management  
Bureau of Air Regulation  
New Source Review  
2600 Blair Stone Road, MS #5505  
Tallahassee, FL 32399-2400

Dept. of Environmental  
Protection  
FEB 02 2012  
Southwest District

Re: Project No. 0530021-038-AC, Proof of Publication – Intent To Issue Permit,  
Alternative Fuels Kiln No. 2, Brooksville South Cement Plant

Dear: Ms. DeVore:

Please find enclosed the original affidavit as proof of publication for the Intent To Issue Permit – Alternative Fuels, Kiln No. 2. The article was published in the legal section of the Tampa Bay Times (Hernando & Citrus County addition) on January 21, 2012.

Should you have any questions and/or comments concerning this submittal or require additional information, please contact me at 352-799-7881 or [gtownsend@cemexusa.com](mailto:gtownsend@cemexusa.com).

Respectfully,

George Townsend  
Environmental Manager

pc: James S. Daniel, Plant Manager  
Max Lee, P.E., Koogler & Associates

All w/o Attachment

D:\Documents and Settings\gtownsend\My Documents\Brooksville South\Kiln No. 2 Permits\Alternative Fuels\Proof of Publicaition  
038-AC Submittal 01312012.docx

**Brooksville South Plant**

10311 Cement Plant Rd, Brooksville, FL 34601. USA, (352) 799-7881, Fax (352) 799-6088

# Tampa Bay Times

Published Daily


St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA  
COUNTY OF Pinellas

} S.S.

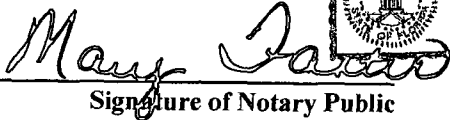
Before the undersigned authority personally appeared **D. Almeida** who on oath says that he/she is **Legal Clerk** of the **Tampa Bay Times** a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: Intent To Issue Air Permit** was published in said newspaper in the issues of **Classified Hernando & Citrus**, 1/21/2012.

Affiant further says the said **Tampa Bay Times** is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas 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 /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.



Signature of Affiant

Sworn to and subscribed before me  
this 23rd day of January A.D.2012

Signature of Notary Public

Personally known  or produced identification

Type of identification produced \_\_\_\_\_

## PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection  
Division of Air Resource Management, Office of Permitting and Compliance  
Project No. 0530021-038-AC  
CEMEX Construction Materials Florida, LLC, Brooksville South Cement Plant  
Hernando County, Florida

**Applicant:** The applicant for this project is CEMEX Construction Materials Florida, LLC. The applicant's authorized representative and mailing address is: Mr. Jim Daniel, Plant Manager, CEMEX Construction Materials Florida, LLC, Brooksville South Cement Plant, 10311 Cement Plant Road, Brooksville, Florida 34601.

**Facility Location:** CEMEX Construction Materials Florida, LLC operates the existing Brooksville South Cement Plant, which is located in Hernando County at 10311 Cement Plant Road in Brooksville, Florida.

**Project:** The applicant proposes to revise air construction Permit No. 0530021-035-AC, which authorized temporary short-term trials to co-fire coal with a variety of alternative fuel materials (including tire-derived fuel) in the existing cement kiln to determine the operational viability of each fuel, the impacts on emissions, and the effect on cement quality. The applicant requests a revision of this permit to: include the option for a baghouse for the permitted Schenk feeder system; and increase the amount of tire-derived fuel for the trial by 3,000 tons for a total of 7,500 tons. The additional 3,000 tons of tire-derived fuel is estimated to increase carbon monoxide CO emissions by 15 tons/year and potentially decrease emissions of other pollutants. Actual emissions from the existing cement kiln are continuously monitored for the following pollutants: carbon monoxide (CO), nitrogen oxides (NOX), sulfur dioxide (SO2), and volatile organic compounds (VOC) measured as total hydrocarbons (THC). There is also a continuous monitor for measuring the stack opacity. These modifications will not increase production capacity or allow exceedance of currently permitted emissions.

**Permitting Authority:** Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Office of Permitting and Compliance in the Department of Environmental Protection's Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/717-9000.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site by entering draft permit number: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

**Comments:** The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

**Petitions:** 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 with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall 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 within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 Public Notice of Intent to Issue Air Permit. 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. Mediation: Mediation is not available for this proceeding.

Published in the Tampa Bay Times January 21, 2012 (003676420)