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DIVISION OF AIR
RESOURCE MANAGEMENT

August 28, 2012

Via Certified Mail
Return Receipt Requested
Article No. 7011 0470 0001 0042 8506

Mr. David Read, P.E.
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

Re: Proposed Permits No. 0530021-043-AC (PSD-FL-091K) & 0530021-043-AC
(PSD-FL-351E), Proof of Publication – Notice of Proposed Construction Permits;
Kiln No. 1 & Kiln No. 2, CEMEX Construction Materials Florida, LLC,
Brooksville South Cement Plant

Dear: Mr. Read:

Please find enclosed the original affidavit, with article, as proof of publication for the proposed permit/facility mentioned above. The article was published in the legal section of the Tampa Bay Times on August 19, 2012, 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.

Respectfully,

George Townsend
Environmental Manager

pc: James S. Daniel, Plant Manager
Dr. John Koogler, P.E., Koogler & Associates

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Brooksville South Plant

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

Tampa Bay Times

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF Pinellas

} S.S.

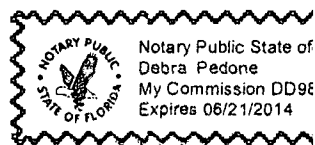
Before the undersigned authority personally appeared D. Almeida who on oath says that he/she is Legal Clerk of the Tampa Bay Times a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a Legal Notice in the matter RE: Intent To Issue Air Permits Potland Cement 1 & 2 was published in said newspaper in the issues of Classified Hernando & Citrus , 8/19/2012 .

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 21st day of August A.D.2012




Signature of Notary Public

Personally known or produced indentification

Type of indentification produced _____

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMITS

Florida Department of Environmental Protection (Department)
Division of Air Resource Management, Office of Permitting and Compliance
DEP File No. 0530021-043-AC (PSD-FL-091K), Portland Cement Line No. 1
DEP File No. 0530021-044-AC (PSD-FL-351E), Portland Cement Line No. 2
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: Jim Daniel, Cement Plant Manager, Brooksville South Cement Plant, 10311 Cement Plant Road, Brooksville, Florida 34601.

Facility Location: The facility includes two Portland cement manufacturing lines (Cement Lines No. 1 and No. 2), a coal yard and all the required auxiliary equipment. This facility is located in Hernando County at 10311 Cement Plant Road, Brooksville, Florida.

Project: The project is a re-permitting of Cement Lines Nos. 1 and 2 to create "clean" new air construction permits for each cement line incorporating the latest emissions limits and compliance requirements from the federal New Source Performance Standards (NSPS) and National Emissions Standards for Hazardous Air pollutants (NESHAP). In addition, redundant and obsolete permit conditions were removed and, in general, the permits made more clear and concise. Each of these re-permitting efforts is briefly described below.

Cement Line No. 1:

Draft Permit No. 0530021-043-AC (PSD-FL-091K) incorporates the non-obsolete, applicable conditions from the original air construction permit (PSD-FL-091) and all subsequent permit modifications into a "clean" new air construction permit. In addition, it removes any reference to the recently separated CP&L power plant, which is now under the control of Florida Power Development, LLC. The CP&L power plant was recently authorized to separate itself from Cement Line No. 1 by air construction Permit No. 0530380-001-AC (PSD-FL-090E). This permit along with other relevant documents can be found at: www.dep.state.fl.us/air/emission/bioenergy/central_power.htm

Cement Line No. 2:

Draft Permit No. 0530021-044-AC (PSD-FL-351E) incorporates the original air construction permit (PSD-FL-351) and all subsequent construction permit modifications into a "clean" new air construction permit. This action is being taken concurrently with the re-permitting of Cement Line No. 1 to provide two "clean" similar construction permits for each cement line that will subsequently be incorporated into a new Title V air operation permit that does not include the CP&L power plant.

The project is not subject to the general preconstruction review requirements of Rule 62-212.300, Florida Administrative Code (F.A.C.). A review pursuant to the rules for Prevention of Significant Deterioration and a determination of best available control technology pursuant to Rule 62-212.400, F.A.C. was not required. The details of the project are provided in the Technical Evaluation and Preliminary Determination document that can be accessed by entering 0530021-043-AC or 0530021-044-AC in the permit number field at the following web link: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

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 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 phone 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 address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address and phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue air permits to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all applicable 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 the 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 this 14-day period. If timely received comments 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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241; Fax: 850/245-2303). 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 interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (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 in this proceeding.

Published in the Tampa Bay Times, Hernando Edition, August 19, 2012 (003800956)