

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

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NOTICE OF PERMIT AMENDMENT

Mr. Randy Thompson
Environmental Department
Florida Crushed Stone Company
Post Office Box 490300
Leesburg, Florida 34749-0300

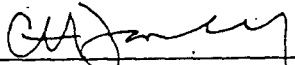
June 13, 1990

Enclosed is an amendment for construction permits Nos. AC 27-118674 and PSD-FL-091 for Florida Crushed Stone Company to conduct performance tests on the cement kiln while burning tire derived fuel with coal at the existing facility located approximately 3.5 miles NW of Brooksville, Hernando County, Florida. This amendment is issued pursuant to Section 403, Florida Statutes.

Any party to this amendment has the right to seek judicial review of the amendment pursuant to Section 120.68, Florida Statutes, 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 Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 days from the date this amendment is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


C. H. Fancy, P.E.

Chief

Bureau of Air Regulation

Copy furnished to:

B. Thomas, SW District
J. Koogler, P.E., K&A
C. Shaver, NPS
J. Harper, EPA

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT AMENDMENT and all copies were mailed before the close of business on 6-13-90.

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

Kym Joken
Clerk

6-13-90
Date

Final Determination

The construction permit amendment request has been reviewed by the Department. Public Notice of the Department's Intent to Issue was published in The Tampa Tribune on May 4, 1990. The letter amendment and attachments were available for public inspection at the DER's Southwest District and Bureau of Air Regulation (Bureau) offices.

A comment was received on the proposed action from Mr. Bruce Mitchell, with the Bureau, in an Interoffice Memorandum. The comment identified mercury as a pollutant of concern in Florida and the need to conduct tests for it. Therefore, the following will be added to No. 4 of the letter amendment:

<u>Pollutant/Pollutant Category</u>	<u>Test Method</u>
• Mercury	EPA Method 101 or 101A

Attachment to be incorporated:

12. Interoffice Memorandum from Mr. Bruce Mitchell dated May 17, 1990.

The Bureau will incorporate the change into the appropriate area of the letter amendment, as reflected in the final determination. It is recommended that the letter amendment be issued as drafted, with the above revision and attachment incorporated. This letter amendment shall be attached to construction permits Nos. AC 27-118674 and PSD-FL-091, and shall become a part of the permits.

State of Florida
County of Hillsborough

RECEIVED

Before the undersigned authority personally appeared James L. Connering, who on oath says that he is Assistant Comptroller of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE DER-BAQM

in the matter of ISSUE A PERMIT AMENDMENT

was published in said newspaper in the issues of May 4, 1990

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.

James L. Connering

Sworn to and subscribed before me, this 10 day of May A.D. 1990

Debra Lynne Beuchard

Notary Public State of Florida
My Commission Expires Jan. 6, 1993
Bonded thru Troyahn - Insurance Inc.

(Seal)

The Department of Environmental Regulation hereby gives notice of its intent to issue a permit amendment to FCSO (Florida Crushed Stone Company), Environmental Department, P.O. Box 490300, Leesburg, Florida 34749-0300, to conduct a performance test on the cement kiln while burning the derived fuel (TDF) with coal at 15% of the total (100%) the heat input (i.e., TDF @ 15% and coal @ 85%). The purpose of this amendment is to allow FCSO to obtain the data necessary to determine whether the cement kiln is capable of accommodating TDF under the cement kiln's present physical configuration and which regulations the cement kiln will be subject to if it is to be permitted to burn TDF with coal. The proposed project will occur at the applicant's existing facility located approximately 3.5 miles NW of Brooks, Fla., Hernando County, Florida. The Department is issuing this intent to issue for the reasons stated in the proposed letter amendment to the construction permit No. AC 27-114674 and PSD permit No. PSD-FL-091.

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 32399-1400, 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 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 29-5.207, F.A.C.

The application is 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
32399-1400
Department of Environmental Regulation
Southwest District Office
4570 Oak Fair Boulevard
Tampa, Florida 33610-7347

Any person may send written comments on the proposed action to Mr. C. K. Farcy 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.

BEST AVAILABLE COPY

ATTACHMENT 12



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: Florida Crushed Stone File: AC 27-118674
FROM: Bruce Mitchell *BM*
DATE: May 17, 1990
SUBJ: Comments - Public Notice

Due to the concerns about mercury in Florida, I recommend that FCS perform emissions tests for this highly toxic pollutant, both prior to burning TDF and during the TDF trial burn.

BM/plm