

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**NOTICE OF ADMINISTRATIVELY CORRECTED AIR CONSTRUCTION
PERMIT**

In the Matter of a Request for Administrative Correction:

Charles Allen	Project No.: 0530021-012-AC
Director of Operations, Cement Division Rinker Materials of Florida, Inc. Florida Crushed Stone Company P.O. Box 1508 Brooksville, FL	Administrative Correction to Permit No.: 0530021-009-AC PSD-FL-351 Brooksville Plant Hernando County

Enclosed are ADMINISTRATIVELY CORRECTED conditions to the Air Construction Permit, No. 0530021-009-AC, for the operation of the Brooksville Plant located at 13011 Cement Plant Road, Brooksville, Hernando County. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated July 26, 2005. The Department agrees to make the changes to correct typographical errors. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. 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 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 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 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 how and when each petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,

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Project No.: 0530021-012-AC

Administrative Correction to Title V Air Operation Permit No.: 0530021-009-AC; PSD-FL-351

Brooksville Plant

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(g) A statement of the relief sought by the petitioner, stating precisely the action 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 notice. 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.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.



Trina Vielhauer
Chief, Bureau of Air Regulation

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CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT (including the corrected page(s)) was sent by certified mail or electronically (with Received Receipt) (*) and copies were sent by U.S. Mail or electronically (with Received Receipt) before the close of business on 8/2/05 to the person(s) listed or as otherwise noted:

Charles Allen, Rinker Materials of Florida *

Eddie Allsopp, III, Rinker Materials of Florida, Inc.

Barry D. Andrews, P.E., RTP Environmental Associates, Inc.

Don Elias, Principal, RTP Environmental Associates, Inc.

Chair, Hernando County BOCC

Joel Smolen, Florida DEP- SWD

David Zell, Florida DEP- SWD

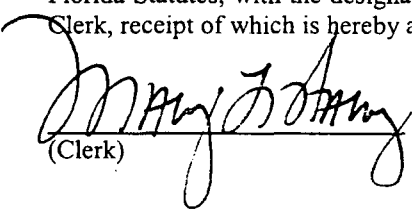
John Bunyak, NPS

Jim Little, EPA

Barbara Friday, BAR [barbara.friday@dep.state.fl.us] (for posting with Region 4 , U.S. EPA)

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) 8/2/05
(Date)

ADMINISTRATIVE CORRECTION

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Page 4 of 4

1. Facility Description, Paragraph 2, next to last sentence is hereby changed:

FROM: The plant will also include a coal processing operation that will crush coal and petroleum coke and will have an annual processing capacity of 131,400 tons of coal and petroleum coke.

TO: The plant will also include a coal processing operation that will crush coal and petroleum coke and will have an annual processing capacity of ~~131,400~~ 165,000 tons of coal and petroleum coke.

2. Section II, Facility-wide Condition 11.b., bullet 9, is hereby changed:

FROM: All materials, except coal and petroleum coke, at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.

TO: All materials, except tires, coal and petroleum coke, at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.

3. Section III, Subsection A, Specific Condition 2.a. is hereby changed:

FROM: Whole tires may be fired directly in the pyroprocessing system at a rate not to exceed a maximum heat input of 30% of the total pyroprocessing heat input, not to exceed 58.5 MMBtu/hr at any time.

TO: Whole tires may be fired directly in the pyroprocessing system at a rate not to exceed a maximum heat input of 30% of the total pyroprocessing heat input, not to exceed ~~58.5~~ 117 MMBtu/hr at any time.

4. Section III, Subsection A, Specific Condition 2.b. is hereby changed:

FROM: Coal and/or petroleum coke shall not exceed 15.0 tons per hour. Natural gas shall not exceed 432 MMCF/hr. Distillate oil shall not exceed 3080 gallons/hr.

TO: Coal and/or petroleum coke shall not exceed ~~15.0~~ 20.0 tons per hour. Natural gas shall not exceed 432 MMCF/hr. Distillate oil shall not exceed 3080 gallons/hr.

5. Section III, Subsection A, Specific Condition 24. is hereby changed:

FROM: The owner or operator shall maintain records of the quantity and representative analysis of fuels purchased, and such records shall include the sulfur content, heat content and, for coal, petroleum coke, natural gas, fuel oil, propane, flyash, and whole tires. The records also shall include proximate and ultimate analyses.

TO: The owner or operator shall maintain records of the quantity and representative analysis of fuels purchased, and such records shall include the sulfur content, and heat content of the fuel. ~~and, for~~ For coal, petroleum coke, natural gas, fuel oil, propane, flyash, and whole tires, ~~the~~ records also shall include proximate and ultimate analyses.

SENDER: COMPLETE THIS SECTION

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- Print your name and address on the reverse so that we can return the card to you.
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1. Article Addressed to:

Mr. Charles Allen
 Rinker Materials of Florida, Inc.
 13011 Cement Plant Road
 Brooksville, Florida 34601

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X R. Fr. 28110

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239 U.S. Highway 22 East
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Fax: (732) 968-9603

July 26, 2005

James K. Pennington, P.E.
Administrator, North Permitting Section
Division of Air Resource Management
Department of Environmental Protection
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

RECEIVED

JUL 26 2005

BUREAU OF AIR REGULATION

Re: Comments on Final Permit
DEP File No. 0530021-009-AC (PSD-FL-351)
Proposed New Kiln (Cement Plant #2) at the
Florida Crushed Stone Brooksville Facility
Hernando County, Florida *053 0021-012-AC*

Dear Mr. Pennington:

Florida Crushed Stone has reviewed the Department's Final Determination and final permit for the proposed cement plant in Brooksville. We appreciate the Department's efforts in issuing this permit.

Based on our review, we have identified several minor administrative errors in the final permit. We believe these minor errors should be corrected as administrative changes to the final permit. Our specific comments are as follows:

Page 2, Facility Description, Paragraph 2

In the Facility Description, second paragraph, the next to the last sentence is incorrect. The annual processing capacity for coal and petroleum coke is mistakenly listed as 131,400 tons. The correct value is 165,000 tons, as authorized in Section III, Subsection C, Condition 2 on page 20.

In the Final Determination (page 2), the Department noted that "The Facility Description section contents are intended as information only", and thus do not establish permit limits. However, in the final permit, the last sentence in the Facility Description states that the "new raw material and handling storage shall not process more than 225 tons per hour of raw material (1,971,000 tons per year)". This language in the Facility Description certainly appears to establish mandatory limits. To avoid confusion over this language and potential disputes in the future, the Facility Description should be corrected to state that the raw material handling and storage system has a nominal processing capacity of 225 tons per hour (1,971,000 tons per year).

Comments on Final Permit for Proposed New Kiln at
Florida Crushed Stone Brooksville Facility
July 26, 2005
Page 2

Page 7, Section II, Condition 11.b

In the Final Determination (page 3), the Department agreed that solid fuel piles could be stored outside. Accordingly, in the final permit (Condition 11.b.), the list of “additional reasonable precautions” indicates that coal and petroleum coke do not need to “be stored under roof.” However, in Condition 11.b, it appears that tires were inadvertently omitted in the first bullet. This Condition should be amended to clarify that waste tires also do not need to be stored under roof.

The Department’s rules in Chapter 62-711, F.A.C., govern the storage of waste tires and those rules do not require waste tires to be stored under roof. Waste tires should not affect fugitive particulate emissions.

Page 11, Section III, Subsection A, Condition 2a

The heat content for tires should be 117 MMBtu/hr, rather than 58.5 MMBtu/hr, to match the change in firing rate from 15% to 30%.

Page 11, Section III, Subsection A, Condition 2b

The limit for coal and/or petroleum coke should be 20 tons per hour, rather than 15 tons per hour, to match the change made at page 20, Section III, Subsection C, Condition 2.

Page 13, Section III, Subsection A, Condition 11

The phrase “any change in the feed or fuels” should be followed by “outside of the normal range of monitored parameters”.

Page 16, Section III, Subsection A, Condition 24

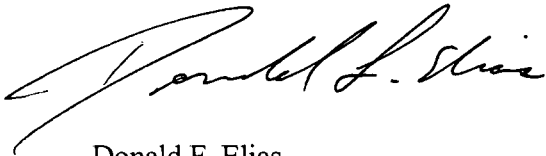
The Final Determination states “The Department agrees [with Florida Crushed Stone’s comments] and will revise the language of this condition.” However, the language in the final permit does not reflect the Department’s agreement. Condition 24 should be revised to read as follows:

The owner or operator shall maintain records of the quantity and representative analysis of fuels purchased, and such records shall include the sulfur content and heat content of the fuel. For coal, natural gas, fuel oil, and propane, the records also shall include the proximate and ultimate analyses.

Comments on Final Permit for Proposed New Kiln at
Florida Crushed Stone Brooksville Facility
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Thank you again for your time and efforts. Please call me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Donald F. Elias". The signature is fluid and cursive, with a large initial "D" and "E".

Donald F. Elias
Principal

cc: T. Vielhauer
B. Bull
C. Allen
S. Benyon
M. Vardeman
D. Dee
M. Podrez
Project File: RMBR

From: Origin ID: (732)968-9600
 Mary Jordan
 RTP ENVIRONMENTAL ASSOCIATES, INC
 239 US HIGHWAY 22 EAST

GREEN BROOK, NJ 08812



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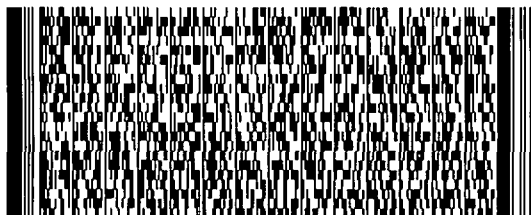
JUL 26 2005

BUREAU OF AIR REGULATION

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James Pennington
 Florida Dept. of Enviro. Protection
 111 South Magnolia Street
 Suite # 4
 Tallahassee, FL 32301



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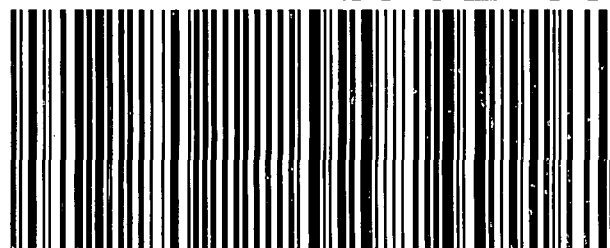
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JUL 26 2005

BUREAU OF AIR REGULATION

To: Mr. James Pennington Date: July 26, 2005
 Florida Dept. of Environmental Project: RMBR
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 Rinker Materials of Florida, Inc.
 13011 Cement Plant Road
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2. Article Number
 (Transfer from service label)

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 Addressee
 X R. Frizbillo

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