

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: Cindy L. Phillips

FROM: Gary A. Maier *Gary A. Maier*

DATE: January 7, 1991

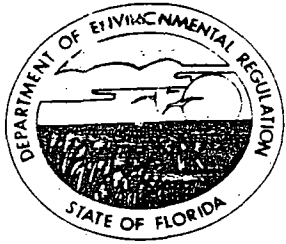
SUBJECT: Permit #AO29-174609
County: Hillsborough
Project: No. 6 Cement Kiln
Lafarge Corporation

Attached, for your information, is a copy of the Lafarge operating permit that we discussed on the telephone today.

Please note that regardless of what the EPA may decide as to whether the re-start of the kiln is a "modification", the DER is "covered" by specific conditions #13 and #18.

Please call if you need any additional information regarding this permit.

copies (without attachment) to: J. H. Kerns
W. C. Thomas



Florida Department of Environmental Regulation

Southwest District • 4520 Oak Fair Boulevard • Tampa, Florida 33610-7347 • 813-623-556

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

Dr. Richard Garrity, Deputy Assistant Secretary

NOTICE OF PERMIT RE-ISSUANCE

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION NOTICE OF PERMIT RE-ISSUANCE

September 28, 1990

In the Matter of a Request for
Permit Re-Issuance by:
Mr. John S. Wittmayer
Environmental Manager
Lafarge Corporation
P.O. Box 324
Dallas, Texas 75221

DER File No. A029-174609
Hillsborough County

Enclosed is re-issued permit number A029-174609 to operate the No. 6 cement kiln located at 2001 Maritime Blvd., Tampa, re-issued pursuant to Section 403, Florida Statutes.

A person whose substantial interests are affected by this re-issued permit 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 32399-2400, within 14 days of receipt of this re-issued permit. 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 warrants 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 re-issued permit. 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 receipt 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 28-5.207, F.A.C.

This re-issued permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 17-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this re-issued permit will not be effective until further Order of the Department.

When the Order (re-issued Permit) is final, any party to the Order has the right to seek judicial review of the Order 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 the Final Order is filed with the Clerk of the Department.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION

Gary A. Maier

Gary A. Maier, BS ChE, JD
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347
Phone (813) 623-5561 x412

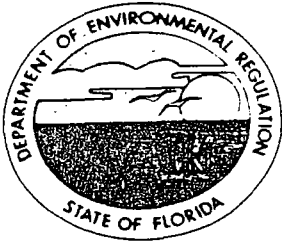
copy to: Environmental Protection Commission
of Hillsborough County
James Wm. Estler, EEC, Inc.
William Taylor, Esquire
Richard Donelan, Esquire

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT RE-ISSUANCE
and all copies were mailed before the close of business on
Oct. 3, 1990 to the listed persons.

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

Jean Sebesta 10/3/90
Clerk Date



Florida Department of Environmental Regulation

Southwest District • 4520 Oak Fair Boulevard • Tampa, Florida 33610-7347 • 813-623-556

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

Dr. Richard Garrity, Deputy Assistant Secretary

PERMITTEE:

Lafarge Corporation
2001 Maritime Blvd.
Tampa, FL 33605

PERMIT/CERTIFICATION

Permit No: A029-174609
County: Hillsborough
Expiration Date: 02/20/95
Project: No. 6 Cement Kiln

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rules 17-2 & 17-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

For the operation of a rotary kiln designated "the No. 6 Cement Kiln". Particulate emissions were controlled by a multiclone precleaner and a 400,000 ACFM negative draft Western Precipitation electrostatic precipitator. (The permittee is considering installation of a different particulate control device). The kiln can be directly fired on 100% No. 6 fuel oil, or 100% coal, or a combination of 20% No. 6 fuel oil and 80% coke. The maximum heat input is 539 MM Btu per hour for any fuel or fuel combination. Fuel combustion products and cement dust laden air vent through the particulate control device. The maximum material process input rate to the kiln is 151 tons per hour.

Location: 2001 Maritime Blvd., Tampa

UTM: 17-358.3 E 3090.9 N NEDS NO: 0018 Point ID: 29

Replaces Permit No.: A029-130056

PERMITTEE:

Lafarge Corporation
2001 Maritime Blvd.
Tampa, FL 33605

PERMIT/CERTIFICATION

Permit No: AO29-174609
County: Hillsborough
Expiration Date: 02/20/95
Project: No. 6 Cement Kiln

SPECIFIC CONDITIONS:

1. A part of this permit is the attached 15 General Conditions.
2. Lafarge Corporation shall not cause, permit, or allow the emission of particulate matter from Kiln No. 6 in excess of 95 lbs./hr. as determined by EPA Method 5 nor in excess of 40 lbs./hr. as determined by EPA Method 17. When Method 17 is used the stack temperature shall not exceed 500 degrees F [Rule 17-2.650(2)(c)1.c.(ii)(A), F.A.C.].
3. Visible emissions shall not exceed 20% opacity as measured using a certified in-stack transmissometer.
[Rule 17-2.650(2)(c)1.c.(ii)(A), F.A.C.].
4. (A) The sulfur content of the coal fired in the kiln shall not exceed 3.2% by weight (calculated on a basis of coal with a heating value of 11,500 Btu per pound).
(B) The sulfur content of the coke fired in the kiln shall not exceed 3.55% by weight (calculated on a basis of coke with a heating value of 14,500 Btu per pound).
(C) The sulfur content of the #6 fuel oil fired in the kiln shall not exceed 2.58% by weight.
[Rules 17-2.100(126) and 17-4.070(3), F.A.C.].
5. The total combined production of clinker from the kiln and transfer facilities shall be limited to 713,000 ton for each calendar year (Consent Order - December 19, 1984).
6. Test the emissions for the following pollutant(s) within 30 days of startup and annually thereafter and submit 2 copies of test and transmissometer data to the Air Section of the Environmental Protection Commission of Hillsborough County office within forty-five days of such testing [Rule 17-2.700(2), F.A.C.]:

(X) Particulates
(X) Opacity*
(X) Fuel sulfur analysis

* As recorded by the transmissometer.

7. Testing of emissions must be accomplished within $\pm 10\%$ of the maximum material process input rate of 151 tons per hour. The actual material process input rate shall be specified in each test result. Failure to submit the material process input rate and actual operating conditions may invalidate the test data and fail to provide reasonable assurance of compliance. [Rule 17-4.070(3), F.A.C.].

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PERMIT/CERTIFICATION

Permit No: AO29-174609
County: Hillsborough
Expiration Date: 02/20/95
Project: No. 6 Cement Kiln

SPECIFIC CONDITIONS:

8. (A) Annual compliance with the emission limitations of specific condition #2 shall be demonstrated using either EPA Method 5 or Method 17 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 17-2.700, F.A.C.
- (B) Pursuant to the "Plan for Demonstrating Compliance" submitted to the Department in January of 1982, within 30 days of startup and prior to obtaining a renewed operation permit, compliance with the emission limitations of specific condition #2 shall be demonstrated using both EPA Method 5 and Method 17 simultaneously. A total of at least three valid runs shall be made using both methods.

The minimum requirements for stack sampling facilities, source sampling and reporting, shall be in accordance with Rule 17-2.700, F.A.C. and 40 CFR 60, Appendix A.

[Rules 17-2.700(2)(a)3. and 17-4.070(3), F.A.C].

9. The Environmental Protection Commission of Hillsborough County shall be notified in writing 15 days in advance of any compliance test to be conducted on this source.

10. Prior to startup, Lafarge Corporation shall install a certifiable in-stack transmissometer (a continuous opacity monitoring system) to determine the in-stack opacity pursuant to Rule 17-2.650(2)(c)1.c.(ii)(A), F.A.C. The location, calibration, operation, and maintenance procedures shall be in accordance with the requirements in 40 CFR 51 Appendix P and 40 CFR 60, Appendix B. Within 30 days of startup, Lafarge Corporation shall initiate the certification procedures for the certifiable in-stack transmissometer in accordance with 40 CFR 60, Appendix B - "Performance Specification 1." The Department and the Environmental Protection Commission of Hillsborough County shall be given written notification at least 15 days prior to the initiation of the certification procedures, specifically, the start of the 168 hour conditioning period and the start of the 168 hour operational test period. Within 45 days of completion of the certification procedures for the certifiable in-stack transmissometer, Lafarge Corporation shall submit to the Department and the Environmental Protection Commission of Hillsborough County all data applicable to the performance tests including the parameters in Table 1-1, Table 1-2, Figure 1.6, Figure 1.7, and Figure 1.8 of Performance Specification 1, 40 CFR 60, Appendix B.

[Rule 17-4.070(3), F.A.C.].

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Project: No. 6 Cement Kiln

SPECIFIC CONDITIONS:

11. Operation and Maintenance Plan for Particulate Control [Rule 17-2.650(2), F.A.C.]. At least 90 days prior to startup, Lafarge Corporation shall affirmatively provide the Department and the Environmental Protection Commission of Hillsborough County with reasonable assurance that the particulate control device will meet all the conditions of this permit. Design and operating parameters shall be submitted. An operating inspection and maintenance schedule shall be submitted. Any appropriate permit amendment requests shall also be submitted. After startup, records of inspections, maintenance, and performance parameters shall be retained for a minimum of two years and shall be made available to the Department or the Environmental Protection Commission of Hillsborough County upon request. [Rule 17-2.650(2)(g)5., F.A.C.].

12. Submit for this facility, each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following information pursuant to Section 403.061(13), F.S.:

- (A) Annual amount of materials and/or fuels utilized.
- (B) Annual emissions (note calculation basis).
- (C) Any changes in the information contained in the permit application.

Duplicate copies of all reports shall be submitted to the Environmental Protection Commission of Hillsborough County.

13. Any physical change in a source or facility which increases the actual emissions of any air pollutant regulated under Chapter 17-2, F.A.C., including any not previously emitted, is considered a "Modification" under Rule 17-2.100(126), F.A.C. Therefore, if any physical changes at this facility result in an actual increase in emissions of any air pollutant regulated under Chapter 17-2, F.A.C. (such as NOx or CO), including any not previously emitted, then a "Construction/ Modification" application shall be submitted and additional rules not covered by this permit may be triggered (for example, Rules 17-2.500, 17-2.510, or 17-2.660, F.A.C., or 40 CFR 60.60).

90 days prior to startup, Lafarge Corporation shall affirmatively provide the Department and the Environmental Protection Commission of Hillsborough County with reasonable assurance that there will be no increase in the actual emissions of any air pollutant regulated under Chapter 17-2, F.A.C., including any not previously emitted. After startup, emissions testing for air pollutants not addressed in Specific Condition #6, but regulated under Chapter 17-2, F.A.C., may be required in order to confirm that there is no increase in the actual emissions of any air pollutant. [Rule 17-4.070, F.A.C.].

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Project: No. 6 Cement Kiln

SPECIFIC CONDITIONS:

14. Under the Reconstruction Rule, 40 CFR 60.15, an existing facility, upon reconstruction, may become an affected facility under NSPS, irrespective of any change in emission rate, if the fixed capital cost of the new components exceeds 50% of the fixed capital cost that would be required to construct a comparable entirely new facility. When interpreting 40 CFR 60.15, the federal definitions in 40 CFR 60.2 shall apply.

90 days prior to startup, Lafarge Corporation shall affirmatively provide the Department and the Environmental Protection Commission of Hillsborough County with reasonable assurance that 40 CFR 60.15 is not triggered. If Lafarge fails to provide reasonable assurance that 40 CFR 60.15 is not triggered, then NSPS standards shall apply to the facility and shall supersede all other standards which are less stringent.

15. All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provision in Rule 17-2.610(3), F.A.C. These provisions are applicable to any source, including, but not limited to, vehicular movement, transportation of materials, construction, alterations, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling.

16. Lafarge Corporation is prohibited from providing the allowable emission permitted by this renewed permit as an emissions offset to any other person under Rule 17-2.510, F.A.C.
[Rule 17-2.210(2)(c)2.b., F.A.C.].

17. This permit cannot be renewed unless the source is placed in operation prior to the expiration date of this permit.
[Rule 17-2.210(2)(c)3., F.A.C.].

18. Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapter 17-2, F.A.C., or any other requirements under federal, state, or local law. [Rule 17-2.210, F.A.C.].

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Permit No: AO29-174609
County: Hillsborough
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Project: No. 6 Cement Kiln

SPECIFIC CONDITIONS:

19. Pursuant to Rule 17-4.090, F.A.C., an application for renewal of permit to operate this source, completed in quadruplicate, shall be submitted to the Environmental Protection Commission of Hillsborough County by December 22, 1994.

Originally issued on June 7, 1990.

Re-issued this 2 day of
October, 1990.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Dr. Richard D. Garrity
Deputy Assistant Secretary
4520 Oak Fair Boulevard
Tampa, Florida 33610-7347
Phone (813) 623-5561

ATTACHMENT - GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, State, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Sections 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-730.300, Florida Administrative Code, as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
- () Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;
 - 3. the dates analyses were performed;
 - 4. the person responsible for performing the analyses;
 - 5. the analytical techniques or methods used;
 - 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.