



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Roy Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 26, 2009

Sent by Electronic Mail – Received Receipt Requested

Cary Cohrs, President
American Cement Company, L.L.C.
P.O. Box 445
Sumterville, FL 33585

Re: Project No. 1190042-004-AC, PSD-FL-361C
Extension of Air Construction Permit No. 1190042-001-AC, PSD-FL-361
Natural Resources of Central Florida
dba American Cement Company, L.L.C.
Sumterville Cement Plant

Dear Mr. Cohrs:

On January 30, 2009, American Cement Company requested an extension of the expiration date of air construction permit No. 1190042-001-AC, PSD-FL-361 for the Sumterville Cement Plant located in Sumter County at 4750 E. County Road 470 in Sumterville, Florida. Additional information was received on March 20, 2009. American Cement Company requests the additional time to complete construction, perform the required tests and submit a timely Title V operation permit due to conflicts with the general contractor. The completed construction items include the finish mill, gypsum handling system, cement storage, distribution, office and maintenance buildings. The items yet to be completed include the systems beginning with primary crushing through clinker production and storage, but not limited to the quarry conveying, raw material proportioning, raw material grinding, clinker production, storage and all miscellaneous equipment associated with this process. Based on the circumstances and information provided, the Department approves this request.

Determination: The expiration date is hereby extended from **June 30, 2009** to **June 30, 2010** to provide the necessary time to complete construction and submit a complete application for a Title V air operation permit. This permitting action does not authorize any new construction. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

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 Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

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 / Facsimile: 850/245-2303). Petitions must be filed within 14 days of receipt of this permit extension. 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.

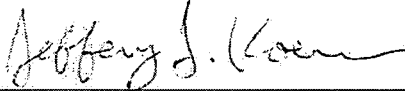
Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this written notice. Persons whose substantial interests will be affected by any such 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.

Mediation: Mediation is not available in this proceeding.

Effective Date: This permitting decision 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 pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.

For


Trina Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Extension of Air Permit was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on 3/26/09 to the persons listed below.

- Cary Cohrs, American Cement Company, L.L.C. (ccohrs@americacementcompany.com)
- Steven C. Cullen, Koogler & Associates, Inc. (scullen@kooglerassociates.com)
- Cindy Zhang-Torres, DEP SW District (cindy.zhang-torres@dep.state.fl.us)
- Victoria Gibson, DEP BAR Reading File (victoria.gibson@dep.state.fl.us)

Clerk Stamp

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

 _____
(Clerk) 3/26/09
(Date)

Prickett, Patricia

From: Zhang-Torres
Sent: Thursday, March 26, 2009 1:32 PM
To: Prickett, Patricia
Subject: FW: AMERICAN CEMENT COMPANY, LLC - SUMTERVILLE CEMENT PLANT;
1190042-004-AC/PSD-FL-361C

From: Livingston, Sylvia
Sent: Thursday, March 26, 2009 1:07 PM
To: ccohrs@americacementcompany.com
Cc: scullen@kooglerassociates.com; Zhang-Torres; Gibson, Victoria; DeVore, Susan; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: AMERICAN CEMENT COMPANY, LLC - SUMTERVILLE CEMENT PLANT; 1190042-004-AC/PSD-FL-361C

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/1190042.004.AC.F_pdf.zip

Owner/Company Name: AMERICAN CEMENT COMPANY, LLC
Facility Name: SUMTERVILLE CEMENT PLANT
Project Number: 1190042-004-AC/ PSD-FL-361C
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Extension
Facility County: SUMTER
Processor: Susan DeVore

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "*Air Permit Documents Search*" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston
Bureau of Air Regulation

Prickett, Patricia

From: Zhang-Torres
Sent: Friday, March 20, 2009 3:35 PM
To: Prickett, Patricia
Subject: FW: Request for Additional Information from ACC
Attachments: Additional Information from ACC.jpg; Timeline.jpg; image001.jpg

From: Danielle Osbrach [mailto:dosbrach@americancementcompany.com]
Sent: Friday, March 20, 2009 3:23 PM
To: Zhang-Torres
Subject: FW: Request for Additional Information from ACC

Good afternoon,

Attached please find the response to Ms. Susan DeVore's request for additional information from ACC. If you have any questions or problems.

Please let me know.

Thank you,



Danielle L. Osbrach
PO Box 445
Sumterville, FL 33585
352-569-5393 Office
352-569-5396 Fax
dosbrach@americancementcompany.com



1190042

March 13, 2009

Ms. Susan De Vore
Professional Engineer II
New Source Review Section
Florida Department of Environmental Protection
2600 Blair Stone Road

Re: Request for Additional Information

Dear Ms. De Vore:

Per your letter to Mr. Steve Cullen dated February 6, 2009, American Cement Company, LLC offers the following response to your inquiry:

1. Please identify the items for which you have completed construction.

To date construction has been completed in only a few areas which are undergoing hot and cold check out and testing. These are as follows: Finish Mill, Gypsum handling system, cement storage and distribution, office and maintenance buildings.

2. Identify items yet to be completed and provide a construction schedule.

In general the systems beginning with primary crushing through clinker production and storage are still under construction. These include but not limited to: Quarry conveying, raw material proportioning, raw material grinding, clinker production and storage, and all miscellaneous equipment associated with this process.

Attached is our current completion schedule for the balance of the project.

Unfortunately for American Cement Company, our General Contractor opted to abandon the project which left our organization to complete the work at hand. This re-grouping has resulted in a substantial delay along with the anguish we are currently experiencing.

We greatly appreciate the Departments patience and understanding as we complete this exciting project and will immediately notify you upon completion.

Should you have any questions, please feel free to contact me.

Regards,

AMERICAN CEMENT COMPANY, LLC

Cary O. Cohrs
President

DLO/coc

cc: Via Email

Steve Cullen, Koogler & Associates, Inc. (scullen@kooglerassociates.com)
Cindy Zhang-Torres, DEP SW District (cindy.zhang-torres@dep.state.fl.us)
Victoria Gibson, DEP BAR Reading File (Victoria.gibson@dep.state.fl.us)

American Cement Company Completion Schedule

2009

Area	March	April	May	June	July	August	September	October
Raw Material Storage System	▬							
Raw Mill Construction	▬							
Raw Mill Commissioning			▬					
Kiln/Pyroprocessing System Construction	▬							
Kiln/Pyroprocessing System Commissioning				▬				
Clinker Handling Construction	▬							
Clinker Handling Commissioning			▬					
Finish Mill Commissioning	▬							



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Bostinger
Deputy Governor

Michael W. Sole
Secretary

February 6, 2009

Electronic Mail -- Received Receipt Requested

Steven C. Cullen, P.E., Consultant to American Cement Company, L.L.C.
Koogler & Associates, Inc.
4014 NW 13th Street
Gainesville, FL 32609-1923

Re: **Request for Additional Information**
Natural Resources of Central Florida
dba American Cement Company, L.L.C.
Sumterville Cement Plant
Project No. 1190042-004-AC, PSD-FL-361C
Request to Extend Permit Expiration

Dear Mr. Cullen:

On January 30, 2009, we received your request and sufficient fee for a one-year extension to the air construction permit, Project No. 1190042-003-AC, PSD-FL-361B, at American Cement Company, L.L.C. The facility is located in Sumter County at County Road 470, in Sumterville, Florida. The request is incomplete. In order to continue processing your request, please provide the additional information requested below. Should your response to any of the requested items require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. Please identify the items for which you have completed construction.
2. Identify items yet to be completed and provide a construction schedule.

The above information is requested pursuant to the following F.A.C. regulations: Rule 62-4.050 (Procedures to Obtain Permits and Other Authorizations; Applications); 62-4.055 (Permit Processing); 62-4.070 (Standards for Issuing or Denying Permits; Issuance; Denial); 62-4.120 (Construction Permits); 62-204.800 (Federal Regulations Adopted by Reference); 62-212.300 (Permits Required); 62-210.370 (Emissions Computations and Reporting); 62-210.900 (Forms and Instructions); 62-212.300 (General Preconstruction review); and 62-212.400 (Preventions of Significant Deterioration). All applications for a Department permit must be certified by a professional engineer registered in the State of Florida pursuant to Rule 62-4.050(3), F.A.C. This requirement also applies to responses to Department requests for additional information of an engineering nature. For any material changes to the application, please include a new certification statement by the authorized representative or responsible official.

We will resume processing your application after receipt of the requested information. You are reminded that Rule 62-4.055(1), F.A.C. requires applicants to respond to requests for information within 90 days or to provide a written request for an additional period of time to submit the information. If you have any questions regarding this matter, please contact the project engineer, Susan DeVore, at 850/921-8968.

REQUEST FOR ADDITIONAL INFORMATION

Sincerely,



Susan C. DeVore, Professional Engineer II
New Source Review Section

This letter was sent to the following people by electronic mail with received receipt requested.

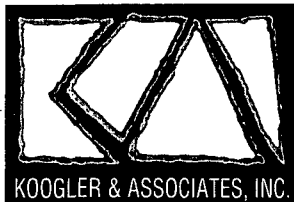
Steven C. Cullen, Koogler & Associates, Inc. (scullen@kooglerassociates.com)

Cary Cohrs, American Cement Company, L.L.C. (ccohrs@americacementcompany.com)

Cindy Zhang-Torres, DEP SW District (cindy.zhang-torres@dep.state.fl.us)

Victoria Gibson, DEP BAR Reading File (victoria.gibson@dep.state.fl.us)

SCD



KOOGLER & ASSOCIATES, INC.
ENVIRONMENTAL SERVICES

4014 NW 13th STREET
GAINESVILLE, FL 32609-1923
352/377-5822 • FAX/377-7158

January 19, 2009

COPY

A. A. Linero, P.E.
Program Administrator
Bureau of Air Regulation
Department of Environmental Protection
2600 Blair Stone Road (MS #5505)
Tallahassee, Florida 32399-2400

Subject: American Cement Company, L.L.C.
DEP File No. 1190042-001-AC, PSD-FL-361
Sumterville Plant, Sumter County
Request to Extend Permit Expiration beyond June 30, 2009

Dept. of Environmental Protection

JAN 26 2009

Southwest District

Dear Mr. Linero,

The permittee is requesting a one-year extension of the referenced permit to allow sufficient time to complete construction, perform required testing, submit test reports, and submit an application for a Title V operation permit to the Department. This request is being submitted to the Bureau of Air Regulation of the Florida Department of Environmental Protection with a copy also being submitted to the Compliance Authority (Air Resources Section of the Department's Southwest District Office).

In accordance with Section II., Condition 4, of the permit; the permittee may request that the PSD air construction permit be extended. This request is being submitted to the Department's Bureau of Air Regulation at least sixty (60) days prior to the expiration of the permit.

Although the plant is nearing completion, compliance testing, reporting and Title V permit application are not expected prior to June 30, 2009. For this reason we are requesting that the permit be extended until **June 30, 2010**.

Thank you in advance for your review and approval of this request.

Regards,

Steven C. Cullen, P.E.
Koogler & Associates, Inc.

Consultant to American Cement Company, L.L.C.

Copies: Air Resources Section, FDEP Southwest District
13051 N. Telecom Parkway, Temple Terrace, FL 33637-0926

Cary Cohrs – American Cement Company, L.L.C.