

# The Suwannee Democrat

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Live Oak, Suwannee County, Florida 32064

STATE OF FLORIDA  
COUNTY OF SUWANNEE:

Before the undersigned authority personally appeared

Katherine Sasser

who on oath says that she is  
Legal Secretary

RECEIVED

OCT 14 2004

BUREAU OF AIR REGULATION

of The Suwannee Democrat, a weekly newspaper published at Live Oak in Suwannee County, Florida; that the attached copy of advertisement, being a

modification  
An Construction Permit  
in the matter of

was published in said newspaper in the issues of

October 1 - 2004

Affiant further says that the said , The Suwannee Democrat is a newspaper published at Live Oak in said Suwannee County, Florida, and that the said newspaper has heretofore been continuously published in said Suwannee County, Florida, each week and has been entered as second class mail matter at the post office in Live Oak, in said Suwannee 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 said newspaper.

Katherine Sasser

Sworn to and subscribed before me this 5th, day of October, 2004.

Christine M. White  
(SEAL) Notary Public

Personally known ✓ or produced identification \_\_\_\_\_

Type of identification produced \_\_\_\_\_

CHRISTINE M. WHITE  
Notary Public, State of Florida  
My comm. exp. Sept. 4, 2008  
Comm. No. DD 350033

**PUBLIC NOTICE OF INTENT TO ISSUE  
AN AIR CONSTRUCTION  
PERMIT MODIFICATION**

Florida Department of Environmental Protection

Suwannee American Cement LLC  
Suwannee American Cement Plant-Branford  
Suwannee County

DEP File No.: 1210465-008-AC (PSD-FL-259D)

The Florida Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit Modification to Suwannee American Cement LLC to extend the expiration date of the existing air construction permit and to install a permanent hydrated lime injection system at the cement plant located on U.S. Highway 27, in Suwannee County. The previously issued Best Available Control Technology (BACT) determination applies to the facility. The permittee's name and address are: Suwannee American Cement LLC (SAC), Post Office Box 410, Branford, Florida 32008.

The plant started up in February 2003, is presently operating at or near full capacity and has demonstrated compliance with the current BACT limitations. Sulfur dioxide (SO<sub>2</sub>) emissions are extremely low due to very thorough scrubbing of combustion gases in the calciner. A temporary hydrated lime injection system provides for additional scrubbing of sulfur dioxide (SO<sub>2</sub>) emissions when the raw mill is not in operation and raw materials containing a relatively high fraction of sulfur are encountered. The permanent system proposed by this permitting action will be more robust and automated than the present one.

The compliance averaging time for the BACT volatile organic compounds (VOC) limit will be expressed in terms of 10 operating days instead of 30 calendar days. This will provide a consistent averaging basis with the separate EPA Maximum Achievable Control Technology (MACT) standard for total hydrocarbons (THC) that also applies to this facility. The VOC and the THC are measured by the same continuous emission monitoring system.

The proposed permit modification also includes a clarification of two inconsistent permit conditions. This permitting action clarifies that mercury in the raw materials will be determined prior to introduction into the raw mill instead of the preheater. The permit will be extended to July 31, 2005 to provide time to construct the permanent hydrated lime injection and complete their application for the Title V Operation Permit.

The Department will issue the Final Permit Modification with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The Department will accept written comments concerning the proposed permit action for a period of (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulations at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the Permit Modification with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000

Petition must be filed within fourteen (14) days of publication of this Public Notice of Intent to Issue Air Construction Permit Modification. Under Section 120.60(3), F.S., however, petitions submitted by person(s) who asked the Department for notice of agency action must be filed within fourteen (14) days of receipt of that notice or the date of publication of the public notice whichever occurs first. 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 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 Department'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 how and when 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, 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 to require reversal or modification on the agency's proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take in respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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 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 such final decision of the Department on the application have the right to petition to become party to the proceeding, in accordance with the requirements set forth above.

A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

Department of Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: (850) 921-9523  
Fax: (850) 922-6979

Department of Environmental Protection  
Northeast District Office  
7825 Baymeadows Way, Suite 200B  
Jacksonville, Florida 32256-7590  
Telephone: (904) 807-3233  
Fax: (904) 448-4363

The complete project file includes the Draft Air Construction Permit Modification, Technical Evaluation and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator for the South Permitting Section, Bureau of Air Regulation, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-8523 for additional information. The draft permit modification as well as original permit and BACT determination and any other permitting actions to-date can be viewed at [www.dep.state.fl.us/air/permitting/construction/suwannee.htm](http://www.dep.state.fl.us/air/permitting/construction/suwannee.htm)  
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