

The Suwannee Democrat

Published Weekly
Post Office Box 370- Phone 362-1734
Live Oak, Suwannee County, Florida 32064

RECEIVED

STATE OF FLORIDA

COUNTY OF SUWANNEE:

DEC 28 2004

Before the undersigned authority personally appeared
BUREAU OF AIR REGULATION

Louise Sheddan

who on oath says that she is
Legal Secretary

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

Public Notice of Intent

in the matter of

Air Construction Permit Modification

was published in said newspaper in the issues of

December 8, 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.

Louise Sheddan

Sworn to and subscribed before me this 13th day of December, 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 AIR CONSTRUCTION PERMIT MODIFICATION

Florida Department of Environmental Protection

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

DEP File No.: 1210465-010-AC (PSD-FL-259E)

The Florida Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit Modification to Suwannee American Cement LLC (SAC) to amend requirements related to fugitive particulate control and production measurement 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), P. O. Box 410, Branford, Florida 32008.

The plant started up in February 2003, and is presently operating at or near full capacity. The current construction permit lists the required reasonable precautions to minimize unconfined fugitive emissions. These include paving, application of water, dust suppressants, landscaping, removal of dust from roads, covered material storage, operator training, etc. In addition, the permit requires bulk transport trucks leaving the facility to travel through a tire wash to remove particulate matter from vehicle tires before traveling on the facility's access road ways.

SAC requested removal of the requirement that bulk transport vehicles travel through the tire wash. Their rationale is that the other reasonable precautions suffice to control unconfined particulate matter. Removal of the requirement would save water and avoid a small wastewater discharge to the storm water retention pond. Nearby continuous monitors indicate compliance with the ambient particulate (PM10) standards. Based on visual observations of vehicle traffic on-site and review of the PM data, the Department concurs. This construction permit removes the wheel wash requirement.

SAC calculates clinker production by very accurate measurement of the material fed to the kiln

system. The device used is called the POLDOS. It weighs very large batches of finely divided feed and conveys them to the preheater. Clinker production is calculated by conversion factors, developed by conducting loss on ignition tests in the laboratory, in conjunction with the material feed measured by the POLDOS system. SAC also has scales that weigh small pans of the clinker nodules. The latter method, though apparently more direct, is actually less accurate than the previous method described. SAC has requested that the Department delete the requirement to measure clinker production independently of preheater feed (i.e. by the clinker scales).

Based on inspections of the different scales, review of the manuals and principles of operation, the Department concurs. The estimate based on feed is more accurate and stable. The clinker production calculated from feed can be compared to physical inventory (storage silos) and cement shipments and, in conjunction with laboratory test data, periodically adjusted.

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 fourteen (14) days from the date of publication of the Public Notice of Intent to Issue Air Construction Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation 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. Petitions 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 require reversal or modification of 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 with 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 interest will be affected by any such final decision of the Department on the application have the right to petition to become a 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 850/921-8968 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/s/ufannee.htm
12/8

SAC
DEC 14 2004
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Ms. Patrice Boyes, Esquire
 Boyes & Association, PA
 Post Office Box 358584
 Gainesville, FL 32635-8584

PS Form 3800, May 2000

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- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Ms. Patrice Boyes, Esquire
 Boyes & Association, PA
 Post Office Box 358584
 Gainesville, FL 32635-8584

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2 Article Number
 (Transfer from service label)

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Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

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JAN 05 2005

BUREAU OF AIR REGULATION



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Return Receipt Fee (Endorsement Required)		
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Sent to Mr. Tom Greenhalgh 1211 Paul Russell Road Tallahassee, Florida 32301-7102 City, State, ZIP+4
--

PS Form 3800, May 2000 See Reverse for Instructions

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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. Tom Greenhalgh
 1211 Paul Russell Road
 Tallahassee, Florida 32301-7102

COMPLETE THIS SECTION ON DELIVERY

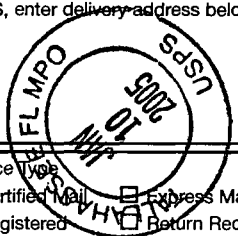
A. Signature *T. Greenhalgh* Agent Addressee

B. Received by (Printed Name) *T. GREENHALGH* C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

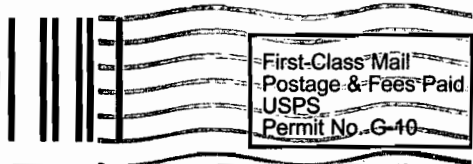
4. Restricted Delivery? (Extra Fee) Yes



2 Article Number
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Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

2600 Blair Stone Rd. Tallahassee, FL 32399-2400

7000 1670 0000 0000 0000 0000 0000 0000 0000 0000

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

Sent To
 Ms. Cynthia Chestnut Moore, Chair
 Alachua County Board of County Comm.
 Post Office Box 2877
 Gainesville, Florida 32602

PS Form 3800, May 2000 See Reverse for Instructions

SEND

DELIVERY

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Ms. Cynthia Chestnut Moore,
 Chair
 Alachua County Board of County
 Commissioners
 Post Office Box 2877
 Gainesville, Florida 32602

<input checked="" type="checkbox"/> Agent
<input type="checkbox"/> Addressee
B. Received by (Printed Name) J. Crow
C. Date of Delivery 1-3-05
5. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from)

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Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

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JAN 05 2005

BUREAU OF AIR REGULATION

33+2400



7000 1670 0013 3109 8802

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CERTIFIED MAIL RECEIPT	
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OFFICIAL USE	
Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$
Postmark Here	
Sent To Mr. Larry Sellers, Esq. Holland & Knight, LLP Post Office Drawer 810 Tallahassee, Florida 32301	
PS Form 3800, May 2000	
See Reverse for Instructions	

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:
Mr. Larry Sellers, Esq.
Holland & Knight, LLP
Post Office Drawer 810
Tallahassee, Florida 32301

COMPLETE THIS

A. Signature
X 

B. Received by (Printed Name)
ERIC KENT

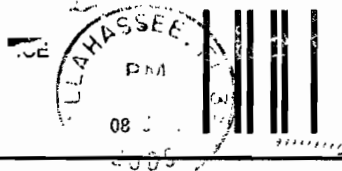
D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

1-7-5

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2 Article Number (Transfer from service label) 7000 1670 0013 3109 8802



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Order: Please print your name, address, and ZIP+4 in this box.

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

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JAN 12 2005
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7000 1670 0013 3109 8772

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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Send To
 Mr. Claude Grinfeder
 Suwannee American Cement
 Post Office Box 410
 Branford, Florida 32008

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:
 Mr. Claude Grinfeder
 Suwannee American Cement
 Post Office Box 410
 Branford, Florida 32008

COMPLETE THIS SECTION ON DELIVERY

A. Signature
[Signature] Agent
 Addressee

B. Received by (Printed Name)
P. Foster

C. Date of Delivery
1-4-08

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2 Article Number (Transfer from service label) 7000 1670 0013 3109 8772

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Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

JAN 06 2005

RECEIVED



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OFFICIAL USE

7000 1670 0013 3109 8819

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
 Mr. Celso A. Martini, Plant Manager
 Suwannee American Cement
 Street, Apt. No. or PO Box No.
 Post Office Box 410
 Branford, Florida 32008

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:
 Mr. Celso A. Martini
 Plant Manager
 Suwannee American Cement
 Post Office Box 410
 Branford, Florida 32008

2 Article Number
 (Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 P. Foster Agent
 Addressee

B. Received by (Printed Name)
 P. Foster

C. Date of Delivery
 1-4-05

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

7000 1670 0013 3109 8819

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• Sender: Please print your name, address, and ZIP+4 in this box •

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

BUREAU OF AIR REGULATION

JAN 06 2005

RECEIVED



7000 1670 0013 3110 2134

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CERTIFIED MAIL RECEIPT
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OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Mr. Charles W. Yagel, President
 Suwannee Industrial Solution, LLC
 2684I CR 49
 Branford, Florida 32008

Reverse for Instructions

FINAL DETERMINATION

Suwannee American Cement Plant

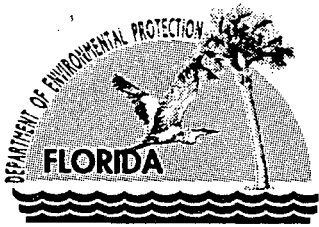
Wheel Wash and Clinker Scale

DEP File No. 1210465-010-AC (PSD-FL-259E)

On November 24, 2004 the Florida Department of Environmental Protection (Department) distributed an "Intent to Issue Air Construction Permit Modification" to clarify permit language in reference to additional means to determine clinker production and to remove the wheel wash requirement for the Suwannee American Cement Plant located on U.S. Highway 27, in Suwannee County.

The package included the Department's Draft Air Construction Permit Modification, the "Intent to Issue Air Construction Permit Modification," the "Technical Evaluation and Preliminary Determination," and the "Public Notice of Intent to Issue Air Construction Permit Modification." The Department sent copies of the package to various persons, agencies, and municipalities including those who had asked that they be informed of any Department permitting activities related to the subject facility. Suwannee American Cement, LLC published the Public Notice in The Suwannee Democrat on December 8, 2004 and provided to the Department the required proof of publication.

The Department received no comments or petitions for administrative hearings on the Draft Air Construction Permit. The final action is to issue the Air Construction Permit Modification as drafted.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

December 23, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Celso A. Martini, Plant Manager
Suwannee American Cement
Post Office Box 410
Branford, Florida 32008

Re: DEP File No. 1210465-010-AC (PSD-FL-259E)
Cement Plant – Branford, Suwannee County, Florida

Dear Mr. Martini:

The Florida Department of Environmental Protection (“the Department”) reviewed your application dated August 6, 2004 requesting a modification of the original air construction permit. The request is to amend requirements related to fugitive particulate control and production measurement at the Suwannee American Cement Plant. The Department approves your request and hereby modifies permit No. PSD-FL-259 as follows:

This facility was originally authorized and constructed pursuant to Permit No. PSD-FL-259 issued on June 1, 2000. This permit action supplements Permit No. PSD-FL-259 and the changes dated November 8, 2002, January 18, 2003, and May 15, 2003 to that permit. Unless otherwise specified, this permit action does not alter any requirements of that permit.

Additions are underlined; deletions are strikethrough.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

EMISSION LIMITING STANDARDS

10. Unconfined Emissions of Particulate Matter: [Rule 62-296.320(4)(c), F.A.C. and BACT]

- (a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

“More Protection, Less Process”

Printed on recycled paper.

- (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
- (c) Reasonable precautions include the following:
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - Confining abrasive blasting where possible.
 - Enclosure or covering of conveyor systems.

Additional reasonable precautions applicable to this facility are:

- All materials, coal and petroleum coke at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.
- Water supply lines, hoses and sprinklers shall be located near all materials, coal and petroleum coke stockpiles.
- All plant operators shall be trained in basic environmental compliance and shall perform visual inspections of materials, coal and petroleum coke regularly and before handling. If the visual inspections indicate a lack of surface moisture, the materials, coal and petroleum coke shall be wetted with sprinklers. Such wetting shall continue until the potential for unconfined particulate matter emissions are minimized.
- Water spray bars shall be located at each unenclosed material and fuel conveyor, and the spray bars shall be used to wet the materials and fuel if inherent moisture and moisture from wetting the storage piles are not sufficient to prevent unconfined particulate matter emissions.
- The manufacturing area and the access roadways for the facility shall be paved with asphalt or concrete.
- The main access road leading to the plant and the road leading to the cement silos shall be cleaned with a mechanical broom sweeper on an as needed basis for particulate control on the roads within the facility.
- The existing wheel wash will remain in place and available to be employed should conditions at the facility warrant additional reasonable precautions for the control of PM_{10} .

- ~~Bulk transport trucks leaving the plant shall travel through a tire wash, designed to remove particulate matter from vehicle tires, before traveling on the facility's access roadways.~~

(d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

SUBSECTION B.

STATE REQUIREMENTS

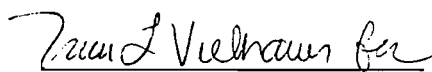
REPORTING AND RECORD KEEPING REQUIREMENTS

24. Records of Process and Production Rates: The owner or operator shall make and maintain records of the process rate of dry preheater feed in units of tons per hour and tons per consecutive 12-month period, and the production rate of clinker and cement in units of tons per hour and tons per consecutive 12-month period. ~~The clinker production rate shall be directly measured independent of preheater feed.~~ The owner or operator shall make and maintain records of the production of portland cement in units of tons per consecutive 12-month period. Records in units of tons per hour shall be based on either hourly averages or daily averages and shall be completed no later than the day following the day of the record. Records in units of tons per consecutive 12-month period shall be made from monthly records of process and production rates for the past 12 months, and shall be completed no later than the 10th day of each month. [Rule 62-4.070(3), F.A.C. and BACT]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida


Michael G. Cooke, Director
Division of Air Resource
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 12/28/04 to the person(s) listed:

Celso Martini, SAC*	Jim Stevenson, DEP	Patrice Boyes, Esq.*
Claude Grinfeder, SAC*	Tom Workman, DEP	Kathy Cantwell
George Townsend, SAC	Mark Latch, DEP	Ralph Ashodian
Larry Sellers, Esq.*	December McSherry	Virginia Seacrist
Frank Darabi, P.E.	Svenn Lindskold	Bob and Lynn Milner
Steve Cullen, P.E.	Tom Greenhalgh*	Linda Pollini
John Koogler, P.E.	Dave Bruderly	Helen Beaty
Chris Kirts, DEP NED	Chris Bird, Alachua Co. DER	Bessie Robinson
Jim Little, EPA	Chair, Alachua Co. BCC*	Craig Pittman, St. Pete Times
John Bunyak, NPS	J. Calvin Gaddy	Chuck Yagel*

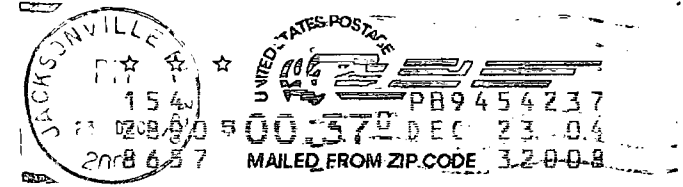
Clerk Stamp

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) 12/28/04
(Date)



Suwannee American Cement, LLC
P.O. Box 410
Branford, FL 32008-0410



- ① CINDY MULKEY
- ② PATTY
- ③ SUWANNEE FILES

AL LINERO
2600 BLAIR STONE ROAD, MS # 5505
TALLAHASSEE, FL 32399-2400

32399/2400 

7000 1670 0013 3110 1977

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
 Mr. Lawrence Sellers
 Holland & Knight, LLP
 Post Office Drawer 810
 Tallahassee, Florida 32301

PS Form 3800, May 2000 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Lawrence Sellers
 Holland & Knight, LLP
 Post Office Drawer 810
 Tallahassee, Florida 32301

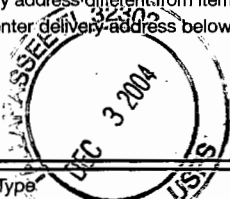
COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *EKA* Agent Addressee

B. Received by (Printed Name)
ERIL KENT

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7000 1670 0013 3110 1977

UNITED STATES POSTAL SERVICE

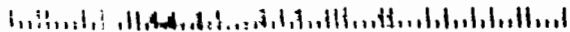


First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

RECEIVED
DEC 08 2004
BUREAU OF AIR REGULATION

Sender: Please print your name, address, and ZIP+4 in this box •

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

7000 1670 0013 3110 1939

Postage \$		Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
1	Mr. Tom Greenhalgh 1211 Paul Russell Road Tallahassee, Florida 32301-7102	
Se		
St		
Cl		

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Mr. Tom Greenhalgh
 1211 Paul Russell Road
 Tallahassee, Florida 32301-7102

2 Article Number
 (Transfer from service label)

7000 1670 0013 3110 1939

COMPLETE THIS SECTION ON DELIVERY

A. Signature
Thomas D. Greenhalgh Agent Addressee

B. Received by (Printed Name)
Tom Greenhalgh

C. Date of Delivery
10/8/04

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type

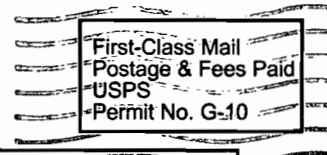
Certified Mail Express Mail

Registered Return Receipt for Merchandise

Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE



RECEIVED

• Sender: Please print your name, address, and ZIP+4 in this box •
DEC 10 2004

BUREAU OF AIR REGULATION

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

32399+2400



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

ESPT
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Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
 Here

Cynthia Moore Chestnut

~~Mike Byerly, Chair~~
 Alachua County Board of County
 Commission
 Post Office 2877
 Gainesville, Florida 32602-2877

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Cynthia Moore Chestnut

~~Mike Byerly, Chair~~
 Alachua County Board of County
 Commission
 Post Office 2877
 Gainesville, Florida 32602-2877

2 Article Number

(Transfer from service label)

7000 1670 0013 3110 1953

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X J. Crew

- Agent
 Addressee

B. Received by (Printed Name)

J. Crew

C. Date of Delivery

12-2-04

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type

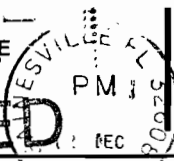
- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

UNITED STATES POSTAL SERVICE

RECEIVED



First-Class Mail
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USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

DEC 03 2004

BUREAU OF AIR REGULATION

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400



U.S. Postal Service
CERTIFIED MAIL RECEIPT
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OFFICIAL USE

7000 1670 0013 3110 1946

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

Total

Sent To: Ms. Patrice Boyes, Esquire
 Street: Boyes & Association, PA
 City, S: Post Office Box 358584
 Gainesville, FL 32635-8584

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Ms. Patrice Boyes, Esquire
 Boyes & Association, PA
 Post Office Box 358584
 Gainesville, FL 32635-8584

2 Article Number
 (Transfer from service label)

7000 1670 0013 3110 1946

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent
 Addressee
- B. Received by (Printed Name) Agent
 Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
- Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

UNITED STATES POSTAL SERVICE

POSTNET



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Permit No. G-10

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DEC 03 2004

BUREAU OF AIR REGULATION
Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

1576
 601E
 3107E
 0010
 0297
 0002

OFFICIAL USE

Postage	\$	Postmark Here
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage & Fees	\$	

To: Celso A. Martini, Plant Manager
 Suwannee American Cement, LLC
 Post Office Box 410
 Branford, Florida 32008

PS Form 3800, May 2000 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
 Mr. Celso A. Martini, Plant
 Manager
 Suwannee American Cement, LLC
 Post Office Box 410
 Branford, Florida 32008

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Susan Vaughan* Agent Addressee

B. Received by (Printed Name) *Susan Vaughan* C. Date of Delivery *12-1-04*

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number
 (Transfer from service label)

7000 1670 0013 3109 9151

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Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd., MS 5505
Tallahassee, FL 32399-2400

RECEIVED
DEC 06 2004
BUREAU OF AIR REGULATION

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

7000 1670 0013 3110 1922

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
 Mr. Claude Grinfeder
 Suwannee American Cement, LLC
 Post Office Box 410
 Branford, Florida 32008
City, State, ZIP+4

PS Form 3800, May 2000

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

Mr. Claude Grinfeder
 Suwannee American Cement, LLC
 Post Office Box 410
 Branford, Florida 32008

2. Article Number

(Transfer from service label)

PS Form 3811, August 2001

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Susan Vaughan Agent
 Addressee

B. Received by (*Printed Name*)

C. Date of Delivery

Susan Vaughan 12-1-01

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (*Extra Fee*) Yes

7000 1670 0013 3110 1922

10299-02-1M-1540

UNITED STATES POSTAL SERVICE



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Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Dept. of Environmental Protection
Division of Air Resources Mgt.
Bureau of Air Regulation, NSR
2600 Blair Stone Rd, MS 5505
Tallahassee, FL 32399-2400

RECEIVED
BUREAU OF AIR REGULATION
06-2004

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

OFFICIAL USE

0961 0110 E100 0291 0000

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	

Postmark
Here

To

Se Mr. Charles W. Yagel, President
Suwannee Industrial Solution, LLC
St 26841 CR 49
Ci Branford, Florida 32008



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

November 24, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Celso A. Martini, Plant Manager
Suwannee American Cement, LLC
Post Office Box 410
Branford, Florida 32008

Re: DEP File No. 1210465-010-AC (PSD-FL-259E)
Suwannee American Cement Plant – Branford, Suwannee County

Enclosed is one copy of the Draft Air Construction Permit Modification for the Suwannee American Cement Plant on Highway U.S. 27, Branford, Suwannee County. The Department's Intent to Issue Air Construction Permit Modification, the Technical Evaluation and Preliminary Determination, and the "Public Notice of Intent to Issue Air Construction Permit" are also included.

The "Public Notice" must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, such as a newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in denial of the permit modification.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A.A. Linero, Program Administrator, at the letterhead address. If you have any questions regarding this matter, please contact Cindy Mulkey at (850)921-8968 or Mr. Linero at (850)921-9523.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/cm

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of:

Suwannee American Cement, LLC
Post Office Box 410
Branford, Florida 32008

DEP File No. 1210465-010-AC (PSD-FL-259E)
Wheel Wash, Clinker Scales
Suwannee American Cement Plant
Suwannee County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification (copy of DRAFT Permit Modification attached) for the proposed action, detailed in the Technical Evaluation and Preliminary Determination, for the reasons stated below.

The permittee, Suwannee American Cement LLC (SAC), applied on August 06, 2004 (complete November 19) to "clarify permit language in reference to additional means to determine clinker production" and to "remove wheel wash (requirement)."

The Department has permitting jurisdiction under 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 changes are not exempt from permitting procedures. The Department has determined that a modification of the original air construction permit is necessary for the described permit changes requested by SAC.

The Department intends to issue this air construction permit modification based on the belief that the permittee has provided reasonable assurances to indicate that operation of these emission units as indicated herein will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1, F.A.C, you (the permittee) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit Modification. The notice shall be published as soon as possible one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the permittee cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The permittee shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in Section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

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 (fourteen) days from the date of publication of Public Notice. Written comments should be provided to the Department's Bureau of Air Regulation 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 modification 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.

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. Petitions filed by the permittee or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the permittee 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 require reversal or modification of 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 with 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 a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Mediation is not available in this proceeding. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is

permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

Trina Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Air Construction permit Modification (including the Public Notice, Technical Evaluation and Preliminary Determination, and the Draft Permit Modification) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11/29/04 to the person(s) listed:

- | | | |
|------------------------|-----------------------------|-------------------------------|
| Celso Martini, SAC* | Jim Stevenson | Patrice Boyes, Esq.* |
| Claude Grinfeder, SAC* | Tom Workman, DEP | Kathy Cantwell |
| Joe Horton, SAC | Mark Latch, DEP | Ralph Ashodian |
| Larry Sellers, Esq.* | December McSherry | Virginia Seacrist |
| Frank Darabi, P.E. | Svenn Lindskold | Bob and Lynn Milner |
| Steve Cullen, P.E. | Tom Greenhalgh* | Linda Pollini |
| John Koogler, P.E. | Dave Bruderly | Helen Beaty |
| Chris Kirts, DEP NED | Chris Bird, Alachua Co. DER | Bessie Robinson |
| Jim Little, EPA | Chair, Alachua Co. BCC* | Craig Pittman, St. Pete Times |
| John Bunyak, NPS | J. Calvin Gaddy | Chuck Yagel* |

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)

11/29/04
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

Florida Department of Environmental Protection

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

DEP File No.: 1210465-010-AC (PSD-FL-259E)

The Florida Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit Modification to Suwannee American Cement LLC (SAC) to amend requirements related to fugitive particulate control and production measurement 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 32206.

The plant started up in February 2003, and is presently operating at or near full capacity. The current construction permit lists the required reasonable precautions to minimize unconfined fugitive emissions. These include paving, application of water, dust suppressants, landscaping, removal of dust from roads, covered material storage, operator training, etc. In addition, the permit requires bulk transport trucks leaving the facility to travel through a tire wash to remove particulate matter from vehicle tires before traveling on the facility's access road ways.

SAC requested removal of the requirement that bulk transport vehicles travel through the tire wash. Their rationale is that the other reasonable precautions suffice to control unconfined particulate matter. Removal of the requirement would save water and avoid a small wastewater discharge to the storm water retention pond. Nearby continuous monitors indicate compliance with the ambient particulate (PM₁₀) standards. Based on visual observations of vehicle traffic on-site and review of the PM data, the Department concurs. This construction permit removes the wheel wash requirement.

SAC calculates clinker production by very accurate measurement of the material fed to the kiln system. The device used is called the POLDOS. It weighs very large batches of finely divided feed and conveys them to the preheater. Clinker production is calculated by conversion factors, developed by conducting loss on ignition tests in the laboratory, in conjunction with the material feed measured by the POLDOS system. SAC also has scales that weigh small pans of the clinker nodules. The latter method, though apparently more direct, is actually less accurate than the previous method described. SAC has requested that the Department delete the requirement to measure clinker production independently of preheater feed (i.e. by the clinker scales).

Based on inspections of the different scales, review of the manuals and principles of operation, the Department concurs. The estimate based on feed is more accurate and stable. The clinker production calculated from feed can be compared to physical inventory (storage silos) and cement shipments and, in conjunction with laboratory test data, periodically adjusted.

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 fourteen (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 Regulation 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. Petitions 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 require reversal or modification of 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 with 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 a 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 850/921-8968 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

Month day, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Celso A. Martini, Plant Manager
Suwannee American Cement
Post Office Box 410
Branford, Florida 32008

Re: DEP File No. 1210465-010-AC (PSD-FL-259E)
Cement Plant – Branford, Suwannee County, Florida

Dear Mr. Martini:

The Florida Department of Environmental Protection (“the Department”) reviewed your application dated August 6, 2004 requesting a modification of the original air construction permit. The request is to amend requirements related to fugitive particulate control and production measurement at the Suwannee American Cement Plant. The Department approves your request and hereby modifies permit No. PSD-FL-259 as follows:

This facility was originally authorized and constructed pursuant to Permit No. PSD-FL-259 issued on June 1, 2000. This permit action supplements Permit No. PSD-FL-259 and the changes dated November 8, 2002, January 18, 2003, and May 15, 2003 to that permit. Unless otherwise specified, this permit action does not alter any requirements of that permit.

Additions are underlined; deletions are strikethrough.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

EMISSION LIMITING STANDARDS

10. Unconfined Emissions of Particulate Matter: [Rule 62-296.320(4)(c), F.A.C. and BACT]

- (a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

- (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
- (c) Reasonable precautions include the following:
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - Confining abrasive blasting where possible.
 - Enclosure or covering of conveyor systems.

Additional reasonable precautions applicable to this facility are:

- All materials, coal and petroleum coke at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.
- Water supply lines, hoses and sprinklers shall be located near all materials, coal and petroleum coke stockpiles.
- All plant operators shall be trained in basic environmental compliance and shall perform visual inspections of materials, coal and petroleum coke regularly and before handling. If the visual inspections indicate a lack of surface moisture, the materials, coal and petroleum coke shall be wetted with sprinklers. Such wetting shall continue until the potential for unconfined particulate matter emissions are minimized.
- Water spray bars shall be located at each unenclosed material and fuel conveyor, and the spray bars shall be used to wet the materials and fuel if inherent moisture and moisture from wetting the storage piles are not sufficient to prevent unconfined particulate matter emissions.
- The manufacturing area and the access roadways for the facility shall be paved with asphalt or concrete.
- The main access road leading to the plant and the road leading to the cement silos shall be cleaned with a mechanical broom sweeper on an as needed basis for particulate control on the roads within the facility.
- The existing wheel wash will remain in place and available to be employed should conditions at the facility warrant additional reasonable precautions for the control of PM_{10} .

- ~~Bulk transport trucks leaving the plant shall travel through a tire wash, designed to remove particulate matter from vehicle tires, before traveling on the facility's access roadways.~~

(d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

SUBSECTION B.

STATE REQUIREMENTS

REPORTING AND RECORD KEEPING REQUIREMENTS

24. Records of Process and Production Rates: The owner or operator shall make and maintain records of the process rate of dry preheater feed in units of tons per hour and tons per consecutive 12-month period, and the production rate of clinker and cement in units of tons per hour and tons per consecutive 12-month period. ~~The clinker production rate shall be directly measured independent of preheater feed.~~ The owner or operator shall make and maintain records of the production of portland cement in units of tons per consecutive 12-month period. Records in units of tons per hour shall be based on either hourly averages or daily averages and shall be completed no later than the day following the day of the record. Records in units of tons per consecutive 12-month period shall be made from monthly records of process and production rates for the past 12 months, and shall be completed no later than the 10th day of each month. [Rule 62-4.070(3), F.A.C. and BACT]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida

Michael G. Cooke, Director
Division of Air Resource
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Celso Martini, SAC*
Claude Grinfeder, SAC*
George Townsend, SAC
Larry Sellers, Esq.*
Frank Darabi, P.E.
Steve Cullen, P.E.
John Koogler, P.E.
Chris Kirts, DEP NED
Jim Little, EPA
John Bunyak, NPS

Jim Stevenson, DEP
Tom Workman, DEP
Mark Latch, DEP
December McSherry
Svenn Linskold
Tom Greenhalgh*
Dave Bruderly
Chris Bird, Alachua Co. DER
Chair, Alachua Co. BCC*
J. Calvin Gaddy

Patrice Boyes, Esq.*
Kathy Cantwell
Ralph Ashodian
Virginia Seacrist
Bob and Lynn Milner
Linda Pollini
Helen Beaty
Bessie Robinson
Craig Pittman, St. Pete Times
Chuck Yagel*

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)

(Date)

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

SUWANNEE AMERICAN CEMENT, LLC
BRANFORD, SUWANNEE COUNTY

Portland Cement Manufacturing Facility
Permit Modification to Remove the Wheel Wash Requirement and Remove the
Requirement to Measure Clinker Production Independently of Preheater Feed

DEP File Nos. 1210465-010-AC
PSD-FL-259E

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation

November 24, 2004

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

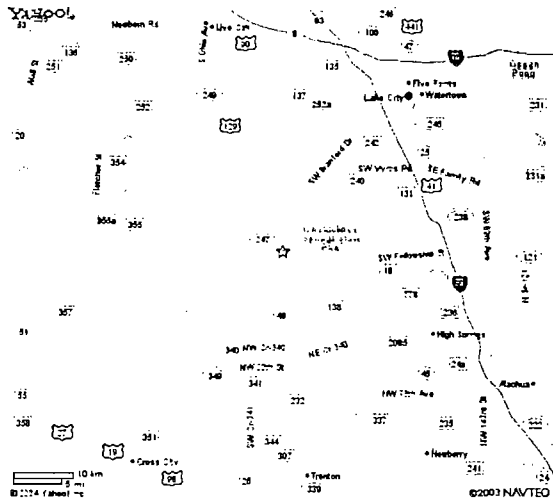
I. APPLICANT NAME AND ADDRESS

Suwannee American Cement LLC
Post Office Box 410
Branford, Florida 32008
Authorized Representative: Mr. Celso Martini, Plant Manager

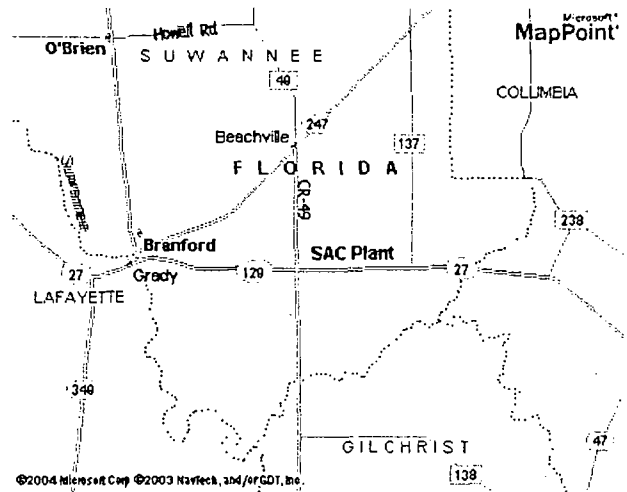
II. FACILITY INFORMATION

A. FACILITY LOCATION

Suwannee American Cement, LLC (SAC), owns and operates the cement plant located at U.S. Highway 27 and County Road 49 in Branford, Suwannee County. The UTM coordinates of the facility are Zone 17; 321.4 km East and 3315.9 km North.



Regional Map Showing Branford Area



Suwannee American Cement Plant Location

B. FACILITY CLASSIFICATION CODE (SIC)

Major Group No. 32, Clay, Glass, and Concrete Products
Industry Group No. 324 Cement, Hydraulic
Industry No. 3241 Cement, Hydraulic

C. FACILITY CATEGORY

SAC's Cement Plant emits more than 100 tons per year (TPY) of several regulated air pollutants and is, therefore, classified as a "Major Source of Air Pollution" or "Title V Source," per the definitions in Rule 62-212.200, Florida Administrative Code (F.A.C.).

This industry is listed in Table 212.400-1, "Major Facilities Categories", Section 62-212.400, F.A.C. Therefore, stack and fugitive emissions of over 100 TPY of carbon monoxide (CO), volatile organic compounds (VOC), sulfur dioxide (SO₂), nitrogen oxides (NO_x), or particulate matter (PM/PM₁₀) characterize the existing installation as a Major Facility per the definitions in Rule 62-210.200, F.A.C. and subject it to applicability review for the requirements of Prevention of Significant Deterioration (PSD) per Rule 62-212.400, F.A.C. Accordingly, the original SAC project was subject to New Source Review (NSR) including the PSD provisions and requirement to conduct a determination of Best Available Control Technology (BACT).

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Per Table 212.400-2, "Regulated Air Pollutants – Significant Emission Rates", any further modifications at the facility resulting in emissions increases greater than 40 TPY of NO_x or SO₂, 7 TPY of sulfuric acid mist (SAM), 25/15 TPY of PM/PM₁₀, 3 TPY of fluorides, 1200 pounds per year (lb/yr) of lead or 200 lb/yr of mercury require review per the PSD rules and a determination for Best Available Control Technology (BACT) per Rule 62-212.400, F.A.C.

The facility is also subject to a number of industry-specific regulations and permit specific conditions. Among these is designation as a major source of hazardous air pollutants (HAPs) and applicability of the major source provisions of 40 CFR 63, Subpart LLL – National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.

III. ORIGINAL PROJECT

The Florida Department of Environmental Protection ("Department") issued a permit to SAC in June 2000 to construct the existing facility. The plant employs the modern dry process technology including a preheater and calciner (PH/C kiln) along with indirect firing.

The major equipment at the plant includes the PH/C kiln, a clinker cooler, raw mill, finish mill, silos, conveyers, and particulate control/dust collection and recycling equipment. The cement product is stored in silos and is shipped by truck.

The following diagram is of a preheater/calcliner dry process cement kiln that is reasonably representative of the one installed at SAC.

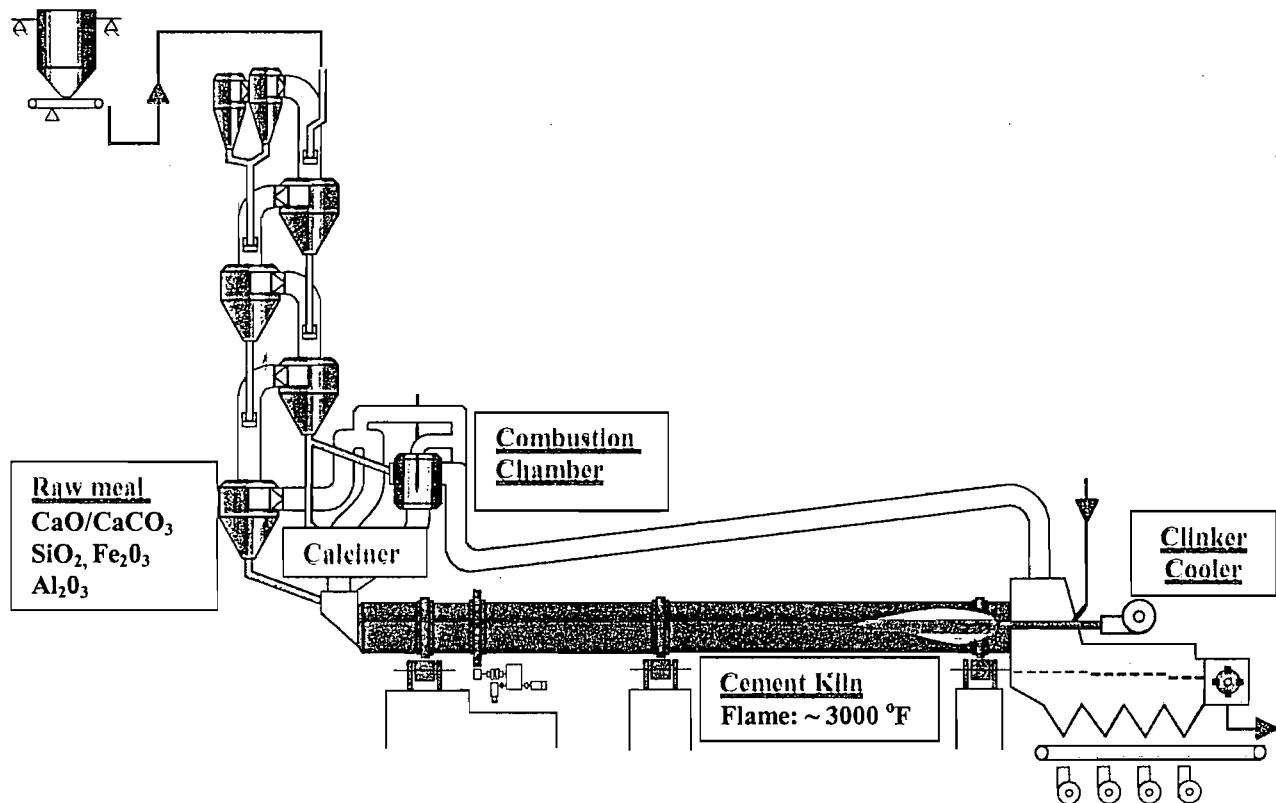
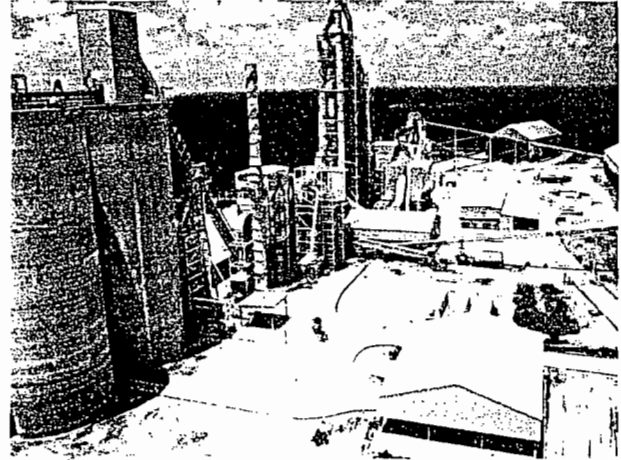


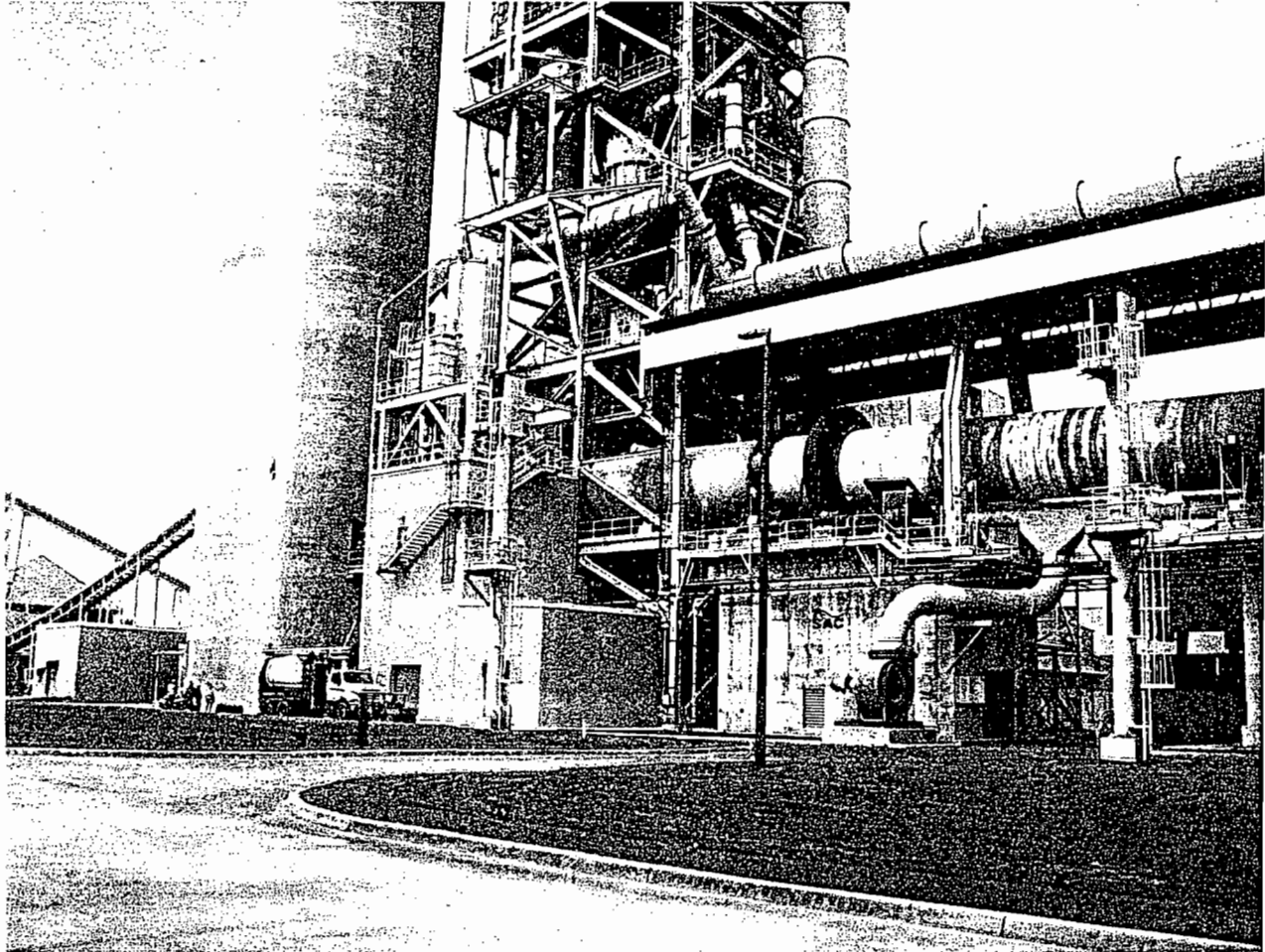
Diagram of Dry Process Cement Kiln with Preheater and Calciner Kiln

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The facility has been constructed and began operation in February 2003. Several photographs of the plant are shown on the following page. SAC has conducted compliance tests and applied for a Title V Operation Permit. At this time, it is operating at or near its full capacity.



Cement Plant Under Construction (Photo DEP) Completed Cement Plant (Photo SAC Website)



Kiln Inlet, Main Stack, Lower Preheater, Calciner, and Tertiary Air Ducts (Photo A. Linero)

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

IV. WHEEL WASHING REQUIREMENT

SAC has requested an air construction permit modification to amend requirements related to fugitive particulate control. The construction permit lists the following reasonable precautions to minimize unconfined emissions of particulate matter:

- Paving and maintenance of roads, parking areas and yards.
- Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- Landscaping or planting of vegetation.
- Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- Confining abrasive blasting where possible.
- Enclosure or covering of conveyor systems.

Additional reasonable precautions applicable to this facility listed in the permit include the following:

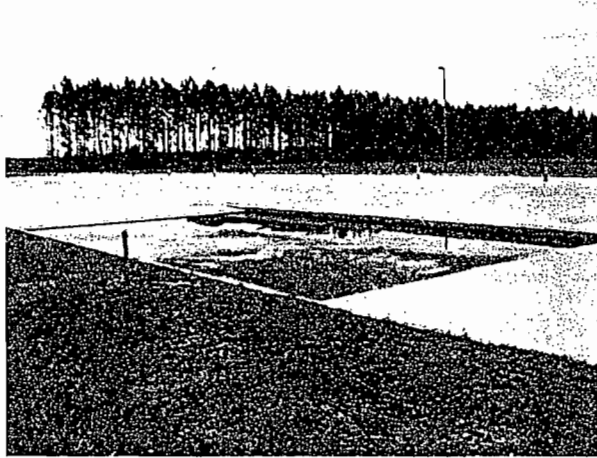
- All materials, coal and petroleum coke at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.
- Water supply lines, hoses and sprinklers shall be located near all materials, coal and petroleum coke stockpiles.
- All plant operators shall be trained in basic environmental compliance and shall perform visual inspections of materials, coal and petroleum coke regularly and before handling. IF the visual inspections indicate a lack of surface moisture, the materials, coal and petroleum coke shall be wetted with sprinklers. Such wetting shall continue until the potential for unconfined particulate emissions are minimized.
- Water spray bars shall be located at each unenclosed material and fuel conveyor, and the spray bars shall be used to wet the materials and fuel if inherent moisture and moisture from wetting the storage piles are not sufficient to prevent unconfined particulate matter emissions.
- The manufacturing area and the access roadways for the facility shall be paved with asphalt or concrete.
- Bulk transport trucks leaving the plant shall travel through a tire wash, designed to remove particulate matter from vehicle tires, before traveling on the facility's access roadways.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

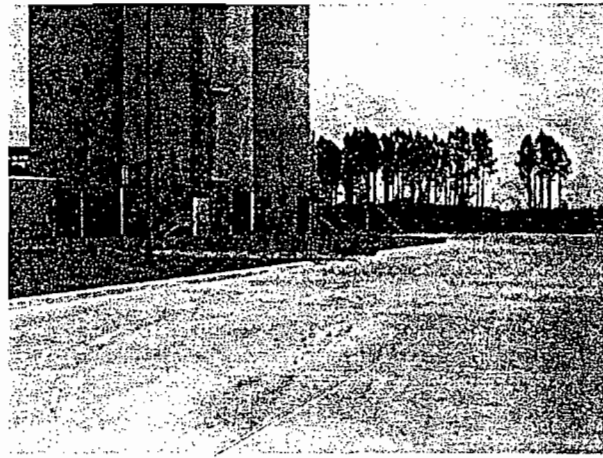
SAC requested removal of the requirement that bulk transport trucks leaving the plant shall travel through a tire wash before traveling on the facility's access roadways under the rationale that the other reasonable precautions suffice to control fugitive emissions. Removal of the requirement would eliminate the potential generation of wastewater and conserve water. SAC is also concerned that the implementation of the wheel wash would require a Department-issued industrial wastewater permit.

As part of the original BACT determination preliminary modeling for significant impact analysis using the proposed project's worst case emission scenario with receptors placed in Class II areas and the Chassahowitzka, St. Marks, Bradwell Bay, and Okefenokee PSD Class I areas showed a significant impact from PM_{10} . The subsequent PSD increment analysis and AAQS Analysis showed that maximum predicted impacts of PM_{10} are less than the allowable Class II increment and that PM_{10} emissions from the facility were not expected to cause or significantly contribute to a violation of any AAQS.

To date, the required wheel wash station for unconfined particulate control has not been utilized. The concrete structure is in place, however the water supply to the wheel wash has not been connected.



Wheel Wash Area

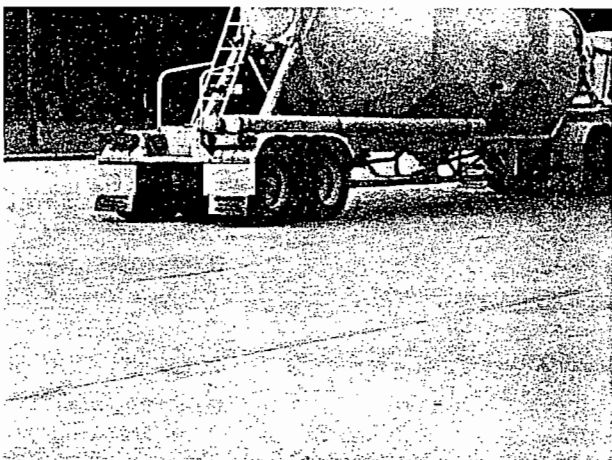


Truck Loading Area

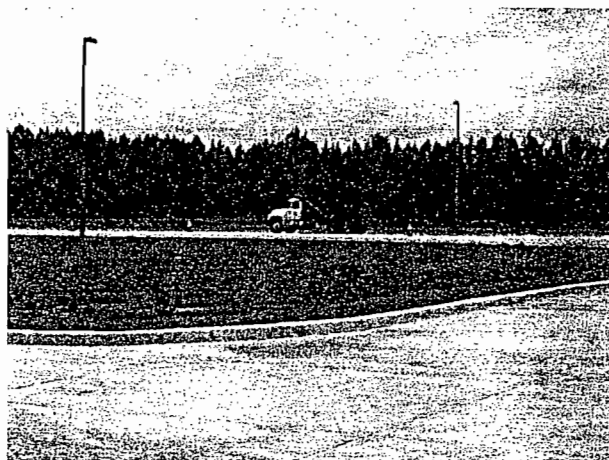
Excess water originating from the relatively small wheel wash would be diverted to the existing permitted storm water retention pond (design capacity 416,788 ft³) and remain on site. Also, the entrance to the plant from the major roadway is a sufficient distance from the wheel wash so that the possibility of waste water leaving the plant on the vehicle wheels is not a concern.

The main access road leading to the plant and the road leading to the cement silos are both paved. SAC currently is using a street sweeper on an as needed basis for particulate control on the roads within the facility. The dust is captured and re-introduced into the process.

NED compliance personnel have frequently been on-site at SAC since it began operation. Prior to the use of the street sweeper some dust was visible on the road and roadside, however it appeared to be contained within the facility property. Since the street sweeper has been employed, fugitive dust from truck traffic on the road and roadside has been minimal to non-existent according to NED inspectors. Ambient monitoring PM_{10} data from 2 sites near the plant consistently remain well below the national ambient air quality standard (NAAQS).



Truck Leaving Loading Area



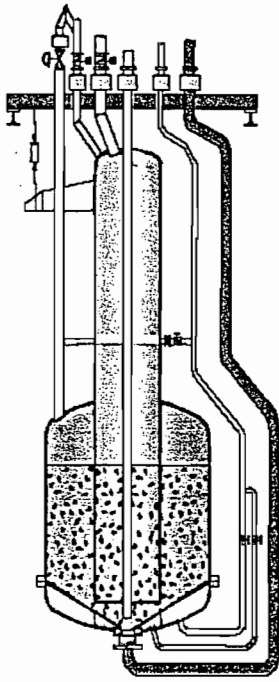
Paved Access Road Leading to Plant Exit

V. CLINKER SCALE

SAC has also requested to amend requirements related to production measurement. The construction permit specific condition for records of process and production rates requires the maintenance of records of the process rate of dry preheater feed in units of tons per hour and tons per consecutive 12-month period, and the production rate of clinker and cement in units of tons per hour and tons per consecutive 12-month period. Additionally there is a requirement that the clinker production rate be directly measured independent of preheater feed. SAC has requested that the Department delete the requirement to measure clinker production independently of preheater feed.

Preheater feed is processed and measured using the Polysius Poldos system. SAC uses the preheater feed measurement and a Loss of Ignition (LOI) Factor determined in the laboratory to determine the clinker produced. According to SAC, this method is an industry standard that accurately determines the clinker produced which corresponds with physical inventory and cement production. SAC determines their own production for accounting and inventory purposes using this method.

The POLDOS proportioning system is designed to continuously convey fine-grained, bulk material in proportioned quantities through vertically laid pipes.¹ Conveying pressure is the controlled variable for the throughput regulator. A characteristic curve of the relationship between conveying pressure and throughput is stored within the control system. During calibration, material feed through the system is stopped and actual throughput is determined from the percentage of weight loss within the storage vessel over the measuring time. Deviations from the characteristic curve are corrected so that the actual throughput value is indicated correctly.² These calibrations and corrections are automatically initiated at SAC. This throughput preheater feed rate is used to calculate clinker production as discussed above.

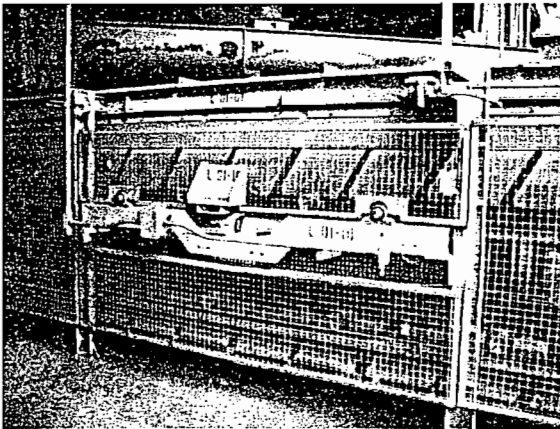


POLDOS Proportioning System

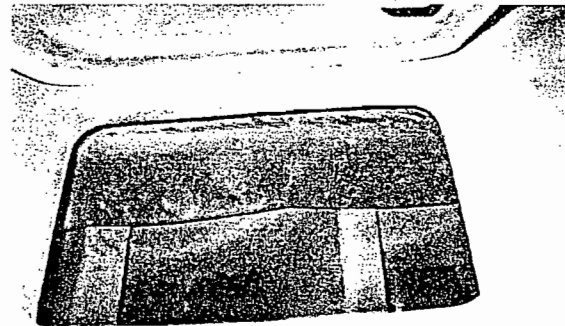


POLDOS system at SAC

To satisfy the additional direct measurement requirement of the permit, SAC also uses a MERRICK model 465A WEIGHTOMETER[®] load cell for measurement of clinker production as it exits the clinker cooler. This rate is recorded in the NEXUS software. Because of the heat of the clinker, a pan conveyor must be used to transport the clinker over the load cell. SAC claims that the non-continuous contact with the load cell and the varying amounts of clinker accumulation in the conveyor pans contributes to the inaccuracies of the clinker scale.



Load Cell Clinker Scale



Clinker Nodules in Conveyor Pan

Methods of using preheater feed measurement and LOI factor as described earlier are commonly used for accurately determining clinker production. The POLDOS proportioning system is currently in use at similar facilities in Florida without the additional requirement to measure the clinker rate independently of preheater feed.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The Department requested the input of its own independent consultant on cement manufacturing. Dr. F. Mac Gregor Miller is a reknown expert on raw materials, chemistry, and cement manufacturing who previously worked at the Portland Cement Association and the Construction Technology Laboratory in Skokie, Illinois. Dr. Miller was also the technical director of a large cement company as well as a plant manager.

Following is Dr. Miller's assessment:

Discussion on Clinker Scales, and Recommendations for Determining Production Level at Suwannee American Cement

Most cement plants determine their clinker production by applying a factor to the kiln feed usage. Strictly speaking, the clinker produced (C) will be equal to the kiln feed to the kiln (KF) (expressed on a loss-free basis) plus the fuel ash (FA), minus any dust recycled (RD) to the process (loss free basis) and minus the loss free basis of any dust removed (WD) from the process and finally, minus the loss free basis of any dust emitted from the stack (SD) – usually a very small quantity. Expressed as an equation:

$$C = KF (1-LOI_{KF}/100) + FA - RD (1-LOI_{RD}/100) - WD (1-LOI_{WD}/100) - SD (1-LOI_{SD}/100)$$

The relationship between the amount of kiln feed and the amount of clinker is a dynamic one. The recycle dust may not be a consistent amount, and it is usually weighed with the kiln feed. The amount of waste dust will be dictated by whether the kiln has a bypass or not, whether the composition of the material is suitable for re-introduction into the kiln system, etc. The clinker may not discharge uniformly from the kiln, because of the “stickiness” of the material in the kiln, or because of a flush of material through the burning zone, or a host of other potential reasons. Furthermore, clinker scales do not maintain calibration well. The flow is non-uniform, clinker particle size distribution is not constant, and clinker is a very abrasive material, punishing to weighing devices.

For these reasons, it is strongly recommended that the kiln feed rate be used to establish production levels. The “Poldos” system supplies a uniform flow of material and is easily calibrated. The device maintains calibration well, provided it is properly maintained.

The question therefore arises as to how the kiln feed rate is used to reliably establish clinker production rate. The following protocol is suggested:

1. The amount of clinker generated C is determined by taking inventory (I_i , tons) at the beginning of the test period, and at the end (I_f , tons). The amount of clinker ground into cement (C_c) is known by the scales on the finish mill feed belts; if this is unreliable, the cement inventory at the beginning of the time period and at the end is determined by silo measurements. The amount of clinker produced (C) during the time period (usually one month) is determined by adding C_c to the difference between I_f and I_i .
2. Since Suwannee does not discard any dust from the system, the material characterized above as “WD” does not have to be considered.
3. The material “SD” can be neglected, as it is believed that SAC has established compliance with particulate emission standards. If this is not the case, a stack test to establish that this amount is negligible could be required.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

4. The fuel ash ("FA") can be determined on the coal, and is furnished by the fuel supplier.
5. The loss on ignition of the recycle dust is determined on a monthly basis.
6. With the data obtained from the tests, the clinker production can be calculated.
7. The ratio (R) between the monthly tonnages of kiln feed (KF) (as determined by calibrated Poldos readings) and the calculated clinker production (C) is established. This ratio will probably be somewhere around 1.71. The reproducibility of this ratio is established over a six month time period. If it is reasonably consistent, the production can be determined by dividing the Poldos reading for the month by this ratio R.

This document and other related material will be available on the DARM website at the following location: <http://www.dep.state.fl.us/Air/permitting/construction/suwannee.htm>.

VI. CONCLUSION

The Department will allow SAC to continue to utilize the mechanical street sweeper and the other reasonable precautions listed in the permit in lieu of the wheel wash for control of unconfined particulate matter.

Equipment integrity will inherently degrade over time. The existing wheel wash will remain in place and available to be employed should conditions at the facility warrant additional reasonable assurance for the control of PM₁₀.

The Department will remove the requirement to measure clinker production independently of preheater feed.

The proposed changes are highlighted in the draft permit modification distributed concurrently with this evaluation.

No emission increases will occur as a result of these changes. PM₁₀ emissions are already very low. The street sweeper has been in use for one year and fugitive dust due to truck traffic at the facility has not been a problem.

REFERENCES

- 1 Polysius, POLDOS Machine Manual
- 2 ThyssenKrupp, Presentation, POLDOS-SR Proportioning System.



Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

November 24, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Celso A. Martini, Plant Manager
Suwannee American Cement, LLC
Post Office Box 410
Branford, Florida 32008

Re: DEP File No. 1210465-010-AC (PSD-FL-259E)
Suwannee American Cement Plant – Branford, Suwannee County

Enclosed is one copy of the Draft Air Construction Permit Modification for the Suwannee American Cement Plant on Highway U.S. 27, Branford, Suwannee County. The Department's Intent to Issue Air Construction Permit Modification, the Technical Evaluation and Preliminary Determination, and the "Public Notice of Intent to Issue Air Construction Permit" are also included.

The "Public Notice" must be published one time only as soon as possible in a newspaper of general circulation in the area affected, pursuant to the requirements of Chapter 50, Florida Statutes. Proof of publication, such as a newspaper affidavit, must be provided to the Department's Bureau of Air Regulation office within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in denial of the permit modification.

Please submit any written comments you wish to have considered concerning the Department's proposed action to A.A. Linero, Program Administrator, at the letterhead address. If you have any questions regarding this matter, please contact Cindy Mulkey at (850)921-8968 or Mr. Linero at (850)921-9523.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

TLV/cm

Enclosures

"More Protection, Less Process"

Printed on recycled paper.

In the Matter of:

Suwannee American Cement, LLC
Post Office Box 410
Branford, Florida 32008

DEP File No. 1210465-010-AC (PSD-FL-259E)
Wheel Wash, Clinker Scales
Suwannee American Cement Plant
Suwannee County

INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit modification (copy of DRAFT Permit Modification attached) for the proposed action, detailed in the Technical Evaluation and Preliminary Determination, for the reasons stated below.

The permittee, Suwannee American Cement LLC (SAC), applied on August 06, 2004 (complete November 19) to "clarify permit language in reference to additional means to determine clinker production" and to "remove wheel wash (requirement)."

The Department has permitting jurisdiction under 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 changes are not exempt from permitting procedures. The Department has determined that a modification of the original air construction permit is necessary for the described permit changes requested by SAC.

The Department intends to issue this air construction permit modification based on the belief that the permittee has provided reasonable assurances to indicate that operation of these emission units as indicated herein will not adversely impact air quality, and the emission units will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C.

Pursuant to Section 403.815, F.S., and Rule 62-110.106(7)(a)1, F.A.C, you (the permittee) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Construction Permit Modification. The notice shall be published as soon as possible one time only in the legal advertisement section of a newspaper of general circulation in the area affected. Rule 62-110.106(7)(b), F.A.C., requires that the permittee cause the notice to be published as soon as possible after notification by the Department of its intended action. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The permittee shall provide proof of publication to the Department's Bureau of Air Regulation, at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax 850/922-6979). You must provide proof of publication within seven days of publication, pursuant to Rule 62-110.106(5), F.A.C. No permitting action for which published notice is required shall be granted until proof of publication of notice is made by furnishing a uniform affidavit in substantially the form prescribed in Section 50.051, F.S. to the office of the Department issuing the permit. Failure to publish the notice and provide proof of publication may result in denial of the permit pursuant to Rules 62-110.106(9) & (11), F.A.C.

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 (fourteen) days from the date of publication of Public Notice. Written comments should be provided to the Department's Bureau of Air Regulation 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 modification 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.

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. Petitions filed by the permittee or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the permittee 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 require reversal or modification of 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 with 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 a party to the proceeding, in accordance with the requirements set forth above.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Mediation is not available in this proceeding. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and (h) A statement whether the variance or waiver is

permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2) F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the EPA and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Executed in Tallahassee, Florida.

Trina Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Air Construction permit Modification (including the Public Notice, Technical Evaluation and Preliminary Determination, and the Draft Permit Modification) was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on 11/29/04 to the person(s) listed:

- | | | |
|------------------------|-----------------------------|-------------------------------|
| Celso Martini, SAC* | Jim Stevenson | Patrice Boyes, Esq.* |
| Claude Grinfeder, SAC* | Tom Workman, DEP | Kathy Cantwell |
| Joe Horton, SAC | Mark Latch, DEP | Ralph Ashodian |
| Larry Sellers, Esq.* | December McSherry | Virginia Seacrist |
| Frank Darabi, P.E. | Svenn Lindskold | Bob and Lynn Milner |
| Steve Cullen, P.E. | Tom Greenhalgh* | Linda Pollini |
| John Koogler, P.E. | Dave Bruderly | Helen Beaty |
| Chris Kirts, DEP NED | Chris Bird, Alachua Co. DER | Bessie Robinson |
| Jim Little, EPA | Chair, Alachua Co. BCC* | Craig Pittman, St. Pete Times |
| John Bunyak, NPS | J. Calvin Gaddy | Chuck Yagel* |

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)

11/29/04
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT MODIFICATION

Florida Department of Environmental Protection

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

DEP File No.: 1210465-010-AC (PSD-FL-259E)

The Florida Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit Modification to Suwannee American Cement LLC (SAC) to amend requirements related to fugitive particulate control and production measurement 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 32206.

The plant started up in February 2003, and is presently operating at or near full capacity. The current construction permit lists the required reasonable precautions to minimize unconfined fugitive emissions. These include paving, application of water, dust suppressants, landscaping, removal of dust from roads, covered material storage, operator training, etc. In addition, the permit requires bulk transport trucks leaving the facility to travel through a tire wash to remove particulate matter from vehicle tires before traveling on the facility's access road ways.

SAC requested removal of the requirement that bulk transport vehicles travel through the tire wash. Their rationale is that the other reasonable precautions suffice to control unconfined particulate matter. Removal of the requirement would save water and avoid a small wastewater discharge to the storm water retention pond. Nearby continuous monitors indicate compliance with the ambient particulate (PM₁₀) standards. Based on visual observations of vehicle traffic on-site and review of the PM data, the Department concurs. This construction permit removes the wheel wash requirement.

SAC calculates clinker production by very accurate measurement of the material fed to the kiln system. The device used is called the POLDOS. It weighs very large batches of finely divided feed and conveys them to the preheater. Clinker production is calculated by conversion factors, developed by conducting loss on ignition tests in the laboratory, in conjunction with the material feed measured by the POLDOS system. SAC also has scales that weigh small pans of the clinker nodules. The latter method, though apparently more direct, is actually less accurate than the previous method described. SAC has requested that the Department delete the requirement to measure clinker production independently of preheater feed (i.e. by the clinker scales).

Based on inspections of the different scales, review of the manuals and principles of operation, the Department concurs. The estimate based on feed is more accurate and stable. The clinker production calculated from feed can be compared to physical inventory (storage silos) and cement shipments and, in conjunction with laboratory test data, periodically adjusted.

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 fourteen (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 Regulation 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. Petitions 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 require reversal or modification of 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 with 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 a 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 850/921-8968 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

Month day, 2004

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Celso A. Martini, Plant Manager
Suwannee American Cement
Post Office Box 410
Branford, Florida 32008

Re: DEP File No. 1210465-010-AC (PSD-FL-259E)
Cement Plant – Branford, Suwannee County, Florida

Dear Mr. Martini:

The Florida Department of Environmental Protection (“the Department”) reviewed your application dated August 6, 2004 requesting a modification of the original air construction permit. The request is to amend requirements related to fugitive particulate control and production measurement at the Suwannee American Cement Plant. The Department approves your request and hereby modifies permit No. PSD-FL-259 as follows:

This facility was originally authorized and constructed pursuant to Permit No. PSD-FL-259 issued on June 1, 2000. This permit action supplements Permit No. PSD-FL-259 and the changes dated November 8, 2002, January 18, 2003, and May 15, 2003 to that permit. Unless otherwise specified, this permit action does not alter any requirements of that permit.

Additions are underlined; deletions are strikethrough.

SECTION II. FACILITY-WIDE SPECIFIC CONDITIONS

EMISSION LIMITING STANDARDS

10. Unconfined Emissions of Particulate Matter: [Rule 62-296.320(4)(c), F.A.C. and BACT]

- (a) No person shall cause, let, permit, suffer or allow the emissions of unconfined particulate matter from any activity, including vehicular movement; transportation of materials; construction, alteration, demolition or wrecking; or industrially related activities such as loading, unloading, storing or handling; without taking reasonable precautions to prevent such emissions.

- (b) Any permit issued to a facility with emissions of unconfined particulate matter shall specify the reasonable precautions to be taken by that facility to control the emissions of unconfined particulate matter.
- (c) Reasonable precautions include the following:
- Paving and maintenance of roads, parking areas and yards.
 - Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
 - Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
 - Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
 - Landscaping or planting of vegetation.
 - Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
 - Confining abrasive blasting where possible.
 - Enclosure or covering of conveyor systems.

Additional reasonable precautions applicable to this facility are:

- All materials, coal and petroleum coke at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.
- Water supply lines, hoses and sprinklers shall be located near all materials, coal and petroleum coke stockpiles.
- All plant operators shall be trained in basic environmental compliance and shall perform visual inspections of materials, coal and petroleum coke regularly and before handling. If the visual inspections indicate a lack of surface moisture, the materials, coal and petroleum coke shall be wetted with sprinklers. Such wetting shall continue until the potential for unconfined particulate matter emissions are minimized.
- Water spray bars shall be located at each unenclosed material and fuel conveyor, and the spray bars shall be used to wet the materials and fuel if inherent moisture and moisture from wetting the storage piles are not sufficient to prevent unconfined particulate matter emissions.
- The manufacturing area and the access roadways for the facility shall be paved with asphalt or concrete.
- The main access road leading to the plant and the road leading to the cement silos shall be cleaned with a mechanical broom sweeper on an as needed basis for particulate control on the roads within the facility.
- The existing wheel wash will remain in place and available to be employed should conditions at the facility warrant additional reasonable precautions for the control of PM_{10} .

- ~~Bulk transport trucks leaving the plant shall travel through a tire wash, designed to remove particulate matter from vehicle tires, before traveling on the facility's access roadways.~~

(d) In determining what constitutes reasonable precautions for a particular source, the Department shall consider the cost of the control technique or work practice, the environmental impacts of the technique or practice, and the degree of reduction of emissions expected from a particular technique or practice.

SECTION III. EMISSIONS UNIT SPECIFIC CONDITIONS

SUBSECTION B.

STATE REQUIREMENTS

REPORTING AND RECORD KEEPING REQUIREMENTS

24. Records of Process and Production Rates: The owner or operator shall make and maintain records of the process rate of dry preheater feed in units of tons per hour and tons per consecutive 12-month period, and the production rate of clinker and cement in units of tons per hour and tons per consecutive 12-month period. ~~The clinker production rate shall be directly measured independent of preheater feed.~~ The owner or operator shall make and maintain records of the production of portland cement in units of tons per consecutive 12-month period. Records in units of tons per hour shall be based on either hourly averages or daily averages and shall be completed no later than the day following the day of the record. Records in units of tons per consecutive 12-month period shall be made from monthly records of process and production rates for the past 12 months, and shall be completed no later than the 10th day of each month. [Rule 62-4.070(3), F.A.C. and BACT]

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, 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 thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida

Michael G. Cooke, Director
Division of Air Resource
Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this PERMIT MODIFICATION was sent by certified mail (*) and copies were mailed by U.S. Mail before the close of business on _____ to the person(s) listed:

Celso Martini, SAC*
Claude Grinfeder, SAC*
George Townsend, SAC
Larry Sellers, Esq.*
Frank Darabi, P.E.
Steve Cullen, P.E.
John Koogler, P.E.
Chris Kirts, DEP NED
Jim Little, EPA
John Bunyak, NPS

Jim Stevenson, DEP
Tom Workman, DEP
Mark Latch, DEP
December McSherry
Svenn Lindskold
Tom Greenhalgh*
Dave Bruderly
Chris Bird, Alachua Co. DER
Chair, Alachua Co. BCC*
J. Calvin Gaddy

Patrice Boyes, Esq.*
Kathy Cantwell
Ralph Ashodian
Virginia Seacrist
Bob and Lynn Milner
Linda Pollini
Helen Beaty
Bessie Robinson
Craig Pittman, St. Pete Times
Chuck Yagel*

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)

(Date)

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

SUWANNEE AMERICAN CEMENT, LLC
BRANFORD, SUWANNEE COUNTY

Portland Cement Manufacturing Facility
Permit Modification to Remove the Wheel Wash Requirement and Remove the
Requirement to Measure Clinker Production Independently of Preheater Feed

DEP File Nos. 1210465-010-AC
PSD-FL-259E

Department of Environmental Protection
Division of Air Resources Management
Bureau of Air Regulation

November 24, 2004

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

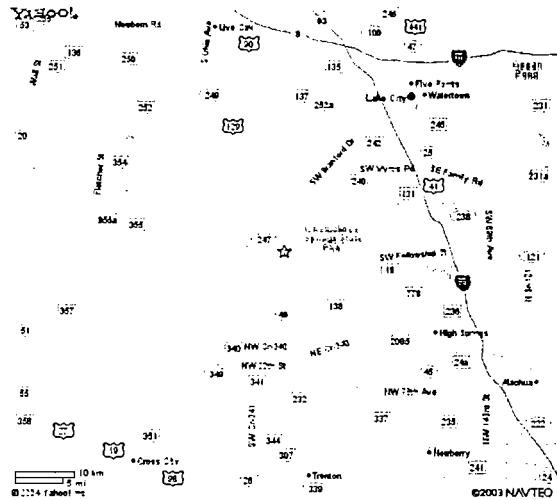
I. APPLICANT NAME AND ADDRESS

Suwannee American Cement LLC
Post Office Box 410
Branford, Florida 32008
Authorized Representative: Mr. Celso Martini, Plant Manager

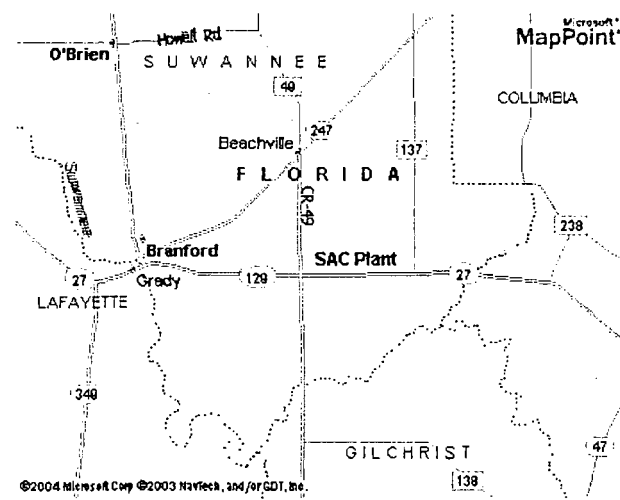
II. FACILITY INFORMATION

A. FACILITY LOCATION

Suwannee American Cement, LLC (SAC), owns and operates the cement plant located at U.S. Highway 27 and County Road 49 in Branford, Suwannee County. The UTM coordinates of the facility are Zone 17; 321.4 km East and 3315.9 km North.



Regional Map Showing Branford Area



Suwannee American Cement Plant Location

B. FACILITY CLASSIFICATION CODE (SIC)

Major Group No. 32, Clay, Glass, and Concrete Products
Industry Group No. 324 Cement, Hydraulic
Industry No. 3241 Cement, Hydraulic

C. FACILITY CATEGORY

SAC's Cement Plant emits more than 100 tons per year (TPY) of several regulated air pollutants and is, therefore, classified as a "Major Source of Air Pollution" or "Title V Source," per the definitions in Rule 62-212.200, Florida Administrative Code (F.A.C.).

This industry is listed in Table 212.400-1, "Major Facilities Categories", Section 62-212.400, F.A.C. Therefore, stack and fugitive emissions of over 100 TPY of carbon monoxide (CO), volatile organic compounds (VOC), sulfur dioxide (SO₂), nitrogen oxides (NO_x), or particulate matter (PM/PM₁₀) characterize the existing installation as a Major Facility per the definitions in Rule 62-210.200, F.A.C. and subject it to applicability review for the requirements of Prevention of Significant Deterioration (PSD) per Rule 62-212.400, F.A.C. Accordingly, the original SAC project was subject to New Source Review (NSR) including the PSD provisions and requirement to conduct a determination of Best Available Control Technology (BACT).

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Per Table 212.400-2, "Regulated Air Pollutants – Significant Emission Rates", any further modifications at the facility resulting in emissions increases greater than 40 TPY of NO_x or SO₂, 7 TPY of sulfuric acid mist (SAM), 25/15 TPY of PM/PM₁₀, 3 TPY of fluorides, 1200 pounds per year (lb/yr) of lead or 200 lb/yr of mercury require review per the PSD rules and a determination for Best Available Control Technology (BACT) per Rule 62-212.400, F.A.C.

The facility is also subject to a number of industry-specific regulations and permit specific conditions. Among these is designation as a major source of hazardous air pollutants (HAPs) and applicability of the major source provisions of 40 CFR 63, Subpart LLL – National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry.

III. ORIGINAL PROJECT

The Florida Department of Environmental Protection ("Department") issued a permit to SAC in June 2000 to construct the existing facility. The plant employs the modern dry process technology including a preheater and calciner (PH/C kiln) along with indirect firing.

The major equipment at the plant includes the PH/C kiln, a clinker cooler, raw mill, finish mill, silos, conveyers, and particulate control/dust collection and recycling equipment. The cement product is stored in silos and is shipped by truck.

The following diagram is of a preheater/calcliner dry process cement kiln that is reasonably representative of the one installed at SAC.

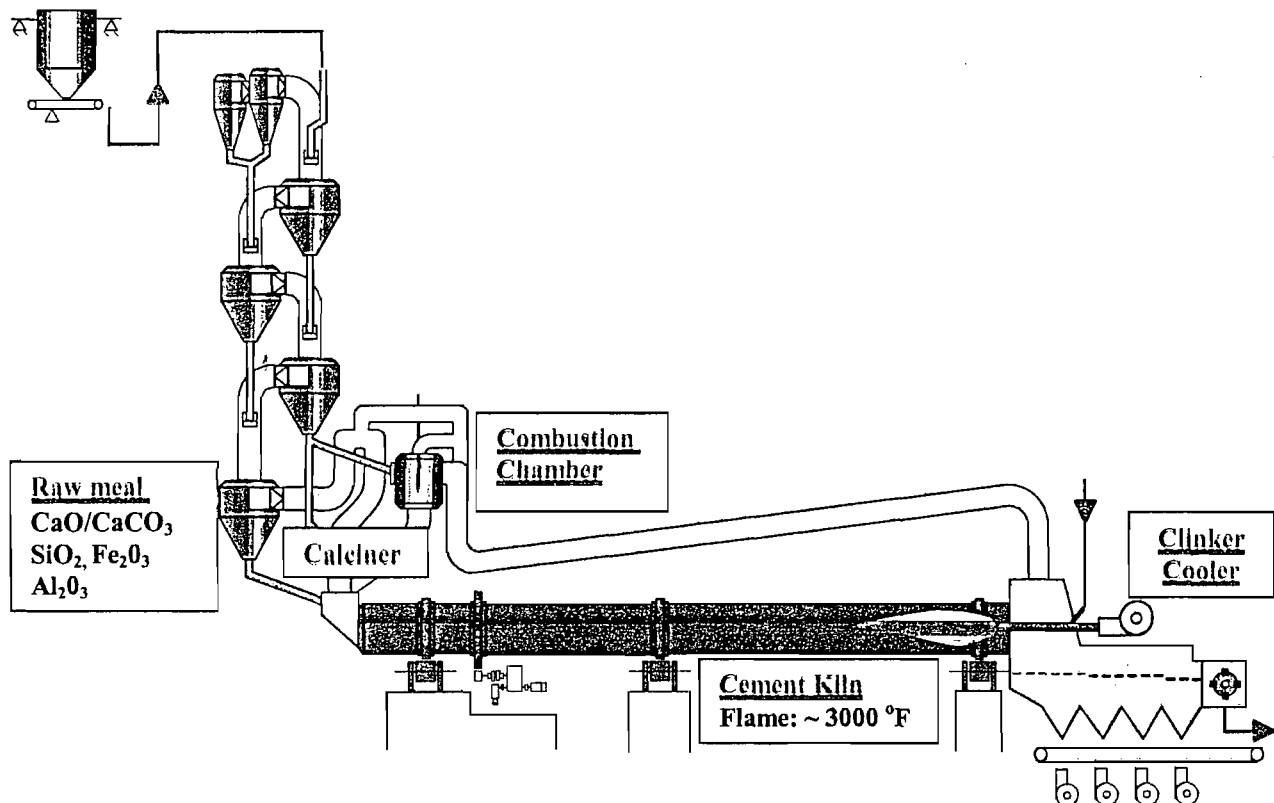
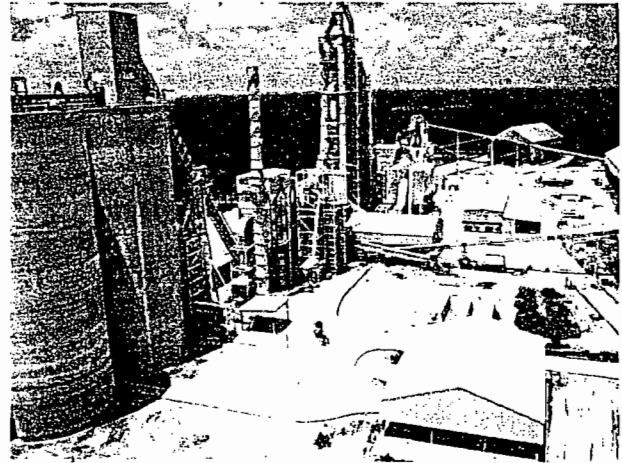
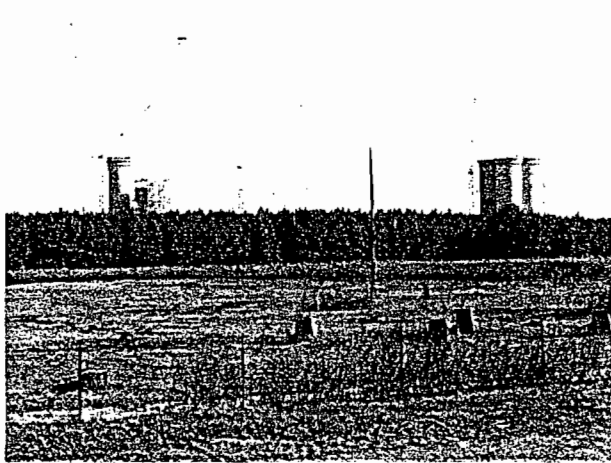


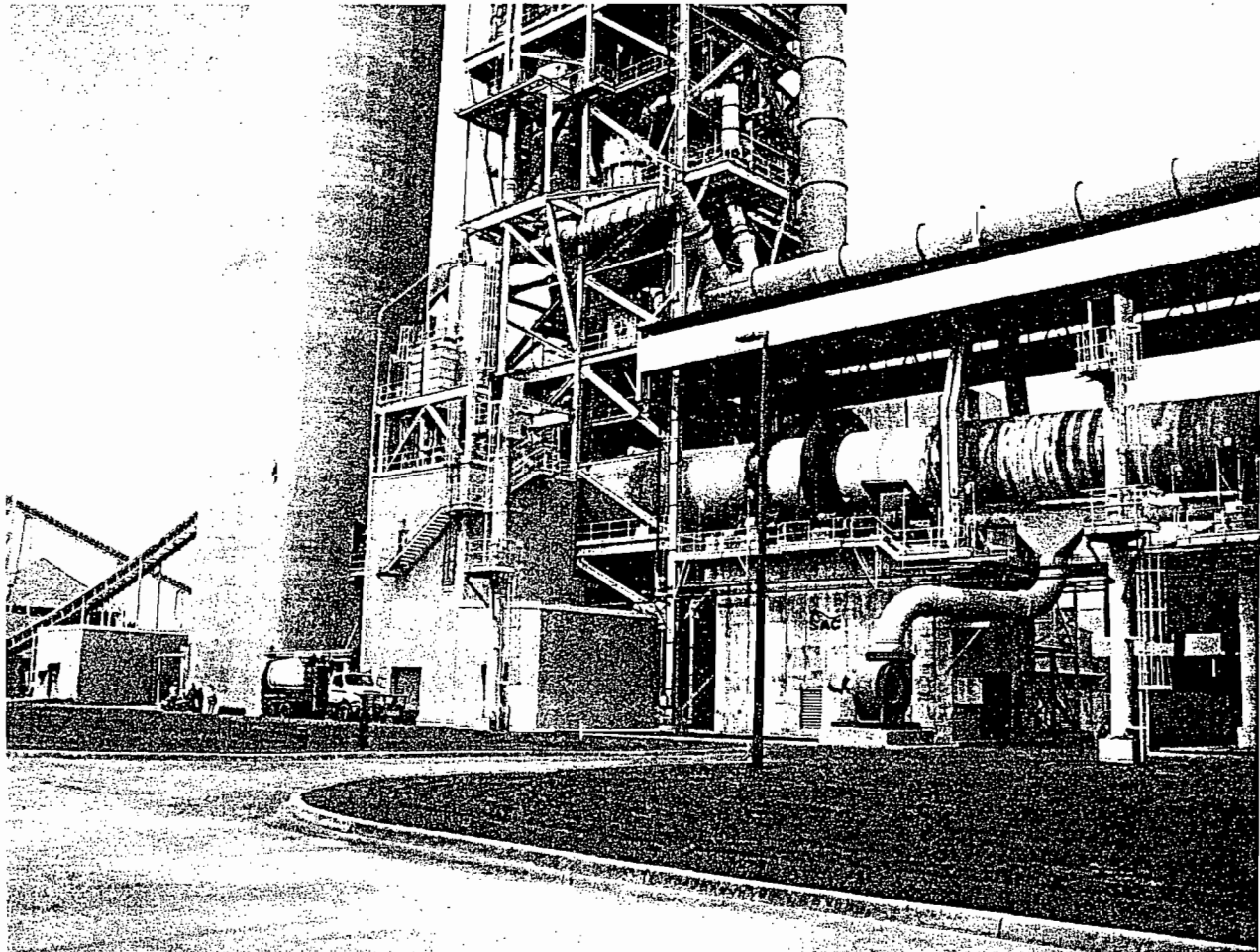
Diagram of Dry Process Cement Kiln with Preheater and Calciner Kiln

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The facility has been constructed and began operation in February 2003. Several photographs of the plant are shown on the following page. SAC has conducted compliance tests and applied for a Title V Operation Permit. At this time, it is operating at or near its full capacity.



Cement Plant Under Construction (Photo DEP) Completed Cement Plant (Photo SAC Website)



Kiln Inlet, Main Stack, Lower Preheater, Calciner, and Tertiary Air Ducts (Photo A. Linero)

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

IV. WHEEL WASHING REQUIREMENT

SAC has requested an air construction permit modification to amend requirements related to fugitive particulate control. The construction permit lists the following reasonable precautions to minimize unconfined emissions of particulate matter:

- Paving and maintenance of roads, parking areas and yards.
- Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.
- Application of asphalt, water, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent re-entrainment, and from buildings or work areas to prevent particulate from becoming airborne.
- Landscaping or planting of vegetation.
- Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- Confining abrasive blasting where possible.
- Enclosure or covering of conveyor systems.

Additional reasonable precautions applicable to this facility listed in the permit include the following:

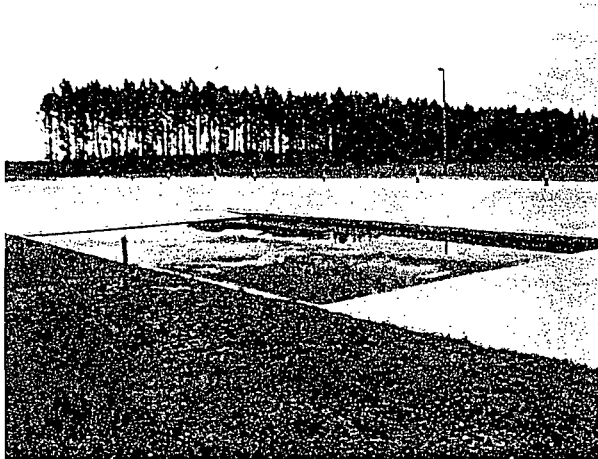
- All materials, coal and petroleum coke at the plant shall be stored under roof on compacted clay or concrete, or in enclosed vessels.
- Water supply lines, hoses and sprinklers shall be located near all materials, coal and petroleum coke stockpiles.
- All plant operators shall be trained in basic environmental compliance and shall perform visual inspections of materials, coal and petroleum coke regularly and before handling. IF the visual inspections indicate a lack of surface moisture, the materials, coal and petroleum coke shall be wetted with sprinklers. Such wetting shall continue until the potential for unconfined particulate emissions are minimized.
- Water spray bars shall be located at each unenclosed material and fuel conveyor, and the spray bars shall be used to wet the materials and fuel if inherent moisture and moisture from wetting the storage piles are not sufficient to prevent unconfined particulate matter emissions.
- The manufacturing area and the access roadways for the facility shall be paved with asphalt or concrete.
- Bulk transport trucks leaving the plant shall travel through a tire wash, designed to remove particulate matter from vehicle tires, before traveling on the facility's access roadways.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

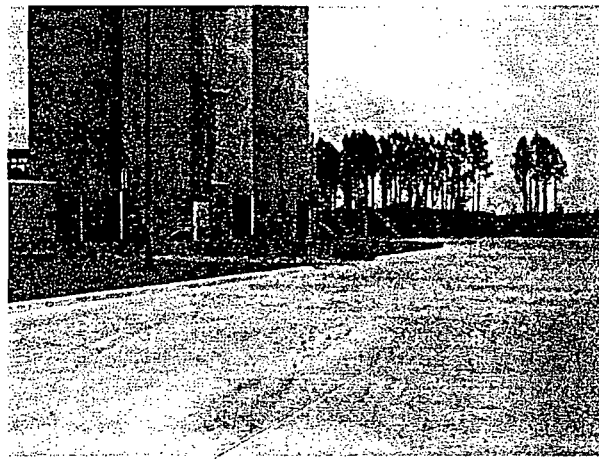
SAC requested removal of the requirement that bulk transport trucks leaving the plant shall travel through a tire wash before traveling on the facility's access roadways under the rationale that the other reasonable precautions suffice to control fugitive emissions. Removal of the requirement would eliminate the potential generation of wastewater and conserve water. SAC is also concerned that the implementation of the wheel wash would require a Department-issued industrial wastewater permit.

As part of the original BACT determination preliminary modeling for significant impact analysis using the proposed project's worst case emission scenario with receptors placed in Class II areas and the Chassahowitzka, St. Marks, Bradwell Bay, and Okefenokee PSD Class I areas showed a significant impact from PM_{10} . The subsequent PSD increment analysis and AAQS Analysis showed that maximum predicted impacts of PM_{10} are less than the allowable Class II increment and that PM_{10} emissions from the facility were not expected to cause or significantly contribute to a violation of any AAQS.

To date, the required wheel wash station for unconfined particulate control has not been utilized. The concrete structure is in place, however the water supply to the wheel wash has not been connected.



Wheel Wash Area

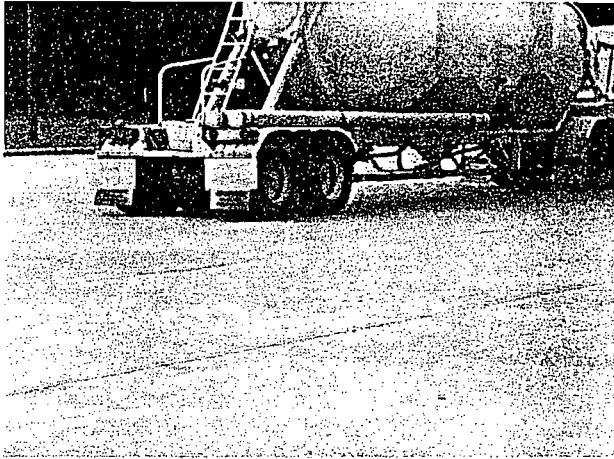


Truck Loading Area

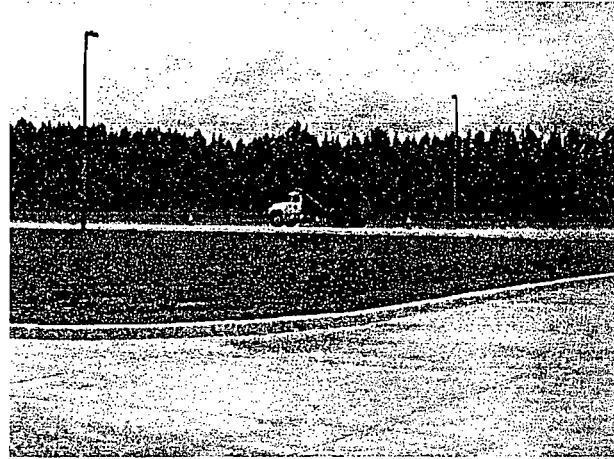
Excess water originating from the relatively small wheel wash would be diverted to the existing permitted storm water retention pond (design capacity 416,788 ft³) and remain on site. Also, the entrance to the plant from the major roadway is a sufficient distance from the wheel wash so that the possibility of waste water leaving the plant on the vehicle wheels is not a concern.

The main access road leading to the plant and the road leading to the cement silos are both paved. SAC currently is using a street sweeper on an as needed basis for particulate control on the roads within the facility. The dust is captured and re-introduced into the process.

NED compliance personnel have frequently been on-site at SAC since it began operation. Prior to the use of the street sweeper some dust was visible on the road and roadside, however it appeared to be contained within the facility property. Since the street sweeper has been employed, fugitive dust from truck traffic on the road and roadside has been minimal to non-existent according to NED inspectors. Ambient monitoring PM_{10} data from 2 sites near the plant consistently remain well below the national ambient air quality standard (NAAQS).



Truck Leaving Loading Area



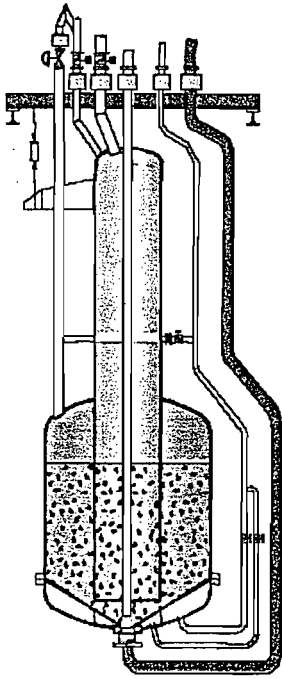
Paved Access Road Leading to Plant Exit

V. CLINKER SCALE

SAC has also requested to amend requirements related to production measurement. The construction permit specific condition for records of process and production rates requires the maintenance of records of the process rate of dry preheater feed in units of tons per hour and tons per consecutive 12-month period, and the production rate of clinker and cement in units of tons per hour and tons per consecutive 12-month period. Additionally there is a requirement that the clinker production rate be directly measured independent of preheater feed. SAC has requested that the Department delete the requirement to measure clinker production independently of preheater feed.

Preheater feed is processed and measured using the Polysius Poldos system. SAC uses the preheater feed measurement and a Loss of Ignition (LOI) Factor determined in the laboratory to determine the clinker produced. According to SAC, this method is an industry standard that accurately determines the clinker produced which corresponds with physical inventory and cement production. SAC determines their own production for accounting and inventory purposes using this method.

The POLDOS proportioning system is designed to continuously convey fine-grained, bulk material in proportioned quantities through vertically laid pipes.¹ Conveying pressure is the controlled variable for the throughput regulator. A characteristic curve of the relationship between conveying pressure and throughput is stored within the control system. During calibration, material feed through the system is stopped and actual throughput is determined from the percentage of weight loss within the storage vessel over the measuring time. Deviations from the characteristic curve are corrected so that the actual throughput value is indicated correctly.² These calibrations and corrections are automatically initiated at SAC. This throughput preheater feed rate is used to calculate clinker production as discussed above.

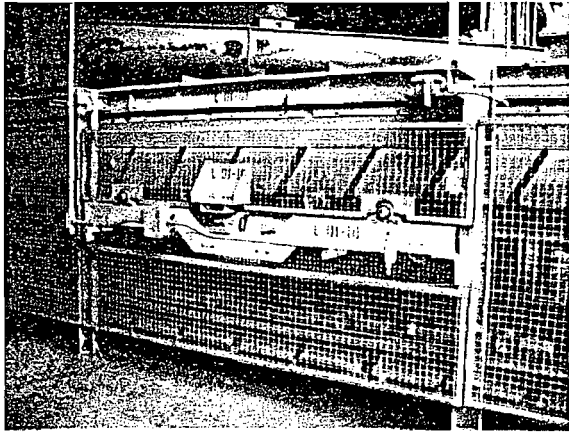


POLDOS Proportioning System

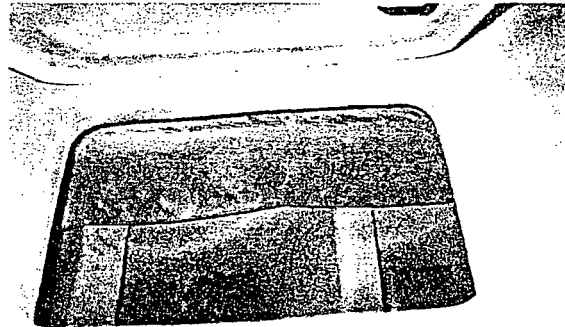


POLDOS system at SAC

To satisfy the additional direct measurement requirement of the permit, SAC also uses a MERRICK model 465A WEIGHTOMETER[®] load cell for measurement of clinker production as it exits the clinker cooler. This rate is recorded in the NEXUS software. Because of the heat of the clinker, a pan conveyor must be used to transport the clinker over the load cell. SAC claims that the non-continuous contact with the load cell and the varying amounts of clinker accumulation in the conveyor pans contributes to the inaccuracies of the clinker scale.



Load Cell Clinker Scale



Clinker Nodules in Conveyor Pan

Methods of using preheater feed measurement and LOI factor as described earlier are commonly used for accurately determining clinker production. The POLDOS proportioning system is currently in use at similar facilities in Florida without the additional requirement to measure the clinker rate independently of preheater feed.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

The Department requested the input of its own independent consultant on cement manufacturing. Dr. F. Mac Gregor Miller is a reknown expert on raw materials, chemistry, and cement manufacturing who previously worked at the Portland Cement Association and the Construction Technology Laboratory in Skokie, Illinois. Dr. Miller was also the technical director of a large cement company as well as a plant manager.

Following is Dr. Miller's assessment:

Discussion on Clinker Scales, and Recommendations for Determining Production Level at Suwannee American Cement

Most cement plants determine their clinker production by applying a factor to the kiln feed usage. Strictly speaking, the clinker produced (C) will be equal to the kiln feed to the kiln (KF) (expressed on a loss-free basis) plus the fuel ash (FA), minus any dust recycled (RD) to the process (loss free basis) and minus the loss free basis of any dust removed (WD) from the process and finally, minus the loss free basis of any dust emitted from the stack (SD) – usually a very small quantity. Expressed as an equation:

$$C = KF (1-LOI_{KF}/100) + FA - RD (1-LOI_{RD}/100) - WD (1-LOI_{WD}/100) - SD (1-LOI_{SD}/100)$$

The relationship between the amount of kiln feed and the amount of clinker is a dynamic one. The recycle dust may not be a consistent amount, and it is usually weighed with the kiln feed. The amount of waste dust will be dictated by whether the kiln has a bypass or not, whether the composition of the material is suitable for re-introduction into the kiln system, etc. The clinker may not discharge uniformly from the kiln, because of the “stickiness” of the material in the kiln, or because of a flush of material through the burning zone, or a host of other potential reasons. Furthermore, clinker scales do not maintain calibration well. The flow is non-uniform, clinker particle size distribution is not constant, and clinker is a very abrasive material, punishing to weighing devices.

For these reasons, it is strongly recommended that the kiln feed rate be used to establish production levels. The “Poldos” system supplies a uniform flow of material and is easily calibrated. The device maintains calibration well, provided it is properly maintained.

The question therefore arises as to how the kiln feed rate is used to reliably establish clinker production rate. The following protocol is suggested:

1. The amount of clinker generated C is determined by taking inventory (I_i , tons) at the beginning of the test period, and at the end (I_f , tons). The amount of clinker ground into cement (C_c) is known by the scales on the finish mill feed belts; if this is unreliable, the cement inventory at the beginning of the time period and at the end is determined by silo measurements. The amount of clinker produced (C) during the time period (usually one month) is determined by adding C_c to the difference between I_f and I_i .
2. Since Suwannee does not discard any dust from the system, the material characterized above as “WD” does not have to be considered.
3. The material “SD” can be neglected, as it is believed that SAC has established compliance with particulate emission standards. If this is not the case, a stack test to establish that this amount is negligible could be required.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

4. The fuel ash ("FA") can be determined on the coal, and is furnished by the fuel supplier.
5. The loss on ignition of the recycle dust is determined on a monthly basis.
6. With the data obtained from the tests, the clinker production can be calculated.
7. The ratio (R) between the monthly tonnages of kiln feed (KF) (as determined by calibrated Poldos readings) and the calculated clinker production (C) is established. This ratio will probably be somewhere around 1.71. The reproducibility of this ratio is established over a six month time period. If it is reasonably consistent, the production can be determined by dividing the Poldos reading for the month by this ratio R.

This document and other related material will be available on the DARM website at the following location: <http://www.dep.state.fl.us/Air/permitting/construction/suwannee.htm>.

VI. CONCLUSION

The Department will allow SAC to continue to utilize the mechanical street sweeper and the other reasonable precautions listed in the permit in lieu of the wheel wash for control of unconfined particulate matter.

Equipment integrity will inherently degrade over time. The existing wheel wash will remain in place and available to be employed should conditions at the facility warrant additional reasonable assurance for the control of PM₁₀.

The Department will remove the requirement to measure clinker production independently of preheater feed.

The proposed changes are highlighted in the draft permit modification distributed concurrently with this evaluation.

No emission increases will occur as a result of these changes. PM₁₀ emissions are already very low. The street sweeper has been in use for one year and fugitive dust due to truck traffic at the facility has not been a problem.

REFERENCES

- 1 Polysius, POLDOS Machine Manual
- 2 ThyssenKrupp, Presentation, POLDOS-SR Proportioning System.