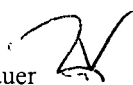



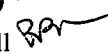
Memorandum

Florida Department of Environmental Protection

TO: Joe Kahn

THRU: Trina Vielhauer 

THRU: Jeff Koerner 

FROM: Bruce Mitchell 

DATE: March 15, 2007

SUBJECT: CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties
Final Air Construction Permit
7775369-001-AC
Portable Transloader

Attached is the Final Air Construction Permit.

The subject of the Air Construction Permit is to permit a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks at several permitted sites (in counties where Public Notice has been published) throughout Florida. The air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The portable transloader is designed to be dismantled, moved to a new location and reassembled.

Attachments

JK/tlv/jfk/bm

NOTICE OF FINAL AIR CONSTRUCTION PERMIT

In the Matter of an
Application for Permit:

Mr. Jose De La Garza, Director – Logistics Operations Florida
CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Permit Project No.: 7775369-001-AC
Relocatable Transloader
Charlotte, Collier and Hillsborough Counties

Enclosed is the Final Air Construction Permit, Project No. 7775369-001-AC. The subject of the permit is to authorize construction by CEMEX Construction Materials L.P. for a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks in Charlotte, Collier and Hillsborough Counties. This permit is issued pursuant to Chapter 403, Florida Statutes (F.S.). No comments were received during the Public Notice period.

Any party to this order has the right to seek judicial review of the permit (letter) pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, 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 of Appeal must be filed within 30 days from the date this order is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief
Bureau of Air Regulation

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF FINAL AIR CONSTRUCTION PERMIT (including the Final Determination and the Final Permit) was sent electronically (received receipt requested) before the close of business on 3/21/07 to the persons listed or as otherwise noted:

Mr. Jose De La Garza, Director–Logistics Operations Florida, CEMEX Construction Materials L.P.
(jose.delagarza@cemexusa.com)

Ms. Denise Corrales, Facility Contact, CEMEX Construction Materials L.P. (denise.corrales@cemexusa.com)

Mr. Ron Blackburn, DEP – Southwest District (ron.blackburn@dep.state.fl.us)

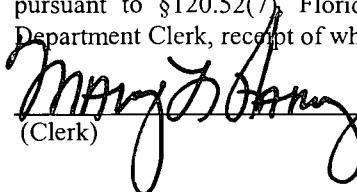
Mr. Jerry Campbell, Environmental Protection Commission of Hillsborough County (campbell@epchc.org)

Dr. John B. Koogler, P.E., Koogler & Associates, Inc. (jkoogler@kooglerassociates.com)

Mr. Pradeep Raval, Application Contact, Koogler & Associates, Inc. (praval@kooglerassociates.com)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.


(Clerk) 3/21/07
(Date)

Final Determination

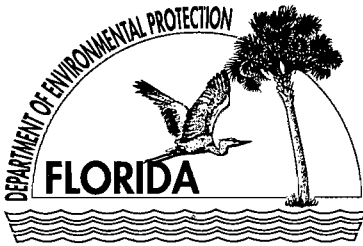
CEMEX Construction Materials L.P.
Relocatable Transloader

Air Construction Permit No.: 7775369-001-AC

Charlotte, Collier and Hillsborough Counties

An "INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" for CEMEX Construction Materials L.P. for a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks in Charlotte, Collier and Hillsborough Counties, was clerked on February 9, 2007. The "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" was published in the following newspapers: the Sun on February 22, 2007; The Tampa Tribune on February 23, 2007; and, the Naples Daily News on February 26, 2007. The Draft Air Construction Permit was available for public inspection at the Hillsborough County Environmental Protection Commission office in Tampa, the Department's Southwest District office in Tampa, and the permitting authority's office in Tallahassee. Proof of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT" was received on March 8, 2007.

No comments were received during the Public Notice period. Therefore, it is recommended that the Final Air Construction Permit be issued as noticed.



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

PERMITTEE

CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Authorized Representative:

Mr. Jose De La Garza, Director – Logistics Operations Florida

| |
|---|
| Permit No. 7775369-001-AC Portable Transloader Facility ID No. 7775369 Expires: March 16, 2012 |
|---|

PROJECT


This permit authorizes the construction (assemble, dismantle and reassemble) of a 100 tons per hour (500,000 tons per consecutive 12-months) portable transloader to be based at several locations in Florida. The transloader may be relocated to any site within a previously permitted county identified in Appendix PC by submitting a Facility Notification Relocation Form to the appropriate District Office and/or Local Air Program at least 5 days before relocating. The portable transloader is categorized as a synthetic, non-Title V, minor source of air pollution.

STATEMENT OF BASIS

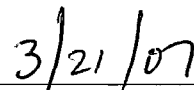
This air pollution construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.), and the Florida Administrative Code (F.A.C.) Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297. The permittee is authorized to construct the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices



Joseph Kahn, Director
Division of Air Resource Management



(Date)

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

The portable transloader is a diesel powered mobile unit that has an enclosed chain conveyor with an integral dust collector for controlling particulate matter from its operation. The rail car to conveyor transfer point is sealed with a pneumatic rubber boot while the conveyor to the hauling or tanker truck (truck) transfer point has a telescoping inner chute through which the material discharges and an outer shell that seals against the truck. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The baghouse is a Donaldson Unimasters Dust Collector, Model C20H, 3600 Series. No hazardous or radioactive material is authorized to be handled by the portable transloader. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is designed to be dismantled, moved to a new location and reassembled.

The potential locations are:

1. CEMEX Construction Materials L.P. – Punta Gorda Batch Plant, Acline Road, Punta Gorda, Charlotte County;
2. CEMEX Construction Materials L.P. – Wiggins Pass Road Facility, Wiggins Pass, Naples, Collier County;
3. CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County; and,
4. Temporary use along the rail tracks in Charlotte, Collier and Hillsborough Counties.

REGULATORY CLASSIFICATION

Title III: The facility will not be a major source of hazardous air pollutants (HAP).

Title IV: The facility will have no emissions units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility will not be a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The facility will not be a PSD-major facility in accordance with Rule 62-212.400, F.A.C.

NSPS: The facility is not subject to New Source Performance Standard Subparts in 40 CFR 60. However, the portable transloader would be subject to the provisions of 40 CFR 60, Subpart OOO, if it operates in series with a aggregate crusher or grinder.

NEHSAP: There are no emissions units subject to any National Emissions Standards for HAPs in 40 CFR 61 or 63.

SIP: The portable transloader is subject to the following regulations: The following rules will apply within specific areas of the state: Rule 62-296.320(4)(a)2., F.A.C., Process Weight Table – Particulate Matter Emissions Standard; Rule 62-296.320(4)(b)1., F.A.C., General Visible Emissions Standard; Rule 62-296.711, F.A.C. (RACT for Materials Handling, Sizing, Screening, Crushing and Grinding Operations in the designated PM Maintenance Areas); and, Rule 62-4.070(3), F.A.C., Standards for Issuing or Denying Permits.

Local Air Programs: The portable transloader is also subject to the following regulations when operating in the designated PM Maintenance area of Hillsborough County: Rules 1-3.50, 1-3.51, 1-3.52 and 1-3.60, Rules of the Environmental Protection Commission of Hillsborough County (EPCHC).

APPENDICES

The following Appendices contain applicable requirements and are attached as a part of this permit.

Appendix A. Citation Formats

Appendix CA. List of Compliance Authorities

Appendix CC. Common Conditions

SECTION 1. GENERAL INFORMATION

Appendix GC. General Conditions

Appendix PC. Permitted Counties

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete; the draft permit package including the Department's Technical Evaluation and Preliminary Determination; publication and comments; and, the Department's Final Determination.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct, modify and operate emissions units regulated by this permit shall be submitted to the Department's Bureau of Air Regulation at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all such documents shall be submitted to the appropriate Compliance Authority.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the appropriate Compliance Authority for the portable transloader's location. A list of the Department's District Offices and approved Local Air Programs is provided in Appendix CA of this permit.
3. Citation Format: Appendix A of this permit identifies the format used to cite applicable requirements.
4. Common Conditions: The permittee is subject to the applicable requirements in the attached Common Conditions in Appendix CC of this permit. [Chapters 62-4, 62-210, 62-296, and 62-297, F.A.C.]
5. General Conditions: The permittee is subject to the attached General Conditions in Appendix GC of this permit. [Rule 62-4.160, F.A.C.]
6. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the F.S.; Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the F.A.C. The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C., and follow the application procedures in Chapter 62-4, F.A.C. Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
7. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
8. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
9. Extension of Expiration Date: For good cause, the permittee may request that this air construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least 60 days before the expiration of this permit. [Rules 62-210.300(1), 62-4.070(4) and 62-4.210, F.A.C.]
10. Air Operation Permit: This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. An air operation permit is required for commercial operation of the permitted emissions unit. The permittee shall apply for an air operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for an air operation permit, the applicant shall submit the appropriate application form in quadruplicate, the corresponding processing fee, compliance test results, and such additional information as the Department may by law require. [Rules 62-4.030, 62-4.050, 62-4.220, 62-210.300(2), and 62-210.900, F.A.C.]
11. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least three (3) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon

SECTION 2. ADMINISTRATIVE REQUIREMENTS

request. [Rule 62-4.160(14), F.A.C.]

12. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from the portable transloader. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]
13. Facility Relocation: The permittee is authorized to relocate the portable transloader to any site within a previously "permitted county" as identified in Appendix PC of this permit. At least five (5) days prior to the relocation, the permittee shall submit a Facility Relocation Notification Form (DEP Form No. 62-210.900(6), F.A.C.) to the current Compliance Authority and the new Compliance Authority identifying the proposed move. This air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements. [Rule 62-210.370(4), F.A.C.]
14. Adding New Permitted Counties: The portable transloader shall only be relocated to sites within previously permitted counties as identified in Appendix PC of this permit. To add a county to the list of permitted counties, the permittee shall provide the Bureau of Air Regulation with a letter of request with the following information: identification of the portable transloader and the air construction and operation permits; a statement that there have been no physical changes made to the portable transloader nor any change in the method of operation; the latest compliance test report; a list of previously permitted counties; the new county to be added and the specific site where the portable transloader will be located in the future (if known); and the Facility Relocation Notification Form No. 62-210.900(6), F.A.C. (if relocating). A copy of this information shall be submitted to the appropriate Compliance Authority for the proposed new site. The Bureau of Air Regulation will process the request as a modification of the air construction permit and a revision of the air operation permit. The permittee must publish a new Public Notice provided by the Bureau of Air Regulation in a newspaper of general circulation for the new county. The Public Notice provides administrative rights for affected parties to petition for an administrative hearing or provide comments on the draft permit. If there are no substantial comments and no petitions for administrative hearings, the Department will issue a final air construction permit and a revised air operation permit recognizing the new permitted county. The permittee is authorized to relocate the portable transloader upon issuance of the final modified air construction permit and revised air operation permit. [Rules 62-210.300(1) & (2) and 62-210.350, F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

This section of the permit addresses the following emissions unit and related activities.

| ID No. | Emissions Unit Description |
|--------|----------------------------|
| 001 | Portable Transloader |

{Permitting Note: The facility is subject to the following regulations: The following rules will apply within specific areas of the state: Rule 62-296.320(4)(b)1., F.A.C., General Visible Emissions Standard; Rule 62-296.711, F.A.C. (RACT for Materials Handling, Sizing, Screening, Crushing and Grinding Operations in PM Maintenance Areas); Rules 1-3.50, 1-3.51, 1-3.52 and 1-3.60, Rules of the Environmental Protection Commission of Hillsborough County; and, Rule 62-4.070(3), F.A.C., Standards for Issuing or Denying Permits.}

EQUIPMENT

1. **Portable Transloader:** The permittee is authorized to construct (assemble, dismantle and reassemble) a portable transloader that is a diesel powered mobile unit that has an enclosed chain conveyor with an integral dust collector for controlling particulate matter from its operation. The rail car to conveyor transfer point is sealed with a pneumatic rubber boot while the conveyor to the hauling or tanker truck (truck) transfer point has a telescoping inner chute through which the material discharges and an outer shell that seals against the truck. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The baghouse is a Donaldson Unimasters Dust Collector, Model C20H, 3600 Series. No hazardous or radioactive material is authorized to be handled by the portable transloader. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is designed to be dismantled, moved to a new location and reassembled. [Design and Application No. 7775369-001-AC]

PERFORMANCE RESTRICTIONS

2. **Permitted Counties:** The permittee may relocate the portable transloader to any site within a previously permitted county as identified in Appendix PC. The conditions of this permit apply to the portable transloader as a whole regardless of the sites at which it may operate during any year. [Rules 62-4.070(3) and 62-210.300(1), F.A.C.]
3. **Hours of Operation:** The hours of operation are not limited (8760 hours per year). [Rule 62-210.200 (Definitions-PTE), F.A.C. and Application No. 7775369-001-AC]
4. **Permitted Capacity:** The maximum processing throughput rate is 100 tons per hour and shall not exceed 500,000 tons during any consecutive 12-months. [Rule 62-210.200(Definitions-PTE), F.A.C. and Application No. 7775369-001-AC]
5. **Fuel Limitations:** The portable transloader's diesel generator is authorized to fire diesel fuel oil. The sulfur content of any authorized fuel used at this plant shall not exceed 0.5%, by weight. The facility shall not fire more than 35,000 gallons of diesel fuel oil during any consecutive 12-months. [Rule 62-4.070(3), F.A.C. and Application No. 7775369-001-AC]

EMISSIONS STANDARDS

6. **Baghouse and Bags Minimum Design Specifications for Control of Particulate Matter:** The minimum design specifications of the baghouse control system and the bags used shall meet 0.02 grains per cubic foot. [Rule 62-4.070(3), F.A.C. and Application No. 7775369-001-AC]
7. **Visible Emissions:**
 - a. **General:** Visible emissions from the baghouse shall not exceed 5% opacity. [Rules 62-4.070(3) and

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

62-296.711(2)(a), F.A.C. and Application No. 7775369-001-AC]

b. *Hillsborough County*: “The permittee shall not cause, permit, or allow any visible emissions greater than 5% opacity from any (1) loading or unloading of materials to or from containers such as railcars, trucks, ships, storage structures and stockpiles, (2) receiving hoppers, (3) belt conveyors, and (4) static drop transfer points, when operating in the following designated air quality maintenance area for particulate matter: “That portion of Hillsborough County which falls within the area of the circle having a center point at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers.” [Rule 62-204.340, F.A.C. and Rule 1-3.52.2, Rules of the Environmental Protection Commission of Hillsborough County]

8. Unconfined Emissions of Particulate Matter. 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. Reasonable precautions shall include:

- a. Use of hoods, fans, filters, and similar equipment to contain, capture, control and/or vent particulate matter; and,
- b. Total enclosure, partial enclosure or covering of conveyor systems and/or operations.

[Rules 62-4.070(3), 62-296.320(4)(c) and 62-296.711(2)(b), F.A.C.]

EMISSIONS PERFORMANCE TESTING

9. Test Methods: Any tests required shall be performed in accordance with the following reference methods.

| EPA Method | Description of Method and Comments |
|------------|---|
| 9 | <i>Visual Determination of the Opacity of Emissions from Stationary Sources</i> |

Tests shall also be conducted in accordance with the requirements specified in Appendix CC of this permit. [Rules 62-296.320(4)(b), 62-297.100 and 62-297.401, F.A.C.]

10. Initial Compliance Tests: The baghouse exhaust shall be tested to demonstrate initial compliance with the visible emissions standards specified in this permit. The initial tests shall be conducted within 60 days after achieving maximum production, but not later than 180 days after initial operation of the unit. [Rule 62-297.310(7)(a)1, F.A.C.]

11. Annual Compliance Tests: During each federal fiscal year (October 1st to September 30th), the baghouse exhaust shall be tested to demonstrate compliance with the visible emissions standards of this permit. Visible emissions observations shall be conducted for at least 30 minutes. [Rules 62-297.310(4) and (7)(a)4., F.A.C.]

12. Tests Prior to Renewal: Within the 12-month period prior to expiration of the operation permit, the baghouse exhaust shall be tested to demonstrate compliance with the visible emissions standards of this permit. Visible emissions observations shall be conducted for at least 30 minutes. [Rules 62-297.310(4) and (7)(a)3., F.A.C.]

13. Test Notification: At least 15 days prior to conducting any tests, the permittee shall notify the Compliance Authority for the current site in writing of the following information: the date, time, and place of each such test; and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9., F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

RECORDS AND REPORTS

14. Fuel Sulfur Records: The permittee shall maintain records to demonstrate that each shipment of diesel fuel oil has 0.5%, or less, sulfur content, by weight, and that the sulfur content was determined by ASTM Method D4057-88 and ASTM Methods D129-91, ASTM D2622-94 or ASTM D4294-90, adopted and incorporated by reference in subsection 62-297.440(1), F.A.C. More recent versions of these methods may be used. A bill-of-lading provided upon each delivery of diesel fuel oil may be used to document the fuel sulfur content and associated test method(s). [Rules 62-4.070(3) and 62-297.440(1), F.A.C.]
15. Daily Logs: Each day of operation, operators shall record the following information into a written log: the location of the plant; the daily hours of operation; the daily production rate (tons of material processed); any maintenance and repair performed on the production or air pollution control equipment; amount of diesel fuel oil fired; and, any watering conducted to reduce fugitive dust. Daily logs shall be made available to any Compliance Authority upon request. [Rule 62-4.070(3), F.A.C.]
16. Monthly Records: The permittee shall record the following information in a written log for the operation for all sites: tons of material processed by site and the running total gallons of diesel fuel oil fired. Such records shall be retained for three (3) years. [Rules 62-4.070(3) and 62-4.160(14), F.A.C.]
17. O&M Plan: The permittee shall keep an operation and maintenance (O&M) plan for the baghouse control system. The O&M plan shall include: the bag specifications; the typical range of pressure drop across the baghouse; and, the planned frequency for regular baghouse maintenance. [Rule 62-4.070(3), F.A.C.]

SECTION 4. APPENDICES
CONTENTS

- Appendix A. Citation Formats
- Appendix CA. List of Compliance Authorities
- Appendix CC. Common Conditions
- Appendix GC. General Conditions
- Appendix PC. Permitted Counties

SECTION 4. APPENDIX A

CITATION FORMATS

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

Example: Permit No. AC50-123456 or Air Permit No. AO50-123456

Where: “AC” identifies the permit as an Air Construction Permit
“AO” identifies the permit as an Air Operation Permit
“123456” identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: “099” represents the specific county ID number in which the project is located
“2222” represents the specific facility ID number
“001” identifies the specific permit project
“AC” identifies the permit as an air construction permit
“AF” identifies the permit as a minor federally enforceable state operation permit
“AO” identifies the permit as a minor source air operation permit
“AV” identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: “PSD” means issued pursuant to the Prevention of Significant Deterioration of Air Quality
“FL” means that the permit was issued by the State of Florida
“317” identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

SECTION 4. APPENDIX CA
LIST OF COMPLIANCE AUTHORITIES

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION – DISTRICT OFFICES

NORTHEAST DISTRICT

Air Resource Section
7825 Baymeadows Way, Suite 200 B
Jacksonville, FL 32256-7590
Phone: (904) 807-3300

NORTHWEST DISTRICT

Air Resource Section
160 Governmental Center, Suite 308
Pensacola, FL 32502-5794
Phone: (850) 595-8300

SOUTH DISTRICT

Air Resource Section
2295 Victoria Avenue, Suite 364
P.O. Box 2549
Fort Myers, FL 33902-2549
Phone: (239) 332-6975

SOUTHEAST DISTRICT

Air Resource Section
400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6600

SOUTHWEST DISTRICT

Air Resource Section
13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926
Phone: (813) 632-7600

CENTRAL DISTRICT

Air Resource Section
3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767
Phone: (407) 894-7555

SECTION 4. APPENDIX CA
LIST OF COMPLIANCE AUTHORITIES

APPROVED LOCAL AIR PROGRAMS

Eight approved local air programs conduct ambient air monitoring and take lead responsibility for air compliance and enforcement activities in their counties. Six of these programs are also delegated district level air permitting authority.

Broward County

Department of Planning and Environmental
Protections
Air Quality Division
115 S. Andrews Avenue, Suite A-240
Fort Lauderdale, Florida 33301-4800
Phone: 954-519-1220

Orange County

Environmental Protection Division
Air Section
800 Mercy Drive, Suite 4
Orlando Florida 32308-7896
Phone: 407-836-1447

Miami-Dade County

Air Quality Management Division
Department of Environmental Resources
Management
Miami Dade County
701 NW 1st Court, Suite 400
Miami, Florida 33136
Phone: 305-372-6925

Palm Beach County Health Department

Division of Environmental Science & Engineering
Air Pollution Control Section
901 Evernia Street
P.O. Box 29
West Palm Beach, Florida 33401-0029
Phone 561-840-4500

Duval County

Regulatory and Environmental Services Department
Air and Water Quality Division
117 W. Duval Street, Suite 225
Jacksonville, Florida 32202-3700
Phone: 904-630-4900

Pinellas County

Department of Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 33756-5424
Phone: 727-464-4422

Hillsborough County

Environmental Protection Commission
Air Management Division
3629 Queen Palm Drive
Tampa, Florida 33619
Phone: 813-627-2600

Sarasota County

Water Resources Department
Pollution Control Division
2817 Cattlemen Road
Sarasota, Florida 34232-6244
Phone: 941-861-6209

SECTION 4. APPENDIX CC

COMMON CONDITIONS

{Permitting Note: Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.}

EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. This state provision cannot be used to vary any applicable NSPS requirements from 40 CFR 60. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(Definitions), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20%

SECTION 4. APPENDIX CC

COMMON CONDITIONS

below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Applicable Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
 - a. *Required Sampling Time*.
 - 1) Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
 - 2) Opacity Compliance Tests. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
 - b. *Minimum Sample Volume*. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. *Required Flow Rate Range*. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
 - d. *Calibration of Sampling Equipment*. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.
 - e. *Calibration of Sampling Equipment*. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.
 - f. *Allowed Modification to EPA Method 5*. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.
[Rule 62-297.310(4), F.A.C.]
14. Determination of Process Variables
 - a. *Required Equipment*. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input, when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
 - b. *Accuracy of Equipment*. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value. [Rule 62-297.310(5), F.A.C.]

SECTION 4. APPENDIX CC

COMMON CONDITIONS

15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9, F.A.C.]
17. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
 1. The type, location, and designation of the emissions unit tested.
 2. The facility at which the emissions unit is located.
 3. The owner or operator of the emissions unit.
 4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 8. The date, starting time and duration of each sampling run.
 9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 10. The number of points sampled and configuration and location of the sampling plane.
 11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 12. The type, manufacturer and configuration of the sampling equipment used.
 13. Data related to the required calibration of the test equipment.
 14. Data on the identification, processing and weights of all filters used.
 15. Data on the types and amounts of any chemical solutions used.
 16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 18. All measured and calculated data required to be determined by each applicable test procedure for each run.
 19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

SECTION 4. APPENDIX CC

COMMON CONDITIONS

20. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rule 62-4.160(14), F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(2), F.A.C.]

SECTION 4. APPENDIX GC
GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

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

SECTION 4. APPENDIX GC
GENERAL CONDITIONS

shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable); and
 - c. Compliance with New Source Performance Standards (NSPS Subparts A and I).
14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - 1) The date, exact place, and time of sampling or measurements;
 - 2) The person responsible for performing the sampling or measurements;
 - 3) The dates analyses were performed;
 - 4) The person responsible for performing the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) The results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SECTION 4. APPENDIX PC

PERMITTED COUNTIES

The permittee has provided proof of publication of the Department's Intent to Issue Air Permit in a newspaper of general circulation for the counties identified in the following table. The permittee is authorized to operate at any site within a permitted county by submitting a Facility Relocation Notification Form No. 62-210.900(6), F.A.C., at least 5 days prior to relocating. This air permit does not relieve the owner from complying with other local provisions such as zoning requirements.

| Permitted Counties | Publication Date | Permitted Counties | Publication Date | Permitted Counties | Publication Date |
|--------------------|------------------|--------------------|------------------|--------------------|------------------|
| Alachua | | Hamilton | | Okeechobee | |
| Baker | | Hardee | | Orange | |
| Bay | | Hendry | | Osceola | |
| Bradford | | Hernando | | Palm Beach | |
| Brevard | | Highlands | | Pasco | |
| Broward | | Hillsborough | 02/23/2007 | Pinellas | |
| Calhoun | | Holmes | | Polk | |
| Charlotte | 02/22/2007 | Indian River | | Putnam | |
| Citrus | | Jackson | | St. Johns | |
| Clay | | Jefferson | | St. Lucie | |
| Collier | 02/26/2007 | Lafayette | | Santa Rosa | |
| Columbia | | Lake | | Sarasota | |
| Dade | | Lee | | Seminole | |
| DeSoto | | Leon | | Sumter | |
| Dixie | | Levy | | Suwannee | |
| Duval | | Liberty | | Taylor | |
| Escambia | | Madison | | Union | |
| Flagler | | Manatee | | Volusia | |
| Franklin | | Marion | | Wakulla | |
| Gasden | | Martin | | Walton | |
| Gilchrist | | Monroe | | Washington | |
| Glades | | Nassau | | | |
| Gulf | | Okaloosa | | | |



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MAR 08 2007

BUREAU OF AIR REGULATION

March 7, 2007

Mr. Bruce Mitchell
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
2600 Blair Stone Road
MS #5505
Tallahassee, FL 32399-2400

VIA FEDEX

Re: CEMEX Construction Materials, L.P.
Request for Relocatable Transloader
Draft Permit No: 7775369-001-AC

Dear Mr. Mitchell:

Enclosed please find Proof of Publication for the above-captioned draft permit from the following newspapers:

1. Affidavit from Naples Daily News,
2. Affidavit from Charlotte Sun, and
3. Affidavit from Tampa Tribune.

If you have any questions, or require additional information, please do not hesitate to contact me.

Very truly yours,

Denise Corrales
Director Environmental
Southeast

Enclosures

Draft Air Permit No. 7775369-001-AC

Portable Transloader
CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties

Applicant: The applicant for this project is CEMEX Construction Materials L.P. The applicant's authorized representative and mailing address is: Mr. Jose De La Garza, Director of Logistics Operations Florida, CEMEX Construction Materials L.P., 3820 Northdale Blvd., Suite 100B, Tampa, Florida 33624.

Facility Location: The applicant proposes to construct a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough counties. The portable unit will be based primarily at the following locations:

CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County;

CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and

CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County.

However, the portable transloader may also be operated at other any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc. Powered by a diesel engine, the unit has an enclosed chain conveyor and an integral dust collector to control particulate matter emissions. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The entire transfer system is maintained under negative pressure and exhausted through the dust collector. The portable transloader will process no more than 500,000 tons of materials in any consecutive 12 months. Potential particulate matter emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds from fuel combustion.

With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Tampa Tribune

Published Daily

Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough } SS.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

was published in said newspaper in the issues of

02/23/2007

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 23 day of February, A.D. 2007

Personally Known or Produced Identification
Type of Identification Produced _____



Ana Maria Hodel
Commission #DD551367
Expires: MAY 11, 2010
www.AARONOTARY.com

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MAR 08 2007

BUREAU OF AIR REGULATION

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

7312 2/23/07

Affidavit of Publication
Naples Daily News

CEMEX, INC.
1425 E WIGGINS PASS RD
NAPLES FL 34110

REFERENCE: 064949
59362354 FLORIDA DEPARTMENT O

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she 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 the said newspaper.

PUBLISHED ON: 02/26 02/26

AD SPACE: 447.000 INCH
FILED ON: 02/26/07

Signature of Affiant

B. S

Sworn to and Subscribed before me this 2nd day of March 2007

Personally known by me

Chanel McDonald



Chanel A. McDonald
MY COMMISSION # DD210203 EXPIRES
June 29, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

RECEIVED

MAR 08 2007

BUREAU OF AIR REGULATION

Florida Department of Environmental Protection
Division of Air Resource Management
Draft Air Permit No. 7775369-001-AC
Portable Transloader
CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties

Applicant: The applicant for this project is CEMEX Construction Materials L.P. The applicant's authorized representative and mailing address is: Mr. Jose De La Garza, Director of Logistics Operations Florida, CEMEX Construction Materials L.P., 3820 Northdale Blvd., Suite 100B, Tampa, Florida 33624.

Facility Location: The applicant proposes to construct a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough counties. The portable unit will be based primarily at the following locations:

CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County;

CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and

CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County.

However, the portable transloader may also be operated at other any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc. Powered by a diesel engine, the unit has an enclosed chain conveyor and an integral dust collector to control particulate matter emissions. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The entire transfer system is maintained under negative pressure and exhausted through the dust collector. The portable transloader will process no more than 500,000 tons of materials in any consecutive 12 months. Potential particulate matter emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds from fuel combustion.

With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.
February 26

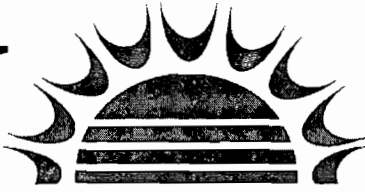
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BUREAU OF AIR REGULATION

SUN



NEWSPAPERS

Charlotte • DeSoto • Englewood • North Port • Venice

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management
Draft Air Permit No. 7775369-001-AC

Portable Transloader
CEMEX Construction Materials L.P.

Charlotte, Collier and Hillsborough Counties

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PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA
COUNTY OF CHARLOTTE:

Before the undersigned authority personally appeared Amber Freeman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Permit, was published in said newspaper in the issues of:

February 22, 2007

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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 the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 22nd day of February, 2007.

(Signature of Notary Public)

NOTARY PUBLIC-STATE OF FLORIDA
Donna Sebastian
Commission #DD440410
Expires: JUNE 13, 2009
Bonded Thru Atlantic Bonding Co., Inc.



emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds from fuel combustion. With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

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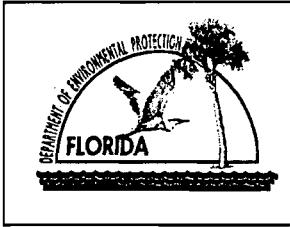
120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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.

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Mediation: Mediation is not available for this proceeding. Publish: February 22, 2007 266437 1834672



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Department of Environmental Protection

Division of Air Resources Management BUREAU OF AIR REGULATION

APPLICATION FOR AIR PERMIT - NON-TITLE V SOURCE

See Instructions for Form No. 62-210.900(3)

I. APPLICATION INFORMATION

Identification of Facility

| | |
|--|---|
| 1. Facility Owner/Company Name: CEMEX Construction Material L.P. | |
| 2. Site Name: CEMEX | |
| 3. Facility Identification Number: State-wide [] Unknown | |
| 4. Facility Location: State-wide Street Address or Other Locator: City: County: Zip Code: | |
| 5. Relocatable Facility? [X] Yes [] No | 6. Existing Permitted Facility? [] Yes [X] No |

Application Contact

| | |
|--|--|
| 1. Name and Title of Application Contact: Pradeep Raval | |
| 2. Application Contact Mailing Address: Organization/Firm: Koogler and Associates, Inc. Street Address: 4014 NW 13th Street City: Gainesville State: Florida Zip Code: 32609-1923 | |
| 3. Application Contact Telephone Numbers: Telephone: (352)-377-5822 Fax: (352)-377-7158 | |

Application Processing Information (DEP Use)

| | |
|------------------------------------|------------------------|
| 1. Date of Receipt of Application: | 10-25-04 |
| 2. Permit Number: | 7775369-001-A 2 |

Purpose of Application

Air Operation Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

- Initial non-Title V air operation permit for one or more existing, but previously unpermitted, emissions units.
- Initial non-Title V air operation permit for one or more newly constructed or modified emissions units.

Current construction permit number: _____

- Non-Title V air operation permit revision to address one or more newly constructed or modified emissions units.

Current construction permit number: _____

Operation permit number to be revised: _____

- Initial non-Title V air operation permit under Rule 62-210.300(2)(b), F.A.C., for an existing facility seeking classification as a synthetic non-Title V source.

Current operation/construction permit number(s):

- Non-Title V air operation permit revision for a synthetic non-Title V source. Give reason for revision; e.g., to address one or more newly constructed or modified emissions units.

Operation permit number to be revised: _____

Reason for revision: _____

Air Construction Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

- Air construction permit to construct or modify one or more emissions units.
- Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.
- Air construction permit for one or more existing, but unpermitted, emissions units.

Owner/Authorized Representative

| |
|---|
| 1. Name and Title of Owner/Authorized Representative: Jose De La Garza, Director Logistics Operations Florida |
| 2. Owner/Authorized Representative Mailing Address: Organization/Firm: CEMEX Street Address: 3820 Northdale Blvd., Suite 100B City: Tampa State: Florida Zip Code: 33624 |
| 3. Owner/Authorized Representative Telephone Numbers: Telephone: (813) 269 - 1085 Fax: (813) 269 - 1088 |
| 4. Owner/Authorized Representative Statement: <i>I, the undersigned, am the owner or authorized representative* of the facility addressed in this application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i> _____ Signature <i>jdela</i> _____ Date <i>10-10-2006</i> |

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

| |
|--|
| 1. Professional Engineer Name: John B. Koogler PhD, PE Registration Number: 12925 |
| 2. Professional Engineer Mailing Address: Organization/Firm: Koogler and Associates, Inc. Street Address: 4014 NW 13th Street City: Gainesville State: Florida Zip Code: 32609-1923 |
| 3. Professional Engineer Telephone Numbers: Telephone: (352)- 377-5822 Fax: (352)- 377-7158 |

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [X], if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Signature

Date

(seal)

10/17/2006

* Attach any exception to certification statement.

Scope of Application

| Emissions Unit ID | Description of Emissions Unit | Permit Type | Processing Fee |
|--------------------------|--------------------------------------|--------------------|-----------------------|
| 001 | Transloaders with Dust Collector | AC1F | \$250 |
| 002 | Transloaders with Dust Collector | AC1F | 0 |
| 003 | Transloaders with Dust Collector | AC1F | 0 |
| 004 | Transloaders with Dust Collector | AC1F | 0 |
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Application Processing Fee

Check one: Attached - Amount: \$250 Not Applicable

Construction/Modification Information

1. Description of Proposed Project or Alterations:

This application is for four (4) proposed transloaders (mobile or portable 36" chain conveyor with an associated dust collector) used to transfer dry material from railcar directly in to a tanker or truck.

Various materials will be transferred from railcars into trucks, as needed, at different locations in Florida. The following is a list of potential non-hazardous materials that could be handled: sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc.

A transloader is a diesel powered mobile unit that has an enclosed chain conveyor with an integral dust collector. The railcar to conveyor transfer point is sealed with a pneumatic rubber boot while the conveyor to truck transfer point has a telescoping inner chute through which the material discharges and an outer shell that seals against the truck. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector.

2. Projected or Actual Date of Commencement of Construction: **12/1/06**

3. Projected Date of Completion of Construction: **12/1/07**

Application Comment

It is requested that a state-wide permit be issued to allow the flexibility to use the four units at various sites, as needed.

II. FACILITY INFORMATION

A. GENERAL FACILITY INFORMATION

Facility Location and Type

| | | | |
|--|---|---|------------------------------------|
| 1. Facility UTM Coordinates: Zone: _____ East (km): _____ North (km): _____ | | | |
| 2. Facility Latitude/Longitude: Latitude (DD/MM/SS): _____ | | Longitude (DD/MM/SS): _____ | |
| 3. Governmental Facility Code: 0 | 4. Facility Status Code: A | 5. Facility Major Group SIC Code: 50 | 6. Facility SIC(s): 5032 |
| 7. Facility Comment (limit to 500 characters): state-wide | | | |

Facility Contact

| |
|--|
| 1. Name and Title of Facility Contact: Denise Corrales |
| 2. Facility Contact Mailing Address: Organization/Firm: CEMEX Construction Material L.P. Street Address: 3820 Northdale Blvd., Suite 100B City: Tampa State: Florida Zip Code: 33624 |
| 3. Facility Contact Telephone Numbers: Telephone: (813) 269 - 1035 Fax: (813) 269 - 1030 |

Facility Regulatory Classifications

Check all that apply:

| | |
|--|---------------|
| 1. [] Small Business Stationary Source? | [X] Unknown |
| 2. [] Synthetic Non-Title V Source? | |
| 3. [] Synthetic Minor Source of Pollutants Other than HAPs? | |
| 4. [] Synthetic Minor Source of HAPs? | |
| 5. [] One or More Emissions Units Subject to NSPS? | |
| 6. [] One or More Emission Units Subject to NESHAP Recordkeeping or Reporting? | |
| 7. Facility Regulatory Classifications Comment (limit to 200 characters): exempt/minor unit | |

Rule Applicability Analysis

FS Chapter 403
FAC Rules 62-4, 62-204, 62-210, 62-296, 62-297.

B. FACILITY POLLUTANTS

List of Pollutants Emitted

| 1. Pollutant Emitted | 2. Pollutant Classif. | 3. Requested Emissions Cap | | 4. Basis for Emissions Cap | 5. Pollutant Comment |
|----------------------|-----------------------|----------------------------|-----------|----------------------------|----------------------|
| | | lb/hour | tons/year | | |
| PM/PM10 | B | NA | NA | NA | NA |
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C. FACILITY SUPPLEMENTAL INFORMATION

Supplemental Requirements

| |
|--|
| 1. Area Map Showing Facility Location: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 2. Facility Plot Plan: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 3. Process Flow Diagram(s): <input checked="" type="checkbox"/> Attached, Document ID: <u>Att. 1</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 4. Precautions to Prevent Emissions of Unconfined Particulate Matter: <input checked="" type="checkbox"/> Attached, Document ID: <u>Att. 2</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 5. Supplemental Information for Construction Permit Application: <input checked="" type="checkbox"/> Attached, Document ID: <u>Att. 3</u> <input type="checkbox"/> Not Applicable |
| 6. Supplemental Requirements Comment: Information on the transloader unit. |

III. EMISSIONS UNIT INFORMATION

A separate Emissions Unit Information Section (including subsections A through G as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application.

A. GENERAL EMISSIONS UNIT INFORMATION

Emissions Unit Description and Status

| | | |
|---|--|---|
| <p>1. Type of Emissions Unit Addressed in This Section: (Check one)</p> <p><input checked="" type="checkbox"/> This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).</p> <p><input type="checkbox"/> This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.</p> <p><input type="checkbox"/> This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.</p> | | |
| <p>2. Description of Emissions Unit Addressed in This Section (limit to 60 characters): 4 Transloaders (each with same design and capacity)</p> | | |
| <p>3. Emissions Unit Identification Number: ID:</p> | | <p><input checked="" type="checkbox"/> No ID <input type="checkbox"/> ID Unknown</p> |
| <p>4. Emissions Unit Status Code: C</p> | <p>5. Initial Startup Date: 12/1/06</p> | <p>6. Emissions Unit Major Group SIC Code: 50</p> |
| <p>7. Emissions Unit Comment: (Limit to 500 Characters)</p> <p>Attachment 3 includes information on the transloaders.</p> | | |

Emissions Unit Control Equipment

1. Control Equipment/Method Description (limit to 200 characters per device or method):

Dust collector

2. Control Device or Method Code(s): **018**

Emissions Unit Details NA

1. Package Unit: **Transloader with dust collector**

Manufacturer: **RBT**

Model Number: **3600 Series**

2. Generator Nameplate Rating: **MW**

3. Incinerator Information:

Dwell Temperature: °F

Dwell Time: seconds

Incinerator Afterburner Temperature: °F

Emissions Unit Operating Capacity and Schedule

1. Maximum Heat Input Rate:

2. Maximum Incineration Rate: **lb/hr**

3. Maximum Process or Throughput Rate: **100 TPH and 500,000 TPY**

4. Maximum Production Rate:

5. Requested Maximum Operating Schedule:

hours/day **days/week**

weeks/year **8,760 hours/year**

6. Operating Capacity/Schedule Comment (limit to 200 characters):

Information on the RBT Transloader is provided in Attachment 3.

B. EMISSION POINT (STACK/VENT) INFORMATION

Emission Point Description and Type

| | | | |
|---|---|---|--|
| 1. Identification of Point on Plot Plan or Flow Diagram | | 2. Emission Point Type Code: 1 | |
| 3. Descriptions of Emission Points Comprising this Emissions Unit for VE Tracking (limit to 100 characters per point): Donaldson Unimasters Dust Collector – Model C20H | | | |
| 4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common: None | | | |
| 5. Discharge Type Code: H | 6. Stack Height: feet | 7. Exit Diameter: feet | |
| 8. Exit Temperature: Ambient °F | 9. Actual Volumetric Flow Rate: 1500 acfm | 10. Water Vapor: % | |
| 11. Maximum Dry Standard Flow Rate: dscfm | | 12. Nonstack Emission Point Height: NA feet | |
| 13. Emission Point UTM Coordinates: Zone: East (km): North (km): | | | |
| 14. Emission Point Comment (limit to 200 characters): | | | |

C. SEGMENT (PROCESS/FUEL) INFORMATION

Segment Description and Rate: Segment 1 of 1

| | | |
|---|--|---|
| 1. Segment Description (Process/Fuel Type) (limit to 500 characters): Bulk material loading | | |
| 2. Source Classification Code (SCC): 30510599 | | 3. SCC Units: Tons processed |
| 4. Maximum Hourly Rate: 100TPH | 5. Maximum Annual Rate: 500,000TPY | 6. Estimated Annual Activity Factor: NA |
| 7. Maximum % Sulfur: NA | 8. Maximum % Ash: NA | 9. Million Btu per SCC Unit: NA |
| 10. Segment Comment (limit to 200 characters): | | |

Segment Description and Rate: Segment of

| | | |
|---|-------------------------|--------------------------------------|
| 1. Segment Description (Process/Fuel Type) (limit to 500 characters): | | |
| 2. Source Classification Code (SCC): | | 3. SCC Units: |
| 4. Maximum Hourly Rate: | 5. Maximum Annual Rate: | 6. Estimated Annual Activity Factor: |
| 7. Maximum % Sulfur: | 8. Maximum % Ash: | 9. Million Btu per SCC Unit: |
| 10. Segment Comment (limit to 200 characters): | | |

D. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION

Potential Emissions

| | | | |
|---|---|--|--|
| 1. Pollutant Emitted: PM/PM10 | | 2. Pollutant Regulatory Code: EL | |
| 3. Primary Control Device Code: 018 | 4. Secondary Control Device Code: NA | 5. Total Percent Efficiency of Control: 99+ | |
| 6. Potential Emissions: 0.3 lb/hour 1.1 tons/year | | 7. Synthetically Limited? [] | |
| 8. Emission Factor: 0.02 gr/cf Reference: typical design | | 9. Emissions Method Code: 5 | |
| 10. Calculation of Emissions (limit to 600 characters): $\text{PM/PM10} = 1500 \text{ cfm} \times 60 \text{ min/hr} \times 0.01 \text{ gr/cf} \times \text{lb}/7000 \text{ gr} = 0.3 \text{ lb/hr}$ $\times 8760 \text{ hr/yr} \times \text{ton}/2000 \text{ lb} = 1.1 \text{ tpy}$ $(\text{X } 4 \text{ units} = 4.4 \text{ tpy})$ | | | |
| 11. Pollutant Potential Emissions Comment (limit to 200 characters): | | | |

Allowable Emissions Allowable Emissions 1 of 1

| | |
|--|---|
| 1. Basis for Allowable Emissions Code: Other | 2. Future Effective Date of Allowable Emissions: NA |
| 3. Requested Allowable Emissions and Units: 0.02 gr/cf | 4. Equivalent Allowable Emissions: 0.3 lb/hour 1.1 tons/year |
| 5. Method of Compliance (limit to 60 characters): Annual Method 9 – 30 minutes | |
| 6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters): | |

Emissions Unit Information Section 1 of 1

E. VISIBLE EMISSIONS INFORMATION
(Only Emissions Units Subject to a VE Limitation)

Visible Emissions Limitation: Visible Emissions Limitation 1 of 1

| | |
|--|--|
| 1. Visible Emissions Subtype: VE05 | 2. Basis for Allowable Opacity: [<input checked="" type="checkbox"/>] Rule [<input type="checkbox"/>] Other |
| 3. Requested Allowable Opacity: Normal Conditions: 5 % Exceptional Conditions: % Maximum Period of Excess Opacity Allowed: min/hour | |
| 4. Method of Compliance: Annual Method 9 - 30 minutes | |
| 5. Visible Emissions Comment (limit to 200 characters): | |

F. CONTINUOUS MONITOR INFORMATION - NA
(Only Emissions Units Subject to Continuous Monitoring)

Continuous Monitoring System: Continuous Monitor _____ of _____

| | |
|---|--|
| 1. Parameter Code: | 2. Pollutant(s): |
| 3. CMS Requirement: | [<input type="checkbox"/>] Rule [<input type="checkbox"/>] Other |
| 4. Monitor Information: Manufacturer: Model Number: Serial Number: | |
| 5. Installation Date: | 6. Performance Specification Test Date: |
| 7. Continuous Monitor Comment (limit to 200 characters): | |

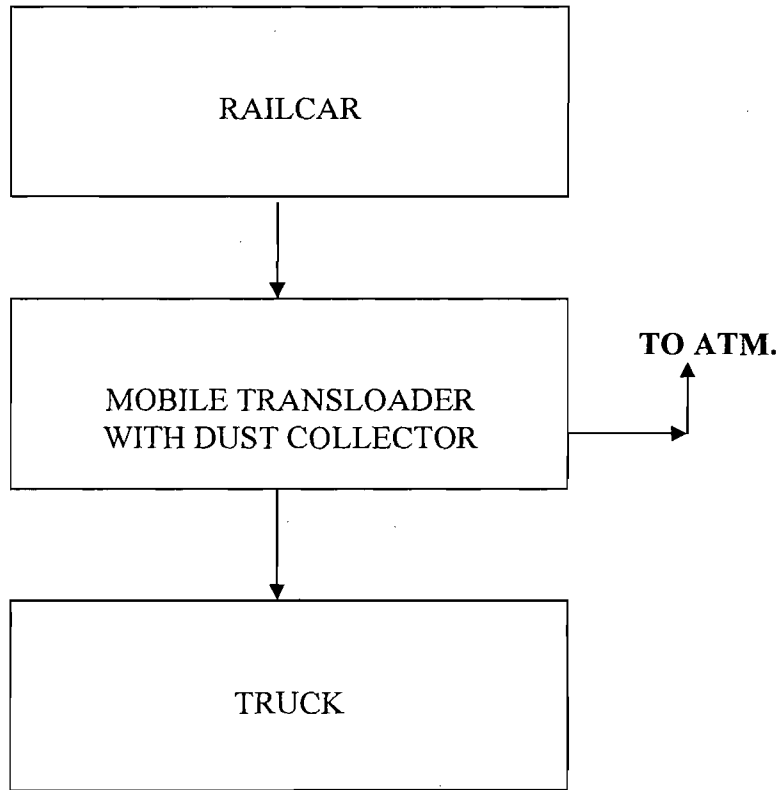
G. EMISSIONS UNIT SUPPLEMENTAL INFORMATION

Supplemental Requirements

| |
|--|
| 1. Process Flow Diagram <input checked="" type="checkbox"/> Attached, Document ID: Att. 1 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 2. Fuel Analysis or Specification <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 3. Detailed Description of Control Equipment <input checked="" type="checkbox"/> Attached, Document ID: see Att. 3 <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 4. Description of Stack Sampling Facilities <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 5. Compliance Test Report <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously submitted, Date: _____ <input checked="" type="checkbox"/> Not Applicable |
| 6. Procedures for Startup and Shutdown <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 7. Operation and Maintenance Plan <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 8. Supplemental Information for Construction Permit Application <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable |
| 9. Other Information Required by Rule or Statute <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable |
| 10. Supplemental Requirements Comment: |

ATTACHMENT 1

PROCESS FLOW DIAGRAM



ATTACHMENT 2

PRECAUTIONS TO PREVENT EMISSIONS OF UNCONFINED PARTICULATE MATTER

Reasonable precautions to minimize emissions of unconfined particulate matter may include, as necessary:

- Paving roadways.**
- Sweeping or wetting roadways.**
- Landscaping or planting of vegetation.**
- Use of enclosures and windbreaks, where practical.**

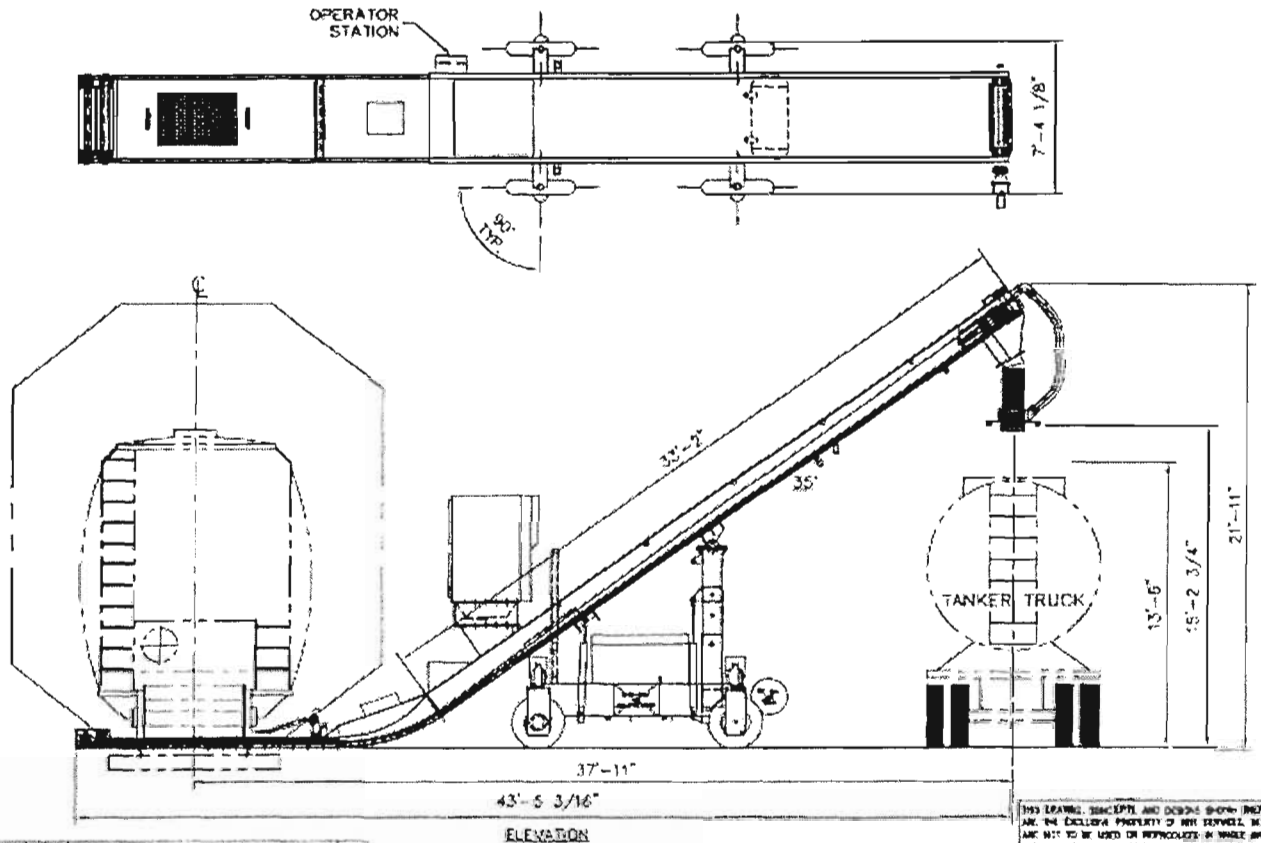
ATTACHMENT 3

TRANSLOADER DUST COLLECTOR INFORMATION

Transloader Rail Barge Truck (RBT) 3600 Series

Donaldson Unimasters Dust Collector – Model C20H

| | |
|---|--------------------------------|
| Maximum flow rate | 1500 cfm |
| Type (pulse jet or reverse air) | Pulse jet |
| Bag pressure drop | 2-4 in wg |
| Air to cloth ratio (actual) | 5.6:1 |
| Bag material | Polyester |
| Bag type | Cartridge (215 sq.ft.) |
| Number of bags | 4 |
| Gas temperature | Ambient |
| Bag cleaning conditions | 70-90 psig |
| Bag cleaning cycle | Timed, every 10 seconds |
| Particulate concentration inlet | 2-4 gr/dscf |
| Particulate concentration outlet | 0.02 gr/dscf |



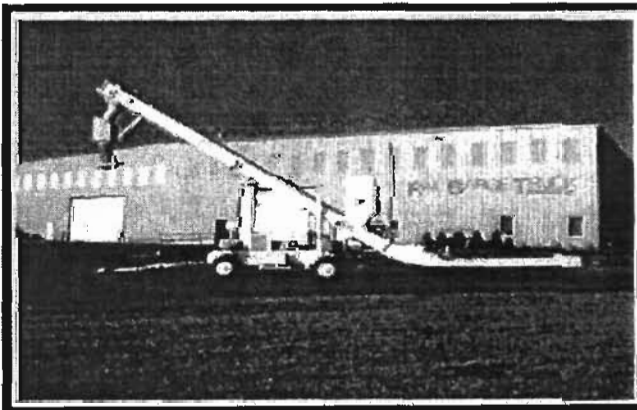
ELEVATION

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| | | | |
|---|----------------|------------------|----------------|
| BY: J. B. BARKER | DATE: 02/04/94 | BY: J. B. BARKER | DATE: 02/04/94 |
| <p>RAY BARGE TRUCK</p> <p>211 CORPORATE DRIVE ELIZABETHTOWN, KY 42701 PHONE: (270) 763-6649 FAX: (270) 763-8853 WWW: www.rbt.com</p> | | | |

MODEL 3625
 36" DRAG-A-LIGHT
 CONVEYOR
 GENERAL ARRANGMENT

| | | | |
|--------------|--------------|-------------|--------------|
| SCALE: | AS SHOWN | DATE: | 02/04/94 |
| DESIGNED BY: | J. B. BARKER | CHECKED BY: | J. B. BARKER |
| DRAWN BY: | J. B. BARKER | DATE: | 02/04/94 |
| PROJECT: | 3625-GA-01A | BY: | J. B. BARKER |



Adams, Patty

From: Harvey, Mary
Sent: Wednesday, March 21, 2007 2:34 PM
To: 'jose.delagarza@cemexusa.com'; 'denise.corrales@cemexusa.com'; Blackburn, Ron; 'campbell@epchc.org'; 'jkoogler@kooglerassociates.com'; 'praval@kooglerassociates.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL
Attachments: 7775369.001.AC.F_pdf.zip

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

Adams, Patty

From: Harvey, Mary
Sent: Wednesday, March 21, 2007 3:03 PM
To: Adams, Patty
Subject: FW: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

From: John Koogler [mailto:jkoogler@kooglerassociates.com]
Sent: Wednesday, March 21, 2007 2:59 PM
To: Harvey, Mary
Subject: RE: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

Thanks Mary

John B Koogler
Koogler & Associates, Inc
4014 NW 13th St
Gainesville, FL 32609
352/377-5822
jkoogler@kooglerassociates.com

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Wednesday, March 21, 2007 2:34 PM
To: jose.delagarza@cemexusa.com; denise.corrales@cemexusa.com; Blackburn, Ron; campbell@epchc.org; jkoogler@kooglerassociates.com; praval@kooglerassociates.com
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

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Thank you,

DEP, Bureau of Air Regulation

4/19/2007

Adams, Patty

From: Harvey, Mary
Sent: Thursday, March 22, 2007 9:48 AM
To: Adams, Patty
Subject: FW: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

From: Campbell, Jerry [<mailto:Campbell@epchc.org>]
Sent: Thursday, March 22, 2007 9:20 AM
To: undisclosed-recipients
Subject: Read: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

Your message

To: Campbell@epchc.org
Subject:

was read on 3/22/2007 9:20 AM.

From: JOSE.DELAGARZA@cemexusa.com [mailto:JOSE.DELAGARZA@cemexusa.com]

Sent: Wednesday, March 21, 2007 6:41 PM

To: Harvey, Mary

Cc: Mitchell, Bruce; campbell@epchc.org; denise.corrales@cemexusa.com; jkoogler@kooglerassociates.com; Adams, Patty; praval@kooglerassociates.com; Blackburn, Ron; Gibson, Victoria

Subject: Re: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

Confirm receipt of email and documents.....

Regards,
Jose

813-269-1085 Office
713-254-7084 Cell
jose.delagarza@cemexusa.com

"Harvey, Mary" <Mary.Harvey@dep.state.fl.us>

03/21/2007 02:33 PM

To <jose.delagarza@cemexusa.com>, <denise.corrales@cemexusa.com>, "Blackburn, Ron" <Ron.Blackburn@dep.state.fl.us>, <campbell@epchc.org>, <jkoogler@kooglerassociates.com>, <praval@kooglerassociates.com>
cc "Mitchell, Bruce" <Bruce.Mitchell@dep.state.fl.us>, "Adams, Patty" <Patty.Adams@dep.state.fl.us>, "Gibson, Victoria" <Victoria.Gibson@dep.state.fl.us>
Subject CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

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4/19/2007

Adams, Patty

From: Harvey, Mary
Sent: Thursday, March 22, 2007 2:33 PM
To: Adams, Patty
Subject: FW: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

From: Blackburn, Ron
Sent: Thursday, March 22, 2007 1:19 PM
To: Harvey, Mary
Subject: Read: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL

Your message

To: 'jose.delagarza@cemexusa.com'; 'denise.corrales@cemexusa.com'; Blackburn, Ron; 'campbell@epchc.org'; 'jkoogler@kooglerassociates.com'; 'praval@kooglerassociates.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX CONSTRUCTION MATERIALS L.P. #7775369-001-AC - FINAL
Sent: 3/21/2007 2:34 PM

was read on 3/22/2007 1:19 PM.



March 7, 2007

Mr. Bruce Mitchell
FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION
2600 Blair Stone Road
MS #5505
Tallahassee, FL 32399-2400

VIA FEDEX

Re: CEMEX Construction Materials, L.P.
Request for Relocatable Transloader
Draft Permit No: 7775369-001-AC

Dear Mr. Mitchell:

Enclosed please find Proof of Publication for the above-captioned draft permit from the following newspapers:

1. Affidavit from Naples Daily News,
2. Affidavit from Charlotte Sun, and
3. Affidavit from Tampa Tribune.

If you have any questions, or require additional information, please do not hesitate to contact me.

Very truly yours,

Denise Corrales
Director Environmental
Southeast

Enclosures

RECEIVED

MAR 08 2007

BUREAU OF AIR REGULATION

Florida Operations

3820 Northdale Boulevard, Suite 100-B, Tampa, FL 33624, USA. (800) 282-9133

Florida Department of Environmental Protection
Division of Air Resource Management
Draft Air Permit No. 7775369-001-AC

Portable Transloader
CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties

Applicant: The applicant for this project is CEMEX Construction Materials L.P. The applicant's authorized representative and mailing address is: Mr. Jose De La Garza, Director of Logistics Operations Florida, CEMEX Construction Materials L.P., 3820 Northdale Blvd., Suite 100B, Tampa, Florida 33624.

Facility Location: The applicant proposes to construct a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough Counties. The portable unit will be based primarily at the following locations:

CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County;

CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and

CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County.

However, the portable transloader may also be operated at other any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc. Powered by a diesel engine, the unit has an enclosed chain conveyor and an integral dust collector to control particulate matter emissions. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The entire transfer system is maintained under negative pressure and exhausted through the dust collector. The portable transloader will process no more than 500,000 tons of materials in any consecutive 12 months. Potential particulate matter emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide and volatile organic compounds from fuel combustion.

With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Tampa Tribune

BEST AVAILABLE COPY

Published Daily

Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough) SS.

Before the undersigned authority personally appeared C. Pugh, who on oath says that she is the Advertising Billing Supervisor of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of the

Legal Ads IN THE Tampa Tribune

In the matter of Legal Notices

was published in said newspaper in the issues of

02/23/2007

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough County, Florida for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, this advertisement for publication in the said newspaper.

Sworn to and subscribed by me, this 23 day of February, A.D. 2007

Personally Known or Produced Identification _____
Type of Identification Produced _____



Ana Maria Hodel
Commission #DD551367
Expires: MAY 11, 2010
www.AARONOTARY.com

RECEIVED

MAR 08 2007

BUREAU OF AIR REGULATION

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

Affidavit of Publication
Naples Daily News

CEMEX, INC.
1425 E WIGGINS PASS RD
NAPLES FL 34110

REFERENCE: 064949
59362354 FLORIDA DEPARTMENT O

State of Florida
County of Collier

Before the undersigned authority, personally appeared B. Lamb, who on oath says that she serves as Assistant Corporate Secretary of the Naples Daily News, a daily newspaper published at Naples, in Collier County, Florida: that the attached copy of advertising was published in said newspaper on dates listed.

Affiant further says that the said Naples Daily News is a newspaper published at Naples, in said Collier County, Florida, and that the said newspaper has heretofore been continuously published in said Collier County, Florida, each day and has been entered as second class mail matter at the post office in Naples, in said Collier County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that she 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 the said newspaper.

PUBLISHED ON: 02/26 02/26

AD SPACE: 447.000 INCH
FILED ON: 02/26/07

Signature of Affiant B. S
Sworn to and Subscribed before me this 2nd day of March
Personally known by me Chanel A Mc



Chanel A. Mc
MY COMMISSION # DD21
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MAR 08 2007

BUREAU OF AIR REGULATION

Florida Department of Environmental Protection
Division of Air Resource Management
Draft Air Permit No. 7775369-001-AC
Portable Transloader
CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties

Applicant: The applicant for this project is CEMEX Construction Materials L.P. The applicant's authorized representative and mailing address is: Mr. Jose De La Garza, Director of Logistics Operations Florida, CEMEX Construction Materials L.P., 3820 Northdale Blvd., Suite 100B, Tampa, Florida 33624.

Facility Location: The applicant proposes to construct a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough counties. The portable unit will be based primarily at the following locations:

- CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County;
- CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and
- CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County.

However, the portable transloader may also be operated at other any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc. Powered by a diesel engine, the unit has an enclosed chain conveyor and an integral dust collector to control particulate matter emissions. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The entire transfer system is maintained under negative pressure and exhausted through the dust collector. The portable transloader will process no more than 500,000 tons of materials in any consecutive 12 months. Potential particulate matter emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds from fuel combustion.

With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements (F.A.C.). The proposed project is required to perform the proposed work. The Bureau of Air and Air Permitting is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505 Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; if any, 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 rights will be affected by the agency determination; (c) A statement of how and when the 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 petitioner must so state; (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.

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BUREAU OF AIR REGULATION

BEST AVAILABLE COPY



**PUBLISHER'S AFFIDAVIT OF PUBLICATION
STATE OF FLORIDA
COUNTY OF CHARLOTTE:**

Before the undersigned authority personally appeared Amber Freeman, who on oath says that she is legal clerk of the (Charlotte Sun, Englewood Sun, DeSoto Sun, North Port Sun, Venice Gondolier Sun), a newspaper published at Charlotte Harbor in Charlotte County, Florida; that the attached copy of advertisement, being a Notice of Permit, was published in said newspaper in the issues of:

February 22, 2007

Affiant further says that the said newspaper is a newspaper published at Charlotte Harbor, in said Charlotte County, Florida, and that the said newspaper has heretofore been continuously published in said Charlotte County, Florida, Sarasota County, Florida and DeSoto County, Florida, each day and has been entered as periodicals matter at the post office in Punta Gorda, in said Charlotte County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she 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 the said newspaper.

(Signature of Affiant)

Sworn and subscribed before me this 22nd day of February, 2007.

(Signature of Notary Public)

NOTARY PUBLIC STATE OF FLORIDA
Donna Sebastian
Commission # DD440410
Expires: JUNE 13, 2009
Bonded Thru Atlantic Bonding Co., Inc.

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management
Draft Air Permit No. 7775369-001-AC
Portable Transloader
CEMEX Construction Materials L.P.
Charlotte, Collier, and Hillsborough Counties

Applicant: The applicant for this project is CEMEX Construction Materials L.P. The applicant's authorized representative and mailing address is: Mr. Jose De La Garza, Director of Logistics Operations Florida, CEMEX Construction Materials L.P., 3820 Northdale Blvd., Suite 100B, Tampa, Florida 33624.

Facility Location: The applicant proposes to construct a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough counties. The portable unit will be based primarily at the following locations: CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County; CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County. However, the portable transloader may also be operated at other any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials, such as sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc. Powered by a diesel engine, the unit has an enclosed chain conveyor and an integral dust collector to control particulate matter emissions. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The entire transfer system is maintained under negative pressure and exhausted through the dust collector. The portable transloader will process no more than 500,000 tons of materials in any consecutive 12 months. Potential particulate matter emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds from fuel combustion.

With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit, unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. (or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions).

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and, if applicable, require another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section

120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate a final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.


Mediation: Mediation is not available for this proceeding.


Published: February 22, 2007.
266437; 1834672

Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer

THRU: Jeff Koerner 

FROM: Bruce Mitchell 

DATE: January 29, 2007

SUBJECT: CEMEX Construction Materials L.P.
Potential Sites in Charlotte, Collier and Hillsborough Counties
Draft Air Construction Permit
7775369-001-AC
Portable Transloader

Attached is the Draft Air Construction Permit, Project No. 7775369-001-AC.

The subject of the Air Construction Permit is to permit a 100 tons/hour (500,000 tons per consecutive 12-months) portable transloader to off-load approved materials from rail cars to hauling or tanker trucks at several permitted sites (in counties where Public Notice has been published) throughout Florida. The air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements. The materials that will be allowed to be handled are non-hazardous and mainly composed of the following: sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector (baghouse). The portable transloader is designed to be dismantled, moved to a new location and reassembled.

Attachments

TLV/jfk/bm

P.E. CERTIFICATION STATEMENT

PERMITTEE

CEMEX Construction Materials L.P.
3820 Northdale Boulevard, Suite 100B.
Tampa, Florida 33624

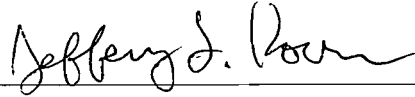
Draft Air Permit No. 7775369-001-AC
Relocatable Transloader
Charlotte, Collier and Hillsborough Counties

PROJECT DESCRIPTION

This permit authorizes the construction of a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to tanker trucks. The portable transloader is a packaged unit powered by a nominal 66 bhp diesel engine. The unit has an enclosed chain conveyor and an integral dust collector. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. Total potential (controlled) particulate matter emissions are estimated to be less than 2 tons per year.

Following the notification requirements specified by this permit, the permittee intends to relocate and operate the portable transloader at any site within the following permitted counties: Charlotte, Collier and Hillsborough. The air permit does not relieve the owner from complying with other local provisions such as zoning. The portable transloader is categorized as a synthetic, non-Title V, minor source of air pollution.

I HEREBY CERTIFY that the air pollution control engineering features described in the above referenced application and subject to the proposed permit conditions provide reasonable assurance of compliance with applicable provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-204 through 62-297. However, I have not evaluated and I do not certify aspects of the proposal outside of my area of expertise (including, but not limited to, the electrical, mechanical, structural, hydrological, geological, and meteorological features).



Jeffery F. Koerner, P.E.
Registration Number: 49441

1-30-07

(Date)

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

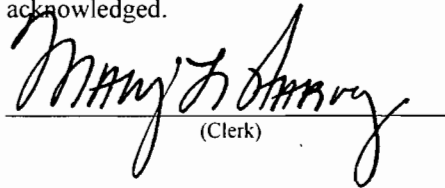
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this "Written Notice of Intent to Issue Air Permit" package (including the Public Notice, the Technical Evaluation and Preliminary Determination, and the Draft Permit) was sent by electronic mail (with Received Receipt requested) before the close of business on 2/9/07 to the persons listed below.

- Mr. Jose De La Garza, CEMEX Construction Materials L.P. (jose.delegarza@cemexusa.com)
- Ms. Denise Corrales, CEMEX Construction Materials L.P. (denise.corrales@cemexusa.com)
- Mr. Ron Blackburn, DEP SD Office (ron.blackburn@dep.state.fl.us)
- Mr. Jerry Campbell, EPCHC Office (campbell@epchc.org)
- Dr. John B. Koogler, Koogler Associates (jkoogler@kooglerassociates.com)
- Mr. Pradeep Raval, Koogler Associates (praval@kooglerassociates.com)

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency clerk, receipt of which is hereby acknowledged.


(Clerk)

2/9/07
(Date)



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road, MS#5505
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

February 8, 2007

Electronically Sent - Received Receipt Requested

Mr. Jose De La Garza
Director – Logistics Operations Florida
CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Re: Request for Relocatable Transloader
Draft Permit No. 7775369-001-AC

Dear Mr. De La Garza:

On October 25, 2006, you submitted an application requesting authorization for a portable transloader rated at 100 tons per hour, which will initially be based at sites in Charlotte, Collier, and Hillsborough counties. Enclosed are the following documents: "Technical Evaluation and Preliminary Determination", "Draft Permit", "Written Notice of Intent to Issue Air Permit", and "Public Notice of Intent to Issue Air Permit".

The "Technical Evaluation and Preliminary Determination" summarizes the Permitting Authority's technical review of the application and provides the rationale for making the preliminary determination to issue a Draft Permit. The proposed "Draft Permit" includes the specific conditions that regulate the emissions units covered by the proposed project. The "Written Notice of Intent to Issue Air Permit" provides important information regarding: the Permitting Authority's intent to issue an air permit for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue an air permit; the procedures for submitting comments on the Draft Permit; the process for filing a petition for an administrative hearing; and the availability of mediation. The "Public Notice of Intent to Issue Air Permit" is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project.

Please submit any written comments you wish to have considered concerning the proposed action to the Air Permitting North Program Administrator, Jeff Koerner, at the above letterhead address. If you have any other questions, please contact the project engineer, Bruce Mitchell, at 850/413-9198.

Sincerely,

Trina Vielhauer, Chief
Bureau of Air Regulation

Enclosures

TLV/jfk/bm

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

*In the Matter of an
Application for Air Permit by:*

CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Authorized Representative:

Mr. Jose De La Garza, Director
Logistics Operations Florida

Draft Permit No. 7775369-001-AC

Facility ID No. 7775369

Portable Transloader

Counties: Charlotte, Collier and Hillsborough

Facility Location: The applicant, CEMEX Construction Materials L.P., proposes to construct a portable transloader, which will be based at the following locations:

CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County;

CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and

CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County.

However, the portable transloader may be operated at any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour with integral baghouse control system that will be based at the above described locations. With a 1-day advance notification, the portable transloader may be relocated to any site within the permitted counties (Charlotte, Collier and Hillsborough). With a same-day notification, the portable transloader may be temporarily relocated to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning. Additional project details are provided in the application and the enclosed "Technical Evaluation and Preliminary Determination".

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Air Permit" (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT

uncertain that a newspaper meets these requirements, please contact the Permitting Authority at above address or phone number. Pursuant to Rule 62-110.106(5), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within seven (7) days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of the Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of publication of the attached Public Notice or within fourteen (14) days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when each petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

Executed in Tallahassee, Florida.



Trina Vielhauer, Chief
Bureau of Air Regulation

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management

Draft Air Permit No. 7775369-001-AC

Portable Transloader
CEMEX Construction Materials L.P.
Charlotte, Collier and Hillsborough Counties

Applicant: The applicant for this project is CEMEX Construction Materials L.P. The applicant's authorized representative and mailing address is: Mr. Jose De La Garza, Director of Logistics Operations Florida, CEMEX Construction Materials L.P., 3820 Northdale Blvd., Suite 100B, Tampa, Florida 33624.

Facility Location: The applicant proposes to construct a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough counties. The portable unit will be based primarily at the following locations:

CEMEX Construction Materials L.P., 3433 Acline Road, Punta Gorda, Charlotte County;

CEMEX Construction Materials L.P., 1425 Wiggins Pass Road East, Naples, Collier County; and

CEMEX Construction Materials L.P., 6311 E. Sligh Avenue, Tampa, Hillsborough County.

However, the portable transloader may also be operated at other any site within the permitted counties (Charlotte, Collier and Hillsborough).

Project: The applicant proposes to construct a portable transloader rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc. Powered by a diesel engine, the unit has an enclosed chain conveyor and an integral dust collector to control particulate matter emissions. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The entire transfer system is maintained under negative pressure and exhausted through the dust collector. The portable transloader will process no more than 500,000 tons of materials in any consecutive 12 months. Potential particulate matter emissions generated from the material transfer are estimated to be 1.1 tons per year after control by the dust collector. The diesel engine will result in minor emissions of carbon monoxide, nitrogen oxides, particulate matter, sulfur dioxide, and volatile organic compounds from fuel combustion.

With a 1-day advance notification, the draft permit authorizes the portable transloader to be relocated to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable transloader within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. The air permit does not relieve the owner from complying with other local provisions such as zoning.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

(Public Notice to be Published in the Newspaper)

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (14) days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within fourteen (14) days of receipt of that notice, regardless of the date of publication. 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 Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address and telephone number of the petitioner; the name address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the 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 state; (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 the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.

(Public Notice to be Published in the Newspaper)

**TECHNICAL EVALUATION
&
PRELIMINARY DETERMINATION**

Air Construction Permit Project

Project No. 7775369-001-AC

ARMS Facility ID No. 7775369
Portable Transloader, Relocatable Operation
Charlotte, Collier and Hillsborough Counties

Applicant

CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

Permitting Authority

Florida Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation, Air Permitting North
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400
850-488-0114

January 31, 2007

1. APPLICATION INFORMATION

Facility Description and Location

The applicant proposes to construct a portable transloader (SIC No. 5032) rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to hauling or tanker trucks. The applicant proposes to operate the portable transloader at any of its plant sites throughout Charlotte, Collier and Hillsborough counties. The portable unit will be based primarily at the following locations:

- Charlotte County: CEMEX Construction Materials L.P., Concrete Batch Plant, (Facility ID No. 0150034) 3433 Acline Road, Punta Gorda;
- Collier County: CEMEX Construction Materials L.P., Concrete Batch Plant (Facility ID No. 0210003), 1425 Wiggins Pass Road East, Naples; and
- Hillsborough County: CEMEX Construction Materials L.P., Concrete Batch Plant (not a permitted site), 6311 E. Sligh Avenue, Tampa.

Facility Category

Title III: The facility will not be a major source of hazardous air pollutants (HAP).

Title IV: The facility will have no emissions units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility will not be a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The facility will not be a PSD-major facility in accordance with Rule 62-212.400, F.A.C.

The portable transloader is categorized as a synthetic, non-Title V, minor source of air pollution.

Reviewing and Processing Schedule

On October 25, 2006, the Bureau of Air Regulation received the application for a minor source air construction permit. Additional information was provided by the applicant on November 27, 2006 and December 11, 2006 to complete the application.

2. PROJECT DESCRIPTION

The applicant proposes to construct a portable transloader (RBT 3600 Series or equivalent) rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is a packaged unit and will process no more than 500,000 tons of materials in any consecutive 12 months. Powered by a nominal 66 bhp diesel engine, the unit has an enclosed chain conveyor and an integral dust collector. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges.

The diesel engine will fire approximately 4 gph of distillate oil and potentially up to 35,000 gallons of distillate oil per year, which will generate minor emissions of carbon monoxide (CO), nitrogen oxides (NO_x), particulate matter (PM/PM₁₀), sulfur dioxide (SO₂), and volatile organic compounds (VOC) from fuel combustion. Only distillate oil with a maximum sulfur content of 0.5% by weight will be fired in the portable unit. Emissions of particulate matter will also be generated due to the handling and transfer of solid materials. The entire transfer system will be maintained under negative pressure by exhausting the air through an integral dust collector, which will be a Donaldson Unimasters Dust Collector, Model No. C20H or equivalent.

The following table summarizes emissions from the project.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

| Pollutant | Potential Emissions Tons/Year | Basis |
|--|-------------------------------|--|
| Carbon Monoxide (CO) | 0.96 ¹ | 1.49 gram/bhp-hr, distillate oil ² |
| Nitrogen Oxides (NO _x) | 2.85 ¹ | 4.47 gram/bhp-hr, distillate oil ² |
| Lead (Pb) | Negligible ¹ | 9 lbs/10 ¹² Btu, distillate oil ³ |
| Particulate Matter (PM/PM ₁₀) | 0.26 ¹ | 0.41 gram/bhp-hr, distillate oil ² |
| | 1.1 ⁴ | 0.02 grains/acf, solid material transfer ⁴ (dust collector specification requested by applicant) |
| | 1.36 | Total |
| Sulfur Dioxide (SO ₂) | 1.31 ¹ | 0.5% sulfur by weight, distillate oil ¹ |
| Volatile Organic Compounds (VOC) <i>as Total Hydrocarbons (THC)</i> | 0.22 ¹ | 0.34 gram/bhp-hr, distillate oil ² |

¹ Emissions from distillate oil combustion are based on: 35,000 gallons per year, a maximum fuel sulfur content of 0.5% by weight, a fuel density of 7.5 lb/gallon, and a heating value of 147,000 Btu/gallon.

² CO, NO_x, PM and VOC emission factors are based on the reference document “Internal Combustion Engine: FORM 400-E-13”. All PM emissions are assumed to be PM₁₀ in size.

³ Lead emissions will be negligible based on an emission factor of 9 lb/10¹² Btu of heat input from AP-42 Table 1.3-10, “Emission Factors for Trace Elements from Distillate Fuel Oil Combustion Sources”.

⁴ Emissions from material transfer are based on 8760 hours of operation per year, an exhaust flow rate of 1500 acfm, and the dust collector outlet loading specification of 0.02 grains/acf of exhaust. Maximum hourly emissions from the transloader would be 0.26 lb/hour. All PM emissions are assumed to be PM₁₀.

In addition to the three plant sites at which the portable transloader will be based, the applicant requests authorization to relocate the unit to any site within Charlotte, Collier and Hillsborough counties. Also, the applicant requests authorization to respond on the same day to any site within these counties to mitigate impacts due to railcar accidents, truck accidents, material spills, and other similar activities.

3. RULE APPLICABILITY

State and Local Regulations

This project is subject to the applicable environmental laws specified in Section 403 of the Florida Statutes (F.S.). The Florida Statutes authorize the Department of Environmental Protection to establish rules and regulations regarding air quality as part of the Florida Administrative Code (F.A.C.). This project is subject to the applicable rules and regulations defined in the following Chapters of the Florida Administrative Code: 62-4 (Permitting Requirements); 62-204 (Ambient Air Quality Requirements, PSD Increments, and Federal Regulations Adopted by Reference); 62-210 (Permits Required, Public Notice, Reports, Stack Height Policy, Circumvention, Excess Emissions, and Forms); 62-212 (Preconstruction Review); 62-296 (Emission Limiting Standards); and 62-297 (Test Methods and Procedures, Continuous Monitoring Specifications, and Alternate Sampling Procedures).

The particulate matter maintenance area is also regulated by the local regulations of the Environmental Protection Commission of Hillsborough County (EPCHC). The portable transloader will be subject to the applicable requirements of Rules 1-3.50, 1-3.51, 1-3.52 and 1-3.60, Rules of the EPCHC.

Federal Regulations

This project is not subject to any New Source Performance Standards (NSPS) in 40 CFR 60 or National

Emission Standards for HAPs in 40 CFR 61 and 63.

General PSD Applicability

The Department regulates major air pollution facilities in accordance with Florida's Prevention of Significant Deterioration (PSD) program, as defined in Rules 62-212.400(PSD) and 62-210.200(Definitions), F.A.C. A PSD review is required in areas currently in attainment with the state and federal Ambient Air Quality Standards (AAQS) or areas designated as "unclassifiable" for a given pollutant. A facility is considered "major" with respect to PSD if it emits or has the potential to emit: 5 tons per year of lead, 250 tons per year or more of any regulated air pollutant, or 100 tons per year or more of any regulated air pollutant *and* the facility belongs to one of the 28 PSD Major Facility Categories specified in the definition of "major stationary source" in Rule 62-210.200, F.A.C.

For projects that will be located at existing PSD-major facilities, the PSD applicability thresholds are defined in Rule 62-210.200, F.A.C. as the "significant emissions rates". For this project, the significant emissions rates for the affected pollutants are: 0.6 tons per year of lead; 15 tons per year of particulate matter (PM₁₀); 25 tons per year of particulate matter (PM); 40 tons per year of nitrogen oxides (NO_x), sulfur dioxide (SO₂), or volatile organic compounds (VOC); and 100 tons per year of carbon monoxide (CO).

PSD Applicability for Project

Transloaders do not belong to any of the 28 PSD Major Facility Categories, so the PSD "facility thresholds" for this project are 5 tons per year of lead and 250 tons per year of any other PSD pollutant. If the portable transloader were installed an existing PSD major facility, the "project thresholds" would be the significant emissions rates defined above. As shown in the previous section, potential emissions from the project will be well below all PSD applicability thresholds. Therefore, the project is not subject to PSD preconstruction review.

4. PROJECT REVIEW

Design Specifications and Operation Requested by the Applicant

The applicant requests construction of the portable transloader based on the following equipment specifications and restrictions:

- The portable transloader will be used to transfer solid materials from railcars or trucks to storage or other trucks. Materials suitable for transloading will be solid, non-hazardous materials such as sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc.
- The portable transloader will have a rated capacity of 100 tons of material per hour. No more than 500,000 tons of material will be processed in any consecutive 12 months (aggregate for all locations).
- The diesel engine is rated at approximately 4 gph of distillate oil. No more than 35,000 gallons of distillate oil will be fired in any consecutive 12 months. Only distillate oil with a maximum sulfur content of 0.5% by weight will be fired in the portable unit.
- The portable unit will be designed with a system to seal both ends and direct the exhaust through an integral dust collector.
- The dust collector will be a Donaldson Unimasters Model No. C20H (3600 Series) or equivalent. It will be designed to achieve an outlet dust loading of 0.02 grains/acf of exhaust. For maintenance, collector bags will only be replaced with bags that meet this design specification. To provide reasonable assurance of the effective control of particulate matter, visible emissions will not exceed 5% opacity.

The draft permit will include the above specifications and limitations as permit conditions, which affect emissions from the portable transloader.

Rule 62-296.320(4), F.A.C. - General Particulate Emission Limiting Standards

This rule has three parts: a general particulate matter emissions standard based on the "Process Weight Table", a

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

general visible emissions standard of 20% opacity, and the requirement to take reasonable precautions to prevent unconfined emissions of particulate matter.

- The emissions standard based on the Process Weight Table is not applicable because the transloader does not, "... produce a finished product through a chemical or physical change ..."
- The following regulation is generally applicable to all activities related to transloading, "No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than 20% opacity."
- To control potential fugitive emissions from transloading, the applicant will install an integral dust collection system to confine and control particulate matter emissions. As necessary to prevent fugitive emissions, the applicant proposes landscaping, windbreaks, paving, sweeping, and wetting.

The draft permit will include the applicable requirements.

Rule 62-296.711, F.A.C., RACT for Materials Handling, Sizing, Screening, Crushing and Grinding Operations

Hillsborough County contains an area that is designated as an air quality maintenance area for particulate matter, which is described in Rule 62-204.340, F.A.C. as, "That portion of Hillsborough County which falls within the area of the circle having a center point at the intersection of U. S. 41 South and State Road 60 and a radius of 12 kilometers." For this area, the portable transloader could potentially be subject to Rule 62-296.711, F.A.C. (Reasonably Available Control Technology (RACT) for Materials Handling, Sizing, Screening, Crushing and Grinding Operations). However, pursuant to Rule 62-296.700(2)(a), F.A.C., "Exemptions. The following facilities and emissions units which are located within a particulate matter air quality maintenance area or area of influence are exempt from the provisions of this rule ... Any facility with total maximum allowable emissions of particulate matter of less than 15 tons per year and 5 pounds per hour." As previously shown, emissions will be well below these thresholds; therefore, the portable transloader is exempt from the PM RACT requirements.

Rules of the Environmental Protection Commission of Hillsborough County

The Environmental Protection Commission of Hillsborough County (EPCHC) is an approved local air pollution control program. EPCHC has established local air pollution control regulations. Stationary sources of air pollution are regulated by the applicable requirements in Chapter 1-3 of the Rules of EPCHC. The portable transloader is subject to the following applicable requirements when operating in Hillsborough County.

Rule 1-3.24 (Public Notification), EPCHC: This rule includes additional public notification requirements, which must be coordinated with the EPCHC.

Rule 1-3.50 (Emission Limiting and Performance Standards), EPCHC: "Provisions contained in Chapters 62-204 and 62-296, F.A.C., pertinent to Hillsborough County, are adopted and hereby incorporated by reference, except for Sections 62-296.320(4)(b) 2 and 62-296.513(1)(c), F.A.C., and except as may be modified herein."

Rule 1.3-51 (Particulate Emissions), EPCHC: "The particulate emission limits under RACT in Sections 62-296.700 through 62-296.712, F.A.C., shall apply to all new and existing emission units. In situations where the particulate emission limits under RACT, pursuant to Section 62-296.700, F.A.C., are less restrictive than process weight limits pursuant to Section 62-296.320, F.A.C., process weight limits shall apply, except as provided in Section 62-296.700(3), F.A.C." See exemption discussion above.

Rule 1.3-52 (Visible Emissions), EPCHC: This rule establishes: a general visible emissions standard of 20% opacity and a more stringent visible emission standard of 5% for loading or unloading of materials (except when material is being discharged to the hold of a ship from a conveyor system during which an opacity of 10% is allowed when the conveyor and/or hatch covering is moved).

Appendix HC to the draft permit includes the applicable provisions and Chapter 1-3, EPCHC.

NSPS Subpart IIII - Stationary Compression Ignition Internal Combustion Engines

The project includes a new 66 bhp diesel engine. This NSPS regulates *stationary internal combustion engines*, which means "... any internal combustion engine, except combustion turbines, that converts heat energy into mechanical work and is not mobile. Stationary ICE differ from mobile ICE in that a stationary internal combustion engine is not a nonroad engine as defined at 40 CFR 1068.30 (excluding paragraph (2)(ii) of that definition), and is not used to propel a motor vehicle or a vehicle used solely for competition. Stationary ICE include reciprocating ICE, rotary ICE, and other ICE, except combustion turbines." Pursuant to 40 CFR 1068.30(1)iii, a "nonroad engine" includes engines, "That, by itself or in or on a piece of equipment, is portable or transportable, meaning designed to be and capable of being carried or moved from one location to another. Indicia of transportability include, but are not limited to, wheels, skids, carrying handles, dolly, trailer, or platform." Therefore, the diesel engine is not subject to NSPS Subpart IIII because it is a nonroad engine, which is not considered to be a stationary internal combustion engine.

Compliance Demonstrations

The draft permit will include the following requirements to ensure compliance with the permit conditions.

- The permittee shall keep an operation and maintenance (O&M) plan for the dust collector control system. The O&M plan shall include: the collector bag specifications, the typical range of pressure drop across the baghouse, and a plan for regular maintenance.
- The entire transfer system shall be maintained under negative pressure and exhausted through an integral dust collector.
- As determined by EPA Method 9, the permittee shall conduct initial and annual visible emissions tests on the dust collector exhaust to demonstrate compliance with the applicable visible emissions standards.
- The permittee shall maintain fuel receipts and vendor certifications to demonstrate that the distillate oil delivered complies with the maximum fuel sulfur limit specified by this permit.
- The permittee shall install, calibrate, operate and maintain a flow meter with integrator to determine distillate oil consumption.
- The permittee shall maintain the following operational records: tons of materials processed per month and gallons of distillate oil fired per month.

Operation at Various Sites

The permittee must apply for a relocatable minor source air operation permit to operate the portable transloader at various sites throughout the permitted counties. The portable unit may also operate under the relocatable minor source operation permit while located at an existing permitted minor facility. However, the portable transloader shall not be relocated to any existing permitted minor facility if the potential emissions from the portable transloader would cause the minor facility to become a Title V major source. Pursuant to Rule 62-213.412(2), F.A.C., the portable transloader shall not be relocated to an existing Title V facility until the permittee submits an application to revise the Title V permit to authorize operation of the transloader.

Relocations within Permitted Counties

The draft permit authorizes operation of the portable transloader anywhere within the permitted counties (Charlotte, Collier and Hillsborough). With a 1-day advance notification, the draft permit authorizes relocation of the portable unit to any site within the permitted counties. With a same-day notification, the draft permit authorizes temporary relocation of the portable unit to any site within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. For each relocation, the permittee must submit a "Facility Relocation Notification Form" within at least five (5) days of relocating. The air permit does not relieve the owner from complying with other local provisions such as zoning.

TECHNICAL EVALUATION AND PRELIMINARY DETERMINATION

Adding New Permitted Counties

To add a new county to the approved list (Appendix PC), the draft permit requires the following process.

- Permittee submits a request to modify the existing air construction permit and revise the existing air operation permit accordingly.
- With a complete application, the Bureau of Air Regulation issues a draft air construction permit with a Public Notice that specifically states that the transloader is portable and may be relocated to any site within the county. The applicant and any parties copied on the draft permit package have 14 days upon receipt to request an administrative hearing on the draft air construction permit.
- The applicant publishes the Public Notice in a newspaper of general circulation within the county and provides the proof of publication to the Bureau of Air Regulation. The Bureau of Air Regulation accepts comments and requests for administrative hearings on the draft air construction permit for a period of 14 days from publication of the Public Notice.
- If there are petitions for administrative hearings or requests for extensions of time in which to file for petitions for administrative hearings, then the project is in litigation and no action may be taken until the litigation is resolved. The portable transloader may not be relocated to the new county until the litigation is resolved and final permits are issued.
- If there are no petitions for administrative hearings or requests for extensions of time in which to file for petitions for administrative hearings, the Bureau of Air Regulation issues a final permit modification for the existing air construction permit to identify the new county (Appendix PC) and also issues a final air operation permit revised accordingly. If the original request included the "Facility Relocation Notification Form", the portable transloader may be moved to the desired location once the final permits are issued with proper notification.

CONCLUSION

The Department makes a preliminary determination that the proposed project will comply with all applicable state and federal air pollution regulations as conditioned by the draft permit. This determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. No air quality modeling analysis is required because the project does not result in a significant increase in emissions. Bruce Mitchell is the project engineer and Jeff Koerner approved the draft permit. Additional details of this analysis may be obtained by contacting the project engineer at the Department's Bureau of Air Regulation at Mail Station #5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

DRAFT PERMIT

PERMITTEE

CEMEX Construction Materials L.P.
3820 Northdale Boulevard, Suite 100B
Tampa, Florida 33624

Authorized Representative:

Mr. Jose De La Garza, Director
Logistics Operations Florida

| |
|--|
| Permit No. 7775369-001-AC Facility ID No. 7775369 Portable Transloader SIC No. 5032 Expires: (5 years) |
|--|

PROJECT

This permit authorizes the construction of a portable transloader rated at 100 tons per hour to unload non-hazardous solid materials from trucks and railcars to tanker trucks. Following the notification requirements specified by this permit, the permittee intends to relocate and operate the portable transloader at any site within the following permitted counties: Charlotte, Collier and Hillsborough. The air permit does not relieve the owner from complying with other local provisions such as zoning. The portable transloader is categorized as a synthetic, non-Title V, minor source of air pollution.

STATEMENT OF BASIS

This construction permit is issued under the provisions of Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). Relocation to Hillsborough County subjects the portable unit to the applicable requirements of Chapter 1-3 of the Rules of Environmental Protection Commission of Hillsborough County (EPCHC). The above named permittee is authorized to construct the facility in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Department of Environmental Protection (Department).

CONTENTS

- Section 1. General Information
- Section 2. Administrative Requirements
- Section 3. Emissions Units Specific Conditions
- Section 4. Appendices

(DRAFT)

Joseph Kahn, Director
Division of Air Resource Management

SECTION 1. GENERAL INFORMATION

FACILITY DESCRIPTION

The proposed project is the construction of a portable transloader (RBT 3600 series or equivalent) rated at 100 tons per hour, which will be used to transfer various materials directly from railcars or trucks. Materials suitable for transloading will be non-hazardous materials such as sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is a packaged unit powered by a nominal 66 bhp diesel engine. The unit has an enclosed chain conveyor and an integral dust collector. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. The portable unit will be based primarily at the following locations:

- Charlotte County: CEMEX Construction Materials L.P., Concrete Batch Plant, (Facility ID No. 0150034) 3433 Acline Road, Punta Gorda;
- Collier County: CEMEX Construction Materials L.P., Concrete Batch Plant (Facility ID No. 0210003), 1425 Wiggins Pass Road East, Naples; and
- Hillsborough County: CEMEX Construction Materials L.P., Concrete Batch Plant (not currently a permitted site), 6311 E. Sligh Avenue, Tampa.

The permittee intends to operate the portable transloader at any site within any "Permitted County" identified in Appendix PC. With a 1-day advance notification, the portable unit may be relocated to any site within the permitted counties. With a same-day notification, the portable unit may be relocated to any site within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. For each relocation, the permittee must submit a "Facility Relocation Notification Form" within five (5) days of relocating.

FACILITY REGULATORY CLASSIFICATION

Title III: The facility will not be a major source of hazardous air pollutants (HAP).

Title IV: The facility will have no emissions units subject to the acid rain provisions of the Clean Air Act.

Title V: The facility will not be a Title V major source of air pollution in accordance with Chapter 213, F.A.C.

PSD: The facility will not be a PSD-major facility in accordance with Rule 62-212.400, F.A.C.

APPENDICES

The following Appendices contain applicable requirements and are attached as a part of this permit.

Appendix A. Citation Formats

Appendix CA. List of Compliance Authorities

Appendix CC. Common Conditions

Appendix GC. General Conditions

Appendix HC. Chapter 1-3 of the Rules of EPCHC

Appendix PC. Permitted Counties

RELEVANT DOCUMENTS

The following relevant documents are not a part of this permit, but helped form the basis for this permitting action: the permit application and additional information received to make it complete; the draft permit package including the Department's Technical Evaluation and Preliminary Determination; publication and comments; and the Department's Final Determination.

SECTION 2. ADMINISTRATIVE REQUIREMENTS

1. Permitting Authority: All documents related to applications for permits to construct, modify and operate emissions units regulated by this permit shall be submitted to the Bureau of Air Regulation of the Florida Department of Environmental Protection (DEP) at 2600 Blair Stone Road (MS #5505), Tallahassee, Florida 32399-2400. Copies of all such documents shall be submitted to the appropriate Compliance Authority.
2. Compliance Authority: All documents related to compliance activities such as reports, tests, and notifications shall be submitted to the appropriate Compliance Authority for the portable transloader's location. A list of the Department's District Offices and approved Local Air Programs is provided in Appendix CA of this permit.
3. Citation Format: Appendix A of this permit identifies the format used to cite applicable requirements.
4. Common Conditions: The permittee is subject to the applicable requirements in the attached Common Conditions in Appendix CC of this permit. [Chapters 62-4, 62-210, 62-296, and 62-297, F.A.C.]
5. General Conditions: The permittee is subject to the attached General Conditions in Appendix GC of this permit. [Rule 62-4.160, F.A.C.]
6. Applicable Regulations, Forms and Application Procedures: Unless otherwise indicated in this permit, the construction and operation of the subject emissions unit shall be in accordance with the capacities and specifications stated in the application. The facility is subject to all applicable provisions of: Chapter 403 of the Florida Statutes (F.S.); Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code (F.A.C.). The terms used in this permit have specific meanings as defined in the applicable chapters of the Florida Administrative Code. The permittee shall use the applicable forms listed in Rule 62-210.900, F.A.C., and follow the application procedures in Chapter 62-4, F.A.C. Relocation to Hillsborough County subjects the portable unit to the applicable requirements of Chapter 1-3 of the Rules of Environmental Protection Commission of Hillsborough County (EPCHC). Issuance of this permit does not relieve the permittee from compliance with any applicable federal, state, or local permitting or regulations. [Rules 62-204.800, 62-210.300 and 62-210.900, F.A.C.]
7. New or Additional Conditions: For good cause shown and after notice and an administrative hearing, if requested, the Department may require the permittee to conform to new or additional conditions. The Department shall allow the permittee a reasonable time to conform to the new or additional conditions, and on application of the permittee, the Department may grant additional time. [Rule 62-4.080, F.A.C.]
8. Modifications: The permittee shall notify the Compliance Authority upon commencement of construction. No emissions unit or facility subject to this permit shall be constructed or modified without obtaining an air construction permit from the Department. Such permit shall be obtained prior to beginning construction or modification. [Rules 62-210.300(1) and 62-212.300(1)(a), F.A.C.]
9. Extension of Expiration Date: For good cause, the permittee may request that this air construction permit be extended. Such a request shall be submitted to the Department's Bureau of Air Regulation at least 60 days before the expiration of this permit. [Rules 62-210.300(1), 62-4.070(4) and 62-4.210, F.A.C.]
10. Air Operation Permit: This permit authorizes construction of the permitted emissions units and initial operation to determine compliance with Department rules. An air operation permit is required for commercial operation of the permitted emissions unit. The permittee shall apply for an air operation permit at least 90 days prior to expiration of this permit, but no later than 180 days after commencing operation. To apply for an air operation permit, the applicant shall submit the appropriate application form in quadruplicate, the corresponding processing fee, compliance test results, and such additional information as the Department may by law require. [Rules 62-4.030, 62-4.050, 62-4.220, 62-210.300(2), and 62-210.900, F.A.C.]
11. Facility Relocation: The permittee is authorized to relocate the portable transloader to any site within any

SECTION 2. ADMINISTRATIVE REQUIREMENTS

“Permitted County” as identified in Appendix PC of this permit. With a 1-day advance notification, the portable unit may be relocated to any site within the permitted counties. With a same-day notification, the portable unit may be relocated to any site within the permitted counties to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. For each relocation, the permittee must submit a “Facility Relocation Notification Form” (DEP Form No. 62-210.900(6), F.A.C.) within five (5) days of relocating. This air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements.

The permittee shall hold a relocatable minor source air operation permit to operate the portable transloader at various sites throughout the permitted counties. The portable unit may also operate under the relocatable minor source operation permit while located at an existing permitted minor facility. However, the portable transloader shall not be relocated to any existing permitted minor facility if the potential emissions from the portable transloader would cause the minor facility to become a Title V major source. Pursuant to Rule 62-213.412(2), F.A.C., the portable transloader shall not be relocated to an existing Title V facility until the permittee submits an application to revise the Title V permit to authorize operation of the transloader.

[Rules 62-4.070(3) and 62-210.370(4), F.A.C.]

12. Adding New Permitted Counties: The portable transloader shall only be relocated to sites within a “Permitted County” identified in Appendix PC of this permit. To add a county to the list of permitted counties, the permittee shall provide the Bureau of Air Regulation with a letter of request with the following information: identification of the current air construction and operation permit numbers; a description of the portable transloader; a description of any permanent physical changes made to the portable transloader (excluding maintenance); the latest compliance test report; a list of previously permitted counties; the new county to be added and the specific site where the portable transloader will be located in the future (if known); and the Facility Relocation Notification Form No. 62-210.900(6), F.A.C. (if relocating). A copy of this information shall be submitted to the appropriate Compliance Authority for the proposed new site. The Bureau of Air Regulation will process the request as a modification of the air construction permit and a revision of the air operation permit. The permittee must publish a new Public Notice provided by the Bureau of Air Regulation in a newspaper of general circulation for the new county. The Public Notice provides administrative rights for affected parties to petition for an administrative hearing or provide comments on the draft permit. If there are no substantial comments and no petitions for administrative hearings, the Department will issue a final air construction permit and a revised air operation permit recognizing the new permitted county. The permittee is authorized to relocate the portable transloader upon issuance of the final modified air construction permit and revised air operation permit.

[Rules 62-210.300(1) and (2) and 62-210.350, F.A.C.]

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

This section of the permit addresses the portable transloader (Emissions Unit 001) and related activities.

EQUIPMENT

1. Portable Transloader: The permittee is authorized to construct a portable transloader (RBT 3600 series or equivalent) rated at 100 tons per hour, which will be used to transfer various solid materials directly from railcars or trucks to other trucks or storage. Materials suitable for transloading will be non-hazardous solid materials such as sand, gravel, cement, silicates, gypsum, fly ash, lime, river rock, etc. The portable transloader is a packaged unit powered by a nominal 66 bhp diesel engine rated at 4 gph of distillate oil. The unit has an enclosed chain conveyor and an integral dust collector. The railcar-to-conveyor transfer point is sealed with a pneumatic rubber boot. The conveyor-to-truck transfer point has an outer shell that seals against the truck and is equipped with a telescoping inner chute through which the material discharges. [Design; and Application No. 7775369-001-AC]
2. Dust Collector: The entire transfer system shall be maintained under negative pressure and exhausted through an integral dust collector, a Donaldson Unimasters Dust Collector Model C20H or equivalent. The dust collector shall be designed to achieve an outlet dust loading specification of 0.02 grains/acf of exhaust. Collector bags (cartridges) shall only be replaced with components that meet this design specification. [Design; and Application No. 7775369-001-AC]

PERFORMANCE RESTRICTIONS

3. Permitted Counties: The permittee may relocate the portable transloader to any site within any "Permitted County" as specified in Appendix PC of this permit. The conditions of this permit apply to the portable transloader as a whole regardless of the sites at which it may operate during any year. [Rules 62-4.070(3) and 62-210.300(1), F.A.C.]
4. Hours of Operation: The hours of operation are not limited (8760 hours per year). [Rule 62-210.200 (PTE), F.A.C.; and Application No. 7775369-001-AC]
5. Permitted Capacity: The maximum processing throughput rate shall not exceed 500,000 tons during any consecutive 12-months. [Rule 62-210.200(PTE); and Application No. 7775369-001-AC]
6. Fuel Limitations: Distillate oil is authorized as fuel for the diesel engine. The maximum fuel sulfur content of the distillate oil shall exceed 0.5% by weight. [Rule 62-4.070(3), F.A.C.; and Application No. 7775369-001-AC]

EMISSIONS STANDARDS

7. Visible Emissions:
 - a. Portable Transloader: As determined by EPA Method 9, visible emissions from the dust collector exhaust shall not exceed 5% opacity.
 - b. Other Related Activities: As determined by EPA Method 9, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than 20% opacity.[Rules 62-4.070(3) and 62-296.320(4), F.A.C.; and Application No. 7775369-001-AC]
8. Unconfined Emissions of Particulate Matter. 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. Reasonable precautions shall include:
 - a. Enclosing the transloading operation, maintaining the system under negative pressure and directing the

SECTION 3. EMISSIONS UNIT SPECIFIC CONDITIONS

A. Portable Transloader (EU-001)

exhaust through an integral dust collector.

- b. As necessary to prevent fugitive dust emissions from activities related to the transloading operation, conduct the following: landscaping, adding windbreaks, paving, sweeping, and wetting.

[Rules 62-4.070(3) and 62-296.320(4)(c), F.A.C.]

EMISSIONS PERFORMANCE TESTING

9. Compliance Tests: In accordance with EPA Method 9 and the applicable requirements specified in Appendix CC of this permit, the dust collector exhaust shall be tested to demonstrate compliance with the visible emissions standard specified in this permit. Initial compliance tests shall be conducted within at least 60 days of initial startup of the unit. Thereafter, during each federal fiscal year (October 1st to September 30th), the baghouse exhaust shall be tested to demonstrate compliance with the visible emissions standards of this permit. Visible emissions tests shall be conducted for at least 30 consecutive minutes. [Rules 62-296.320(4), 62-297.100, 62-297.310(4) and (7), and 62-297.401, F.A.C.]
10. Test Notification: At least 15 days prior to conducting any tests, the permittee shall notify the Compliance Authority for the site being tested in writing of the following information: the date, time, and place of each such test; and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9, F.A.C.]

RECORDS AND REPORTS

11. Test Reports: The permittee shall prepare and submit reports for all required tests in accordance with the requirements specified in Appendix CC of this permit. [Rule 62-297.310(8), F.A.C.]
12. Fuel Records: For each delivery of distillate oil, the permittee shall maintain records of the quantity delivered (gallons) and the fuel sulfur content. Acceptable analytical methods for fuel sulfur include the most recent versions of ASTM Methods D4057-88, D129-91, D2622-94, ASTM D4294-90, or equivalent methods. A vendor certification for each fuel delivery may be used to document the fuel sulfur content and associated analytical test methods. [Rules 62-4.070(3) and 62-297.440(1), F.A.C.]
13. Daily Logs: For each day of operation, the permittee shall record the following information into a written log: location of the plant, hours of operation, tons of solid material processed, and a description of any maintenance performed on the transloader and/or dust collector. Daily logs shall be made available to any Compliance Authority upon request. [Rule 62-4.070(3), F.A.C.]
14. Monthly Logs: Within ten (10) days following each month, the permittee shall record the following information in a written log identifying the monthly total and the 12-month rolling total: tons of solid material processed. Monthly logs shall be made available to any Compliance Authority upon request. [Rules 62-4.070(3), F.A.C.]
15. O&M Plan: The permittee shall keep an operation and maintenance (O&M) plan for the dust collector control system. The O&M plan shall include: the collector bag specifications, the typical range of pressure drop across the baghouse, and a plan for regular maintenance. [Rule 62-4.070(3), F.A.C.]

Other Applicable Requirements

16. Hillsborough County: Appendix HC specifies additional applicable requirements when operating in Hillsborough County. [Rules of the EPCHC]

SECTION 4. APPENDICES

CONTENTS

- Appendix A. Citation Formats
- Appendix CA. List of Compliance Authorities
- Appendix CC. Common Conditions
- Appendix GC. General Conditions
- Appendix HC. Chapter 1-3 of the Rules of EPCHC
- Appendix PC. Permitted Counties

SECTION 4. APPENDIX A

CITATION FORMATS

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

Example: Permit No. AC50-123456 or Air Permit No. AO50-123456

Where: “AC” identifies the permit as an Air Construction Permit
“AO” identifies the permit as an Air Operation Permit
“123456” identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: “099” represents the specific county ID number in which the project is located
“2222” represents the specific facility ID number
“001” identifies the specific permit project
“AC” identifies the permit as an air construction permit
“AF” identifies the permit as a minor federally enforceable state operation permit
“AO” identifies the permit as a minor source air operation permit
“AV” identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: “PSD” means issued pursuant to the Prevention of Significant Deterioration of Air Quality
“FL” means that the permit was issued by the State of Florida
“317” identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

SECTION 4. APPENDIX CA
LIST OF COMPLIANCE AUTHORITIES

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION – DISTRICT OFFICES

NORTHEAST DISTRICT

Air Resource Section

7825 Baymeadows Way, Suite 200-B
Jacksonville, FL 32256-7590
Phone: (904) 807-3300

SOUTHEAST DISTRICT

Air Resource Section

400 North Congress Avenue, Suite 200
West Palm Beach, FL 33401
Phone: (561) 681-6600

NORTHWEST DISTRICT

Air Resource Section

160 Governmental Center, Suite 308
Pensacola, FL 32502-5794
Phone: (850) 595-8300

SOUTHWEST DISTRICT

Air Resource Section

13051 N. Telecom Parkway
Temple Terrace, FL 33637-0926
Phone: (813) 632-7600

SOUTH DISTRICT

Air Resource Section

2295 Victoria Avenue, Suite 364
P.O. Box 2549
Fort Myers, FL 33902-2549
Phone: (239) 332-6975

CENTRAL DISTRICT

Air Resource Section

3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767
Phone: (407) 894-7555

SECTION 4. APPENDIX CA
LIST OF COMPLIANCE AUTHORITIES

APPROVED LOCAL AIR PROGRAMS

Eight approved local air programs conduct ambient air monitoring and take lead responsibility for air compliance and enforcement activities in their counties. Six of these programs are also delegated district level air permitting authority.

Broward County

Department of Planning and Environmental
Protections
Air Quality Division
115 S. Andrews Avenue, Suite A-240
Fort Lauderdale, Florida 33301-4800
Phone: 954-519-1220

Orange County

Environmental Protection Division
Air Section
800 Mercy Drive, Suite 4
Orlando Florida 32308-7896
Phone: 407-836-1447

Miami-Dade County

Department of Environmental Resources
Management
Air Quality Management Division
33 Southwest Second Avenue, Suite 900
Miami, Florida 33130-1540
Phone: 305-372-6925

Palm Beach County Health Department

Division of Environmental Science & Engineering
Air Pollution Control Section
901 Evernia Street
P.O. Box 29
West Palm Beach, Florida 33401-0029
Phone 561-840-4500

Duval County

Regulatory and Environmental Services Department
Air and Water Quality Division
117 W. Duval Street, Suite 225
Jacksonville, Florida 32202-3700
Phone: 904-630-4900

Pinellas County

Department of Environmental Management
Air Quality Division
300 South Garden Avenue
Clearwater, Florida 33756-5424
Phone: 727-464-4422

Hillsborough County

Environmental Protection Commission
Air Management Division
3629 Queen Palm Drive
Tampa, Florida 33619
Phone: 813-627-2600

Sarasota County

Water Resources Department
Pollution Control Division
2817 Cattlemen Road
Sarasota, Florida 34232-6244
Phone: 941-861-6209

SECTION 4. APPENDIX CC
COMMON CONDITIONS

Unless otherwise specified in the permit, the following conditions apply to all emissions units and activities at the facility.

EMISSIONS AND CONTROLS

1. Plant Operation - Problems: If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
2. Circumvention: The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]
3. Excess Emissions Allowed: Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. This state provision cannot be used to vary any applicable NSPS requirements from 40 CFR 60. [Rule 62-210.700(1), F.A.C.]
4. Excess Emissions Prohibited: Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be prohibited. [Rule 62-210.700(4), F.A.C.]
5. Excess Emissions - Notification: In case of excess emissions resulting from malfunctions, the permittee shall notify the Department or the appropriate Local Program in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department. [Rule 62-210.700(6), F.A.C.]
6. VOC or OS Emissions: No person shall store, pump, handle, process, load, unload or use in any process or installation, volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems deemed necessary and ordered by the Department. [Rule 62-296.320(1), F.A.C.]
7. Objectionable Odor Prohibited: No person shall cause, suffer, allow or permit the discharge of air pollutants, which cause or contribute to an objectionable odor. An "objectionable odor" means any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance. [Rules 62-296.320(2) and 62-210.200(217), F.A.C.]
8. General Visible Emissions: No person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity equal to or greater than 20 percent opacity. This regulation does not impose a specific testing requirement. [Rule 62-296.320(4)(b)1, F.A.C.]
9. Unconfined Particulate Emissions: During the construction period, unconfined particulate matter emissions shall be minimized by dust suppressing techniques such as covering and/or application of water or chemicals to the affected areas, as necessary. [Rule 62-296.320(4)(c), F.A.C.]

TESTING REQUIREMENTS

10. Required Number of Test Runs: For mass emission limitations, a compliance test shall consist of three complete and separate determinations of the total air pollutant emission rate through the test section of the stack or duct and three complete and separate determinations of any applicable process variables corresponding to the three distinct time periods during which the stack emission rate was measured; provided, however, that three complete and separate determinations shall not be required if the process variables are not subject to variation during a compliance test, or if three determinations are not necessary in order to calculate the unit's emission rate. The three required test runs shall be completed within one consecutive five-day period. In the event that a sample is lost or one of the three runs must be discontinued because of circumstances beyond the control of the owner or operator, and a valid third run cannot be obtained within the five-day period allowed for the test, the Secretary or his or her designee may accept the results of two complete runs as proof of compliance, provided that the arithmetic mean of the two complete runs is at least 20% below the allowable emission limiting standard. [Rule 62-297.310(1), F.A.C.]

SECTION 4. APPENDIX CC
COMMON CONDITIONS

11. Operating Rate During Testing: Testing of emissions shall be conducted with the emissions unit operating at permitted capacity. Permitted capacity is defined as 90 to 100 percent of the maximum operation rate allowed by the permit. If it is impractical to test at permitted capacity, an emissions unit may be tested at less than the maximum permitted capacity; in this case, subsequent emissions unit operation is limited to 110 percent of the test rate until a new test is conducted. Once the unit is so limited, operation at higher capacities is allowed for no more than 15 consecutive days for the purpose of additional compliance testing to regain the authority to operate at the permitted capacity. [Rule 62-297.310(2), F.A.C.]
12. Calculation of Emission Rate: For each emissions performance test, the indicated emission rate or concentration shall be the arithmetic average of the emission rate or concentration determined by each of the three separate test runs unless otherwise specified in a particular test method or applicable rule. [Rule 62-297.310(3), F.A.C.]
13. Applicable Test Procedures: Tests shall be conducted in accordance with all applicable requirements of Chapter 62-297, F.A.C.
 - a. *Required Sampling Time*.
 - 1) Unless otherwise specified in the applicable rule, the required sampling time for each test run shall be no less than one hour and no greater than four hours, and the sampling time at each sampling point shall be of equal intervals of at least two minutes.
 - 2) *Opacity Compliance Tests*. When either EPA Method 9 or DEP Method 9 is specified as the applicable opacity test method, the required minimum period of observation for a compliance test shall be sixty (60) minutes for emissions units which emit or have the potential to emit 100 tons per year or more of particulate matter, and thirty (30) minutes for emissions units which have potential emissions less than 100 tons per year of particulate matter and are not subject to a multiple-valued opacity standard. The opacity test observation period shall include the period during which the highest opacity emissions can reasonably be expected to occur. For batch, cyclical processes, or other operations which are normally completed within less than the minimum observation period and do not recur within that time, the period of observation shall be equal to the duration of the batch cycle or operation completion time.
 - b. *Minimum Sample Volume*. Unless otherwise specified in the applicable rule or test method, the minimum sample volume per run shall be 25 dry standard cubic feet.
 - c. *Required Flow Rate Range*. For EPA Method 5 particulate sampling, acid mist/sulfur dioxide, and fluoride sampling which uses Greenburg Smith type impingers, the sampling nozzle and sampling time shall be selected such that the average sampling rate will be between 0.5 and 1.0 actual cubic feet per minute, and the required minimum sampling volume will be obtained.
 - d. *Calibration of Sampling Equipment*. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1.
 - e. *Calibration of Sampling Equipment*. Calibration of the sampling train equipment shall be conducted in accordance with the schedule shown in Table 297.310-1, F.A.C.
 - f. *Allowed Modification to EPA Method 5*. When EPA Method 5 is required, the following modification is allowed: the heated filter may be separated from the impingers by a flexible tube.

[Rule 62-297.310(4), F.A.C.]
14. Determination of Process Variables
 - a. *Required Equipment*. The owner or operator of an emissions unit for which compliance tests are required shall install, operate, and maintain equipment or instruments necessary to determine process variables, such as process weight input or heat input; when such data are needed in conjunction with emissions data to determine the compliance of the emissions unit with applicable emission limiting standards.
 - b. *Accuracy of Equipment*. Equipment or instruments used to directly or indirectly determine process variables, including devices such as belt scales, weight hoppers, flow meters, and tank scales, shall be calibrated and adjusted to indicate the true value of the parameter being measured with sufficient accuracy to allow the applicable process variable to be determined within 10% of its true value.

[Rule 62-297.310(5), F.A.C.]

SECTION 4. APPENDIX CC

COMMON CONDITIONS

15. Sampling Facilities: The permittee shall install permanent stack sampling ports and provide sampling facilities that meet the requirements of Rule 62-297.310(6), F.A.C.
16. Test Notification: The owner or operator shall notify the Department, at least 15 days prior to the date on which each formal compliance test is to begin, of the date, time, and place of each such test, and the test contact person who will be responsible for coordinating and having such test conducted for the owner or operator. [Rule 62-297.310(7)(a)9, F.A.C.]
17. Special Compliance Tests: When the Department, after investigation, has good reason (such as complaints, increased visible emissions or questionable maintenance of control equipment) to believe that any applicable emission standard contained in a Department rule or in a permit issued pursuant to those rules is being violated, it shall require the owner or operator of the emissions unit to conduct compliance tests which identify the nature and quantity of pollutant emissions from the emissions unit and to provide a report on the results of said tests to the Department. [Rule 62-297.310(7)(b), F.A.C.]
18. Test Reports: The owner or operator of an emissions unit for which a compliance test is required shall file a report with the Department on the results of each such test. The required test report shall be filed with the Department as soon as practical but no later than 45 days after the last sampling run of each test is completed. The test report shall provide sufficient detail on the emissions unit tested and the test procedures used to allow the Department to determine if the test was properly conducted and the test results properly computed. As a minimum, the test report, other than for an EPA or DEP Method 9 test, shall provide the following information:
 1. The type, location, and designation of the emissions unit tested.
 2. The facility at which the emissions unit is located.
 3. The owner or operator of the emissions unit.
 4. The normal type and amount of fuels used and materials processed, and the types and amounts of fuels used and material processed during each test run.
 5. The means, raw data and computations used to determine the amount of fuels used and materials processed, if necessary to determine compliance with an applicable emission limiting standard.
 6. The type of air pollution control devices installed on the emissions unit, their general condition, their normal operating parameters (pressure drops, total operating current and GPM scrubber water), and their operating parameters during each test run.
 7. A sketch of the duct within 8 stack diameters upstream and 2 stack diameters downstream of the sampling ports, including the distance to any upstream and downstream bends or other flow disturbances.
 8. The date, starting time and duration of each sampling run.
 9. The test procedures used, including any alternative procedures authorized pursuant to Rule 62-297.620, F.A.C. Where optional procedures are authorized in this chapter, indicate which option was used.
 10. The number of points sampled and configuration and location of the sampling plane.
 11. For each sampling point for each run, the dry gas meter reading, velocity head, pressure drop across the stack, temperatures, average meter temperatures and sample time per point.
 12. The type, manufacturer and configuration of the sampling equipment used.
 13. Data related to the required calibration of the test equipment.
 14. Data on the identification, processing and weights of all filters used.
 15. Data on the types and amounts of any chemical solutions used.
 16. Data on the amount of pollutant collected from each sampling probe, the filters, and the impingers, are reported separately for the compliance test.
 17. The names of individuals who furnished the process variable data, conducted the test, analyzed the samples and prepared the report.
 18. All measured and calculated data required to be determined by each applicable test procedure for each run.
 19. The detailed calculations for one run that relate the collected data to the calculated emission rate.

SECTION 4. APPENDIX CC
COMMON CONDITIONS

20. The applicable emission standard and the resulting maximum allowable emission rate for the emissions unit plus the test result in the same form and unit of measure.
21. A certification that, to the knowledge of the owner or his authorized agent, all data submitted are true and correct. When a compliance test is conducted for the Department or its agent, the person who conducts the test shall provide the certification with respect to the test procedures used. The owner or his authorized agent shall certify that all data required and provided to the person conducting the test are true and correct to his knowledge.

[Rule 62-297.310(8), F.A.C.]

RECORDS AND REPORTS

19. Records Retention: All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least three (3) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department upon request. [Rules 62-4.160(14), F.A.C.]
20. Annual Operating Report: The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(3), F.A.C.]

SECTION 4. APPENDIX GC

GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, Florida Statutes. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), Florida Statutes, the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

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

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

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

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

SECTION 4. APPENDIX GC

GENERAL CONDITIONS

Statutes. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Florida Administrative Code Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable); and
 - c. Compliance with New Source Performance Standards (Not Applicable).
14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - 1) The date, exact place, and time of sampling or measurements;
 - 2) The person responsible for performing the sampling or measurements;
 - 3) The dates analyses were performed;
 - 4) The person responsible for performing the analyses;
 - 5) The analytical techniques or methods used; and
 - 6) The results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SECTION 4. APPENDIX HC
CHAPTER 1-3 OF THE RULES OF EPCHC

**RULES OF THE
ENVIRONMENTAL PROTECTION
COMMISSION
OF HILLSBOROUGH COUNTY**

**CHAPTER 1-3
STATIONARY AIR POLLUTION
SOURCES AND AMBIENT AIR QUALITY
STANDARDS**

PART 1

- 1-3.10 Statement of Intent
- 1-3.11 Declarations of Legislative Findings
- 1-3.12 Definitions

PART 2

- 1-3.20 Circumvention Prohibited
- 1-3.21 Permits Required
- 1-3.22 Prohibitions
- 1-3.23 Necessary Precautions
- 1-3.24 Public Notification
- 1-3.25 Excess Emissions

PART 3

- 1-3.30 Ambient Air Quality Standards
- 1-3.31 Designation of Air Pollution Status of Area

PART 4

- 1-3.40 New Source Review

PART 5

- 1-3.50 Emission Limiting and Performance Standards
- 1-3.51 Particulate Emissions
- 1-3.52 Visible Emissions
- 1-3.53 Specific Source Emissions

PART-6

- 1-3.60 Source Sampling and Monitoring

PART 1

1-3.10 STATEMENT OF INTENT

1. The Commission promulgates this rule for the purpose of implementing the intent of the Florida Legislature as declared in Chapter 84-446, Laws of Florida, as amended or recodified (Act), to insure the atmospheric purity and freedom of the air of Hillsborough County from contaminants or synergistic agents injurious to human, plant, or animal life, which unreasonably interfere with comfortable enjoyment of life or property or the conduct of business. In so doing, the Commission recognizes that the Florida Department of Environmental Protection has environmental regulatory and enforcement authority pursuant to Chapter 403, Florida Statutes, and that the remedies of the Department under that chapter are available to the Commission as an approved local program pursuant to Chapter 403.182, F.S. It is the intent of the Commission to require compliance with the Department's permitting rules and emission limits in Hillsborough County, except as may be otherwise provided herein, so as to further the policies of preventing significant deterioration, protecting air quality existing at the time the Department adopted its standards, and of upgrading or enhancing air quality. Where a new or increased source of air pollution poses a possibility of degrading existing high air quality or ambient air quality established by this rule, the Director shall not recommend issuance of a Department permit for such source or proposed source until he has received reasonable assurance that such source, construction or development will not violate this rule.

2. Standards and provisions of the Department, as here adopted, are incorporated in the form existing on the date of adoption of this rule or relevant amendment. When Commission rules are more stringent or restrictive than Department rules, the Commission rules shall apply.

3. Department rules, as adopted herein and incorporated by reference, shall be interpreted consistently with official Department policy. For purposes of this rule, official Department policy shall include written policy statements signed by the Secretary of the Department or his/her designee. Other documented

SECTION 4. APPENDIX HC
CHAPTER 1-3 OF THE RULES OF EPCHC

representations of Department policy may be used in support of a policy interpretation, but shall not themselves be official policy.

1-3.11 DECLARATION OF LEGISLATIVE FINDINGS

The Commission hereby finds that emissions into the atmosphere of Hillsborough County in excess of, or contributing to an exceedance of, the standards hereinafter provided may reasonably be expected to cause air pollution prohibited by Section 17 of the Act. The Commission also finds that emissions, while in compliance with source specific emission limiting standards, may at times constitute nuisances as defined by Section 3(8) and prohibited by Section 16 of the Act.

1-3.12 DEFINITIONS

1. Definitions contained in the Act, apply to this rule.

2. With the exception of the definitions for "Air Pollution," and "Particulate Matter," definitions contained in Section 62-210.200, F.A.C., shall, to the extent applicable apply to this rule.

3. The following specific definitions shall apply to this rule:

(a) "Director" shall mean the Director of the Commission or his authorized agent.

(b) "Objectionable odor" shall mean any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, or which creates a nuisance as defined by the Act.

(c) "Stationary source" shall mean any building, structure, equipment, facility, or installation which emits or may emit an air pollutant and exists at or is designed to be operated as a unit at a fixed location, although parts of the source may move while the source is in operation.

(d) "Vapor-tight gasoline tank truck" shall mean a gasoline tank truck, which has demonstrated within the 12 preceding months that its product delivery tank will sustain a pressure change of not more than 750 pascals (75mm of water) within 5 minutes after it is pressurized to 4500 pascals (450mm of water).

This capability is to be demonstrated using the pressure test procedure specified in EPA Reference Method 27.

PART 2

1-3.20 CIRCUMVENTION PROHIBITED

No person shall circumvent any air pollution control device, or allow the emission of air pollutants without the applicable air pollution control device operating properly.

1-3.21 PERMITS REQUIRED

1. No air pollution source may be constructed, modified or operated in Hillsborough County without a valid permit as may be required by the Department pursuant to Chapters 62-210, 212, 213 and 214, F.A.C., Chapter 62-4, F.A.C., or as may be otherwise required by this rule.

2. Application for or renewal of a permit, or copy where appropriate, shall be submitted to the Director for his review, pursuant to Department and Commission requirements, and recommendation according to this rule. Reasonable assurances shall be provided that all Department and Commission standards have or will be met by the applicant or the activity sought to be permitted. Activities under Citation at the time of application shall have the Citation resolved prior to the Director recommending approval of an application involving the same activity.

3. No air pollution source may be constructed, modified or operated in Hillsborough County in violation of any conditions specified on the permit, whether issued by the Commission or by the Department, or certification authorizing the activity or as may be incorporated by reference within the conditions of the permit authorizing the activity. Violation of any such permit or certification condition is a violation of this rule.

1-3.22 PROHIBITIONS

1. No person may build, erect, construct, or implant any new source or operate, modify or rebuild an existing source, or by any other means release or take action which would result in the release of air pollutants into the atmosphere of the County which will result in or contribute to,

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ambient air concentrations greater than ambient air quality standards as defined in this rule.

2. No person shall cause, let, permit, suffer or allow the discharge into the atmosphere of any pollutant from any source or activity in excess of emission standards herein established.

3. No person shall cause, let, permit, suffer or allow the discharge into the atmosphere of any pollutant from any source or activity that causes or tends to cause or to contribute to an objectionable odor.

1-3.23 NECESSARY PRECAUTIONS

No person shall store, pump, handle, process, load, unload or use in any process or installation volatile organic compounds or organic solvents without applying known and existing vapor emission control devices or systems as may be necessary.

1-3.24 PUBLIC NOTIFICATION

1. Construction and Operating Permits.

(a) Pursuant to Chapter 62-110.106 F.A.C., a Notice of Application and Notice of Proposed Agency Action for any air pollution permit may require public notice in a newspaper of general circulation by the applicant at the applicant's expense. In such instance, the notice must be published in a newspaper that meets the requirements of 50.011 and 50.031, F.S. Any Notice of Application shall be in addition to any public notice required under Chapter 62-110.106(7), F.A.C.

(b) Applicants shall give written notice to each Neighborhood Organization registered with the EPC which lies within one mile of any proposed activity under consideration for a construction permit. At the Director's discretion, applicants may be directed to provide the same written notice to Neighborhood Organizations further than one mile from the proposed activity for activities to be covered by a construction permit. Applicants shall, at the Director's discretion, give written notice to each Neighborhood Organization registered with the EPC, which lies within one mile of any proposed activity under consideration for an operation permit. Also, at the Director's discretion, applicants may be directed to provide the same written notice to Neighborhood

Organizations further than one mile from the proposed activity for activities to be covered by an operation permit. The EPC will provide the applicant with the affected Neighborhood Organization list, and within 10 days of receipt of this list, the applicant will provide the EPC written evidence that the Neighborhood Organizations were notified. The notice to the Neighborhood Organizations shall include a description of the air emission source, the nature of the air emissions, the proposed startup date and the name of a contact person at the EPC for further information.

(c) Applicants shall post a sign at the location of any proposed activity under consideration for a construction permit. At the Director's discretion, applicants may be directed to post the same sign for activities to be covered by an operation permit. The EPC will provide the applicant with the sign. It must be posted conspicuously on the property, so as to be readily viewable from the busiest adjacent public roadway. The applicant must pick up and post the sign within 15 days of submitting an application, and leave it posted on-site for no less than 30 days.

2. General and Relocatable Permits. Applicants who intend to use an air general permit in Hillsborough County, or move a facility classified as a relocatable facility to a location in Hillsborough County for the first time at that location, shall post a sign at the facility. The EPC will provide the facility with a sign. It must be posted conspicuously on the property so as to be readily viewable from the busiest adjacent public roadway. The facility must pick up and post the sign within 5 days of submitting notification to EPC, and the sign must remain posted for 30 days, or for the duration of the operation if it is less than 30 days.

1-3.25 EXCESS EMISSIONS

1. Excess emissions specifically allowed by Chapter 62-210, F.A.C., shall not be violations of this rule unless they are determined to be nuisances. The Director may request written verification that any such emissions fall within the designated conditions.

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CHAPTER 1-3 OF THE RULES OF EPCHC

2. Excess emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may be reasonably prevented during start-up, shut down, or malfunction, are prohibited.

PART 3

1-3.30 AMBIENT AIR QUALITY STANDARDS

1. Standards established in Chapter 62-204, F.A.C., are adopted and hereby incorporated by reference.

2. Sampling and analysis of contaminants in this section shall be performed in accordance with the State of Florida Department of Environmental Protection "State-Wide Quality Assurance Plan, January 1985".

1-3.31 DESIGNATION OF AIR POLLUTION STATUS OF AREA

Designations of Hillsborough County pursuant to Chapter 62-204, F.A.C. regarding the ambient standards of Section 1-3.30 above and Prevention of Significant Deterioration areas, are hereby adopted by reference.

PART 4

1-3.40 NEW SOURCE REVIEW

Provisions contained in Chapter 62-212, F.A.C., pertinent to Hillsborough County, are adopted and hereby incorporated by reference.

PART 5

1-3.50 EMISSION LIMITING AND PERFORMANCE STANDARDS

Provisions contained in Chapters 62-204 and 62-296, F.A.C., pertinent to Hillsborough County, are adopted and hereby incorporated by reference, except for Sections 62-296.320(4)(b) 2. and 62-296.513(1)(c), F.A.C., and except as may be modified herein.

1-3.51 PARTICULATE EMISSIONS

The particulate emission limits under RACT in Sections 62-296.700 through 62-296.712, F.A.C., shall apply to all new and existing emission units. In situations where the particulate emission limits under RACT, pursuant to Section 62-296.700, F.A.C., are less

restrictive than process weight limits pursuant to Section 62-296.320, F.A.C., process weight limits shall apply, except as provided in Section 62-296.700(3), F.A.C.

1-3.52 VISIBLE EMISSIONS

1. Visible emissions in Hillsborough County from a single source or combination of sources sharing a common discharge point shall not have an opacity equal to or greater than 20% except as otherwise specifically provided in these rules. The ability to comply with all other standards does not relieve a source from this 20% opacity standard.

2. A 5% opacity standard shall apply in Hillsborough County to the following types of stationary sources: loading or unloading of materials to or from containers such as railcars, trucks, ships, storage structures and stockpiles; permanent conveyor systems; storage of materials in structures such as silos or enclosed bins, which have a storage capacity of fifty cubic yards or more; crushing, grinding, sizing and screening operations; and static drop transfer points. The deadline for compliance with this standard shall be within 180 days of the effective date of this rule for existing sources, and on the effective date of the rule for new sources.

(a) Sources exempt from this standard are:

(1) Emissions of particulate matter from open stockpiles of materials, vehicular traffic and other emissions from roads and plant grounds;

(2) Construction and road maintenance activities;

(3) Sulfur storage and handling facilities covered by Department Rule 62-296.411, F.A.C.;

(4) Sources with specific RACT emission limiting standards greater than 5% as set forth in Department Rule 62-296.711(2)(c), F.A.C.;

(5) When material is being discharged to the hold of a ship from a conveyor system, an opacity of 10% will be allowed when the conveyor and/or hatch covering is moved; and

SECTION 4. APPENDIX HC
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(6) Facilities for grinding and screening of vegetation and yard waste material.

3. Annual visible emissions tests, conducted in accordance with EPA Method 9, shall be required of the permitted sources subject to the standards in this section or subject to Rule 62-296.320(4)(b) 1., F.A.C.

1-3.53 SPECIFIC SOURCE EMISSIONS

1. Emissions for the following specific sources shall have the following limits in Hillsborough County regardless of provisions otherwise contained in this rule or in Chapters 62-204 through 62-297 F.A.C., unless the provisions of Chapters 62-204 through 62-297, F.A.C., are more stringent.

(a) Sulfuric acid plants or plant sections manufacturing sulfuric acid - 10% opacity except for a 30 minute period during plant start-up, with opacity for such period allowed up to 40%.

(b) Nitric acid plants producing weak nitric acid (50 to 70%) by pressure or atmospheric pressure process - no visible emissions (5% opacity).

(c) Existing fossil fuel steam generators - sulfur dioxide emissions from liquid fuel shall be limited to 1.1 pounds per million BTU heat input.

(d) Fossil fuel steam generators - visible emissions are limited to 20% opacity except for either one six-minute period per hour during which opacity shall not exceed 27 percent, or one two minute period per hour during which opacity shall not exceed 40 percent. The option selected shall be specified in the emission unit's construction and operation permits.

(e) Bulk gasoline terminals - loading of liquid product into gasoline tank trucks shall be limited to vapor-tight gasoline tank trucks.

(f) Municipal Waste Incinerators - mercury and dioxin/furan emissions shall be controlled by combustion practices, operation and maintenance, and operation of a carbon injection system. An alternative would be to install a continuous emission monitor for the pollutant mercury and adjust the carbon feed rate accordingly. This continuous emission monitor shall be installed and operated in accordance

with a promulgated USEPA Performance Specification. Any such alternative must be approved by the Executive Director prior to implementation.

The need to retain this requirement shall be reviewed by EPC and affected facilities five years from the effective date of this rule.

PART 6
1-3.60 SOURCE SAMPLING AND MONITORING

Source sampling and monitoring shall be performed in compliance with Department and EPA requirements so as to determine as accurately as possible actual operational emissions.

Adopted 02/26/86
Amended 08/07/86
Amended 09/14/88
Amended 06/25/98
Amended 08/19/99
Amended 10/19/00
Amended 09/19/02

SECTION 4. APPENDIX PC
PERMITTED COUNTIES

The permittee has provided proof of publication of the Department’s “Public Notice of Intent to Issue Air Permit” in a newspaper of general circulation and modified the air construction permit for the counties identified with a publication date in the following table. These are referred to as “Permitted Counties”. With a 1-day advance notification, the portable unit may be relocated to any site within any Permitted County. With a same-day notification, the portable unit may be relocated to any site within any Permitted County to mitigate impacts due to railcar or truck accidents, material spills, and other similar activities. For each relocation, the permittee shall submit a “Facility Relocation Notification Form” (DEP Form No. 62-210.900(6), F.A.C.) within five (5) days of relocating. This air construction permit does not relieve the owner from complying with other local provisions such as zoning requirements.

| Permitted Counties | Publication Date | Permitted Counties | Publication Date | Permitted Counties | Publication Date |
|--------------------|------------------|--------------------|------------------|--------------------|------------------|
| Alachua | | Hamilton | | Okeechobee | |
| Baker | | Hardee | | Orange | |
| Bay | | Hendry | | Osceola | |
| Bradford | | Hernando | | Palm Beach | |
| Brevard | | Highlands | | Pasco | |
| Broward | | Hillsborough | DRAFT | Pinellas | |
| Calhoun | | Holmes | | Polk | |
| Charlotte | DRAFT | Indian River | | Putnam | |
| Citrus | | Jackson | | St. Johns | |
| Clay | | Jefferson | | St. Lucie | |
| Collier | DRAFT | Lafayette | | Santa Rosa | |
| Columbia | | Lake | | Sarasota | |
| Dade | | Lee | | Seminole | |
| DeSoto | | Leon | | Sumter | |
| Dixie | | Levy | | Suwannee | |
| Duval | | Liberty | | Taylor | |
| Escambia | | Madison | | Union | |
| Flagler | | Manatee | | Volusia | |
| Franklin | | Marion | | Wakulla | |
| Gasden | | Martin | | Walton | |
| Gilchrist | | Monroe | | Washington | |
| Glades | | Nassau | | | |
| Gulf | | Okaloosa | | | |

Adams, Patty

From: Harvey, Mary
Sent: Friday, February 09, 2007 2:16 PM
To: 'jose.delegarza@cemexusa.com'; 'denise.corrales@cemexusa.com'; Blackburn, Ron; 'campbell@epchc.org'; 'jkoogler@kooglerassociates.com'; 'praval@kooglerassociates.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT
Attachments: 7775369.001.AC.D_pdf.zip

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

4/19/2007

Adams, Patty

From: Harvey, Mary
Sent: Friday, February 09, 2007 2:30 PM
To: Mitchell, Bruce
Cc: Adams, Patty
Subject: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

-----Original Message-----

From: Denise L Corrales [mailto:denise.corrales@cemexusa.com]
Sent: Friday, February 09, 2007 2:26 PM
To: Harvey, Mary
Subject: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

Return Receipt

Your CEMEX Construction Material L.P. Facility
document: #7775369-001-AC-DRAFT

was denise.corrales@cemexusa.com
received
by:

at: 02/09/2007 14:26:03 EST

Adams, Patty

From: Harvey, Mary
Sent: Friday, February 09, 2007 2:43 PM
To: 'jose.delagarza@cemexusa.com'
Cc: Mitchell, Bruce; Adams, Patty
Subject: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT
Attachments: 7775369.001.AC.D_pdf.zip

From: Harvey, Mary
Sent: Friday, February 09, 2007 2:16 PM
To: 'jose.delegarza@cemexusa.com'; 'denise.corrales@cemexusa.com'; Blackburn, Ron; 'campbell@epchc.org'; 'jkoogler@kooglerassociates.com'; 'praval@kooglerassociates.com'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

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The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

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Thank you,

DEP, Bureau of Air Regulation

Adams, Patty

From: Harvey, Mary
Sent: Friday, February 09, 2007 3:11 PM
To: Adams, Patty; Mitchell, Bruce
Subject: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

From: John Koogler [mailto:jkoogler@kooglerassociates.com]
Sent: Friday, February 09, 2007 3:03 PM
To: Harvey, Mary
Subject: RE: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

Got it, thanks Mary.

John

John B Koogler
Koogler & Associates, Inc
4014 NW 13th St
Gainesville, FL 32609
352/377-5822
jkoogler@kooglerassociates.com

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, February 09, 2007 2:16 PM
To: jose.delegarza@cemexusa.com; denise.corrales@cemexusa.com; Blackburn, Ron; campbell@epchc.org; jkoogler@kooglerassociates.com; praval@kooglerassociates.com
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

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Thank you,

DEP, Bureau of Air Regulation

4/19/2007

Adams, Patty

From: Pradeep Raval [praval@kooglerassociates.com]
Sent: Friday, February 09, 2007 3:16 PM
To: Harvey, Mary; jose.delegarza@cemexusa.com; denise.corrales@cemexusa.com; Blackburn, Ron; campbell@epchc.org; jkoogler@kooglerassociates.com
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: RE: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

Mary: I got it.... thanks.

Pradeep Raval
KOOGLER & ASSOCIATES, INC.
4014 NW 13th Street
Gainesville, FL 32609
Tel (352) 377-5822
Fax (352) 377-7158

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, February 09, 2007 2:16 PM
To: jose.delegarza@cemexusa.com; denise.corrales@cemexusa.com; Blackburn, Ron; campbell@epchc.org; jkoogler@kooglerassociates.com; praval@kooglerassociates.com
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
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The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

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Thank you,

DEP, Bureau of Air Regulation

--
No virus found in this incoming message.
Checked by AVG Free Edition.
Version: 7.1.411 / Virus Database: 268.17.32/677 - Release Date: 2/8/2007

--

4/19/2007

Adams, Patty

From: Harvey, Mary
Sent: Friday, February 09, 2007 3:28 PM
To: Mitchell, Bruce; Adams, Patty
Subject: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

-----Original Message-----

From: Jose A De La Garza [mailto:JOSE.DELAGARZA@cemexusa.com]
Sent: Friday, February 09, 2007 3:24 PM
To: Harvey, Mary
Subject: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

Return Receipt

Your document: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

was received by: JOSE.DELAGARZA@cemexusa.com

at: 02/09/2007 15:20:48 EST

Adams, Patty

From: Harvey, Mary
Sent: Friday, February 09, 2007 3:29 PM
To: Adams, Patty; Mitchell, Bruce
Subject: FW: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

From: Pradeep Raval [mailto:praval@kooglerassociates.com]
Sent: Friday, February 09, 2007 3:16 PM
To: Harvey, Mary; jose.delegarza@cemexusa.com; denise.corrales@cemexusa.com; Blackburn, Ron; campbell@epchc.org; jkoogler@kooglerassociates.com
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: RE: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

Mary: I got it.... thanks.

Pradeep Raval
KOOGLER & ASSOCIATES, INC.
4014 NW 13th Street
Gainesville, FL 32609
Tel (352) 377-5822
Fax (352) 377-7158

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Friday, February 09, 2007 2:16 PM
To: jose.delegarza@cemexusa.com; denise.corrales@cemexusa.com; Blackburn, Ron; campbell@epchc.org; jkoogler@kooglerassociates.com; praval@kooglerassociates.com
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: CEMEX Construction Material L.P. Facility #7775369-001-AC-DRAFT

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

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Thank you,

DEP, Bureau of Air Regulation

4/19/2007



Jeb Bush
Governor

File Cases

Department of Environmental Protection

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

Colleen M. Castille
Secretary

December 8, 2006

Sent Electronically – Received Receipt Requested

Mr. Jose De La Garza
Director Logistics Operations Florida
CEMEX Construction Materials L.P.
3820 Northdale Blvd., Suite 100B
Tampa, Florida 33624

RE: Request for Air Construction Permit for a Statewide Permit
Portable Transloader Operation
Project No.: 7775369-001-AC

Dear Mr. De La Garza:

On October 12, 2006, the Department received your application for an air construction permit for authorization to build/assemble a portable transloader operation (PTO) to operate in several counties in Florida; and, on November 27, 2006, a letter was received depicting the initial locations that the PTO is planned to be operated. The application package is considered to be incomplete. In order to continue processing your application, the Department will need the additional information requested below. Should your response to any of the items below require new calculations, please submit the new calculations, assumptions, reference material and appropriate revised pages of the application form.

1. In the application, Section D., Emissions Unit Pollutant Detail Information, specifically for PM/PM₁₀, the emission factor (EF) as well as the requested allowable limit was stated as 0.02 gr/cf, yet the calculations for the potential-to-emit (PTE) was based on 0.01 gr/cf. Please correct and resubmit. Also, provide documentation for the EF. What is the basis for the requested allowable limit?
2. If any response to the above issues affect the application submittal, including attachments and supporting documents, please correct and/or change the application, including attachments and supporting documents, to reflect the corrections and/or changes and submit.

The Department will resume processing your application after receipt of the requested information. Rule 62-4.050(3), F.A.C., requires that all applications for a Department permit must be certified by a professional engineer registered in the State of Florida. This requirement also applies to responses to Department requests for additional information of an engineering nature. For any material changes to the application, please include a new certification statement by the authorized representative or responsible official. You are reminded that Rule 62-4.055(1), F.A.C. requires applicants to respond to requests for information within 90 days or provide a written request for an additional period of time to submit the information. If you have any questions regarding this matter, please call Bruce Mitchell at (850)413-9198.

Sincerely,

Jeffrey F. Koerner, P.E.
Permitting North Administrator
Bureau of Air Regulation

JFK/bm

cc: Jose De La Garza, CCMLP (JOSE.DELAGARZA@cemexusa.com)
Ron Blackburn, SD (ron.blackburn@dep.state.fl.us)
John B. Koogler, PhD, P.E., K&A (jkoogler@kooglerassociates.com)
Pradeep Raval, K&A (praval@kooglerassociates.com)
Denise Corrales, Facility Contact, CCMLP (denise.corrales@cemexusa.com)
Bruce 12-8-06 Ram "More Protection, Less Process"

12/08/2006

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:

<http://www.adobe.com/products/acrobat/readstep.html>.

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Thank you,

Bureau of Air Regulation



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

KA 521-06-23

November 22, 2006

RECEIVED

NOV 27 2006

BUREAU OF AIR REGULATION

Mr. Bruce Mitchell
Florida Department of
Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: Update to Application for a Construction Permit
For a Portable Transloader Unit
CEMEX Construction Materials L.P.

Dear Mr. Mitchell:

This is a follow up to your conversation with Pradeep Raval, regarding potential sites where the above referenced unit may be operated.

It is expected that the unit may be operated at the following sites:

1. Facility ID 0150034, Acline Road, Punta Gorda, Charlotte County.
2. Facility ID 0210003, Wiggins Pass, Naples, Collier County.
3. ID N/A, 6311 E. Sligh Avenue, Tampa, Hillsborough County.
4. Temporary use along rail tracks in Charlotte, Collier and Hillsborough counties.

If you have any questions, please call Pradeep Raval or me.

Very truly yours,

KOOGLER & ASSOCIATES

John B. Koogler, Ph.D., P.E.

JBK:par

C: Jose De La Garza, CEMEX
Denise Coralles, CEMEX



KOGLER & ASSOCIATES, INC.
ENVIRONMENTAL SERVICES
4014 NW 13th STREET
GAINESVILLE, FL 32609-1923
352/377-5822 ■ FAX/377-7158

KA 521-06-23

October 25, 2006

RECEIVED

OCT 25 2006

BUREAU OF AIR REGULATION

Mr. Bruce Mitchell
Florida Department of
Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: Update to Application for a Construction Permit
For a Portable Transloader Unit
CEMEX Construction Materials L.P.

Dear Mr. Mitchell:

As a follow up to your recent telephone conversation with Pradeep Raval, CEMEX confirms that the permit application is hereby amended to address only one unit. Should CEMEX wish to proceed with applications for additional units, it will be handled under separate permit applications, as suggested by you.

If you have any questions, please call Pradeep Raval or me.

Very truly yours,

KOGLER & ASSOCIATES

John E. Koogler, Ph.D., P.E.

JBK:par

C: Jose De La Garza, CEMEX



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

KA 521-06-23

October 11, 2006

RECEIVED

OCT 12 2006

BUREAU OF AIR REGULATION

Ms. Trina Vielhauer
Florida Department of
Environmental Protection
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Subject: Application for a Construction Permit
For Portable Transloader Units
CEMEX Construction Materials L.P.

Dear Ms. Vielhauer:

Enclosed are four (4) copies of a construction permit application for four mobile transloader units, which transfer material directly from a railcar to a truck, to be operated statewide by CEMEX.

A check in the amount of \$250 (application fee) is attached.

If you have any questions, please call me.

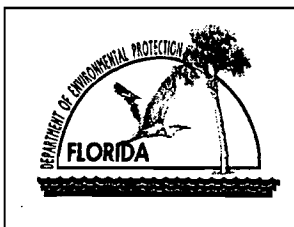
Very truly yours,

KOOGLER & ASSOCIATES

Pradeep Raval

Par.

C: Jose De La Garza, CEMEX
Jeff Koerner, FDEP



Department of Environmental Protection

Division of Air Resources Management OCT 12 2006

APPLICATION FOR AIR PERMIT - NON-TITLE V SOURCE REGULATION

See Instructions for Form No. 62-210.900(3)

I. APPLICATION INFORMATION

Identification of Facility

| | |
|--|---|
| 1. Facility Owner/Company Name: CEMEX Construction Material L.P. | |
| 2. Site Name: CEMEX | |
| 3. Facility Identification Number: State-wide [] Unknown | |
| 4. Facility Location: State-wide Street Address or Other Locator: City: County: Zip Code: | |
| 5. Relocatable Facility? [X] Yes [] No | 6. Existing Permitted Facility? [] Yes [X] No |

Application Contact

| | |
|--|--|
| 1. Name and Title of Application Contact: Pradeep Raval | |
| 2. Application Contact Mailing Address: Organization/Firm: Koogler and Associates, Inc. Street Address: 4014 NW 13th Street City: Gainesville State: Florida Zip Code: 32609-1923 | |
| 3. Application Contact Telephone Numbers: Telephone: (352)- 377-5822 Fax: (352)- 377-7158 | |

Application Processing Information (DEP Use)

| | |
|------------------------------------|-----------------------|
| 1. Date of Receipt of Application: | <i>10-25-04</i> |
| 2. Permit Number: | <i>1775369-001-Ae</i> |

Purpose of Application

Air Operation Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

- Initial non-Title V air operation permit for one or more existing, but previously unpermitted, emissions units.
- Initial non-Title V air operation permit for one or more newly constructed or modified emissions units.

Current construction permit number: _____

- Non-Title V air operation permit revision to address one or more newly constructed or modified emissions units.

Current construction permit number: _____

Operation permit number to be revised: _____

- Initial non-Title V air operation permit under Rule 62-210.300(2)(b), F.A.C., for an existing facility seeking classification as a synthetic non-Title V source.

Current operation/construction permit number(s):

- Non-Title V air operation permit revision for a synthetic non-Title V source. Give reason for revision; e.g., to address one or more newly constructed or modified emissions units.

Operation permit number to be revised: _____

Reason for revision: _____

Air Construction Permit Application

This Application for Air Permit is submitted to obtain: (Check one)

- Air construction permit to construct or modify one or more emissions units.
- Air construction permit to make federally enforceable an assumed restriction on the potential emissions of one or more existing, permitted emissions units.
- Air construction permit for one or more existing, but unpermitted, emissions units.

Owner/Authorized Representative

| |
|---|
| 1. Name and Title of Owner/Authorized Representative: Jose De La Garza, Director Logistics Operations Florida |
| 2. Owner/Authorized Representative Mailing Address: Organization/Firm: CEMEX Street Address: 3820 Northdale Blvd., Suite 100B City: Tampa State: Florida Zip Code: 33624 |
| 3. Owner/Authorized Representative Telephone Numbers: Telephone: (813) 269 - 1085 Fax: (813) 269 - 1088 |
| 4. Owner/Authorized Representative Statement: <i>I, the undersigned, am the owner or authorized representative* of the facility addressed in this application. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete and that, to the best of my knowledge, any estimates of emissions reported in this application are based upon reasonable techniques for calculating emissions. The air pollutant emissions units and air pollution control equipment described in this application will be operated and maintained so as to comply with all applicable standards for control of air pollutant emissions found in the statutes of the State of Florida and rules of the Department of Environmental Protection and revisions thereof. I understand that a permit, if granted by the Department, cannot be transferred without authorization from the Department, and I will promptly notify the Department upon sale or legal transfer of any permitted emissions unit.</i> Signature: <u><i>Jose De La Garza</i></u> Date: <u>10-10-2006</u> |

* Attach letter of authorization if not currently on file.

Professional Engineer Certification

| |
|--|
| 1. Professional Engineer Name: John B. Koogler PhD, PE Registration Number: 12925 |
| 2. Professional Engineer Mailing Address: Organization/Firm: Koogler and Associates, Inc. Street Address: 4014 NW 13th Street City: Gainesville State: Florida Zip Code: 32609-1923 |
| 3. Professional Engineer Telephone Numbers: Telephone: (352)- 377-5822 Fax: (352)- 377-7158 |

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here , if so), I further certify that the engineering features of each such emissions unit described in this application have been designed or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here , if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Signature

Date

(seal)

*Attach any exception to certification statement.

Scope of Application

| Emissions Unit ID | Description of Emissions Unit | Permit Type | Processing Fee |
|--------------------------|--------------------------------------|--------------------|-----------------------|
| 001 | Transloaders with Dust Collector | AC1F | \$250 |
| 002 | Transloaders with Dust Collector | AC1F | 0 |
| 003 | Transloaders with Dust Collector | AC1F | 0 |
| 004 | Transloaders with Dust Collector | AC1F | 0 |
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Application Processing Fee

Check one: Attached - Amount: **\$250** Not Applicable

Construction/Modification Information

1. Description of Proposed Project or Alterations:

This application is for four (4) proposed transloaders (mobile or portable 36" chain conveyor with an associated dust collector) used to transfer dry material from railcar directly in to a tanker or truck.

Various materials will be transferred from railcars into trucks, as needed, at different locations in Florida. The following is a list of potential non-hazardous materials that could be handled: sand, gravel, cement, silicates, gypsum, flyash, lime, river rock, etc.

A transloader is a diesel powered mobile unit that has an enclosed chain conveyor with an integral dust collector. The railcar to conveyor transfer point is sealed with a pneumatic rubber boot while the conveyor to truck transfer point has a telescoping inner chute through which the material discharges and an outer shell that seals against the truck. The entire transfer system is maintained under negative pressure by exhausting the air through an integral dust collector.

2. Projected or Actual Date of Commencement of Construction: **12/1/06**

3. Projected Date of Completion of Construction: **12/1/07**

Application Comment

It is requested that a state-wide permit be issued to allow the flexibility to use the four units at various sites, as needed.

II. FACILITY INFORMATION

A. GENERAL FACILITY INFORMATION

Facility Location and Type

| | | | |
|---|---|---|------------------------------------|
| 1. Facility UTM Coordinates: Zone: _____ East (km): _____ North (km): _____ | | | |
| 2. Facility Latitude/Longitude: Latitude (DD/MM/SS): _____ Longitude (DD/MM/SS): _____ | | | |
| 3. Governmental Facility Code: 0 | 4. Facility Status Code: A | 5. Facility Major Group SIC Code: 50 | 6. Facility SIC(s): 5032 |
| 7. Facility Comment (limit to 500 characters): state-wide | | | |

Facility Contact

| | | | |
|--|--|--|--|
| 1. Name and Title of Facility Contact: Denise Corrales | | | |
| 2. Facility Contact Mailing Address: Organization/Firm: CEMEX Construction Material L.P. Street Address: 3820 Northdale Blvd., Suite 100B City: Tampa State: Florida Zip Code: 33624 | | | |
| 3. Facility Contact Telephone Numbers: Telephone: (813) 269 - 1035 Fax: (813) 269 - 1030 | | | |

Facility Regulatory Classifications

Check all that apply:

| | |
|--|---------------|
| 1. [] Small Business Stationary Source? | [X] Unknown |
| 2. [] Synthetic Non-Title V Source? | |
| 3. [] Synthetic Minor Source of Pollutants Other than HAPs? | |
| 4. [] Synthetic Minor Source of HAPs? | |
| 5. [] One or More Emissions Units Subject to NSPS? | |
| 6. [] One or More Emission Units Subject to NESHAP Recordkeeping or Reporting? | |
| 7. Facility Regulatory Classifications Comment (limit to 200 characters): exempt/minor unit | |

Rule Applicability Analysis

FS Chapter 403
FAC Rules 62-4, 62-204, 62-210, 62-296, 62-297.

B. FACILITY POLLUTANTS

List of Pollutants Emitted

| 1. Pollutant Emitted | 2. Pollutant Classif. | 3. Requested Emissions Cap | | 4. Basis for Emissions Cap | 5. Pollutant Comment |
|----------------------|-----------------------|----------------------------|-----------|----------------------------|----------------------|
| | | lb/hour | tons/year | | |
| PM/PM10 | B | NA | NA | NA | NA |
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C. FACILITY SUPPLEMENTAL INFORMATION

Supplemental Requirements

| |
|--|
| 1. Area Map Showing Facility Location: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 2. Facility Plot Plan: <input type="checkbox"/> Attached, Document ID: _____ <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 3. Process Flow Diagram(s): <input checked="" type="checkbox"/> Attached, Document ID: <u>Att. 1</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 4. Precautions to Prevent Emissions of Unconfined Particulate Matter: <input checked="" type="checkbox"/> Attached, Document ID: <u>Att. 2</u> <input type="checkbox"/> Not Applicable <input type="checkbox"/> Waiver Requested |
| 5. Supplemental Information for Construction Permit Application: <input checked="" type="checkbox"/> Attached, Document ID: <u>Att. 3</u> <input type="checkbox"/> Not Applicable |
| 6. Supplemental Requirements Comment: Information on the transloader unit. |

III. EMISSIONS UNIT INFORMATION

A separate Emissions Unit Information Section (including subsections A through G as required) must be completed for each emissions unit addressed in this Application for Air Permit. If submitting the application form in hard copy, indicate, in the space provided at the top of each page, the number of this Emissions Unit Information Section and the total number of Emissions Unit Information Sections submitted as part of this application.

A. GENERAL EMISSIONS UNIT INFORMATION

Emissions Unit Description and Status

| | | |
|---|--|---|
| <p>1. Type of Emissions Unit Addressed in This Section: (Check one)</p> <p><input checked="" type="checkbox"/> This Emissions Unit Information Section addresses, as a single emissions unit, a single process or production unit, or activity, which produces one or more air pollutants and which has at least one definable emission point (stack or vent).</p> <p><input type="checkbox"/> This Emissions Unit Information Section addresses, as a single emissions unit, a group of process or production units and activities which has at least one definable emission point (stack or vent) but may also produce fugitive emissions.</p> <p><input type="checkbox"/> This Emissions Unit Information Section addresses, as a single emissions unit, one or more process or production units and activities which produce fugitive emissions only.</p> | | |
| <p>2. Description of Emissions Unit Addressed in This Section (limit to 60 characters): 4 Transloaders (each with same design and capacity)</p> | | |
| <p>3. Emissions Unit Identification Number: ID:</p> | | <p><input checked="" type="checkbox"/> No ID <input type="checkbox"/> ID Unknown</p> |
| <p>4. Emissions Unit Status Code: C</p> | <p>5. Initial Startup Date: 12/1/06</p> | <p>6. Emissions Unit Major Group SIC Code: 50</p> |
| <p>7. Emissions Unit Comment: (Limit to 500 Characters)</p> <p>Attachment 3 includes information on the transloaders.</p> | | |

Emissions Unit Control Equipment

1. Control Equipment/Method Description (limit to 200 characters per device or method):

Dust collector

2. Control Device or Method Code(s): **018**

Emissions Unit Details NA

1. Package Unit: **Transloader with dust collector**

Manufacturer: **RBT**

Model Number: **3600 Series**

2. Generator Nameplate Rating: MW

3. Incinerator Information:

Dwell Temperature: °F

Dwell Time: seconds

Incinerator Afterburner Temperature: °F

Emissions Unit Operating Capacity and Schedule

1. Maximum Heat Input Rate:

2. Maximum Incineration Rate: lb/hr

3. Maximum Process or Throughput Rate: **100 TPH and 500,000 TPY**

4. Maximum Production Rate:

5. Requested Maximum Operating Schedule:

hours/day days/week

weeks/year **8,760 hours/year**

6. Operating Capacity/Schedule Comment (limit to 200 characters):

Information on the RBT Transloader is provided in Attachment 3.

B. EMISSION POINT (STACK/VENT) INFORMATION

Emission Point Description and Type

| | | | |
|---|---|---|--|
| 1. Identification of Point on Plot Plan or Flow Diagram | | 2. Emission Point Type Code: 1 | |
| 3. Descriptions of Emission Points Comprising this Emissions Unit for VE Tracking (limit to 100 characters per point): Donaldson Unimasters Dust Collector – Model C20H | | | |
| 4. ID Numbers or Descriptions of Emission Units with this Emission Point in Common: None | | | |
| 5. Discharge Type Code: H | 6. Stack Height: feet | 7. Exit Diameter: feet | |
| 8. Exit Temperature: Ambient °F | 9. Actual Volumetric Flow Rate: 1500 acfm | 10. Water Vapor: % | |
| 11. Maximum Dry Standard Flow Rate: dscfm | | 12. Nonstack Emission Point Height: NA feet | |
| 13. Emission Point UTM Coordinates: Zone: East (km): North (km): | | | |
| 14. Emission Point Comment (limit to 200 characters): | | | |

C. SEGMENT (PROCESS/FUEL) INFORMATION

Segment Description and Rate: Segment 1 of 1

| | | |
|---|--|---|
| 1. Segment Description (Process/Fuel Type) (limit to 500 characters): Bulk material loading | | |
| 2. Source Classification Code (SCC): 30510599 | | 3. SCC Units: Tons processed |
| 4. Maximum Hourly Rate: 100TPH | 5. Maximum Annual Rate: 500,000TPY | 6. Estimated Annual Activity Factor: NA |
| 7. Maximum % Sulfur: NA | 8. Maximum % Ash: NA | 9. Million Btu per SCC Unit: NA |
| 10. Segment Comment (limit to 200 characters): | | |

Segment Description and Rate: Segment of

| | | |
|--|-------------------------|--------------------------------------|
| 1. Segment Description (Process/Fuel Type) (limit to 500 characters): | | |
| 2. Source Classification Code (SCC): | | 3. SCC Units: |
| 4. Maximum Hourly Rate: | 5. Maximum Annual Rate: | 6. Estimated Annual Activity Factor: |
| 7. Maximum % Sulfur: | 8. Maximum % Ash: | 9. Million Btu per SCC Unit: |
| 10. Segment Comment (limit to 200 characters): | | |

D. EMISSIONS UNIT POLLUTANT DETAIL INFORMATION**Potential Emissions**

| | | | |
|--|--|---|--|
| 1. Pollutant Emitted: PM/PM10 | | 2. Pollutant Regulatory Code: EL | |
| 3. Primary Control Device Code: 018 | | 4. Secondary Control Device Code: NA | |
| 5. Total Percent Efficiency of Control: 99+ | | | |
| 6. Potential Emissions: 0.3 lb/hour 1.1 tons/year | | 7. Synthetically Limited? [] | |
| 8. Emission Factor: 0.02 gr/cf Reference: typical design | | 9. Emissions Method Code: 5 | |
| 10. Calculation of Emissions (limit to 600 characters): $\begin{aligned} \text{PM/PM10} &= 1500 \text{ cfm} \times 60 \text{ min/hr} \times 0.01 \text{ gr/cf} \times \text{lb}/7000 \text{ gr} = 0.3 \text{ lb/hr} \\ &\quad \times 8760 \text{ hr/yr} \times \text{ton}/2000 \text{ lb} \qquad \qquad \qquad = 1.1 \text{ tpy} \\ &(\times 4 \text{ units} \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad \qquad = 4.4 \text{ tpy}) \end{aligned}$ | | | |
| 11. Pollutant Potential Emissions Comment (limit to 200 characters): | | | |

Allowable Emissions Allowable Emissions 1 of 1

| | | | |
|--|--|---|--|
| 1. Basis for Allowable Emissions Code: Other | | 2. Future Effective Date of Allowable Emissions: NA | |
| 3. Requested Allowable Emissions and Units: 0.02 gr/cf | | 4. Equivalent Allowable Emissions: 0.3 lb/hour 1.1 tons/year | |
| 5. Method of Compliance (limit to 60 characters): Annual Method 9 – 30 minutes | | | |
| 6. Allowable Emissions Comment (Desc. of Operating Method) (limit to 200 characters): | | | |

Emissions Unit Information Section 1 of 1

E. VISIBLE EMISSIONS INFORMATION
(Only Emissions Units Subject to a VE Limitation)

Visible Emissions Limitation: Visible Emissions Limitation 1 of 1

| | |
|--|--|
| 1. Visible Emissions Subtype: VE05 | 2. Basis for Allowable Opacity: [<input checked="" type="checkbox"/>] Rule [<input type="checkbox"/>] Other |
| 3. Requested Allowable Opacity: Normal Conditions: 5 % Exceptional Conditions: % Maximum Period of Excess Opacity Allowed: min/hour | |
| 4. Method of Compliance: Annual Method 9 - 30 minutes | |
| 5. Visible Emissions Comment (limit to 200 characters): | |

F. CONTINUOUS MONITOR INFORMATION - NA
(Only Emissions Units Subject to Continuous Monitoring)

Continuous Monitoring System: Continuous Monitor _____ of _____

| | |
|---|--|
| 1. Parameter Code: | 2. Pollutant(s): |
| 3. CMS Requirement: | [<input type="checkbox"/>] Rule [<input type="checkbox"/>] Other |
| 4. Monitor Information: Manufacturer: Model Number: Serial Number: | |
| 5. Installation Date: | 6. Performance Specification Test Date: |
| 7. Continuous Monitor Comment (limit to 200 characters): | |

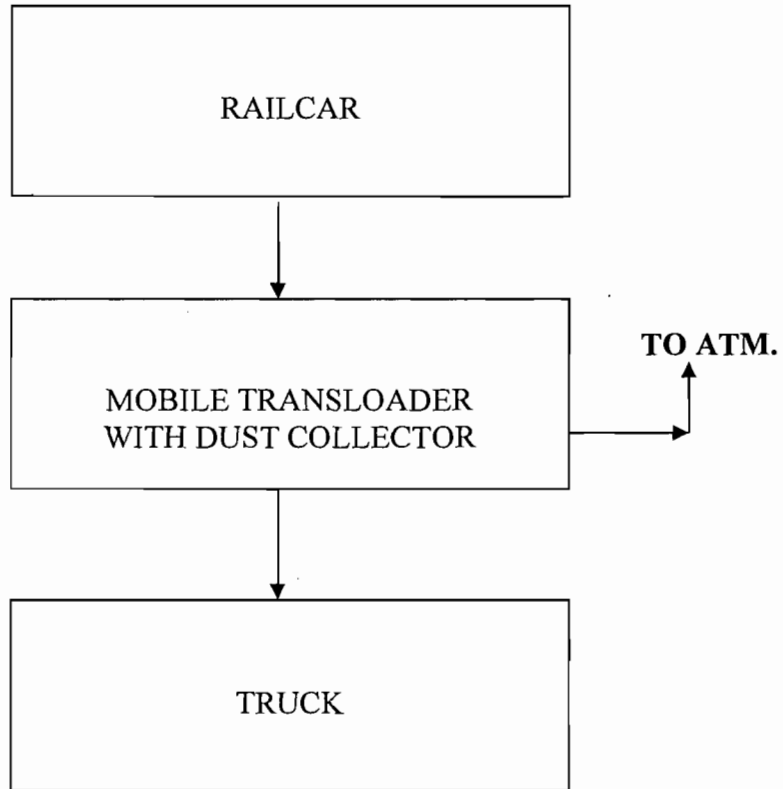
G. EMISSIONS UNIT SUPPLEMENTAL INFORMATION

Supplemental Requirements

| |
|---|
| <p>1. Process Flow Diagram <input checked="" type="checkbox"/> Attached, Document ID: Att. 1 [] Not Applicable [] Waiver Requested</p> |
| <p>2. Fuel Analysis or Specification <input type="checkbox"/> Attached, Document ID: _____ [X] Not Applicable [] Waiver Requested</p> |
| <p>3. Detailed Description of Control Equipment <input checked="" type="checkbox"/> Attached, Document ID: see Att. 3 [] Not Applicable [] Waiver Requested</p> |
| <p>4. Description of Stack Sampling Facilities <input type="checkbox"/> Attached, Document ID: _____ [X] Not Applicable [] Waiver Requested</p> |
| <p>5. Compliance Test Report <input type="checkbox"/> Attached, Document ID: _____ <input type="checkbox"/> Previously submitted, Date: _____ <input checked="" type="checkbox"/> Not Applicable</p> |
| <p>6. Procedures for Startup and Shutdown <input type="checkbox"/> Attached, Document ID: _____ [X] Not Applicable [] Waiver Requested</p> |
| <p>7. Operation and Maintenance Plan <input type="checkbox"/> Attached, Document ID: _____ [X] Not Applicable [] Waiver Requested</p> |
| <p>8. Supplemental Information for Construction Permit Application <input type="checkbox"/> Attached, Document ID: _____ [X] Not Applicable</p> |
| <p>9. Other Information Required by Rule or Statute <input type="checkbox"/> Attached, Document ID: _____ [X] Not Applicable</p> |
| <p>10. Supplemental Requirements Comment:</p> |

ATTACHMENT 1

PROCESS FLOW DIAGRAM



ATTACHMENT 2

PRECAUTIONS TO PREVENT EMISSIONS OF UNCONFINED PARTICULATE MATTER

Reasonable precautions to minimize emissions of unconfined particulate matter may include, as necessary:

- Paving roadways.**
- Sweeping or wetting roadways.**
- Landscaping or planting of vegetation.**
- Use of enclosures and windbreaks, where practical.**

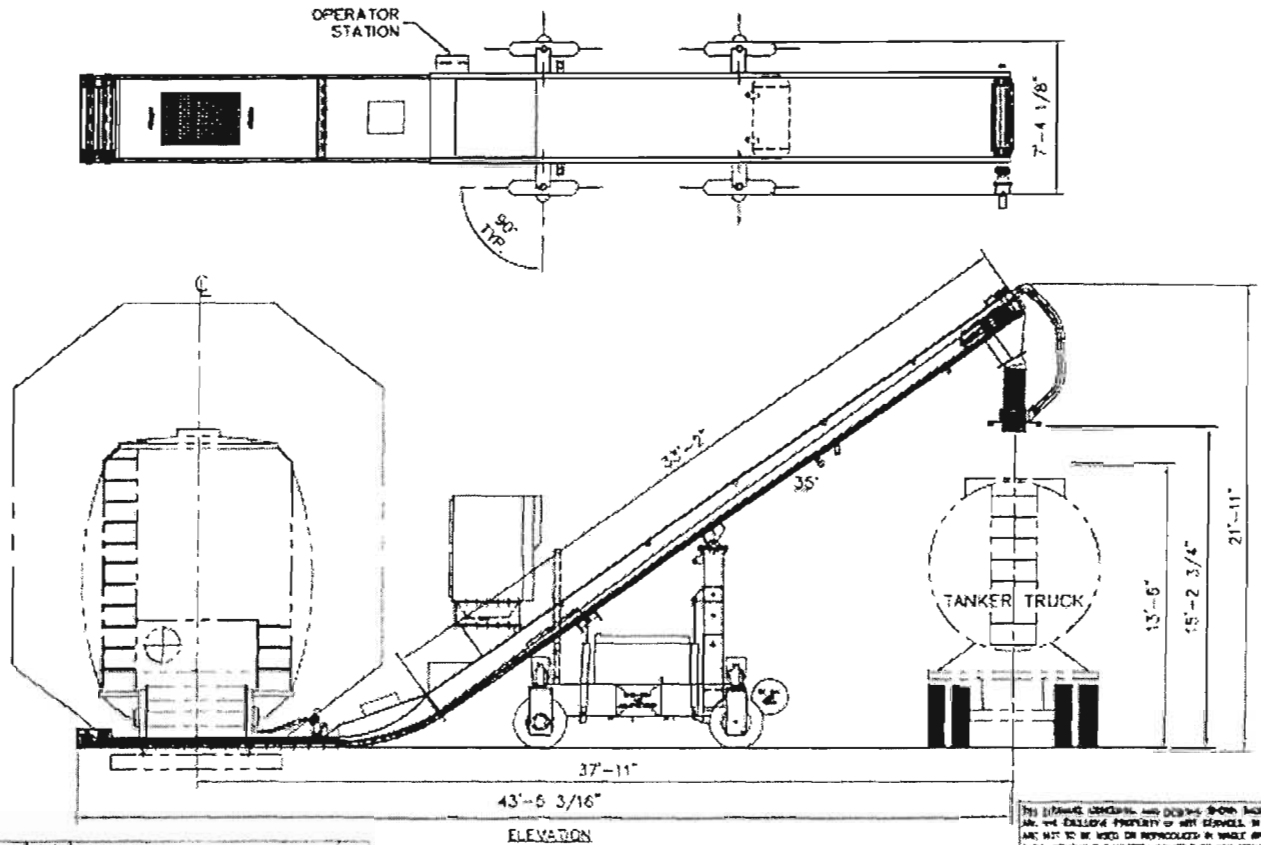
ATTACHMENT 3

TRANSLOADER DUST COLLECTOR INFORMATION

Transloader Rail Barge Truck (RBT) 3600 Series

Donaldson Unimasters Dust Collector – Model C20H

| | |
|---|--------------------------------|
| Maximum flow rate | 1500 cfm |
| Type (pulse jet or reverse air) | Pulse jet |
| Bag pressure drop | 2-4 in wg |
| Air to cloth ratio (actual) | 5.6:1 |
| Bag material | Polyester |
| Bag type | Cartridge (215 sq.ft.) |
| Number of bags | 4 |
| Gas temperature | Ambient |
| Bag cleaning conditions | 70-90 psig |
| Bag cleaning cycle | Timed, every 10 seconds |
| Particulate concentration inlet | 2-4 gr/dscf |
| Particulate concentration outlet | 0.02 gr/dscf |



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MODEL 3625
 36" DRAG-A-LIGHT
 CONVEYOR
 GENERAL ARRANGEMENT

| | | | |
|--------------|-----------------|--------------|-----------------|
| DATE: | 11/24/00 | BY: | DAVID B. HARRIS |
| DESIGNED BY: | DAVID B. HARRIS | CHECKED BY: | DAVID B. HARRIS |
| SCALE: | AS SHOWN | PROJECT NO.: | 3625-GA-01A |
| REVISIONS: | | DATE: | |

