



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

December 6, 2006

*Electronically Sent – Received Receipt Requested*

Mr. Hardy Johnson, President  
Tarmac America, LLC  
455 Fairway Drive  
Deerfield Beach, Florida 33441

Re: DRAFT Title V Operation Permit  
Titan Pennsuco Facility  
DEP File No. 0250020-018-AV

Dear Mr. Johnson:

Enclosed is a copy of the DRAFT Title V Air Operation Permit Renewal for the Titan Pennsuco Facility located at 11000 NW 121 Way, Medley, Miami-Dade County. The Department's Intent to Issue Title V Air Operation Permit Renewal and the Public Notice of Intent to Issue Title V Operation Permit Renewal (Public Notice) are also included.

An electronic version of the DRAFT Permit will be posted on the Division of Air Resource Management's World Wide Web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is: [www.dep.state.fl.us/air/eproducts/ards/default.asp](http://www.dep.state.fl.us/air/eproducts/ards/default.asp)

The DRAFT Permit can be located at the indicated web site by entering 0250020-018-AV in the space for Permit No. on the electronic form and clicking on "Search".

The Department hereby withdraws the Intent to Issue and the DRAFT Title V Operation Permit Revision (DEP File No. 0250020-013-AV) distributed on September 28, 2004.

The Public Notice must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the Department's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the Department's proposed action to Mr. A.A. Linero, Program Administrator, South Permitting Section, at the above letterhead address. If you have any other questions, please contact Ms. Teresa Heron, Project Engineer, at 850/921-9529 or Mr. Linero at 850/921-9523.

Sincerely,

Trina L. Vielhauer, Chief  
Bureau of Air Regulation

Enclosures

TLV/aal/th

*"More Protection, Less Process"*

Printed on recycled paper.

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

Mr. Hardy Johnson, President  
Tarmac America, LLC  
445 Fairway Drive  
Deerfield Beach, Florida 33441

DEP File No. 0250020-018-AV  
DRAFT Title V Operation Permit Renewal  
Titan Pennsuco Facility  
Miami-Dade County, Florida

### **INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL**

The Department of Environmental Protection (Department) gives notice of its intent to issue a Title V Air Operation Permit Renewal (copy of DRAFT Permit attached) for the Title V source detailed in the application specified above, for the reasons stated below.

The applicant, Tarmac America, LLC applied on April 28, 2005 (revised on February 24, 2006) to the Department for a Title V Air Operation Permit Renewal for the Titan Pennsuco Facility located at 11000 NW 121 Way, Medley, Miami-Dade County, Florida.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210 and 62-213. This source is not exempt from Title V permitting procedures. The Department has determined that a Title V Air Operation Permit Renewal is required to commence or continue operations at the described facility.

The Department intends to issue this Title V Air Operation Permit Renewal based on the belief that reasonable assurances have been provided to indicate that operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "Public Notice of Intent to Issue Title V Operation Permit Renewal". 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. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department's mailing address at 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400 (Telephone: 850/488-0114; Fax: 850/921-9533), within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. 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.

The Department will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the attached DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of the Public Notice. Written comments should be provided to the Department office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice.

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 (received) in the ) 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 permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when 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 indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation will not be available in this proceeding.

Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

Executed in Tallahassee, Florida.



Trina L. Vielhauer, Chief  
Bureau of Air Regulation

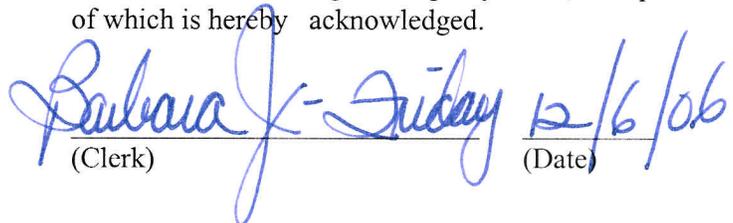
#### CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Intent to Issue Title V Air Operation Permit Renewal (including the Public Notice and the DRAFT Title V Permit package) and all copies were sent electronically (with Received Receipt) before the close of business on 12/6/06 to the person(s) listed below.

Hardy Johnson, Tarmac America, LLC [hjohnson@titanamerica.com](mailto:hjohnson@titanamerica.com)  
David A. Buff, P.E., Golder Associates Inc. [dbuff@golder.com](mailto:dbuff@golder.com)  
Terry Lancaster, Titan America, LLC [tlancaster@titanamerica.com](mailto:tlancaster@titanamerica.com)  
Patrick Wong, Miami-Dade County DERM [wongP@miamidadegov](mailto:wongP@miamidadegov)  
Darrel Graziani, DEP SED [darrell.graziani@dep.state.fl.us](mailto:darrell.graziani@dep.state.fl.us)  
Barbara Friday, DEP-BAR [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with Region 4 , U.S. EPA)

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) 12/6/06 (Date)

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT RENEWAL

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Title V Permit Renewal No.: 0250020-018-AV  
Titan America Pennsuco Complex  
Miami-Dade County

The Department of Environmental Protection (DEP) gives notice of its intent to issue a Title V Air Operation Permit Renewal to Tarmac America, LLC, for the Titan Pennsuco Facility located at 11000 NW 121 Way, Medley, Miami-Dade County, Florida. The applicant's name and address are: Tarmac America, LLC., 455 Fairway Drive, Deerfield Beach, Florida 33441. The applicant's authorized representative is Mr. Hardy Johnson, President.

The Titan Pennsuco facility consists of:

- A dry process portland cement plant that primarily uses coal and petroleum coke as fuels and limestone and aggregate supplied from the aggregate plant and is permitted to produce 2,190,000 TPY of clinker and 2,400,000 TPY of portland cement;
- An aggregate plant permitted to process 14,560,000 tons per year (TPY) of raw material from the on-site limestone quarry and shipments received from other sources;
- A ready-mix concrete batch plant; and
- A 5,500 block per hour concrete block plant.

The DRAFT Title V Operation Permit Renewal reflects the changes at the facility since the original Title V Operation Permit issued in 2000. The key changes include the incorporation of existing construction permits for:

- Replacement of the two wet process cement process lines with a larger modern dry process line;
- A determination of best available control technology for carbon monoxide emissions from the new line;
- A significant reduction of annual sulfur dioxide emission limits;
- Relocation within the facility and expansion of the concrete block plant to 5,500 blocks per hour;
- Additions to and improvements of cement finish mills;
- Implementation of the major source provisions in 40 CFR 63, Subpart LLL, National Emission Standards for Hazardous Air Pollutants from the Portland Cement Manufacturing Industry; and
- Implementation of a facility fugitive emissions improvement plan.

This Title V Operation Permit Renewal also includes:

- Addition of a Compliance Assurance Monitoring (CAM) Plan for the particulate matter from the kiln system; and
- Addition of a Compliance Plan to set appropriate requirements and milestones to apply for permits for a second Concrete Batch Ready Mix Plant, the final configuration of the Aggregate Plant equipment and the completion of the 106<sup>th</sup> Avenue improvement project.

The Department will issue the PROPOSED Permit, and subsequent FINAL Permit, in accordance with the conditions of the DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the DRAFT Permit for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Department's Bureau of Air Regulation at 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's telephone number is 850/488-0114 or facsimile 850/921-9533. As part of his or her comments, any person may also request that the Department hold a public meeting on this permitting action. If the Department determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly at <http://faw.dos.state.fl.us> and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Department at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Permit, the Department shall issue a Revised DRAFT Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 of the Florida Statutes (F.S.). The petition must contain the

information set forth below and must be filed (received) in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242, Fax: 850/245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the applicable 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 of the Florida Administrative Code (F.A.C.).

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address and telephone number of the petitioner; 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 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, as well as the rules and statutes which entitle petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

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Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above. Mediation is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any Title V permit. Any petition shall be based only on objections to the Title V permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any Title V permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

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

Dept. of Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida, 32301  
Telephone: (850) 488-0114  
Fax: (850) 921-9533

Dept. of Environmental Protection  
Southeast District Office  
400 North Congress Avenue  
West Palm Beach, Florida 33401  
Telephone: 407/681-6600  
Fax: 407/681-6755

Miami-Dade County Department of  
Environmental Resources Management  
33 Southwest 2<sup>nd</sup> Avenue, Suite 900  
Miami, Florida 33150-1540  
Telephone: 305/372-6925  
Fax: 305/372-6954

The complete project file includes the DRAFT Permit, the application for renewal, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator, South Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-9529, for additional information. Key documents also are at: [www.dep.state.fl.us/air/eproducts/ards/default.asp](http://www.dep.state.fl.us/air/eproducts/ards/default.asp) Enter Permit I.D. No.: 0250020-018-AV.