Florida Department of Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Jonathan P. Steverson
Secretary

October 1, 2015

Electronic Mail – Received Receipt Requested

Mr. Tom Messer, Plant Manager
Suwannee American Cement, LLC
5117 US Highway 27
Branford, Florida 32008-2463

Re: DRAFT Title V Air Operation Permit Renewal No. 1210465-033-AV
Draft Air Construction Permit No. 1210465-037-AC (PSD-FL-259J)
Suwannee American Cement, LLC
Branford Cement Plant

Dear Mr. Messer:

Enclosed is the permit package for an air construction permit and a renewed Title V Operation permit for the Brandford Cement Plant facility. This existing facility is located in Suwannee County at 5117 US Highway 27, Branford, Florida 32008-2463. The permit package includes the following documents:

- The Department's letter granting an extension to September 9, 2016 for the federal Portland Cement MACT rule for mercury emissions for the Branford Cement Plant kiln (Emissions Unit No. 004).
- The Department's letter granting an extension of the compliance date from September 9, 2015 until 60 days after the NIST-traceable HCl calibration gases become commonly available (according to NIST) for the HCL CEMS installed on the kiln stack, but no later than September 9, 2016 for the Kiln to meet the requirements of the Portland Cement MACT Rule with regards to emissions of hydrogen chloride and all related requirements for this pollutant (monitoring, record keeping, reporting, etc.).
- The draft air construction permit and supporting technical evaluation and preliminary determination documents.
- The Statement of Basis, which summarizes the facility, the equipment, and the primary rule applicability.
- The draft Title V air operation permit, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permits provides important information regarding: the Permitting Authority's intent to issue air permits for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue air permits; the procedures for submitting comments on the draft air Construction permit and the draft Title V Operation permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permits 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. The Public Notice of Intent to Issue Air Permits must be published as soon as possible and

the proof of publication must be provided to the Department within seven days of the date of publication.

If you have any questions, please contact the Project Engineers, Rita Felton-Smith, (at 904-256-1556 or by email at Rita.Felton-Smith@dep.state.fl.us), and Pawan Subramaniam (at 850-717-9033 or by email at Pawan.Subramaniam@dep.state.fl.us).

Sincerely,

Richard S. Rachal III, P.G.
Permitting Program Administrator

Enclosures
RSR/rfs

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

In the Matter of an
Application for Title V Air Operation Permit by:

Suwannee American Cement, LLC
5117 US Highway 27
Branford, Florida 32008-2463

Responsible Official:

Mr. Tom Messer, Plant Manager

Title V Air Operation Permit No.
1210465-033-AV

Air Construction Permit No.
1210465-037-AC (PSD-FL-259J)
Facility ID No. 1210465
Branford Cement Plant

Title V Permit Renewal
Air Construction Permit
Suwannee County, Florida

Facility Location: Suwannee American Cement, LLC operates the existing Branford Cement Plant, which is located at 5117 US Highway 27, Branford, Suwannee County, Florida.

Project: The purpose of this project is to renew Title V air operation permit No. 1210465-019-AV, for the above referenced facility. The Department issued a Draft Air Construction Permit, No. 1210465-035-AC (draft permit) and Draft Title V Permit Renewal package on April 3, 2015. Subsequent to issuance, the applicant submitted comments on the draft permit documents that were received by the Department on April 15, 2015, June 3, 2015, and August 28, 2015. The Department has made changes to the draft permit documents based on the submitted comments. In addition, the permit clarifications that were being made in Draft Air Construction Permit No. 1210465-035-AC for the existing non-metallic mineral processing plant regulated as Emissions Unit 001 are now being addressed in Draft Air Construction Permit No. 1210465-037-AC. These clarifications are discussed further below. Draft Air Construction Permit No. 1210465-035-AC will no longer be issued.

The Department, through its permitting authority, hereby withdraws the draft permit package issued on April 3, 2015, and replaces it with the enclosed draft permit package.

The Title V air operation permit renewal includes the incorporation of previously issued Air Construction Permit Nos. 1210465-023-AC, 1210645-024-AC, 1210465-026-AC, 1210465-029-AC, and 1210465-034-AC. The Title V air operation permit renewal also includes the co-processing and incorporation of Air Construction Permit No. 1210465-037-AC.

Air Construction Permit No. 1210465-037-AC clarifies that the existing non-metallic mineral processing plant regulated as Emissions Unit 001 under Air Construction Permit No. 1210465-001-AC (PSD-FL-259), and all modifications thereof, should not have been subject to regulation pursuant to 40 CFR 60, Subpart OOO – Standards of Performance for Non-Metallic Mineral Processing Plants. Because the Primary Crusher (Emission Point 02) was permitted under PSD-FL-259, it remains a regulated emissions unit.

In addition to the mentioned permit clarifications, Air Construction Permit No. 1210465-037-AC revises the kiln and cooler (Emission Units 004 and 005) visible emissions standard compliance determination method from a continuous opacity monitoring system (COMS) to a particulate matter continuous parametric monitoring system (PM CPMS).

Air Construction Permit No. 1210465-037-AC also removes the applicability of Rule 62-296.701, F.A.C., (Reasonably Available Control Technology (RACT)) from the kiln and cooler (Emission Units 004 and 005) that was erroneously stated as being subject in Air Construction Permit No. 1210465-001-AC (PSD-FL-259). Pursuant to Rule 62-296.700, F.A.C., the facility is not in a PM air quality maintenance area, or in the area of influence of such an air quality maintenance area, and EUs 004 and 005 have received a BACT determination

pursuant to Rule 62-212.400, F.A.C. Therefore, these EUs should not have been subject to the requirements of Rule 62-296.701, F.A.C.

This Title V air operation permit renewal incorporates a 1 year compliance extension for the Kiln to meet the requirements of 40 Code of Federal Regulations (CFR) Part 63, Subpart LLL- National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry (Portland Cement MACT Rule) for emissions of mercury. The extension establishes a compliance date of September 9, 2016 for the kiln to meet the mercury emission requirements of the Portland Cement MACT Rule.

Additionally, this permit renewal incorporates a compliance extension for the Kiln to meet the requirements of the Portland Cement MACT Rule with regards to emissions of hydrogen chloride and all related requirements for this pollutant (monitoring, record keeping, reporting, etc.). The extension of the compliance date is from September 9, 2015 until 60 days after the NIST-traceable HCl calibration gases become commonly available (according to NIST) for the HCL CEMS installed on the kiln stack, but no later than September 9, 2016.

Details of the project are provided in the application and the enclosed Statement of Basis.

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.). Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 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, to commence, or continue operations at the facility. The Department of Environmental Protection, Northeast District Office, Permitting Program is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 8800 Baymeadows Way W., Suite 100, Jacksonville, Florida 32256. The Permitting Authority's mailing address is: 8800 Baymeadows Way W., Suite 100, Jacksonville, Florida 32256. The Permitting Authority's telephone number is 904/256-1700.

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 the address indicated above for the Permitting Authority. The complete project file includes the draft Air Construction Permit, the Technical Evaluation and Preliminary Determination, the draft Title V Operation Permit Renewal, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above. 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 construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the 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 draft air construction 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 Permitting Authority gives notice of its intent to issue a draft Title V air operation permit revision to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the 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, 62-213, 62-296 and 62-297, F.A.C. The Permitting

Authority will issue a 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 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 uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 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 draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft permit, the Permitting Authority shall issue a revised draft permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

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. Petitions filed by the applicant or any of the parties listed below must be filed within 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 14 days of publication of the attached Public Notice or within 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 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. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency_Clerk@dep.state.fl.us, before the deadline. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information: (a) The name and address of each agency affected and each agency's file or identification number, if known; (b) The name, address, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Objections: 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 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public 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 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. Environmental Protection Agency, Office of the Administrator, 1200 Pennsylvania Avenue, N.W., Mail Code: 1101A, Washington, DC 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at http://www2.epa.gov/caa-permitting/florida-proposed-title-v-permits.

Executed in Jacksonville, Florida.

Richard S. Rachal III, P.G.
Program Administrator
Permitting Program

FILING AND ACKNOWLEDGEMENT & CERTIFICATE OF SERVICE

Filed on this date pursuant to § 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged. The undersigned hereby certifies that this Written Notice of Intent to Issue Air Permits (including the Public Notice, the Statement of Basis, the Draft Title V Operation Permit, the Technical Evaluation and Preliminary Determination, and the draft Air Construction Permit), and all copies were sent before the close of business on October 1, 2015 to the listed persons.

Mr. Tom Messer, Plant Manager, Suwannee American Cement, LLC (tomm@suwanneecement.com)
Mr. Krishna Cole, Environmental Engineer, Suwannee American Cement, LLC (krishnac@suwanneecement.com)
Mr. Max Lee, Ph.D., P.E., Koogler and Associates, Inc. (mlee@kooglerassociates.com)
Ms. Natasha Hazziez, U.S. EPA Region 4: Hazziez.natasha@epa.gov
Ms. Ana Oquendo, EPA Region 4: oquendo.ana@epa.gov
Ms. Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)
Pawan Subramaniam, DEP, BAR: Pawan.Subramaniam@dep.state.fl.us

_____ October 1, 2015
Clerk Date