



# 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

May 17, 2007

SENT BY ELECTRONIC MAIL – RECEIVED RECEIPT REQUESTED

[michaelanthony.gonzales@cemexusa.com](mailto:michaelanthony.gonzales@cemexusa.com)

Mr. Michael Gonzales, Plant Manager  
CEMEX Cement, Inc.  
16301 Ponce De Leon Boulevard  
Brooksville, Florida 34614-0849

Re: **Request for Additional Information – 30-Day Extension**  
DEP File No. 0530010-030-AC  
Best Available Retrofit Technology (BART) for Kiln No. 1 and associated equipment

Dear Mr. Gonzales:

On January 31, 2007, we received your application for Best Available Retrofit Technology (BART) for the identified BART-eligible units in accordance with Rule 62-296.340, Florida Administrative Code (F.A.C.). These units are installed at the existing facility, which is located in Hernando County at US 98 NW of Brooksville.

The application was deemed incomplete and the Department requested additional information on March 1, 2007 that would allow continued processing of your application. To date, we have not received the requested additional information. Rule 62-4.055(1) of the Florida Administrative Code requires the following:

*“The applicant shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department. If an applicant requires more than ninety days in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in active status for one additional period of up to ninety days. Additional extensions shall be granted for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested additional information shall constitute good cause. Failure of an applicant to provide the timely requested information by the applicable deadline shall result in denial of the application.”*

It has been more than 75 days since our request for additional information (copy attached). You are reminded that the permit processing time clock has stopped for this project. Because of the timing of the rule and submittal of the applications, you are being granted an additional 30 days to submit the requested information. If you fail to provide the additional information by **June 29, 2007** your application will be processed based on other information available to the Department.

The processing of this application is under time constraints. The Division of Air Resource Management has a goal to finalize all BART determinations by October 1, 2007. The Department must submit a state implementation plan (SIP) to EPA by December 17, 2007 identifying all BART determinations.

If you have any questions regarding this matter, please call me at 850-921-9523 or Ms. Teresa Heron at 850-921-9529 and Ms. Deborah Nelson regarding modeling items at 850-921-9537. We would be glad to meet with you and your staff to discuss this project.

Sincerely,



*b* A.A. Linero, Program Administrator  
Bureau of Air Regulation  
Permitting South

AAL/sms/th

cc: Charlie Waltz, CEMEX: [charles.walz@cemexusa.com](mailto:charles.walz@cemexusa.com)  
Jim Little, EPA: [little.james@epamail.epa.gov](mailto:little.james@epamail.epa.gov)  
Dee Morse, NPS: [dee\\_morse@nps.gov](mailto:dee_morse@nps.gov)  
Meredith Bond, FWS: [meredith\\_bond@fws.gov](mailto:meredith_bond@fws.gov)  
Jim Kraus, FWS: [chassahowitzka@fws.gov](mailto:chassahowitzka@fws.gov)  
Maxwell Lee, P.E., Koogler & Associates: [mlee@kooglerassociates.com](mailto:mlee@kooglerassociates.com)

**Friday, Barbara**

---

**From:** Harvey, Mary  
**Sent:** Thursday, May 17, 2007 3:57 PM  
**To:** 'michaelanthony.gonzales@cemexusa.com'; 'charles.walz@cemexusa.com';  
'little.james@epamail.epa.gov'; 'Mr. Dee Morse, National Park Service';  
'meredith\_bond@fws.gov'; 'chassahowitzka@fws.gov'; 'mlee@kooglerassociates.com'  
**Cc:** Heron, Teresa; Adams, Patty; Gibson, Victoria  
**Subject:** Letter - Project #0530010-030-AC  
**Attachments:** LTR - Michael Gonzales - CEMEX Cement, Inc. - Project #0530010-030-AC.pdf

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

6/27/2007

## Friday, Barbara

---

**From:** Harvey, Mary  
**Sent:** Friday, May 18, 2007 9:15 AM  
**To:** Adams, Patty  
**Subject:** FW: Letter - Project #0530010-030-AC

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

**From:** Michael A Gonzales [mailto:michaelanthony.gonzales@cemex.com]  
**Sent:** Thursday, May 17, 2007 5:16 PM  
**To:** Harvey, Mary  
**Subject:** Letter - Project #0530010-030-AC

Return Receipt

Your Letter - Project #0530010-030-AC  
document:

was michaelanthony.gonzales@cemex.com  
received  
by:

at: 05/17/2007 17:16:27 EDT

**Friday, Barbara**

---

**From:** Harvey, Mary  
**Sent:** Friday, May 18, 2007 9:46 AM  
**To:** Adams, Patty  
**Subject:** FW: Letter - Project #0530010-030-AC

---

**From:** Meredith\_Bond@fws.gov [mailto:Meredith\_Bond@fws.gov]  
**Sent:** Friday, May 18, 2007 9:36 AM  
**To:** Harvey, Mary  
**Subject:** Re: Letter - Project #0530010-030-AC

E-mailed document received. Thank you.

---

CDR Meredith Bond, P.E., USPHS  
Deputy Chief  
U.S. Fish and Wildlife Service  
Branch of Air Quality  
7333 W Jefferson Ave., Suite 375  
Lakewood, CO 80235  
303-914-3808  
303-969-5444 fax  
Meredith\_Bond@fws.gov

---

6/26/2007

**Friday, Barbara**

---

**From:** Harvey, Mary  
**Sent:** Friday, May 18, 2007 10:41 AM  
**To:** Adams, Patty  
**Subject:** FW: Letter - Project #0530010-030-AC

---

**From:** charles.walz@cemex.com [mailto:charles.walz@cemex.com]  
**Sent:** Friday, May 18, 2007 10:26 AM  
**To:** Harvey, Mary  
**Subject:** Re: Letter - Project #0530010-030-AC



**Charles E Walz**

Environmental Manager - Brooksville Plant - United States of America  
Office : +1352(799)2011 , Fax: +1352(754)9836 , Mobile: +1352(279)1415  
Address: 16301 Ponce de Leon Blvd Brooksville, Florida 34614  
E-Mail: Charles.Walz@CEMEXUSA.com  
www.cemexusa.com

6/26/2007

**Friday, Barbara**

---

**From:** Harvey, Mary  
**Sent:** Monday, May 21, 2007 8:48 AM  
**To:** Adams, Patty  
**Subject:** FW: Letter - Project #0530010-030-AC

---

**From:** michaelanthony.gonzales@cemex.com [mailto:michaelanthony.gonzales@cemex.com]  
**Sent:** Friday, May 18, 2007 1:54 PM  
**To:** Harvey, Mary  
**Subject:** Re: Letter - Project #0530010-030-AC



**Michael A. Gonzales**

Plant Manager - Brooksville Plant - United States of America

Office : +1(352)799-2057 , Fax: +1(352)754-9836

Address: 16301 Ponce de Leon Blvd. Brooksville, FL 34614

E-Mail: michaelanthony.gonzales@cemexusa.com

www.cemexusa.com

This email message and any attachments are for the sole use of the intended recipient(s) and contain confidential and/or privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply email and destroy all copies of the original message and any attachments.

6/26/2007