



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
13051 North Telecom Parkway #101
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

December 17, 2018

NOTICE OF PERMIT

Transmitted Via Email Only To: Alberto.Calleros@cemexusa.com

In the Matter of an
Application for Permit by:
Alberto Calleros
10311 Cement Plant Road
Brooksville, Florida 34601

Hernando County
WACS #SWD-27-40778
CEMEX Brooksville South Cement
Plant - Alternative Fuel Material
Processing Facility

Attention: Mr. Calleros

DEP File No: 22787-006-SO/31

Enclosed is Permit Number 22787-006-SO/31 to operate a solid waste processing facility, issued pursuant to Section 403.061(14) and 403.707, Florida Statutes.

A person whose substantial interests are affected by renewal of this permit may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by other persons must be filed within fourteen days of publication of the notice or receipt of the written notice, 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 such notice, regardless of the date of publication. The 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 (in a proceeding initiated by another party) will be only at the discretion 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, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b.) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c.) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d.) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;
- (e.) A statement of the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f.) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g.) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

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

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

In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case under the provisions of that statute. This does not prevent any interested parties from agreeing to other forms of alternate dispute resolution.

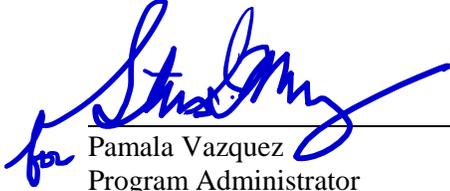
Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, 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 thirty days after this order is filed with the clerk of the Department.

PERMITTEE: CEMEX Construction Materials Florida LLC.
FACILITY NAME: CEMEX Brooksville Cement Plant Alt Fuel Processing Fac.

PERMIT #: 22787-006-SO/31
WACS Facility ID: SWD-27-40778

Executed in Hillsborough, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Pamala Vazquez
Program Administrator
Permitting & Waste Cleanup Program
Southwest District

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to Section 120.52, F.S. with the designated Department Clerk, receipt of which is hereby acknowledged.

Mandakini Patel
Clerk

December 17, 2018
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were sent before the close of business on December 17, 2018, to the listed persons.

Mandakini Patel
Clerk

Enclosure: Permit No. 22787-006-SO/31

Copies furnished to:

Tammy Garcia, Koogler and Associates, Inc., tgarcia@kooglerassociates.com
Dr. Max Lee, P.E., Koogler and Associates, Inc., mlee@kooglerassociates.com
Brent Steele, CEMEX Construction Materials Florida, LLC., brentc.steele@cemex.com
Steve Morgan, Air & SW Permitting Manager, FDEP, steve.morgan@floridadep.gov
Steve Tafuni, SW Government Operations Consultant, steven.tafuni@floridadep.gov
Melissa Madden, Environmental Consultant, FDEP, melissa.madden@floridadep.gov
Javier Ramirez, Engineering Specialist, FDEP, javier.ramirez@floridadep.gov



FLORIDA DEPARTMENT OF Environmental Protection

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Secretary

Permit Issued to:

CEMEX Construction Materials Florida, LLC
10311 Cement Plant Road
Brooksville, Florida
352-799-7881

Facility WACS ID No.: SWD-27-40778

Facility Name:

CEMEX Brooksville South Cement Plant
Alternative Fuel Material Processing Facility
10311 Cement Plant Road
Brooksville, Hernando County, Florida

Contact Person:

Alberto Calleros
10311 Cement Plant Road, Brooksville Florida 34601
Alberto.calleros@cemexusa.com
(352) 799-7881

Solid Waste Operation/Closure Renewal Permit Waste Processing Facility

Permit No.: 22787-006-SO/31
Replaces Permit No.: 22787-004-SO/31

Permit Issued: December 17, 2018
Permit Renewal Application Due Date: October 16, 2023
Permit Expires: December 16, 2023

Permitting Authority

Florida Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway, Suite 101
Temple Terrace, Florida 33637
813-470-5700

SECTION 1 - SUMMARY INFORMATION

A. Authorization

The permittee is hereby authorized to operate and close a waste processing facility in accordance with the specific and general conditions of this permit and any documents attached to this permit or specifically referenced in this permit and made a part of this permit.

This solid waste operation/close permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-4 and 62-701.

This permit does not relieve the permittee from complying with any other appropriate local zoning or land use ordinances or with any other laws, rules or ordinances. Receipt of any permit from the Department does not relieve the applicant from obtaining other federal, state, and local permits and/or modifications required by law, including those from other sections within the Department or of the Water Management District.

The Department's determination that the material being regulated is solid waste under Florida Statutes does not affect the facility's designation as a solid waste incineration unit under federal law.

B. Facility Location

The facility location is Latitude 28°34'54"N and Longitude 82°25'56"W and the physical address is 10311 Cement Plant Road, Brooksville, Hernando County, Florida.

C. Facility Description

This site shall be classified as a waste processing facility (WPF) and shall be operated in accordance with all applicable requirements of Chapters 62-4 and 62-701, Florida Administrative Code. This facility will store and process solid waste that will be utilized as AFM in the CEMEX Brooksville Cement Plant.

D. Appendices Made Part of This Permit

APPENDIX 1 - General Conditions

APPENDIX 2 - List of Approved Documents Incorporated into the Permit

E. Attachments for Informational Purposes Only

ATTACHMENT 1 - Time Sensitive Action Chart. If any of the time deadlines in the Time Sensitive Action Chart are inconsistent with the time deadlines in the permit conditions, the time deadline in the permit condition shall be followed.

ATTACHMENT 2 - Site Plan

SECTION 2 - SPECIFIC CONDITIONS

A. Administrative Requirements

1. Documents Part of This Permit. The permit application **as finally revised, replaced or amended** in response to the Department's Request(s) for Additional Information are contained in the Department's files and are made a part of this permit. Those documents that make up the complete permit application are listed in APPENDIX 2.
2. Permit Modification. Any change to construction, operation or monitoring requirements of this permit may require a modification to this permit, in accordance with the provisions of Rule 62-701.320(4), F.A.C.
3. Permit Renewal. In order to ensure uninterrupted operation of this facility, a timely and sufficient permit renewal application must be submitted to the Department in accordance with Rule 62-701.320(10), F.A.C. A permit application submitted at least 61 days prior to the expiration of this permit is considered timely and sufficient.
4. Transfer of Permit or Name Change. In accordance with Rule 62-701.320(11), F.A.C., the Department must be notified in writing within 30 days: (1) of any sale or conveyance of the facility; (2) if a new or different person takes ownership or control of the facility; or (3) if the facility name is changed.

B. Construction Requirements

1. General Construction Requirements. All construction shall be done in accordance with the approved Construction Plan. The Department shall be notified before any changes, other than minor deviations, to the approved Construction Plan are implemented in order to determine whether a permit modification is required.
 - a) No construction is proposed or authorized by this permit.

C. Operation Requirements

1. General Operating Requirements. The Permittee shall operate the facility in accordance with the approved Section B Additional Information (Sect B) [ref. [Appendix 2, Para. 1.a.](#)] and Operational Plan [Op Plan] [ref. [Appendix 2, Para 1.b.](#)]. The Department shall be notified before any changes, other than minor deviations, to the approved Sect B and Op Plan are implemented in order to determine whether a permit modification is required.
2. Authorized Waste and Material Types. The facility is authorized to manage only the following:
 - a) AFM listed in Section 3.1 of Section B.1.

3. Unauthorized Waste Types. The facility is not authorized to accept or manage any waste types not listed in C.2. above. Any unauthorized waste inadvertently received by the facility shall be managed in accordance with the approved Operation Plan. Any unauthorized waste received by the facility shall be rejected and not accepted at the facility [ref. Sect 3.1, Sec. B.5]
4. Maximum Storage Quantities. The maximum storage quantities for each waste and material type at the facility shall be as identified in the approved Sect B [ref. Sect 3.1, Sec. B.2].
5. Facility Capacity. If the facility has reached its permitted capacity for storage of AFM, the permittee shall not accept additional AFM for processing until sufficient capacity has been restored.
6. Storage and Management. All incoming AFM shall be managed and stored as described in Section 3.1 in the Table 1 of the facility Section B.1 and Section B.5 of the facility Op. Plan. All incoming and processed AFM shall be managed and stored as shown on the Site Plan [ref. APPENDIX 2, Para. 1.c.] and processed or removed from the facility for recycling or disposal when the storage areas and/or containers have reached their permitted storage capacities or within the turnaround time frames specified in the approved Closure Plan [ref. Closure Plan, Sec. 2.0].
 - a) The storage and management of other waste materials utilized in cement plant operations (synthetic gypsum, slag, power plant ash, etc.) at the facility, currently authorized under the Conditions of Certification for Site Certification #PA82-17P, is not authorized under this permit.
7. Contingency Plan and Notification of Emergencies. The Permittee shall notify the Department in accordance with the approved Contingency Plan. [ref. APPENDIX 2, Para. 1.d]. Notification shall be made to the Southwest District Compliance Assurance Program at SWD_Waste@dep.state.fl.us or 813-470-5700.
 - a) In the event of damage to any portion of the AFM processing site facilities, equipment, storage areas, or buildings, failure of any portion of the associated systems, fire, explosion, or the development of sinkhole(s) at the site, the permittee shall **immediately (within 24 hours)** notify the Department explaining such occurrence, method to prevent reoccurrence, remedial measures to be taken and time needed for repairs. Written detailed notification shall be submitted to the Department **within seven (7) days** following the occurrence.
8. Housekeeping. The facility shall be operated to control dust, vectors, litter and objectionable odors. [ref. Op Plan, Sect. 3.1, Sect B.4].
9. Putrescible Wastes. Putrescible waste shall be not received or accepted at the facility.

10. Hazardous Waste. If any regulated hazardous wastes are discovered to be deposited at the facility, the facility operator shall promptly notify the Department, the person responsible for shipping the wastes to the facility, and the generator of the wastes, if known. The area where the wastes are deposited shall immediately be cordoned off from public access. If the generator or hauler cannot be identified, the facility operator shall assure the cleanup, transportation, and disposal of the waste at a permitted hazardous waste management facility. In the event that hazardous wastes are discovered they shall be managed in accordance with the procedures provided in facility Operation Plan. [[ref Op. Plan, Sect 3.1, Sec. B.5](#)].
11. Leachate Control System. The facility shall be operated with a leachate control system to prevent discharge of leachate and avoid mixing of leachate with stormwater, and to minimize the presence of standing water. The leachate control system shall be maintained to function as designed. If outside containers are used to store AFM they shall be covered at the end of each business day and when full and in the event of inclement weather. [[ref. Op Plan Sect 3.1, Secs B.1., B.4., & B.5](#)]
 - a) To minimize contact of windblown stormwater with AFM stored in the A-Frame Building (AFB) and Additive Storage Building, AFM will not be stored within 6 feet of the edge of the building. [[ref. Op Plan Sect 3.1, Secs B.1. & B.5](#)].
12. Annual Report. In accordance with Rule 62-701.710(8)(b), F.A.C., the Permittee shall submit an annual report to the Department on Form 62-701.900(7). This report shall include a summary of the amounts and types of wastes disposed of or recycled. The county of origin of materials that are recycled, or a statement that the county of origin is unknown, shall be included in the report. The report shall be submitted no later than February 1st of each year, and shall cover the preceding calendar year.

D. Water Quality Monitoring Requirements

[There are no water quality monitoring requirements for this facility.]

E. Gas Management System Requirements

[There are no gas management requirements for this facility.]

F. Closure Requirements

1. General Closure Requirements. The Permittee shall close the AFM processing facility in accordance with the provisions of the approved Closure Plan. [[ref APPENDIX 2. Para 1.e.](#)]. The Department shall be notified before any changes, other than minor deviations, to the approved Closure Plan are implemented in order to determine whether a permit modification is required.
2. Notifications. The Permittee shall notify the Department prior to ceasing operations, and shall submit a written certification to the Department when closure is complete.

G. Financial Assurance and Cost Estimates

1. Financial Assurance Mechanism. The permittee may not receive waste at the facility until financial assurance has been approved. Proof that the financial mechanisms are established and funded in accordance with Rule 62-701.630, F.A.C. shall be submitted to the Department at least sixty (60) days prior to the planned acceptance of solid waste in any disposal unit. When established, the permittee shall maintain, in good standing, the financial assurance mechanisms. Supporting documentation and evidence of increases associated with cost estimate increases shall be submitted within the time frames specified in Rule 62-701.630, F.A.C.

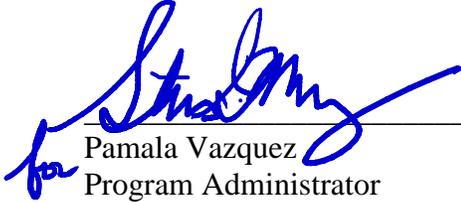
All submittals in response to this specific condition shall be sent to:

Florida Department of Environmental Protection
Financial Coordinator - Solid Waste Section
2600 Blair Stone Road, MS 4548
Tallahassee, Florida 32399-2400

2. Cost Estimates.
 - a. The permittee shall submit closure cost estimates, including annual adjustments for inflation, in accordance with the requirements of Rule 62-701.630(3) and (4), F.A.C., and 40 CFR Part 264.142(a) and .144(a) using Form 62-701.900(28).
 - b. An owner or operator using an escrow account shall submit the annual inflation adjusted estimate(s) between July 1 and September 1. An owner or operator using a letter of credit, guarantee bond, performance bond, financial test, corporate guarantee, trust fund or insurance shall submit the inflation adjusted cost estimate(s) between January 1 and March 1.
 - c. A cost estimate covering disposal units not previously covered by financial assurance mechanisms must be submitted prior to submitting financial assurance for such disposal units.
 - d. All submittals in response to this specific condition shall be sent to the Southwest District Office, SWD_Waste@dep.state.fl.us and a copy to the address identified in Specific Condition G.1. or to the following email address: Solid.Waste.Financial.Coordinator@dep.state.fl.us.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Pamala Vazquez
Program Administrator
Permitting & Waste Cleanup Program

FILED, on this date, pursuant to Section 120.52, F.S. with the designated Department Clerk,
receipt of which is hereby acknowledged.

Mandakini Patel
Clerk

December 17, 2018
Date

APPENDIX 1 - General Conditions

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.161, 403.727, or 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), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of rights, nor any infringement of federal, State, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this 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 and used by the permittee to achieve compliance with the conditions of this permit, are 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.

GENERAL CONDITIONS: (cont'd)

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 reasonable times, access to the premises where the permitted activity is located or conducted to:
 - (a) Have access to and copy any records that must be kept under 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 noncompliance; and
 - (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

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 403.111 and 403.73, F.S. 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 or a copy thereof shall be kept at the work site of the permitted activity.

GENERAL CONDITIONS: (cont'd)

12. 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 for 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;
 - 6. the results of such analyses.
13. 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 the 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.

APPENDIX 2 – List of Approved Documents Incorporated into the Permit

This permit is valid for the operation and closure of the waste processing facility and related systems in accordance with all applicable requirements of Department rules, and in accordance with the reports, plans and other information prepared by Koogler & Associates, Inc. (or as otherwise noted) as follows:

1 Application for Permit to Construct, Operate, or Modify a Waste Processing Facility – CEMEX Construction Materials Florida, LLC, Application for Permit Renewal to Operate an Alternative Fuel/Material Processing Facility dated August 6, 2018 (received August 8, 2018) as revised, replaced, or amended by information received November 16, 2018, November 27, 2018 and November 30, 2018. This information includes, but is not limited to:

- a. Section B Additional Information [Sect B], revised November 27, 2018;
- b. Operation Plan [Sect 3.1 Section B.5.], revised November 27, 2018;
- c. Figure 1 – Site Plan [Sect B, Fig.1], revised November 16, 2018;
- d. Contingency Plan [Sect B.7], dated November 26, 2018, (received November 27, 2018); and
- e. Closure Plan [Appendix 2] dated March 19, 2013, updated November 16, 2018 (received November 16, 2018).

ATTACHMENT 1 - Time Sensitive Action Chart

PERMIT SECTION	SUBMITTAL DUE DATE	REQUIRED ITEM
A.3.	No later than 61 days prior to expiration	Submit application for permit renewal
C.7.(a) & C.10.	Within 24 hours of discovery	Notification of: hazardous waste receipt, fire, failure of facility systems or equipment, etc.
	Within 7 days of verbal notification	Written notification & corrective action plan
G.2.	Annually, by March 1 st each year	Submit revised cost estimates

ATTACHMENT 2 - Site Plan



LEGEND		Approx. 500 foot boundary from storage and processing areas		AFM Storage/ Processing Slab, Outside (300 tons)
		Drainage Ditch		Coal Yard Storage (2,500 tons)
		Approx. location of wells (FDEP)		ASB Storage area (1,000 tons, covered)
		Approx location of PWS well		A-frame Storage (1,000 tons covered)
		No jurisdictional wetlands within 200 feet of storage and processing areas		Outside AFM Trailer Storage (400 tons)
		No other potable wells within 500 feet of site https://ia.dep.state.fl.us/mapdirect/		

Professional Engineer Certification Michael A. ... No. 58091 Date	Scale 1" = +/- 400' Aerial Image from Google Earth Image Date 03-17-2017 Drawing No. 307-18-07	Figure 1 - Site Plan AFM Storage/Processing Locations CEMEX Brooksville South-Alternative Fuel Material Permit Renewal Application, 62-701.900(4), FAC Brooksville, Hernando County, FL
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