



Florida Department of Environmental Protection

Southwest District
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926
Telephone: 813-632-7600

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

Transmitted via email only to: jdaniel@cemexusa.com

Mr. James S. Daniel
CEMEX Construction Materials Florida, LLC.
10311 Cement Plant Road
Brooksville, Florida 34601

December 13, 2012

**RE: CEMEX South Cement Plant Alternative Fuel/Material Processing Facility
Pending Permit #22787-004-SO/31
WACS#: 40778, Hernando County**

Dear Mr. Daniel:

This is to acknowledge receipt of your permit application dated November 14, 2012 (received November 16, 2012) to operate and close an alternate fuel/materials processing facility at the CEMEX South Cement Plant, located at 10311 Cement Plant Road, Brooksville, Hernando County, Florida.

This letter constitutes notice that a permit will be required for your project pursuant to Chapter(s) 403, Florida Statutes.

Your application for a permit is incomplete. This is the Department's first request for information. Please provide the information listed below promptly. Evaluation of your proposed project will be delayed until all requested information has been received.

GENERAL:

1. The requested information and comments below do not necessarily repeat the information submitted by the applicant. However, every effort has been made to concisely refer to the section, page, drawing detail number, etc. where the information has been presented in the original submittal.
2. Please submit 2 copies of all requested information (1 paper, 1 electronic). Please specify if revised information is intended to supplement, or replace, previously submitted information. Please submit all revised plans and reports as a complete package. For revisions to the narrative reports, deletions may be struckthrough (~~struckthrough~~) and additions may be underlined (underlined) or similar notation method. This format will expedite the review process. Please include revision date on all revised pages.
3. Please provide a summary of all revisions to drawings, and indicate the revision on each of the applicable plan sheets. Please use a consistent numbering system for drawings. If new sheets must be added to the original plan set, please use the same numbering system with a prefix or suffix to indicate the sheet was an addition, e.g. Sheet 1A, 1B, P1-A, etc.
4. Please be advised that although some comments do not explicitly request additional information, the intent of all comments shall be to request revised calculations, narrative, technical specifications, QA documentation, plan sheets, clarification to the item, and/or other information as appropriate.

The following information is needed in support of the solid waste application [Chapters 62-701 and 62-711, Florida Administrative Code (F.A.C.)]:

1. As discussed in the cover letter for this application, it is the intent of applicant to separate operation of the Cement Plant from the Conditions of Certification for Site Certification #PA82-17P. In addition to waste tire processing and management and storage of alternate fuels, part of the operation of the cement plant is the management and storage of other waste materials utilized in cement plant operation (e.g. synthetic gypsum, slag, power plant ash, etc.). The management of these waste materials, currently addressed in the Supplemental Environmental Management Plan referenced in the Conditions of Certification, will need to be included in this permit application to allow for continued authorization to manage and store these materials at the facility once the facility is removed from Site Certification. Please revise the appropriate sections of this application accordingly to include management and storage of these materials. Because of ongoing compliance concerns with the storage of some of these materials at the facility (e.g. TECO Gannon ash) it is recommended that this comment be discussed in further detail during the meeting recommended at the end of this letter.

Application Form 62-701.900(4), F.A.C.:

2. **Part A.5.:** The DEP ID number for this facility is 40778. Please revise this part of the application form to reflect this number.

Engineering Report (Rules 62-701.320(7)(d) and 62-701.710(2) & (3), F.A.C.:

Please provide a revised, comprehensive Engineering Report which includes the information listed below and which complies with the requirements listed in Rules 62-711.530 and 62-711.540, F.A.C. The Engineering Report may be reviewed in its entirety after responses are received.

3. **Section 3.1:** In accordance with Rule 62-701.320(1), F.A.C., the storage of alternate fuel materials [AFM] at the Gregg Mine would require a solid waste management facility permit (a separate solid permit or solid waste conditions incorporated into another DEP permit, if applicable). Therefore no storage or management of AFM at the Gregg Mine shall occur prior to obtaining authorization from the Department's Solid Waste Section. **The comment is provided for information purposes only and does not necessarily require a response other than acknowledgement of the comment.**

4. **Section 3.3:** Please identify the location of the AFM handling/injection feeder system on Figure 1 - Site Plan.

5. **Section 3.4:**

a. Please provide the support information, calculations, and/or assumption utilized in determining the storage capacity for each proposed AFM storage location identified in the section.

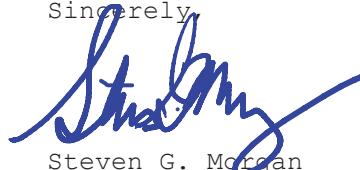
b. A-Frame Building (AFB): Please revise this section to specifically describe the construction details of the floor (e.g. material type, thickness, sealant, floor slope, etc.) that makes the floor impervious and compatible to the engineered fuels proposed to be stored on the floor, such that the floor meets the design criteria of Rule 62-701.710(3)(b), F.A.C. It is recommended that this section be revised to limit the storage of "engineered fuels" as described in Section 3.1.(i) to the AFB.

- c. Additive Storage Building (ASB): Please revise this section to specifically describe the construction details of the clay floor (e.g. clay type, thickness, hydraulic conductivity, floor slope, etc) that makes the floor impervious and compatible to engineered fuels proposed to be stored on the floor, such that the floor meets the design criteria of Rule 62-701.710(3)(b), F.A.C.
- d. Alternative Fuels/Materials Storage & Processing Slab (AFM Slab): This section indicates that runoff from this slab is "directed to the drainage ditch which outfalls to the settling pond". Please provide supporting documentation from the Department's Industrial Wastewater Section that runoff from AFM material temporarily stored on the slab is authorized to be discharged to the referenced drainage ditch. Alternatively, please describe how runoff from AFM material will be controlled such that it does not discharge from the slab.
6. **Section 3.6**: Please revise this section to provide a specific reference (document title, section, date of submittal) to where and when boundary surveys were previously provided to the Department.
7. **Section 3.8**: Section 3.1(i) indicates that engineered fuels may include such potential "non-dry" materials as on-spec used oils, "other non-hazardous liquids", processed MSW, paint filter cake, cosmetics, etc. In addition, while the presence of a roof significantly reduces the potential for leachate generation from stored AFM, a roof alone does not prevent the potential for wind-blown rain contacting stored AFM or runoff from non-wet AFM. Therefore in the absence of other information regarding design or operation considerations (e.g. floor sloping; containment curbing; material storage procedures and/or limitations; leachate management procedures, etc) it does appear the providing a roof alone over the AFB and ASB meet the leachate control design criteria of Rule 62-701.710(3), F.A.C. Section 3.9.2 indicates that AFM will be stored under cover with run-off control, however no description of the methods for run-off control appear to be provided. Please verify and address this comment, as appropriate. It is also recommended that this comment be discussed in further detail during the meeting recommended at the end of this letter.
8. **Section 3.9**: Please either provide the Contingency Plan referenced in this section or copies of the parts of the plan that address the requirements of Rule 62-701.320(16), as they relate to the operation of the Alternate Fuel/Material Processing Facility.
9. **Section 3.10.4**: Greenway Recycling, Inc. operates a Class III/C&D debris waste processing facility and as such is not permitted to accept the AFM at their facility. The Greenway Recycling Inc. quote provided is for transportation and disposal of C&D debris. For financial assurance purposes, the cost estimates should be for disposal of AFM as a Class I waste. Therefore, please provide a quote for disposal of Class I waste at a facility permitted to accept Class I waste for management or disposal. A quote from Greenway Recycling Inc. that provides such a quote would be acceptable. The cost estimates provided in Attachment C will be re-reviewed upon receipt of this information.
10. **Rule 62-701.320(8), F.A.C.** Please publish the attached Notice of Application and provide proof of publication to the Department.

Please respond by the **by February 1, 2013 or an alternate date established during the meeting requested below**, responding to all of the information requests and indicating when a response to any unanswered questions will be submitted. If the response will require longer than **the date noted above**, you should develop an alternate specific timetable for the submission of the requested information for Department review and consideration. Pursuant to the provisions of Rule 62-4.055(1), F.A.C., if the Department does not receive a timely, complete response to this request for information the Department may issue a final order denying your application. A denial for lack of information or response will be unbiased as to the merits of the application. The applicant may reapply as soon as the requested information is available.

You are requested to submit your responses to this letter together, as one complete package. It is recommended that the applicant contact the Department to schedule a meeting to discuss the issues in this letter prior to submittal of your response. Please contact me at (813) 632-7600 ext. 385 or steve.morgan@dep.state.fl.us to schedule this meeting.

Sincerely,



Steven G. Morgan
Waste Management Section
Southwest District

sgm

Attachment

Ec: Maxwell R. Lee, Ph.D., P.E., Koogler and Associates, mlee@kooglerassociates.com
George Townsend, Cemex Construction Materials Florida, LLC gtownsend@cemexusa.com
Frank Hornbrook, FDEP, Tallahassee
Robert Bull, FDEP Siting Section
Richard Tedder, P.E., FDEP Tallahassee Solid Waste Section
Susan Pelz, P.E., FDEP, Tampa C/E Section

62-110.106(5). Notices: General Requirements.

Each person who files an application for a Department permit or other notice as may publish or be required to publish a notice of application or other notice as set forth below in this section. Except as specifically provided otherwise in this paragraph, each person publishing such a notice under this section shall do so at his own expense in the legal advertisements section a newspaper of general circulation (i.e., one that meets the requirements of sections 50.011 and 50.031 of the Florida Statutes) in the county or counties in which the activity will take place or the effects of the Department's proposed action will occur, and shall provide proof of the publication to the Department within seven days of the publication.

62-110.106(6). If required, the notice shall be published by the applicant one time only within fourteen days after a complete application is filed and shall contain the name of the applicant, a brief description of the project and its location, the location of the application file, and the times when it is available for public inspection. The notice shall be prepared by the Department and shall comply with the following format:

**State of Florida
Department of Environmental Protection
Notice of Application**

The Department announces receipt of application for a solid waste processing facility permit from the CEMEX Construction Materials Florida, LLC for the management, storage, and processing of alternate fuels and materials, subject to Department rules, at the existing CEMEX Brooksville South Cement Plant located at 10311 Cement Plant Road, Brooksville, Hernando County, Florida.

This application is being processed and 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 the Department of Environmental Protection, Southwest District Office, 13051 Telecom Parkway, Temple Terrace, Florida 33637-0926

From: [Haines, Marcia](mailto:Haines_Marcia)
To: ["jdaniel@cemexusa.com"](mailto:jdaniel@cemexusa.com)
Cc: ["mlee@kooglerassociates.com"](mailto:mlee@kooglerassociates.com); ["gtownsend@cemexusa.com"](mailto:gtownsend@cemexusa.com); [Solid Waste Financial Coordinator](#); [Bull, Robert](#); [Tedder, Richard](#); [Pelz, Susan](#); [Morgan, Steve](#)
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 2:55:00 PM
Attachments: [CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI.pdf](#)

Dear Mr. Daniel:

Attached is the official CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI letter for the project referenced below. This is the only copy you will receive. Acrobat Reader 6.0 or greater is required to read this document, and is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>. Please open and review the document as soon as possible, and verify that it is accessible. Please send a "reply" message verifying receipt of the document.

Note: We must receive verification that you are able to access the document. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

OCULUS Information:

Facility County: Hernando

Facility ID: 40788

Catalog: Solid Waste

Profile: Permit Authorization

Document type: 22787-004-SO-31 CEMEX South Cement Plant Alt Fuel/Material Processing Facility RAI #1

Facility Name: CEMEX South Cement Plant Alternative Fuel/Material Processing Facility

Owner/Company/Permittee Name: Mr. James S. Daniel

Project/Permit Number: 22787-004-SO/31

Permit Activity: Pending Permit

The Southwest District Waste Management Program is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal Service, to provide greater service to the applicant and the regulated community. You may access this document and others in the Department's OCULUS document management system by clicking on the link <http://dwmedms.dep.state.fl.us/Oculus/servlet/login> and use the public log-in button. Under the search feature, you may look through various documents including permitting, compliance, fiscal, cleanup and enforcement documents.

Documents addressed in this email may require immediate action within a specified time frame. Please advise this office of any changes to your e-mail address. If you have any questions concerning the content of this document, please contact Steve Morgan, Engineer IV at steve.morgan@dep.state.fl.us and/or phone #(813) 632-7600 ext.329, Florida Department of Environmental Protection, Southwest District Office. If you have any difficulty reading and/or printing the document, please contact Marcia Haines ext. 391.

Steven G. Morgan, Waste Management Section
Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

phone - (813) 632-7600 x329

e-mail - steve.morgan@dep.state.fl.us

From: [Bull, Robert](#)
To: [Haines, Marcia](#)
Subject: Out of Office: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 2:55:18 PM

I will be out of the office until Wednesday, January 2. Please send any email correspondence to the Siting Office email address at SCO@dep.state.fl.us or if you need to speak directly to a Siting staff member, please call 850/245-2002. If your call is related to a project already in process, please ask for Cindy Mulkey. Thank you and Happy Holidays!

From: [Dr. Max Lee](#)
To: [Haines, Marcia](#)
Subject: Read: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 3:40:41 PM
Attachments: [ATT00001](#)

From: [George Townsend](#)
To: [Haines, Marcia](#)
Subject: Re: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 3:21:55 PM

Document received



George Townsend
Environmental Manager - Brooksville South - United States of America
Office: (352) 799-7881 Fax: (352) 799-6088 Mobile: (352) 238-9102
Address: 10311 Cement Plant Road, Brooksville, FL 34601
e-Mail: george.townsend@cemex.com
www.cemexusa.com



Please consider the environment before printing this email

From: "Haines, Marcia" <Marcia.Haines@dep.state.fl.us>
To: "jdaniel@cemexusa.com" <jdaniel@cemexusa.com>
Cc: "mlee@kooglerassociates.com" <mlee@kooglerassociates.com>, "gtownsend@cemexusa.com" <gtownsend@cemexusa.com>, "Solid Waste Financial Coordinator" <Solid.Waste.Financial.Coordinator@dep.state.fl.us>, "Bull, Robert" <Robert.Bull@dep.state.fl.us>, "Tedder, Richard" <Richard.Tedder@dep.state.fl.us>, "Pelz, Susan" <Susan.Pelz@dep.state.fl.us>, "Morgan, Steve" <Steve.Morgan@dep.state.fl.us>
Date: 12/13/2012 02:55 PM
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778

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Steven G. Morgan, Waste Management Section
Florida Department of Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926

phone - (813) 632-7600 x329

e-mail - steve.morgan@dep.state.fl.us

Please take a few minutes to share your comments on the service you received from the department by clicking on this link. [DEP Customer Survey](#). [attachment "CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI.pdf" deleted by George Townsend/US/Cemex]

From: [George Townsend](#)
To: [Haines, Marcia](#)
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 3:18:39 PM

Return Receipt

Your CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31
document: RAI WACS#: 40778

was george.townsend@cemex.com
received
by:

at: 12/13/2012 15:12:38 EST

From: [James Daniel](#)
To: [Haines, Marcia](#)
Cc: [Townsend, George](#); mlee@kooglerassociates.com
Subject: Re: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 3:18:39 PM

Document received and accessible. Thanks.

From: "Haines, Marcia" <Marcia.Haines@dep.state.fl.us>
To: "jdaniel@cemexusa.com" <jdaniel@cemexusa.com>
Cc: "mlee@kooglerassociates.com" <mlee@kooglerassociates.com>, "gtownsend@cemexusa.com" <gtownsend@cemexusa.com>, "Solid Waste Financial Coordinator" <Solid.Waste.Financial.Coordinator@dep.state.fl.us>, "Bull, Robert" <Robert.Bull@dep.state.fl.us>, "Tedder, Richard" <Richard.Tedder@dep.state.fl.us>, "Pelz, Susan" <Susan.Pelz@dep.state.fl.us>, "Morgan, Steve" <Steve.Morgan@dep.state.fl.us>
Date: 12/13/2012 02:55 PM
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778

Dear Mr. Daniel:

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Florida Department of Environmental Protection
Southwest District Office
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Temple Terrace, FL 33637-0926

phone - (813) 632-7600 x329
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From: [James Daniel](#)
To: [Haines, Marcia](#)
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 3:16:33 PM

Return Receipt

Your CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31
document: RAI WACS#: 40778

was james.daniel@cemex.com
received
by:

at: 12/13/2012 15:02:10 EST

From: [Microsoft Exchange](#)
To: ["jdaniel@cemexusa.com"](mailto:jdaniel@cemexusa.com); ["gtownsend@cemexusa.com"](mailto:gtownsend@cemexusa.com)
Subject: Relayed: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 2:55:21 PM

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:
HYPERLINK "mailto:jdaniel@cemexusa.com"jdaniel@cemexusa.com'
HYPERLINK "mailto:gtownsend@cemexusa.com"gtownsend@cemexusa.com'
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778

Sent by Microsoft Exchange Server 2007

From: [Microsoft Exchange](#)
To: ["mlee@kooglerassociates.com"](mailto:mlee@kooglerassociates.com)
Subject: Relayed: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 2:55:21 PM

Delivery to these recipients or distribution lists is complete, but delivery notification was not sent by the destination:
HYPERLINK "mailto:mlee@kooglerassociates.com"mlee@kooglerassociates.com'
Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778

Sent by Microsoft Exchange Server 2007

From: [Microsoft Exchange](#)
To: [Bull, Robert](#); [Tedder, Richard](#); [Solid Waste Financial Coordinator](#); [Pelz, Susan](#); [Morgan, Steve](#)
Subject: Delivered: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 2:55:19 PM

Your message has been delivered to the following recipients:

HYPERLINK "mailto:Robert.Bull@dep.state.fl.us" Bull, Robert

HYPERLINK "mailto:Richard.Tedder@dep.state.fl.us" Tedder, Richard

HYPERLINK "mailto:Solid.Waste.Financial.Coordinator@dep.state.fl.us" Solid Waste Financial Coordinator

HYPERLINK "mailto:Susan.Pelz@dep.state.fl.us" Pelz, Susan

HYPERLINK "mailto:Steve.Morgan@dep.state.fl.us" Morgan, Steve

Subject: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778

Sent by Microsoft Exchange Server 2007

From: [Morgan, Steve](#)
To: [Haines, Marcia](#)
Subject: Read: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 3:18:26 PM

Your message was read on Thursday, December 13, 2012 3:18:24 PM (GMT-05:00) Eastern Time (US & Canada).

From: [Pelz, Susan](#)
To: [Haines, Marcia](#)
Subject: Out of Office: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 13, 2012 2:55:19 PM

I will be out of the office 12/13 and 12/14.

If you need immediate assistance please contact Anna Brantley x 326, Steve Morgan x 329 (solid waste-permitting), or Stephanie Watson, x411.

From: [Solid Waste Financial Coordinator](#)
To: [Haines, Marcia](#)
Subject: Read: CEMEX South Cement Plant Alt Fuel-Mat WPF 22787-004-SO-31 RAI WACS#: 40778
Date: Thursday, December 20, 2012 7:31:22 AM

Your message was read on Thursday, December 20, 2012 7:31:20 AM (GMT-05:00) Eastern Time (US & Canada).