

From: [Butler, Linda](#) on behalf of [Morgan, Steve](#)
To: [James Daniel \(jdaniel@cemexusa.com\)](mailto:jdaniel@cemexusa.com)
Cc: [Maxwell R. Lee, Ph.D. P.E. \(mlee@kooglerassociates.com\)](mailto:mlee@kooglerassociates.com); [George Townsend \(gtownsend@cemexusa.com\)](mailto:gtownsend@cemexusa.com); [Bejnar, Tor](#); [Bull, Robert](#); [Tedder, Richard](#); [Morgan, Steve](#); [Pelz, Susan](#)
Subject: Hernando County - CEMEX South Cement Plant Alternative Fuel/Material Processing Facility
Date: Wednesday, April 24, 2013 2:29:00 PM
Attachments: [CEMEX South Cement Plant Alt Fuel-Mat Proc Fac RAI2.pdf](#)

Dear Mr. Daniel:

Attached please find the above-subject Request for Additional Information #2 document. In an effort to reduce costs and waste, our agency is moving to electronic, rather than paper, correspondence. This is the only copy that you will receive, unless you request otherwise.

Acrobat Reader 6.0 or greater is required to read the document and is available for downloading at: <http://www.adobe.com/products/acrobat/readstep.html>

If you have any questions concerning the contents of the attached document, please contact FDEP Engineering Specialist IV Steve Morgan at 813-632-7600, ext. 329, or via email at Steve.Morgan@dep.state.fl.us

Sincerely,

Linda Butler, Administrative Secretary
FDEP - Southwest District Permitting
13051 North Telecom Parkway
Temple Terrace, FL 33637-0926
(813) 632-7600, Ext 433
email: linda.butler@dep.state.fl.us

Please Note: Florida has a very broad public records law. Most written communication to or from State officials is public record and may be made available to the public or media upon request. This email communication, your reply, and future emails to my attention may, therefore, be subject to public disclosure.

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Florida Department of Environmental Protection

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

Rick Scott
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

April 24, 2013

**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 the additional information dated March 27, 2013 (received March 28, 2013) provided in support of your permit application 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 second 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.)]:

Engineering Report (Rules 62-701.320(7)(d) and 62-701.710(2) & (3), F.A.C.:
Please provide a revised Engineering Report which includes the information listed below.

1. **March 27, 2013 Response Letter to Department's December 13, 2012 RAI Letter:**

a. Response to Comments #5.b. & 5.c.:

1) Comments 5.b. & 5.c. of FDEP's December 13th letter requested that Section 3.4 of the Engineering Report be revised as appropriate to address the comments. While the information provided in the response letter adequately describes the construction of the A-Frame Building and ASB Building floors, revisions to Section 3.4 of the Engineering Report do not appear to have been provided. Please revise Section 3.4 of the Engineering Report, as appropriate.

2) As described in the March 27th letter and indicated in the information provided in Attachments 4 and 5, the A-frame and ASB buildings both have limerock and/or clay soil floors. These floor types typically wear and/or are damaged over time by the equipment described in Section 3.9.2. of the Engineering Report for material processing and transport (i.e. front end loader and transport trucks & trailers). Please revise an appropriate section of the Engineering Report to describe the facility procedures for maintenance and repair of the floor in these buildings.

b. Response to Comment #7: While the response provided in the March 27th letter to Comment #7 is adequate, revisions to Section 3.8 of the Engineering Report do not appear to have been provided. Please provide a revised Section 3.8 of the Engineering Report, consistent with the information provided in the March 27th response letter.

c. Response to Comment #8: Please revise the Table of Contents and Section 3.9 of the Engineering Report to reference the Contingency Plan submitted with the March 28, 2013 submittal.

d. Response to Comment #9: In response to Comment #9, a stand-alone Closure Plan and attachments were submitted with the March 28, 2013 submittal, in lieu of revisions to Section 3.10 and Attachments A-C of the Engineering Report. Please revise the Table of Contents and Section 3.10 of the Engineering Report to reference the submitted Closure Plan.

e. Response to Comment #10: Rule 62-701.320(8)(a), F.A.C. specifies that a notice of application shall be published within 14 days of submittal of the application. Therefore publication of the notice once the remainder of the application is deemed complete, as described in your response, is not appropriate. Please publish the attached Notice of Application and provide proof of publication to the Department.

2. **Attachment 4 - A-Frame Permeability and Boring Report:**

a. The description of the vertical permeability testing conducted appears to indicate that ASTM Test Method D6391-06 "Standard Test Method for Field Measurement of Hydraulic Conductivity Limits of Porous Materials Using Two Stages of Infiltration from a Borehole" was utilized. Please verify that this ASTM test method was utilized or identify the alternative test method used and provide a copy of that test method.

b. A review of ASTM Method D6391-06 appears to indicate that for the vertical permeability portion of the test (Stage 1) the minimum test duration is 12 hours. In the event that this test method was utilized, please provide supporting justification for running the test for only 30 minutes, as describe in Attachment 4.

3. **Attachment 5 - ASB Building Drawings:**

a. The drawings provided in Attachment 5 do not appear to be as-built drawings. Please either provide as-built drawings or provide verification that they are representative of as-built conditions.

b. Please verify whether hydraulic conductivity information on the installed clay layer is available and provide this information as applicable. In the absence of this information and taking in consideration the typical wear and damage to clay floors described in Comment #1.a.(2) above, please provide supporting justification for assuming that the floor in the ASB building is comparable to the A-Frame building floor and that representative borings of the floor and vertical permeability testing was not necessary to demonstrate the existing floor is as constructed and impermeable.

4. **Attachment 4 - Closure Plan:**

a. Attachment C: The closure cost estimates provided in Attachment C (total for closure \$315,688.32) are acceptable. However Form 62-701.900(28) must be signed and sealed by the engineer of record that prepared the estimate. Please provide a signed and sealed copy of the form. A copy of this letter is forwarded to Financial Coordinator, Solid Waste Section, FDEP, 2600 Blair Stone Road, MS 4565, Tallahassee, Florida 32399-2400. The applicant may work with him directly to assess the facility's compliance with the funding mechanism requirements of Rule 62-701.630, F.A.C. pending receipt of the signed and sealed form and final approval of the cost estimate.

Please respond **by June 12, 2013**, 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 or teleconference to discuss the issues in this letter prior to submittal of your response. Please contact Steve Morgan at (813) 632-7600 ext. 329 or steve.morgan@dep.state.fl.us to schedule this discussion or meeting.

Sincerely,


Jeffrey S. Greenwell
Waste Permitting Administrator

JG/sgm

Attachment

ec: Maxwell R. Lee, Ph.D., P.E., Koogler and Associates,
mlee@kooglerassociates.com
George Townsend, Cemex Construction Materials Florida,
gtownsend@cemexusa.com
Tor Bejnar, FDEP Tallahassee
Robert Bull, FDEP Siting Section
Richard Tedder, P.E., FDEP Tallahassee Solid Waste Section
Steven G. Morgan, FDEP Waste Permitting Section
Susan Pelz, P.E., FDEP SWD 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