



FLORIDA DEPARTMENT OF Environmental Protection

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

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

REQUEST FOR ADDITIONAL INFORMATION

November 18, 2022

Carlos Uruchurtu, Plant Manager
CEMEX Construction Materials Florida, LLC
10311 Cement Plant Road
Brooksville, Florida 34605
carlosgabriel.uruchurtu@cemex.com

Re: First Request for Additional Information (RAI)
Hernando County – Solid Waste
Facility Name: Brooksville South Cement Plant Waste Tire Processing Facility
Facility ID: 40778
DEP Application No.: 22787-008-WT/02

Dear Mr. Uruchurtu:

Thank you for your application for a waste tire processing facility permit renewal submitted on October 28, 2022 (application fee received November 2, 2022) for the above referenced Facility. A review of your application and supporting documentation indicates the application is incomplete. Please provide the information in the attached document and refer to this RAI in your response. The response to this correspondence must be signed, sealed, and dated by a registered Florida Professional Engineer.

To continue the processing of your application, the Department must receive a response within 90 days of this letter, February 16, 2023, unless a written request for additional time to provide the requested information is submitted and approved. It is the Department's desire to provide prompt turnaround times on permit applications, and a quicker response to this RAI shortens the timeframe for which a final decision on the application can be made. Pursuant to Rule 62-4.055(1), Florida Administrative Code (F.A.C.) and Section 120.60, F.S., failure of an applicant to provide timely requested information by the applicant deadline may result in denial of the application. You are encouraged to contact this office to discuss the items requested to assist you in developing a complete and adequate response.

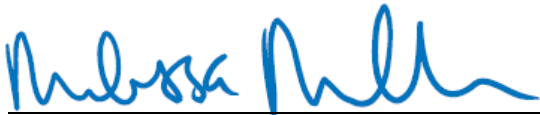
Your processor will be Kevin Gutierrez and can be contacted at 813-470-5732, Kevin.Gutierrez@FloridaDEP.gov. Please submit your response by email to SWD_Solid_Waste_Permitting@FloridaDEP.gov, with a copy to Kevin.Gutierrez@FloridaDEP.gov. If the submittal is very large, please contact the processor to assist you with posting it to a folder on this office's ftp site.

CEMEX Construction Materials Florida, LLC

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Sincerely,



Melissa Madden

Air & Solid Waste Permitting Manager

Permitting and Waste Cleanup Program

Southwest District

cc:

Christopher Wilson, CEMEX Construction Materials Florida, LLC, christopher.wilson@cemex.com

Dr. Maxwell R. Lee, P.E., Koogler and Associates, Inc., mlee@kooglerassociates.com

Tammy Garcia, Koogler and Associates, Inc., tgarcia@kooglerassociates.com

Melissa Madden, DEP Southwest District, Melissa.Madden@FloridaDEP.gov

Kevin Gutierrez, DEP Southwest District, Kevin.Gutierrez@FloridaDEP.gov

Emily Wargo, DEP Southwest District, Emily.Wargo@FloridaDEP.gov

Financial Assurance Working Group, Financial.Assurance.Working.Group@FloridaDEP.gov

Southwest District Solid Waste Compliance Section, SWD_Waste@FloridaDEP.gov

Attached: List of Requested Information

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CEMEX Construction Materials Florida, LLC

Facility Name: Brooksville South Cement Plant Waste Tire Processing Facility

Facility ID: 40778

DEP Application No.: 22787-008-WT/02

Waste Tire Processing Facility Permit Application (DEP Form # 62-701.900(23))

1. **Part IV-A: Applicant.** The applicant name listed in this section of the application form contains an added comma (CEMEX Construction Materials, Florida LLC). Please revise this section such that the applicant name exactly matches the entity name as filed with the Florida Department of State Division of Corporations on Sunbiz.org (CEMEX Construction Materials Florida, LLC).

Attachment 1 – Supporting Information

2. **Part I-A.7: Enforcement History.** The response to A.7 states that no enforcement actions have been taken since issuance of the current permit, however a Consent Order (OGC File No. 21-0259) with CEMEX Construction Materials Florida, LLC citing solid waste violations was executed on March 12, 2021. Please revise the response to A.7 to include a history and description of any enforcement actions relating to solid waste management facilities in this state in accordance with Rule 62-701.320(7)(i), F.A.C.
3. **Part III-A.2: Plot Plan.** This section states that no changes are proposed for the facility with this application, however the Site Plan provided depicts a change in location of the Trailer Staging Area. Please review Comment 8 below and revise this section as necessary based on the response to Comment 8.
4. **Part III-B.5: Storage Requirements.** The response to Part III-B, Items 1-5 & 8 states that no changes are proposed with this application. Please see Comment 9 below related to the storage requirements of Rule 62-711.540, F.A.C., and revise the response to Part III-B, Item 5 as necessary.
5. **Part III-B.7: Fire Safety Survey.** This section states that a fire safety survey has not been conducted for 2022 and will be provided upon receipt. Per Part III, Item B.7 of DEP Form # 62-701.900(23), a copy of the fire safety should be submitted with the permit application. Please provide a copy of the fire safety survey with the response to this Request for Additional Information (RAI).
6. **Part III-D: Proof of Financial Responsibility.** Please see Comment 12 below related to the closure cost estimate. Please note, if the revised closure cost estimate is greater than the amount currently on file with the Department, proof of funding in the amount of the approved revised estimate per Rule 62-711.500(3), F.A.C. shall be required prior to issuance of the permit renewal.

Appendix A – Figures

7. The Site Plan provided in Figure 3 does not appear to include all relevant information from the facility and required by items (a) through (j) in Part III-A, Item 2 of the application form, including but not limited to: wetlands, stormwater control measures, legal boundaries of the land containing the facility, all access roads and internal roads, and the location of all fences, gates and other access control measures, and well locations. The facility's current permit includes an Overall Site Plan, Figure 3B containing additional detail, however Figure 3B was not provided with the permit renewal application. Please provide an updated Site Plan which includes the information required by Part III-

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A, Item 2 of the application form. Alternatively, please revise the application to specifically list and reference any facility information previously submitted to the Department which is still valid, in accordance with Rule 62-701.320(10)(c), F.A.C.

8. The Site Plan provided in Figure 3 depicts a change in location of the Trailer Staging Area from what is currently permitted, as shown on Figure 3A dated and received December 6, 2018. Please confirm whether the facility is proposing to relocate the Trailer Staging Area to the location shown on Figure 3. Please revise Figure 3 as necessary based on the response to this comment. Please note, if the facility is proposing to relocate the Trailer Staging Area, storage of tires outside of the existing staging areas depicted on Figure 3A is not authorized at this time. All storage must be in accordance with the current permit and approved permit documents until any changes are approved and incorporated into the permit.
9. Please note, the new Trailer Staging Area shown on Figure 3 appears to be within 200 feet of a wetland based upon a review the National Wetlands Inventory map layer available in DEP's Map Direct. In accordance with Rule 62-711.540(3)(a), F.A.C., waste tires shall not be stored within 200 feet of wetlands. Please review and revise Figure 3 as necessary such that any change in the Trailer Storage Area location complies with the outdoor storage requirements contained in Rule 62-711.540(3), F.A.C.

Appendix B – Comprehensive Operations Plan

10. **Section 2.0 – Facility Description.** Please revise this section to include annual and daily throughput as well as supporting calculations for daily throughput per Part III, Item B.4 of the application form.
11. **Section 4.0 – Tire Storage**
 - a. Please revise this section to include a description of how 75% of the annual accumulation of waste tires will be removed or recycled in accordance with Rule 62-711.530(3), F.A.C.
 - b. This section states that the tire storage locations are shown on Figure 3A in Attachment 1 of the permit application. The tire storage locations are shown on Figure 3 in Appendix A of this permit renewal application. Please update this section accordingly.

Appendix D – Closing Cost Forms

12. The closure cost estimate provided with this application is not approved. Prior to Department consideration of use of the inflation-adjusted estimate based on a third-party quote from 2017, please confirm that separate third-party quotes for hauling and disposal, and/or published tipping fees for local facilities could not be obtained. If separate quotes can be obtained, a recalculated cost estimate based on the new third-party quotes for removal, processing, and disposal of the maximum number of tires proposed to be stored (300 tons), should be provided in accordance with Rule 62-711.500(3), F.A.C. The Department is available to discuss this comment further as necessary.