



Florida Department of Environmental Protection

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard
Secretary

November 16, 2011

Sent by Electronic Mail – Received Receipt Requested

James Daniel, Plant Manager
CEMEX Construction Materials Florida, LLC
10311 Cement Plant Road
Brooksville, Florida 34605

RE: Brooksville South Cement Plant
DEP Case Number PA82-17
2nd Extension of Time Period Granted in Amendment Approval dated July 16, 2010

Dear Mr. Daniel:

On July 16, 2010, the Department of Environmental Protection's Siting Coordination Office (Department) approved the request dated July 16, 2010, for a post certification amendment to the Brooksville South Cement Plant's Site Certification to transport the facility's combustion waste ash to a permitted off-site Class I landfill for disposal for the time period beginning July 16, 2010 and ending January 15, 2011.

On April 18, 2011, the Department received a request from Coastal Engineering Associates, Inc. on behalf of CEMEX to extend the approved time period expiration date from January 15, 2011 to December 31, 2011. According to the request, the facility shut down intermittently over the last quarter of 2010, and has been continuously shut down since December 2010. CEMEX requested the Department's approval to continue to transport ash to an offsite landfill through December 31, 2011 while a long-term solution is pursued. As a condition of approval for this time extension, CEMEX committed to providing the Department with a plan to address the long-term solution by September 1, 2011.

On October 18, 2011 CEMEX and Florida Power Development submitted to the Department a petition for modification to the facility's Site Certification for the conversion of the existing coal-fired boiler to a woody biomass-fired boiler. This conversion will require dismantling of portions of the existing power plant configuration.

On November 14, 2011, the Department received a request from Coastal Engineering Associates, Inc. on behalf of CEMEX to extend the approved time period expiration date from December 31, 2011 to June 2013 to allow for the off-site transport of any ash remaining within the system and silos during the plant breakdown and upgrades.

The Department has no objections to the requested extension provided that CEMEX continues to comply with the requirements set forth in the original amendment approval dated July 16, 2010. By this letter, the Department grants approval for this requested time extension. The expiration date to temporarily transport ash to an offsite landfill shall be changed from December 31, 2011 to June 30, 2013 to accommodate the construction and reconfiguration of the boiler conversion project. No other changes are authorized, and all previous and existing requirements remain intact. This letter should be attached to the Department's July 16, 2010 approval and made available on-site for review by those agencies with regulatory authority.

Any questions regarding the Department's review of your post-certification amendment should be directed to Bobby Bull at (850) 245-2001. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2257.

Sincerely,



Cindy Mulkey
Administrator,
Siting Coordination Office

Enclosure: Department's Amendment Approval dated July 16, 2010
Department's Amendment Approval Extension dated April 22, 2011

CC by Email:

Gary Colecchio, FDEP: gary.colecchio@dep.state.fl.us

Susan Pelz, FDEP: susan.pelz@dep.state.fl.us

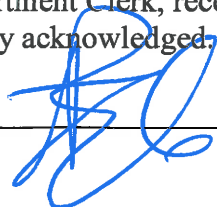
Danny Stubbs, FDEP: danny.stubbs@dep.state.fl.us

Joe Calamari, Coastal Engineering: jcalamari@coastal-engineering.com

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52
Florida Statutes, with the designated
Department Clerk, receipt of which is
hereby acknowledged.

Clerk



Date

11/17/11

CC by Email (received receipt requested):

William H. Green, Esquire
Hopping Green Sams & Smith
123 South Calhoun Street
Tallahassee, FL 32301
bgreen@hgslaw.com

Kent L. Weissinger
Hernando County Attorney's Office
20 N. Main Street, Ste. 462
Brooksville, FL 34601-2850
kentw@co.hernando.fl.us

Adam Teitzman, Attorney Supervisor
Florida Public Service Commission
Office of General Counsel
2450 Shumard Oak Boulevard
Tallahassee, FL 32399-0850
ateitzma@psc.state.fl.us

Kimberly Menchion, Esq.
Assistant General Counsel
Department of Transportation
605 Suwannee Street, MS 58
Tallahassee, FL 32399-0458
kimberly.menchion@dot.state.fl.us

Kelly Samek, Esquire
Fish and Wildlife Conservation Commission
6230 South Meridian Street
Tallahassee, FL 32399-1600
kelly.samek@myfwc.com

Lawrence N. Curtin, Esquire
Holland & Knight
Post Office Drawer 810
Tallahassee, FL 32302-0810
larry.curtin@hklaw.com

Barbara Lenczewski
Department of Economic Opportunity
107 East Madison Street
Tallahassee, Florida 32399
Barbara.Lenczewski@deo.myflorida.com

Toni Sturtevant, Esquire
Department of Environmental Protection
3000 Commonwealth Blvd
Tallahassee, FL 32399-3000
Toni.Sturtevant@dep.state.fl.us

David S. Dee, Esquire
Gardner, Bist, Wiener, Wadsworth,
Bowden, Bush, Dee, LaVia, and Wright, P.A.
1300 Thomaswood Drive
Tallahassee, FL 32308
ddee@gbwlegal.com

Jacob D. Varn, Esquire
Fowler White Boggs Banker
P.O. Box 11240
Tallahassee, FL 32302
jvarn@fowlerwhite.com

Martha Moore, Esquire
Southwest Florida Water Mgmt. District
2379 Broad Street
Brooksville, FL 34604-6899
martha.moore@swfwmd.state.fl.us

David Connolly, AICP
Withlacoochee Regional Planning Council
1241 S.W. 10th Street
Ocala, FL 34471-0323
dconnolly@wrpc.cc