FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

SOUTH DISTRICT
P.O. BOX 2549
FORT MYERS, FL 33902-2549

RICK SCOTT
GOVERNOR

JENNIFER CARROLL
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

NOTICE OF PERMIT ISSUANCE

Electronic Mail
Received Receipt Requested

In the Matter of an
Application for Permit by:

Mr. Vince L. Hafeli
Vice President, Plants & Materials
Ajax Paving Industries of Florida, LLC
510 Gene Green Road
Nokomis, Florida 34275

Lee County - AP
Ajax Paving Industries – Plant No. 4
Permit No.: 7774822-008-AF
Revision to Permit No.: 7774822-007-AF

Enclosed is Revised Permit Number 7774822-008-AF, issued pursuant to Section 403.087, Florida Statutes, for operating of Ajax Paving Industries – Plant No. 4 located in Lee County at 7121 Pennsylvania Street in Fort Myers, Florida. This permit is a revision to Air Operation Permit No. 7774822-007-AF. This permit revision is being issued for the purpose of removing emissions units 003 (portable lime silo), 004 (portable fiber feeder), 006 (portable lime silo) and 007 (portable fiber feeder) from the operation permit. These emissions units have been determined to be exempt emissions units under air construction permit 7775592-002-AC.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. 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 filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Permitting Authority's action is based must contain the following information:

(a) The name and address of each agency affected and each agency's file or identification number, if known;
(b) The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
(c) A statement of when and how the petitioner received notice of the agency decision;
(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon 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 of the Florida Administrative Code.

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 on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

Any party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Jon M. Iglehart
Director of
District Management

January 14, 2013
Date

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Issuance package (including the Permit) was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on January 14, 2013 to the persons listed below.

Mr. Vince L. Hafeli, Ajax Paving Industries of Florida, LLC (vhafeli@ajaxpaving.com)
Mr. Lynn Robinson, P.E., Southern Environmetnal Sciences, Inc. (lrobinson@sesfla.com)
Ms. Natasha Hazziez (Hazziez.natasha@epamail.gov)
Ms. Ana Oquendo, EPA Region 4 (oquendo.ana@epamail.epa.gov)

Clerk Stamp
FILING AND ACKNOWLEDGMENT
FILED, on this date, under Section120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

M Fitzgerald

January 14, 2013

(Clerk) (Date)

JMI/SRM/mf

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SOUTH DISTRICT
P.O. BOX 2549
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SECRETARY

PERMITTEE:

Mr. Vince L. Hafeli
Vice President, Plants & Materials
Ajax Paving Industries of Florida, LLC
510 Gene Green Road
Nokomis, Florida 34275

Facility I.D.: 7774822
Permit Number: 7774822-008-AF
Revison to Permit Number: 7774822-007-AF
Expiration Date: March 11, 2014
Lee County
Project: Removal of EUs 003, 004, 006 and 007

This permit revision is being issued for the purpose of removing emissions units 003 (portable lime silo), 004 (portable fiber feeder), 006 (portable lime silo) and 007 (portable fiber feeder) from the operation permit. These emissions units have been determined to be exempt emissions units under air construction permit 7775592-002-AC. This permit revises and supercedes Permit No. 7774822-007-AF. This facility is located in Lee County at 7121 Pennsylvania Street in Fort Myers, Florida. The UTM coordinates are Zone 17, 355.83 km East, and 3002.58 km North.

This final permit is organized by the following sections:

Section 1. General Information

Section 2. Administrative Requirements

Section 3. Emissions Unit Specific Conditions

Section 4. Appendices

Because of the technical nature of the project, the permit contains numerous acronyms and abbreviations, which are defined in Appendix A of Section 4 of this permit.

This air pollution operation permit is issued under the provisions of: Chapter 403 of the Florida Statutes (F.S.) and Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297 of the Florida Administrative Code (F.A.C.). The permittee is authorized to conduct the proposed work in accordance with the conditions of this permit. This project is subject to the general preconstruction review requirements in Rule 62-212.300, F.A.C. and is not subject to the preconstruction review requirements for major stationary sources in Rule 62-212.400, F.A.C. for the Prevention of Significant Deterioration (PSD) of Air Quality.

Upon issuance of this final permit, any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Fort Myers, Florida.

Jon M. Iglehart
Director of
District Management

January 14, 2013
Date

JMI/SRM/mf