(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

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, 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 Pensacola, Florida.

J. C Harp

J. Charles Harp
Program Administrator
Waste Management/Air Resources
Northwest District

160 W Government Street, Suite 308
Pensacola, Florida 32502-5740

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by electronic mail before the close of business on December 30, 2013 to the listed persons. FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

Martha Lappert December 30, 2013
Clerk Date

Copies furnished to:
Steve Miller, Baxter's Asphalt and Concrete, Inc., smiller0251@gmail.com
Mark Sumner, DEP Northwest District Branch Office, Panama City, Mark.C.Sumner@dep.state.fl.us

# Florida Department of Environmental Protection

Northwest District
160 W. Government Street, Suite 308
Pensacola, Florida 32502-5740

Rick Scott
Governor

Herschel T. Vinyard, Jr.
Secretary


December 30, 2013

**Permittee:**
Baxter's Asphalt and Concrete, Inc.
Marianna Asphalt Concrete Batch Mix Plant

**Permit No.:** 0630002-006-AO
**Facility ID No.:** 0630002
**SIC No(s).:** 29, 2951
**Project:** Air Operation Permit

This permit is for the operation of the Baxter's Asphalt and Concrete Batch Mix Plant located in Jackson County, at 4049 Lafayette Street in Marianna; UTM Coordinates: Zone 16, 666.70 km East and 3406.70 km North; Latitude: 30° 47' 00" North and Longitude: 85° 15' 36" West.

STATEMENT OF BASIS: This air operation permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4 and 62-210. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Effective Date: December 30, 2013
Renewal Application Due Date: October 3, 2018
Expiration Date: December 30, 2018

J. C. Harp

J. Charles Harp
Program Administrator
Waste Management/Air Resources

JCH/ha/m