GAC CONTRACTORS

GREAT NORTHWEST UTILITY SPECIALIST

GULF ASPHALT

POST OFFICE BOX 59462, PANAMA CITY, FL 32412-0462

FAX: (850) 769-3456

(850) 769-3477

(850) 785-4675

January 14, 2011

Rick Bradburn
Air Program Administrator
Florida Department of Environmental Protection
Northwest District
160 Governmental Center, Suite 308
Pensacola, Florida 32502-5794

15th day 1/26/11 MRC

Re: Project No. 0050008-004-AC
GAC Contractors, Gulf Asphalt Plant
Minor Air Construction Permit
Installation of Lime Silo
Proof of Publication Affidavit of Public Notice

Dear Mr. Bradburn,

Enclosed please find the Proof of Publication Affidavit for the Public Notice for the subject Minor Air Construction Permit. This requirement was discussed in your letter of November 19, 2010.

Sincerely,

Richard M. Dodd
P.E., President
GAC Contractors, Inc.

Enclosure

Cc: Ms. Teresa Knepper

RECEIVED
JAN 18 2011
NORTHWEST FLORIDA
DEP

Florida Freedom Newspapers, Inc.

PUBLISHERS OF THE NEWS HERALD
Panama City, Bay County, Florida
Published Daily

State of Florida
County of Bay

Before the undersigned authority appeared JoAnn Greenlee, who on oath says that she is Legal Advertising Representative of The News Herald, a daily newspaper published at Panama City, in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement # 1310 in the matter of Public Notice Of Intent To Issue Air Permit - GAC Contractors Air Permit in the Bay County Court, was published in said newspaper in the issue of January 12, 2011.

Affiant further says that The News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), and that this publication together with its said predecessor, has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

State of Florida
County of Bay
Sworn and subscribed before me this 12th day of January, A.D., 2011, by JoAnn Greenlee, Legal Advertising Representative of The News Herald, who is personally known to me or has produced N/A as identification.

MARIE L. FORREST
Commission DD 667091
Expires May 5, 2011
Bonded Thru Troy Fain Insurance 800-385-7019

Notary Public, State of Florida at Large

1310
PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Air Resource Section, Northwest District Office
Draft Minor Source Air Construction Permit
Project No. 0050008-004-AC
GAC Contractors, Gulf Asphalt Plant
Bay County, Florida

Applicant: The applicant for this project is GAC Contractors. The applicant's authorized representative and mailing address is: Richard M. Dodd, P.E., President, GAC Contractors, Inc. Post Office Box 59462, Panama City, Florida 32412-0462.

Facility Location: GAC Contractors, Inc. operates the existing Gulf Asphalt Plant, which is located in Bay County at 4116 US highway 231 North in Panama City, Florida.

Project: The applicant applied for an after-the-fact permit to install a new lime silo with a top-mounted baghouse to control particulate emissions. The silo will be for limited use. The existing facility will comply with a more stringent particulate emission limit under the New Source Performance Standards contained in 40CFR 60, subpart I.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210 and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Section in the Northwest District Office. The Permitting Authority's physical and mailing address is: 160 Governmental Center, Suite 308, Pensacola, Florida 32502-5794. The Permitting Authority's telephone number is: 850/595-8300.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday (except legal holidays), at the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project engineer for additional information at the address and phone number listed above. In addition, electronic copies of these documents are available on the following web site: http://www.dep.state.fl.us/air/emission/apds/default.asp.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of G
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-385-7019

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Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

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 rights will be affected by the agency determination; (c) A statement of when and how the petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact. If there are none, the petition must so state; (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 the 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 Permitting Authority'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, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available for this proceeding.
January 12, 2011