STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF ADMINISTRATIVELY CORRECTED NON-TITLE V AIR OPERATION PERMIT

In the Matter of a Request for Administrative Correction:

Mr. Chris Horner
Plant Manager
Florida Rock Industries, Inc.
4000 NW CR 235
Newberry, FL 32669

Project No.: 0010087-022-AC
Administrative Correction to Permit No.: 0010087-020-AC
Thompson S. Baker Cement Plant - Newberry
Alachua County

The Department has determined that a minor correction to information contained in Permit Number 0010087-020-AC is required. This correction is in response to the applicant's request dated 05/01/06. This Administrative Permit Correction was processed as Project Number 021, pursuant to Rule 62-210.360, F.A.C. This corrective action does not alter the effective dates of the existing permit.

The test dates for the Granulated Blast Furnace Slag in the referenced permit under Specific Condition No. 5 is hereby changed **from:** May 15, 2006 to July 15, 2006. The temporary test evaluation is limited to no more than 60 operating days and shall end no later than July 31, 2006.

To: July 3, 2006 to September 1, 2006. The temporary test evaluation is limited to no more than 60 operating days and shall end no later than September 16, 2006.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

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 (received) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must 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, F.A.C.

A petition 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 how and when each petitioner received notice of the agency action or proposed action;

(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, as well as the rules and statutes which entitle the petitioner to relief;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; 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 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 notice. 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.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the with the Clerk of the Department 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 of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Jacksonville, Florida.

Christopher L. Kirts, P.E.
District Air Program Administrator
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Mr. Chris Horner, Plant Manager- Florida Rock Industries, Inc.
O. Henry Gotsch, P.E. – Florida Rock Industries, Inc.