



# Florida Department of Environmental Protection

Northeast District  
8800 Baymeadows Way West, Suite 100  
Jacksonville, Florida 32256

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Jonathan P. Steverson  
Secretary

## NOTICE OF ADMINISTRATIVELY CORRECTED FEDERALLY ENFORCABLE STATE OPERATION PERMIT

*In the Matter of a Request for Administrative Correction:*

Mr. Charles Piwowarski, Area Environmental Manager  
Forterra Building Products  
840 West Avenue  
Deland, Florida 32720

Project No. 0190057-011-AF

Administrative Correction to:  
Permit No. 0190057-010-AF

Clay County

Enclosed is an administratively corrected page to Federally Enforceable State Operating Permit No. 0190057-010-AF for the facility located in Clay County at 4190 & 4210 Highway 17 South in Green Cove Springs, Florida. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated March 16, 2016 (received March 22, 2016), to correct the Clay County Federally Enforceable State Operating Permit to reflect the change in its legal name to Forterra Pipe & Precast, LLC. This corrective action does not alter the effective dates of the existing permits. 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.

**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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000, [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline. Petitions must be filed within 14 days of receipt of this administratively corrected permit. 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 interests will be affected by the agency determination; (c) A statement of when and how each 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

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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 written 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.

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., 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, MS 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 30 days after this order is filed with the clerk of the Department.

Executed in Jacksonville, Florida.



Richard S. Rachal III, P.G.  
Program Administrator  
Permitting Program

**FILING AND ACKNOWLEDGEMENT & CERTIFICATE OF SERVICE**

Filed on this date pursuant to § 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged. The undersigned hereby certifies that this Notice of Administratively Corrected Federally Enforceable State Operating Permit and all copies were sent by electronic mail with received receipt requested before the close of business on March 23, 2016 to the listed persons.

Charles Piwowarski, Environmental Manager, Forterra Building Products ([Charles.Piwowarski@forterrabp.com](mailto:Charles.Piwowarski@forterrabp.com))



\_\_\_\_\_  
Clerk

March 23, 2016  
Date

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Pursuant to the Request for Administrative Correction of the Air Permit received March 22, 2016, Federally Enforceable State Operating Permit No. 0190057-010-AF is corrected as indicated below. The following permit condition is revised as indicated. ~~Strikethrough~~ is used to denote the deletion of text, Double-underlines are used to denote the addition of text. All changes are emphasized with shading.

**Effective March 23, 2016**, the Facility Name and Permittee for the Clay County Facility ID No.: 0190057, is hereby changed in the Permit as follows:

**From:**

~~**Hanson Pipe & Precast, LLC.**~~

**To:**

**Forterra Pipe & Precast, LLC.**