



Jeb Bush
Governor

Mr. Rony François, M.D., M.S.P.H., Ph.D.
Secretary, Department of Health

CERTIFIED MAIL

NOTICE OF AIR POLLUTION OPERATION PERMIT

PERMITTEE:

Ranger Construction Industries, Inc.
606 95th Avenue North
Royal Palm Beach, Florida 33411

Air Permit No.: 0990087-007-AO

PALM BEACH COUNTY, FLORIDA

Project: Operating Permit Renewal

Authorized Representative:

Ms. Jo Moore, Environmental Manager

Filename: 0990087-007-AO, Notice of Permit.doc

Dear Ms. Moore:

Enclosed is Air Permit No. 099-0087-007-AO which authorizes the above referenced facility to operate a source of air pollution located in Palm Beach County. This permit is issued pursuant to Section 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code.

The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (Health Department) as the approved local air pollution control program of Palm Beach County. Through a Specific Operating Agreement, the DEP delegated to the Health Department the authority to issue or deny permits for this type of air pollution source located in Palm Beach County.

Administrative Hearings: A person whose substantial interests are affected by this 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) in the Health Department's office at the address listed below within 14 days of receipt of this Final Permit. 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 28-5.207, F.A.C.

A petition for administrative hearing must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit Number, and the county in which the project is located; (b) A statement of how and when each petitioner received notice of the Health Department's action; (c) A statement of how each petitioner's substantial interests are affected by the Health Department's action; (d) A statement of the material facts disputed by the petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Health Department's action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Health Department's action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Health Department to take with respect to the action addressed in this Final Permit.

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

Variances and Waivers: In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action taken in this PERMIT.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must

specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and, (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department of Environmental Protection will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

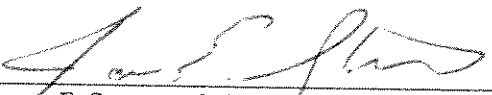
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically NOT authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Effective: This Permit is final and effective on the date filed with the Clerk of the Health Department *unless* a petition is filed in accordance with the above paragraphs *or unless* a request for an extension of time in which to file a petition is filed within 14 days of receipt of this Final Permit and conforms to Rule 62-103.0.70, F.A.C. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the Health Department.

Any party to this Final Permit has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below; 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 30 days from the date this Order is filed with the Clerk of the Health Department.

Executed in West Palm Beach, Florida.

PALM BEACH COUNTY HEALTH DEPARTMENT


James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

If you have any questions, contact:

Jose M. Garcia, PE, Air Permit Supervisor
Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida, 33402-0029



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Secretary, Department of Health

AIR POLLUTION OPERATION PERMIT

PALM BEACH COUNTY HEALTH DEPARTMENT
ENVIRONMENTAL HEALTH AND ENGINEERING
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida 33402-0029
Telephone: (561) 355-3435

ISSUED TO:

Permittee:

Ranger Construction Industries, Inc
P.O. Box 14589
Fort Pierce, Florida 34979-4589

ARMS No.:	0990087
Permit No:	0990087-007-AO
Issued:	10/17/2005
Expires:	10/16/2010

Authorized Representative:

Jo Moore, Environmental Manager

*Note: A renewal application must
be submitted by 8-16-2010*

LOCATED AT:

Ranger Construction Industries, Inc
606 95th Avenue North
Royal Palm Beach, Florida 33411
Directions: 1/3 mile north of Southern Boulevard on 95th Avenue

UTM: Zone 17; 579.9 km E; 2951.7 km N

Description: Hot Mix Asphalt Plant [SIC: 2951 – Asphalt Paving Mixtures and Blocks.]


STATEMENT OF BASIS:

The Florida Department of Environmental Protection (DEP) has permitting jurisdiction for this project pursuant to Section 403.087 of the Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (Health Department) as the approved local air pollution control program in Palm Beach County. As such, the DEP and the Health Department have entered into a Specific Operating Agreement that delegates the authority to issue or deny permits to the Health Department for this type of air pollution source located in Palm Beach County. Accordingly, the Health Department issues this permit under the provisions of Chapter 403, F.S. and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The permittee is authorized to perform the work for the proposed project in accordance with the conditions of this permit and as described in the application, approved drawings, plans, and other documents on file with the Health Department.

ISSUED BY:

Executed in West Palm Beach, Florida.

PALM BEACH COUNTY HEALTH DEPARTMENT


James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

*Air Permit Engineer: Jose M. Garcia P.E.
Filename: 0087007.PMT.f*