

KOOGLER & ASSOCIATES
ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET
GAINESVILLE, FLORIDA 32609
352/377-5822 • FAX/377-7158

KA 187-04-10
October 20, 2004

RECEIVED

OCT 25 2004

BUREAU OF AIR REGULATION

Mr. Jim Pennington
Florida Department of
Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

**RE: Florida Rock Industries
Thompson S. Baker Cement Plant
Facility ID: 0010087
Public Notice of Intent**

Dear Mr. Pennington:

Please find enclosed a copy of the Public Notice of Intent from the Gainesville Sun newspaper to issue Florida Rock Industries, Thompson S. Baker Cement Plant an Air Construction Permit.

If there are questions regarding this matter, please do not hesitate to contact me.

Very truly yours,

KOOGLER & ASSOCIATES

Lori Toyota
Office Manager

/lt

Enclosure

cc: C. Kinta, WED

26843

NO _____

**THE GAINESVILLE SUN
Published Daily and Sunday
GAINESVILLE, FLORIDA**

**STATE OF FLORIDA
COUNTY OF ALACHUA**

NAOMI WILLIAMS-JORDAN

Before the undersigned authority appeared.....

Classified Assistant Manager

Who on oath says that he/she is.....of THE GAINESVILLE SUN, a daily

newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being a
PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

.....
Florida Rock Industries, Inc. Thompson S. Baker Cement Plant - Newberry

In the matter of

in the.....Court, was published in said newspaper in the issues of
OCTOBER 16TH

..... 2004

Affidavit further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, each day, and has been entered as second class mail matter at the post office in Gainesville, in Said Alachua County, Florida, for a period of one year next preceding the first publication of the attached copy Of advertisement; and affiant further says that he has neither paid nor promised any person, firm or corporation any discount for publication in the said newspaper.

Sworn to and subscribed before me this

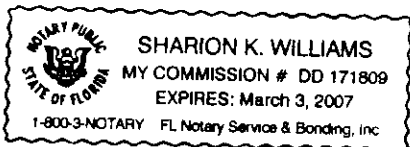
19 day of Oct A.D., 2004

Sharion K. Williams

(seal)

Notary Public

Naomi Williams-Jordan



**PUBLIC NOTICE
OF INTENT TO
ISSUE AIR
CONSTRUCTION
PERMIT**

Florida Department of
Environmental Protection
Florida Rock Industries,
Inc.
Thompson S. Baker
Cement Plant - Newberry
Alachua County
Draft Air Construction
Permit (Letter)
No. 0010087-011-AC

The Florida Department of
Environmental Protection
(Department) gives notice
of its intent to issue an Air
Construction Permit (let-
ter) to Florida Rock Indus-
tries, Inc. (FRI) to allow
the evaluation of selective
non-catalytic reduction
(SNCR) at the Thompson
S. Baker Cement Plant
located 2.5 miles North-
east of Newberry on
County Road 205 in Ala-
chua County. A new Best
Available Control Technol-
ogy (BACT) determination
was not required. The
applicant's name and
address are: Florida Rock
Industries, Inc., 155 East
21st Street, Jacksonville,
Florida 32206.

FRI requests permission
to use SNCR in a test pro-
gram from October 25
through December 31,
2004, that will allow the
Department and FRI to
determine the range of
NOx emission reductions
possible under multiple
operating scenarios using
SNCR. The proposed test-
ing evaluation will not
result in significant net
emissions increases and a
new evaluation under the
rules for the Prevention of
Significant Deterioration
(PSD) is not required.

The plant has continuous
emissions monitoring
(CEM) equipment for
NOx, SO2, opacity and
total hydrocarbons as well
as annual testing require-
ments for all of the regu-
lated pollutants. The
plant is subject to
40CFR63, Subpart LLL. As
part of these tests, addi-
tional testing will be per-
formed for particulate
matter and visible emis-
sions in conjunction with
the CEM data.

The Department will issue
the Final Permit (Letter)
with the attached condi-
tions unless a response
received in accordance
with the following proce-
dures results in a different
decision or significant
change of terms or condi-
tions. The Department will
accept written comments
concerning the proposed
permit issuance action for
a period of fourteen (14)
days from the date of pub-
lication of this Public
Notice of Intent to Issue
Air Construction Permit.
Written comments should
be provided to the Depart-
ment's Bureau of Air Regu-
lation at 2600 Blair Stone
Road, Mail Station #5905,
Tallahassee, FL 32399-
2400. Any written com-
ments filed shall be made
available for public
inspection. If written com-
ments received result in a
significant change in the
proposed agency action,
the Department shall
revise the proposed per-
mit and require, if applica-
ble, another Public
Notice.

The Department will issue
the permit with the
attached conditions
unless a timely petition
for an administrative hear-
ing is filed pursuant to
Sections 120.569 and
120.57, F.S., before the
deadline for filing a peti-
tion. The procedures for
petitioning for a hearing
are set forth below. Medi-
ation is not available in
this proceeding.

A person whose substan-
tial interests are affected
by the proposed permit-
ting decision may petition
for an administrative pro-
ceeding (hearing) under
Sections 120.569 and
120.57, F.S. The petition
must contain the informa-
tion set forth below and
must be filed (received) in
the Office of General
Counsel of the Depart-
ment at 3900 Common-
wealth Boulevard, Mail
Station #35, Tallahassee,
Florida, 32399-3000. Peti-
tions must be filed within
fourteen (14) days of pub-
lication of this Public
Notice of Intent to Issue
Air Construction Permit.
Under Section 120.60(3),
F.S., however, petitions
submitted by person(s)
who asked the Depart-
ment for notice of agency
action must be filed
within fourteen (14) days
of receipt of that notice or
the date of publication of
the public notice which-
ever occurs first. A peti-
tioner shall mail a copy of

the petition to the appli-
cant at the address indi-
cated above at the time of
filing. The failure of any
person to file a petition
within the appropriate
time period shall consti-
tute a waiver of that per-
son's right to request an
administrative determina-
tion (hearing) under Sec-
tions 120.569 and 120.57,
F.S., or to intervene in this
proceeding and partici-
pate 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 that disputes
the material facts on
which the Department's
action is based must con-
tain the following infor-
mation: (a) The name and
address of each agency
affected and each agency's
file or identification
number, if known; (b) The
name, address, and tele-
phone number of the peti-
tioner, the name, address,
and telephone number of
the petitioner's represen-
tative, if any, which shall
be the address for service
purposes during the
course of the proceeding,
and an explanation of
how the petitioner's sub-
stantial interests will be
affected by the agency
determination; (c) A state-
ment of how and when
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 peti-
tion must so indicate; (e)
A concise statement of
the ultimate facts alleged,
including the specific
facts the petitioner con-
tends warrant reversal or
modification of the agency's
proposed action; (f) A
statement of the specific
rules or statutes the peti-
tioner contends require
reversal or modification of
the agency's proposed
action, and (g) A state-
ment of the relief sought
by the petitioner, stating
precisely the action peti-
tioner 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 Depart-
ment'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 administra-
tive hearing process is
designed to formulate
final agency action, the
filing of a petition means
that the Department's
final action may be differ-
ent from the position
taken by it in this notice.
Persons whose substan-
tial interests will be
affected by any such final
decision of the Depart-
ment on the application
have the right to petition
to become a party to the
proceeding, in accord-
ance with the require-
ments set forth above.

A complete project file is
available for public
inspection during normal
business hours, 8:00 a.m.
to 5:00 p.m., Monday
through Friday, except
legal holidays, at:

Department of
Environmental Protection
Bureau of Air Regulation
111 S. Magnolia
Drive, Suite 4
Tallahassee, Florida
32301
Telephone: (850)
488-0114
Fax: (850) 922-6979

Department of
Environmental Protection
Northeast District Office
7825 Baymeadows Way,
Suite 200B
Jacksonville, Florida
32256-7590
Telephone: (904)
807-3233
Fax: (904) 448-4363

The complete project file
includes the technical
evaluation, Draft Air Con-
struction Permit, and the
information submitted by
the responsible official,
exclusive of confidential
records under Section
403.111, F.S. Interested
persons may contact the
Administrator, North Per-
mitting Section at 111
South Magnolia Drive,
Suite 4, Tallahassee, Flor-
ida 32301, or call 850/488-
0114, for additional infor-
mation. The technical
evaluation and draft per-
mit (authorization letter)
can be viewed at
www.dep.state.fl.us/air/permitting/construct.htm
in the Florida Rock New-
berry link.

26843, 10/16/04