

FLORIDA ROCK INDUSTRIES INC

CEMENT GROUP / 4000 N.W. CR 235 / P.O. Box 459 / Newberry, FL 32669 / (352) 472-4722

RECEIVED

JAN 30 2006



BUREAU OF AIR REGULATION

January 27, 2006

Ms. Cindy Mulkey
Division of Air Resources
Department of Environmental Protection
2600 Blair Stone Road, MS #5505
Tallahassee, FL 32399-2400

RE: Proof of publication of public notice; Facility 0010087, Permit No. 0010087-018-AC
Florida Rock Industries, Inc.—Thompson S. Baker Cement Plant

Dear Ms. Mulkey:

Enclosed is an affidavit providing proof of publication; the legal notice appeared in the newspaper yesterday. If you have any questions, please call me at 352-472-4722, ext. 121.

Sincerely,
FLORIDA ROCK INDUSTRIES, INC.

Henry Gotsch
Environmental Manager

The High Springs Herald

High Springs, Florida
Published Weekly

STATE OF FLORIDA
COUNTY OF ALACHUA

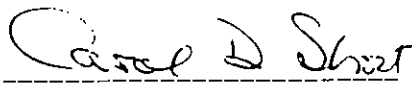
Before the undersigned authority personally appeared DOT COULLIETTE who on oath says that he/she is an EDITORIAL ASSISTANT of *The High Springs Herald*, a weekly newspaper published at High Springs in Alachua County, Florida; that the attached copy of advertisement, being a **PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**, was published in said newspaper in the issue of **January 26, 2006**.

Affiant further says that *The High Springs Herald* is a newspaper published at High Springs, in said Alachua County, Florida, and that the said newspaper has heretofore been continually published in said Alachua County, Florida, each week and has been entered as periodicals matter at the post office in High Springs, in said Alachua County, Florida for a period of 1 year next preceding the first publication of the attached copy of advertisement; and affiant says that he/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 said newspaper.

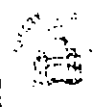


(Signature of Affiant)

Sworn to and subscribed before me
this 26th day of January, 2006.



(Signature of Notary Public)

	CAROL D. SHORT Notary Public, State of Florida My comm. expires Nov. 11, 2007 No. DD 269014
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**PUBLIC NOTICE OF INTENT TO ISSUE
AIR CONSTRUCTION PERMIT**

Florida Department of Environmental Protection
DEP File No.: 0010087-018-AC

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

The Florida Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit to Florida Rock Industries, Inc. (FRI) to allow an increase in the finish mill throughput rate at the Thompson S. Baker Cement Plant located 2.5 miles Northeast of Newberry on County Road 235 in Alachua County. The previously issued Best Available Control Technology (BACT) determination applies to the facility. The applicant's name and address are: Florida Rock Industries, Inc., 4000 NW County Road 235, Post Office Box 459, Newberry, Florida 32699.

Historically FRI has produced AASHTO and masonry types of cement. Recently FRI has added ASTM type cement to its line of available products. ASTM allows a limestone content of up to 5%, as opposed to the 1% limestone allowed by AASHTO. Cement with higher limestone content (therefore lower clinker content) is easier to grind in the mill. Thus, along with kiln operation that minimizes the calcium-silicate crystal size which makes the clinker easier to grind, allows for a faster grinding process, therefore more product through the finish mill system. Although a slight increase in cement production could be realized due to this project, a cement process rate increase was not requested.

No emissions limit or production increases were requested by FRI due to this project. No production equipment or control devices will be changed or affected. No changes are requested in the amount of fuel use or raw materials subjected to pyroprocessing in the preheater/calcliner, kiln, or clinker cooler. Particulate emissions from the baghouses will remain unchanged and fugitive emissions due to increased truck traffic from the limestone quarry to the limestone/gypsum storage area are estimated to be less than 1 ton per year.

The Department will issue the Final Permit with the attached conditions unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit Modification. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit modification and require, if applicable, another Public Notice.

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

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida. 32399-3000. Petitions must be filed within fourteen (14) days of publication 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 Department for notice of agency action must be filed within four-

teen (14) days of receipt of that notice or the date of publication of the public notice, whichever occurs first. 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 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 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 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, 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; 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 Department'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 Department'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 Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements 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 Construction Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Bureau of Air Regulation at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-8968, for additional information.

Publish January 26, 2006

Mulkey, Cindy

From: Henry Gotsch [HGotsch@Flarock.com]
Sent: Tuesday, January 10, 2006 3:04 PM
To: Mulkey, Cindy
Subject: RE: Notice of intent to issue for FM hourly production increase (0010087-018-AC)

Cindy:

I'm about to forward the notice for publication. I see two changes I'd like the published notice to include:

1. On the first line, the word "to" between Permit and Florida.
2. The post office box is 459, rather than 45.

These two changes are shown in red in this cut and paste of the first paragraph from the NOI.

The Florida Department of Environmental Protection (Department) gives notice of its intent to issue an Air Construction Permit to Florida Rock Industries, Inc. (FRI) to allow an increase in the finish mill throughput rate at the Thompson S. Baker Cement Plant located 2.5 miles Northeast of Newberry on County Road 235 in Alachua County. The previously issued Best Available Control Technology (BACT) determination applies to the facility. The applicant's name and address are: Florida Rock Industries, Inc., 4000 NW County Road 235, Post Office Box 459, Newberry, Florida 32699.

Do you have any objection to me making these two changes on the Word version of the Notice you sent me?

Thanks.

Henry

*Ok'd changes
 1/11/06
 Cindy M.
 Reverted changes to
 official hard copy file.*

-----Original Message-----

From: Mulkey, Cindy [mailto:Cindy.Mulkey@dep.state.fl.us]
Sent: Friday, November 18, 2005 4:02 PM
To: Henry Gotsch
Subject: RE: Notice of intent to issue for FM hourly production increase (0010087-018-AC)

Here you go.