

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

ALACHUA COUNTY,

Petitioner,

v.

Case No.:  
FDEP File Nos. 0010087-003-AC/PSD-FL-228-A  
and 0010087-002-AV

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

and

FLORIDA ROCK INDUSTRIES, INC.,

Respondents.

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**NOTICE OF VOLUNTARY DISMISSAL  
OF ALACHUA COUNTY'S PETITION FOR FORMAL ADMINISTRATIVE HEARING**

Petitioner, Alachua County ("County"), hereby gives notice of voluntarily dismissing, without prejudice, its Petition for Formal Administrative Hearing ("Petition") in the above-styled matter, and states the following:

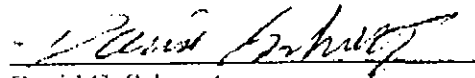
1. On March 1, 2001, the County timely filed its Petition.
2. By telephone conversation between the undersigned and Douglas Beason, Esquire, on June 12, 2001, the State of Florida Department of Environmental Protection ("Department") informed the County that additional changes to the subject draft permits had been finally agreed upon by the Department and Florida Rock Industries, Inc.
3. By copies of letters dated June 8 and July 2, 2001, from Clair Fancy to John Baker, and June 12 and July 3, 2001, from Christopher Kirts to John Baker, the Department represented to the County that the final draft permit language agreed upon by the Department and Florida Rock

Industries, Inc. is as set forth in the documents attached to such letters. These letters and attachments are attached hereto and incorporated as Exhibit A.

Based upon the foregoing, the County voluntarily dismisses its Petition, without prejudice, conditioned upon the draft permits becoming final and effective in strict accordance with the terms embodied in Exhibit A. Should any further changes be made to the draft permits, or should the draft permits not become final for any reason, the County reserves the right to refile or reinstate its Petition as to any and all issues in order to protect the County's interests regarding the content of the final permits. Furthermore, the County hereby requests the Department to provide the County with written notice of any further changes to the draft permits, and written notice of any further permit modifications, renewals, or new permits concerning the subject cement plant.

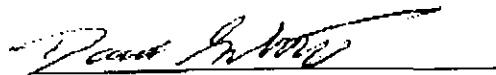
Respectfully submitted this 25<sup>th</sup> day of July, 2001.

ALACHUA COUNTY ATTORNEY'S OFFICE



David C. Schwartz  
Assistant County Attorney  
Florida Bar No. 749079  
Alachua County Attorney's Office  
Post Office Box 2877  
Gainesville, FL 32602-2877  
(352) 374-5218

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by regular U.S. Mail to Douglas Beason, Esquire, State of Florida Department of Environmental Protection, Office of General Counsel, 3900 Commonwealth Blvd., MS 35, Tallahassee, Florida 32399-3900 and Segundo Fernandez, Esquire, Oertel, Hoffman, Fernandez & Cole, P.A., 301 South Bronough Street, Suite 500, Tallahassee, Florida 32301 on this 25<sup>th</sup> day of July, 2001.



David C. Schwartz  
Assistant County Attorney