

FLORIDA ROCK INDUSTRIES INC

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

RECEIVED

DEC 10 2004

BUREAU OF AIR REGULATION



December 9, 2004

Mr. Bobby Bull, Permit Engineer
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

RE: Proof of publication of public notice for 0010087-012-AC

Dear Mr. Bull:

Enclosed is proof of publication of the public notice for the above-referenced draft permit. Please contact me at (352) 472-4722, X.121, if you need any additional information.

Sincerely,

FLORIDA ROCK INDUSTRIES, INC.

A handwritten signature in black ink that reads "Henry Gotsch". The signature is written in a cursive style.

Henry Gotsch
Environmental Manager

RECEIVED

DEC 10 2004

7567

NO _____

BUREAU OF AIR REGULATION

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
PUBLIC NOTICE NOTICE OF INTENT, FLORIDA ROCK INDUSTRIES, INC.

.....
TO ISSUE AIR CONSTRUCTION PERMIT, Draft Air Construction Permit No.: 0010087-012-AC
In the matter of

in the.....Court, was published in said newspaper in the issues of
DECEMBER 6th

..... 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

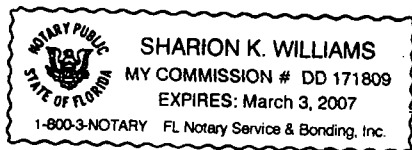
.....day of Dec.....A.D., 2004

Sharion K. Williams

(seal)

Notary Public

Naomi Williams-Jordan



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

Florida Department of
Environmental Protection, Inc.
Florida Rock Industries, Inc.
Thompson S. Baker Cement Plant -
Newberry, Alachua County
Draft Air Construction
Permit No.: 0010087-012-AC

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 authorize Florida Rock Industries to conduct testing and parameter measurements for the evaluation of flyash and petroleum coke fired with coal at the Thompson S. Baker Cement Plant located 2.5 miles Northeast of Newberry on County Road 235 in Alachua County. The applicant's name and address are: Florida Rock Industries, Inc., 4000 NW CR 235, Newberry, Florida 32669.

FRI requests permission to use flyash and petroleum coke in a test program from December 15, 2004 through February 15, 2005, that will allow the Department and FRI to evaluate feasibility and benefits of introducing flyash and petroleum coke with the coal to the kiln and calciner, establishing operating parameters and the impacts on clinker and cement quality. The proposed testing evaluation will not result in any emissions increases and a new evaluation under the rules for the Prevention of Significant Deterioration (PSD) is not required. If the results of this project are favorable, FRI will request the following revisions to their current Title V Permit: 1) The allowable fuels would be expanded to include coal blended up to 11% flyash and/or up to 30% petroleum coke. 2) Fuel limiting would be based upon total heat input, not maximum coal feed rate, and 3) The ratio of dry preheater feedrate to clinker might increase slightly as the flyash fraction of the dry preheater feedrate is reduced.

The plant has continuous emissions monitoring (CEM) equipment for NOX, SO2, opacity and total hydrocarbons as well as annual testing requirements for all of the regulated pollutants. The plant is subject to 40CFR63, Subpart LLL.

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. 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 and require, if applicable, another Public Notice.

The Department will issue the permit 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. Mediation 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 fourteen (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 modifica-

tion 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 Administrator, North Permitting Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. The technical evaluation and draft permit can be viewed at www.dep.state.fl.us/air/permitting/construct.htm in the Florida Rock Newberry link.

27007, 12/6/04