

FLORIDA ROCK INDUSTRIES INC

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



RECEIVED

SEP 28 2006

BUREAU OF AIR REGULATION

September 26, 2006

Mr. Robert Hodges
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. 0010087-021-AC
Florida Rock Industries, Inc.—Thompson S. Baker Cement Plant

Dear Mr. Hodges:

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

Sincerely,
FLORIDA ROCK INDUSTRIES, INC.

A handwritten signature in cursive script, appearing to read 'Henry Gotsch'.

Henry Gotsch
Environmental Manager

AFFIDAVIT OF PUBLICATION

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BUREAU OF AIR REGULATION

The Gainesville Sun
Published - Daily
Gainesville, Alachua County, Florida

STATE OF FLORIDA
COUNTY OF ALACHUA

Before the undersigned, a Notary Public of Said County and State, Ernest Blake, III, who on oath says that he is Legal Advertising Coordinator of THE GAINESVILLE SUN, a daily newspaper published at Gainesville, in Alachua County, Florida; that the attached copy of advertisement, being a notice in the matter of

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT Florida Department of Environmental Protection Florida Rock Industries, Inc. Selective Non-Catalytic Reduction System Thompson S. Baker Cement Plant - Newberry Alachua County DEP File No.: 001008

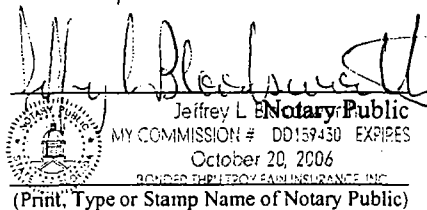
was published in said newspaper in the issues of:

9/24 1x

Affiant further says that the said THE GAINESVILLE SUN is a daily newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, Florida, daily, 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, rebate, commission or refund for the person of securing this advertisement for publication in the said newspaper.



Sworn to and subscribed before me this 25th day of September, A.D., 2006



Jeffrey L. Blesch
Notary Public
MY COMMISSION # DD159450 EXPIRES
October 20, 2006
BONDED THE HEROES INSURANCE, INC.
(Print, Type or Stamp Name of Notary Public)

My commission expires 20 day of Oct, 2006

Ad #: A000228081

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0001 LEGALS

**PUBLIC NOTICE OF INTENT TO ISSUE
AIR CONSTRUCTION PERMIT**
Florida Department of Environmental Protection

Florida Rock Industries, Inc.
Selective Non-Catalytic Reduction System
Thompson S. Baker Cement Plant - Newberry
Alachua County

DEP File No.: 0010087-021-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 install a selective non-catalytic reduction (SNCR) system to control nitrogen oxides (NOX) emissions at the Thompson S. Baker Cement Plant located on 4000 NW CR 235 in Newberry, Florida. The permittee's name and address are: Florida Rock Industries, Inc., 4000 NW CR 235, Newberry, Florida 32669.

FRI controls NOX emissions through staged fuel combustion in the calciner in a reducing atmosphere and by introduction of tires at the kiln inlet. FRI will add an SNCR system to inject aqueous ammonia solutions (9-19.8 percent NH3) between the calciner and the lowest preheater cyclone when operating the calciner in an oxidizing atmosphere or when tires are not introduced. The SNCR system may also be used in combination with the existing controls.

The plant complies with a NOX emission limit of 2.45 pounds per ton clinker that was determined to be best available control technology (BACT) in 2002. FRI tested the SNCR technology at the plant in December 2004 under a permit issued by the Department and was able to meet the permitted limits. No changes in emissions are expected due to the new installation.

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 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 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) 921-9533

Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32556-7590
Telephone: (904) 807-3233
Fax: (904) 448-4363

The complete project file includes the Draft Air Construction Permit, Technical Evaluation and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Program Administrator for the South Permitting Section, Bureau of Air Regulation, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call Rob Hodges at 850/414-7263 for additional information. The draft permit as well as original permit and BACT determinations and any other permitting actions to-date can be viewed at: www.dep.state.fl.us/Air/permitting/construction/flrock.htm
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