



# Department of Environmental Protection

Jeb Bush  
Governor

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

David B. Struhs  
Secretary

October 6, 1999

RECEIVED

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. John D. Baker, President  
Florida Rock Industries, Inc.  
155 East 21st Street  
Jacksonville, Florida 32206

OCT - 7 1999

STATE OF FLORIDA  
DEPT. OF ENV. PROTECTION  
NORTHEAST DISTRICT-JAX

RE: DEP File No. AC01-267311  
PSD-FL-228 - Facility Id. No. 0010087  
Cement Plant - Newberry, Alachua County, Florida

Dear Mr. Baker:

The Department reviewed your request dated September 17, 1999 to extend the expiration date of the construction permit. The expiration date is hereby extended from December 31, 1999 to July 30, 2000 to allow completion of physical construction. Per the construction permit, compliance testing must be conducted no later than 180 days from startup. Any additional time to accommodate testing can be incorporated into the Title V permit, for which you have already applied.

A copy of this letter shall be filed with the referenced permit and shall become part of the permit.

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 of the Florida Statutes. 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 filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. 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 of the Florida Administrative Code.

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

*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this order will not be effective until further order of the Department.

Any party to this permitting decision (order) has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tallahassee, Florida.



Howard L. Rhodes, Director  
Division of Air Resources  
Management

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this order was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 10-6-99 to the person(s) listed:

John D. Baker, FRI\*  
Fred W. Cohrs, FRI  
Gregg Worley, EPA  
John Bunyak, NPS  
Chris Kirts, DEP NED  
Pat Reynolds, DEP Gainesville  
Chair Alachua County Commission  
Chris Bird, Alachua County EPD  
Arthur Saarinen

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

John Baker  
(Clerk)

10-6-99  
(Date)