



Jeb Bush
Governor

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**Department of
Environmental Protection**

Marjory Stoneman Douglas Building
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

David B. Struhs
Secretary

September 19, 2000

Segundo J. Fernandez, Esq.
Oertel, Hoffman, Fernandez & Cole, P.A.
301 S. Bronough St., 5th Floor
Tallahassee, Florida 32301

Via facsimile and regular mail

RE: Florida Rock Industries, Inc.-Thomas S. Baker Cement Plant,
Newberry, Alachua County

Dear Mr. Fernandez:

The purpose of this letter is to reiterate the Department's position concerning Florida Rock's compliance with the Volatile Organic Compound (VOC) emission limit in the Prevention of Significant Deterioration (PSD) permit for the above-referenced facility. As noted in the Department's recent Warning Letter, the Department's review of stack test data indicates that the facility has failed to comply with the VOC emission limit established in the PSD permit. Based on the information provided to the Department by Florida Rock, there remains a question as to whether the facility can be operated in a manner which complies with the applicable VOC emission limit.

As I indicated to you at our meeting earlier today, the Department's position is that the Florida Rock facility may only be operated in a manner which complies with requirements of the PSD permit. In that regard, the Department must request that Florida Rock undertake the following:

(a) Florida Rock should immediately and until further notice cease adding mill-scale to its cement production process. It appears that the type of mill-scale utilized by Florida Rock is the suspected source of the VOC emissions.

(b) On or before September 22, 2000, Florida Rock should conduct an additional stack test to demonstrate the facility can be operated in compliance with the VOC emission limit contained in the PSD permit. As soon as it becomes available, this additional data should be provided directly to the Department's Northeast District Office.

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(c) Florida Rock should submit as soon as possible a detailed explanation of any additional activities it proposes to undertake to ensure the Department has reasonable assurance of Florida Rock's continued compliance with the applicable VOC emission limits.

Please note that this letter does not resolve any potential enforcement actions.

Sincerely,


Kirby B. Green, III
Deputy Secretary