



**FLORIDA ROCK INDUSTRIES, INC.
CEMENT GROUP**

4000-NW CR 235
Newberry, Florida 32669
Telephone: (352) 472-4722 / Fax (352) 472-2449

Fax

To: Al Linero **From:** Cary Cohrs

Fax: 850-922-6979 **Pages:** 3 Including Cover

Phone: **Date:** 2/27/01

Re: **CC:**

Urgent Please Comment Please Reply

For Review As Requested For Your Information

• Comments:

Attached please find Title V notification as printed in The Gainesville Sun. Also the certification to that effect. Where should the original be sent? Jacksonville or Tallahassee?

Regards,

Cary

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT AND DRAFT TITLE V AIR CONSTRUCTION PERMIT MODIFICATION

Florida Department of Environmental Protection, DRAFT Title V Air Operation Permit No. 0010087-002-AV, Draft Air Construction Permit No. 0010087-003-AC

Florida Rock Industries, Inc., Thompson S. Baker Cement Plant, Newberry, Alachua County

The Florida Department of Environmental Protection gives notice of its intent to issue the initial Title V Air Operation Permit (Northeast District, permitting authority) and an Air Construction Permit Modification (Bureau of Air Regulation, permitting authority), simultaneously, to Florida Rock Industries, Inc. (FRI), for the Thompson S. Baker Cement Plant in Newberry located on County Road 235, 2.5 miles Northeast of Newberry, Alachua County. The applicant's name and address for Title V Baker, Florida Rock Industries, Inc., 145 East 21st Street, Jacksonville, Florida 32208.

The modification's purpose is to extend the expiration date of the original air construction permit (ACR) (ACR 114, PSD-FL 228) for the facility, to set an emission limit for sulfuric acid mist as required by the original permit, to install some NOx control equipment and to require a new VOC continuous emission monitor. Another Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C., but it was necessary to set a limit for sulfuric acid mist pursuant to the existing permit.

The original permit was issued on December 23, 1988, with an initial expiration date of December 31, 1999. The plant first produced clinker on December 24, 1988. The permit required that FRI meet an initial nitrogen oxides (NOx) emission limit of 3.8 pounds per ton of clinker (ton) and a subsequent limit of 2.8 pounds per ton of clinker (ton) two years after startup in cooperation with the permit. FRI will install any additional control equipment during the two year optimization period to insure compliance with the NOx limit of 2.8 lb/ton clinker by the end of the period. To comply with this condition, FRI will install equipment to convert the precalciner to a low NOx Multi-Stage Calciner (MSC). Compliance with the NOx limit will be confirmed by the continuous emission monitoring system (CEMS) by December 31, 2001. The permit will be extended until March 31, 2001, for replacement or addition of continuous emission monitoring equipment and conversion of the precalciner to a Low NOx Multi-Stage Calciner (MSC) to meet the lower nitrogen oxides emission limit as described in Table II of the original permit.

The Northeast District will issue the PROPOSED Title V Air Operation Permit and subsequent FINAL Title V Air Operation Permit in accordance with the conditions of the DRAFT Title V Air Operation Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. Also, the Bureau of Air Regulation will issue the Final Air Construction Permit Modification 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. These permits will be issued simultaneously in accordance with the Title V Air Operation Permit permitting time frame.

The permitting authority will accept written comments concerning the DRAFT Title V Air Operation Permit and Draft Air Construction Permit Modification issuance actions for a period of 30 (thirty) days from the date of publication of this Notice. For the DRAFT Title V Air Operation Permit, written comments should be provided to the Department of Environmental Protection, 32256-7899. Any written comments received shall be made available for public inspection. If written comments received result in a significant change in the proposed Draft Air Construction Permit Modification, the permitting authority shall issue a Revised Draft Air Construction Permit Modification and require, if applicable, another Public Notice.

The permitting authority will issue the permits simultaneously with the attached conditions unless a written petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.57, F.S., will not be available until after mediation. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with 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 of Environmental Protection, 3900 Commonwealth Boulevard, mail Station #35, Tallahassee, FL 32399-3004 (Telephone: (904) 489-9730; Fax: (904) 487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within the second day of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above at the time of filing. The filing of a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (Hearing) under Sections 20.569 and 20.57, F.S. The petitioner must appear in person or by 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 63-3.007 of the Florida Administrative Code. A petition that discloses material facts on which the permitting authority'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, 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 petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the petitioner received notice of the agency action or proposed action; (d) A concise statement of disputed issues of material fact, if there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief. A petition that does not dispute the material facts upon which the permitting authority'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 63-3.007, F.S. The administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action, any subsequent intervention, or the action taken by it in this process of intervention will be affected by any such final decision of the permitting authority.

32256-7899. Any written comments received shall be made available for public inspection. If written comments received result in a significant change in the proposed Draft Air Construction Permit Modification, the permitting authority shall issue a Revised Draft Air Construction Permit Modification and require, if applicable, another Public Notice. The permitting authority will issue the permits simultaneously with the attached conditions unless a written petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.57, F.S., will not be available until after mediation. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with 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 of Environmental Protection, 3900 Commonwealth Boulevard, mail Station #35, Tallahassee, FL 32399-3004 (Telephone: (904) 489-9730; Fax: (904) 487-4938). Petitions must be filed within 14 (fourteen) days of publication of the public notice or within the second day of receipt of the notice of intent, whichever occurs first. A petitioner must mail a copy of the petition to the applicant at the address indicated above at the time of filing. The filing of a petition within the applicable time period shall constitute a waiver of that person's right to request an administrative determination (Hearing) under Sections 20.569 and 20.57, F.S. The petitioner must appear in person or by 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 63-3.007 of the Florida Administrative Code. A petition that discloses material facts on which the permitting authority'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, 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 petitioner's substantial rights will be affected by the agency determination; (c) A statement of how and when the petitioner received notice of the agency action or proposed action; (d) A concise statement of disputed issues of material fact, if there are none, the petition must so state; (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and (f) A demand for relief. A petition that does not dispute the material facts upon which the permitting authority'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 63-3.007, F.S. The administrative hearing process is designed to formulate final agency action, the filing of a petition means that the permitting authority's final action, any subsequent intervention, or the action taken by it in this process of intervention will be affected by any such final decision of the permitting authority.

Mediation is not available if this proceeding is in addition to the above pursuant to 42 United States Code (U.S.C.) Section 7612(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7612(b)(1), for object to the issuance of the permit. Any objection shall be based only on objections to the permit that were raised with reasonable specificity during the 45 (forty-five) day public comment period provided in this notice unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period of the public notice. Filing a petition with the Administrator of the EPA does not stay the effective date of permit property issued pursuant to the provisions of Chapter 62-212, F.A.C. Petition filed with the Administrator of the EPA must meet the requirements of 42 U.S.C. Section 7612(b)(2) and must be filed with the Administrator of the EPA at U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

For the proposed Title V Air Operation Permit, a complete project file is available for public inspection during normal business hours, 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal holiday at the following address: Dept. of Environmental Protection, Northeast District Office, 101 Northwest 75th Street, Suite 3, Gainesville, Florida 32607. Telephone: (352) 333-2850; Fax: (352) 333-2850. The complete project file includes the original Title V Air Operation Permit application and all correspondence submitted by the petitioner and the permit conditions. The complete project file also includes the original Title V Air Operation Permit application and all correspondence submitted by the petitioner and the permit conditions. The complete project file also includes the original Title V Air Operation Permit application and all correspondence submitted by the petitioner and the permit conditions.

For the proposed Air Construction Permit Modification, a complete project file is available for public inspection during normal business hours, 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the following address: Dept. of Environmental Protection, Bureau of Air Regulation, 1133 Magnolia Drive, Suite 4, Tallahassee, Florida 32301. Telephone: (850) 488-0114; Fax: (850) 322-8919.

Dept. of Environmental Protection, Northeast District Office, 101 Northwest 75th Street, Suite 3, Gainesville, Florida 32607. Telephone: (352) 333-2850; Fax: (352) 333-2850. The complete project file includes the application, technical evaluations, Draft Air Construction Permit Modification, and the information submitted by the respondent official, exclusive of confidential records under Section 6A.111, F.S. Interested persons may contact the Administrative Review Section at 1133 Magnolia Drive, Suite 4, Tallahassee, Florida 32301 or call (850) 400-0177 for additional information. Technical evaluations and other related information may be obtained from the Administrative Review Section at 1133 Magnolia Drive, Suite 4, Tallahassee, Florida 32301 or call (850) 400-0177 for additional information.

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NO _____

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 a
Public Notice of Intent
in the matter of.....
in the.....Court, was published in said newspaper in the issue of
February 17,
.....2001

Affiant 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

20.....day February A.D., 2001
Bonnie W. Gragg
(seal) Notary Public

Naomi Williams-Jordan



Bonnie W. Gragg
MY COMMISSION # CC753525 EXPIRES
September 27, 2002
BONDED THRU TROY FAIR INSURANCE, INC.