



Department of Environmental Protection

Lawton Chiles
Governor

September 21, 1998

Virginia B. Wetherell
Secretary

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Mr. Scott Quaas, Environmental Manager
Tarmac America, Inc.
455 Fairway Drive
Deerfield Beach, Florida 33441

Re: Kiln No. 2 Indirect Firing Modification
DEP File 0250020-007-AC (PSD-FL-142A)

Dear Mr. Quaas:

On March 5 the Department requested submittal of additional information to process the referenced application request. To-date we have not received a response. Please note that per Rule 62-~~5~~055(1):

"The applicant shall have ninety days after the Department mails a timely request for additional information to submit that information to the Department. If an applicant requires more than ninety days in which to respond to a request for additional information, the applicant may notify the Department in writing of the circumstances, at which time the application shall be held in active status for one additional period of up to ninety days. Additional extensions shall be granted for good cause shown by the applicant. A showing that the applicant is making a diligent effort to obtain the requested information shall constitute good cause. Failure of an applicant to provide the timely requested information by the applicable date shall result in denial of the application."

Over two ninety-day periods have transpired since our request for additional information. Because the rule provision was not in-effect when we requested the additional information, it will not be used at this time to deny the permit request. The nature of the information is such that a diligent effort would have yielded it by now and would certainly yield it in the next thirty days. Therefore, we are providing Tarmac a period of an additional 30 days from today to provide the requested information or show good cause that an extension is required.

If you have any questions regarding this matter, please call me at 850/921-9523 or John Reynolds at 850/921-9536.

Sincerely,

A. A. Linero, P.E. Administrator
New Source Review Section

AAL/aal

cc: Isidore Goldman, DEP/SED
Patrick Wong, DERM
Sharon Crabtree, DERM
David Buff, Golder Assoc.

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