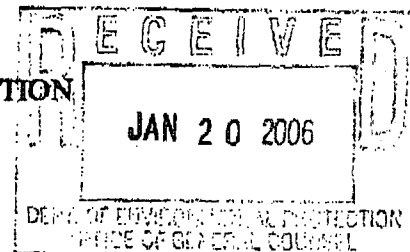


THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



In the Matter of an  
Application for Permit by:

OGC CASE NO.: 04-1739  
FDEP Draft Permit No.: 0250020-013-AV

Tarmac America, Inc.  
Tarmac Pennsuco Cement Plant  
Miami-Dade County, Florida

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**NINTH REQUEST FOR ENLARGEMENT OF TIME**

By and through undersigned counsel, Tarmac America, Inc. (Tarmac) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including April 1, 2006, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Tarmac states the following:

1. On or about October 5, 2004, Tarmac America, Inc. received from the Department of Environmental Protection ("Department") an "Intent to Issue Title V Air Operation Permit Revision" and accompanying "Revised Draft Permit," (Draft Permit No.0250020-013-AV), for the Tarmac Pennsuco Cement Plant, located at 11000 NW 121 Way, Medley, Miami-Dade County, Florida.
2. Based on Tarmac's review, the Revised Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. Tarmac and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

4. Tarmac filed a Eighth Request for Enlargement of Time on October 28, 2005, extending the time until January 27, 2006; more time is needed to resolve the remaining issues. Moreover, Tarmac will be submitting an application to renew its Title V Permit in February, and presumably all of the issues can be combined and resolved as part of that process.

5. Accordingly, Tarmac hereby files this Ninth Request for Enlargement of Time until April 1, 2006, in order to resolve remaining issues before the Department.

6. This ninth request is filed simply as a protective measure to avoid waiver of Tarmac's right to challenge certain conditions contained in the Revised Draft Title V Permit. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a Petition and proceed to a formal administrative hearing.

WHEREFORE, Tarmac America, Inc. respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit Revision No.0250020-013-AV be formally extended to and including April 1, 2006.

RESPECTFULLY SUBMITTED this 20<sup>th</sup> day of January, 2006.

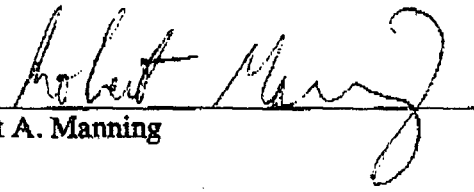
By: 

Robert A. Manning  
Florida Bar ID No. 0035173  
Hopping Green & Sams, P.A.  
123 South Calhoun Street  
Post Office Box 6526  
Tallahassee, Florida 32314  
(850) 222-7500 Telephone  
(850) 224-8551 Facsimile

Attorney for Tarmac America, Inc.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to Lea Crandall, Agency Clerk, and Doug Beason, General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Suite 300, Tallahassee, Florida 32399-3000; and Trina Vielhauer, Florida Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32399 this 20<sup>th</sup> day of January, 2006.

  
\_\_\_\_\_  
Robert A. Manning

**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
OFFICE OF GENERAL COUNSEL**

3900 Commonwealth Boulevard, M.S. 35  
Marjory Stoneman Douglas Building  
Tallahassee, Florida 32399-3000

**FACSIMILE TRANSMITTAL**

To: Vickie Gibson

Fax: 921-9533

From: Lea Crandall

Phone: 245-2212

Pages: 4 Pages Including Cover

Date: 1/20/06

RE: Tarmac America

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Original WILL follow VIA  United States Postal Service

Overnight Delivery

Original will NOT follow

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## Gibson, Victoria

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**From:** Gibson, Victoria  
**Sent:** Tuesday, January 24, 2006 12:27 PM  
**To:** Vielhauer, Trina  
**Subject:** FW: TARMAC America 0250020-013-AV

FYI,  
Vickie

---

**From:** Light, Lisa  
**Sent:** Tuesday, January 24, 2006 12:25 PM  
**To:** Gibson, Victoria  
**Subject:** RE: TARMAC America 0250020-013-AV

I'll let Jack & Stan know, and tell you what they say.

Lisa ☺

-----Original Message-----

**From:** Gibson, Victoria  
**Sent:** Tuesday, January 24, 2006 12:24 PM  
**To:** Light, Lisa  
**Cc:** Vielhauer, Trina  
**Subject:** FW: TARMAC America 0250020-013-AV  
**Importance:** High

Hi,

Al does not want to grant or deny their request for additional time....lets just keep it on hold.

Thank you.

*Vickie*

Victoria Gibson, Administrative Secretary for  
Trina Vielhauer, Chief  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504 fax 850-921-9533

---

**From:** Linero, Alvaro  
**Sent:** Tuesday, January 24, 2006 12:06 PM  
**To:** Gibson, Victoria  
**Subject:** RE: TARMAC America 0250020-013-AV

Hold.

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**From:** Gibson, Victoria  
**Sent:** Tuesday, January 24, 2006 12:04 PM  
**To:** Linero, Alvaro  
**Subject:** TARMAC America 0250020-013-AV

Hi,

The facility has requested their 9th extension of time.....will you want to keep this on hold and not grant as formerly?

*Vickie*

Victoria Gibson, Administrative Secretary for  
Trina Vielhauer, Chief  
DEP/Bureau of Air Regulation  
victoria.gibson@dep.state.fl.us  
850-921-9504 fax 850-921-9533

## Gibson, Victoria

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**From:** Gibson, Victoria  
**Sent:** Friday, January 20, 2006 12:58 PM  
**To:** Comer, Patricia  
**Subject:** RE: Ninth Request for Ext. of Time rec'd. - 0250020-013-AV - Tarmac America

Okay, thanks for taking the time to let me know. I really appreciate it.

I will get with AI on this next week.

Have a great weekend!!!

Vickie

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**From:** Comer, Patricia  
**Sent:** Friday, January 20, 2006 12:57 PM  
**To:** Crandall, Lea; Light, Lisa; Gibson, Victoria  
**Cc:** Warden, Stan  
**Subject:** RE: Ninth Request for Ext. of Time rec'd. - 0250020-013-AV - Tarmac America

FYI  
Tarmac is SE District and Stan Warden's case

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**From:** Crandall, Lea  
**Sent:** Friday, January 20, 2006 12:52 PM  
**To:** Comer, Patricia; Light, Lisa; Gibson, Victoria  
**Subject:** Ninth Request for Ext. of Time rec'd. - 0250020-013-AV - Tarmac America

FYI, Ninth Request for Ext. of Time was rec'd. today re: 0250020-013-AV - Tarmac America.

Thanks,

### Lea Crandall

Agency Clerk  
Department of Environmental Protection  
3900 Commonwealth Boulevard, MS 35  
Tallahassee, FL 32399-3000  
Phone: (850) 245-2212 SC: 205-2212  
Fax: (850) 245-2303

## Gibson, Victoria

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**From:** Gibson, Victoria  
**Sent:** Friday, January 20, 2006 12:53 PM  
**To:** Linero, Alvaro; Heron, Teresa  
**Cc:** Vielhauer, Trina  
**Subject:** FW: Ninth Request for Ext. of Time rec'd. - 0250020-013-AV - Tarmac America

**Importance:** High

FYI,

Vickie

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**From:** Crandall, Lea  
**Sent:** Friday, January 20, 2006 12:52 PM  
**To:** Comer, Patricia; Light, Lisa; Gibson, Victoria  
**Subject:** Ninth Request for Ext. of Time rec'd. - 0250020-013-AV - Tarmac America

FYI, Ninth Request for Ext. of Time was rec'd. today re: 0250020-013-AV - Tarmac America.

Thanks,

### Lea Crandall

Agency Clerk  
Department of Environmental Protection  
3900 Commonwealth Boulevard, MS 35  
Tallahassee, FL 32399-3000  
Phone: (850) 245-2212 SC: 205-2212  
Fax: (850) 245-2303