

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

RECEIVED
OCT 28 2005

BUREAU OF AIR REGULATION

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

EIGHTH 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 January 27, 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 Seventh Request for Enlargement of Time on August 19, 2005, extending the time until October 28, 2005; more time is needed to resolve the remaining issues.

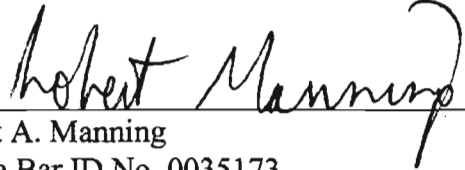
5. Accordingly, Tarmac hereby files this Eighth Request for Enlargement of Time until January 27, 2006, in order to resolve remaining issues before the Department.

6. This eighth 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 January 27, 2006.

RESPECTFULLY SUBMITTED this 28 day of October, 2005.


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 Kathy Carter, 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 28 day of October, 2005.


Robert A. Manning

BEST AVAILABLE COPY

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*Get w/ Ad & discuss
if granting or denying
this - for Stan
By Lisa*

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*Stan-
OGC#
04-1739*

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By: Robert Manning

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Robert A. Manning

Gibson, Victoria

From: Gibson, Victoria
Sent: Monday, November 21, 2005 12:13 PM
To: Light, Lisa
Subject: TARMAC 0250020-013-AV OGC # 04-1739
Importance: High

Hi,

Per Al, we need to keep this case open a while longer. Please let Stan know.

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

Gibson, Victoria

From: Gibson, Victoria
Sent: Friday, November 18, 2005 12:41 PM
To: Linero, Alvaro; Heron, Teresa
Cc: Vielhauer, Trina
Subject: TARMAC 0250020-013-AV

Importance: High

Hi,

Should we grant or deny on this extension of time from October 28th?

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

*Called Lisa on 11/18 to
give her the heads up she
requested on TARMAC
Ad still will put case
on hold - send her
an e-mail on Monday
as a follow-up*

[Signature]

Gibson, Victoria

From: Gibson, Victoria
Sent: Friday, October 28, 2005 10:29 AM
To: Linero, Alvaro
Cc: Vielhauer, Trina
Subject: RE: TARMAC America

Importance: High

Okay, thank you very much.

Vickie

From: Linero, Alvaro
Sent: Friday, October 28, 2005 10:25 AM
To: Gibson, Victoria; Heron, Teresa
Subject: RE: TARMAC America

Same action as before.

From: Gibson, Victoria
Sent: Friday, October 28, 2005 10:24 AM
To: Heron, Teresa; Linero, Alvaro
Subject: FW: TARMAC America
Importance: High

FYI,

I will have copies for you in a few minutes.

Vickie

From: Gibson, Victoria
Sent: Friday, October 28, 2005 10:23 AM
To: Crandall, Lea
Cc: Vielhauer, Trina
Subject: TARMAC America
Importance: High

Good morning and Happy Friday!!!

I have just received a hand delivered copy of an 8th extension request for

Tarmac America OGC # 04-1739 0250020-013-AV

Have a good one.

Vickie

Victoria Gibson, Administrative Secretary for
Trina Vielhauer, Chief
DEP/Bureau of Air Regulation
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