

HOPPING BOYD GREEN & SAMS

ATTORNEYS AND COUNSELORS

123 SOUTH CALHOUN STREET

POST OFFICE BOX 6526

TALLAHASSEE, FLORIDA 32314

(904) 222-7500

FAX (904) 224-8551

CARLOS ALVAREZ  
JAMES S. ALVES  
BRIAN H. BIBEAU  
KATHLEEN BLIZZARD  
ELIZABETH C. BOWMAN  
WILLIAM L. BOYD, IV  
RICHARD S. BRIGHTMAN  
PETER C. CUNNINGHAM  
THOMAS M. DeROSE  
WILLIAM H. GREEN  
WADE L. HOPPING  
FRANK E. MATTHEWS  
RICHARD D. MELSON  
WILLIAM D. PRESTON  
CAROLYN S. RAEPPEL  
GARY P. SAMS  
ROBERT P. SMITH  
CHERYL G. STUART

CHARLES A. CULP  
RALPH A. DEMEO  
JAMES C. GOODLETT  
RICHARD W. MOORE  
ANGELA R. MORRISON  
MARIBEL N. NICHOLSON  
LAURA BOYD PEARCE  
GARY V. PERKO  
MICHAEL P. PETROVICH  
DAVID L. POWELL  
DOUGLAS S. ROBERTS  
JULIE B. ROME  
KRISTIN C. RUBIN  
CECELIA C. SMITH  
  
OF COUNSEL  
W. ROBERT FOKES

February 28, 1992

BY HAND DELIVERY

Carol M. Browner, Secretary  
c/o Office of General Counsel  
Florida Department of Environmental  
Regulation  
2600 Blair Stone Road, Room 654  
Tallahassee, Florida 32399-2400

RECEIVED  
FEB 28 1992  
Division of Air  
Resources Management

Re: Florida Mining & Materials  
Brooksville Cement Plant Kilns No. 1 and 2  
Permits No. AC 27-173474, AC 27-186923, PSD-FL-124B

Dear Secretary Browner:

On April 15, 1991, Florida Mining & Materials ("FMM") received the Department's Notice of Intent to amend the referenced air construction permits to authorize performance testing of Kilns No. 1 and 2 with tire derived fuel and/or used oil at its Brooksville Cement Plant located in Hernando County, Florida. Pursuant to your Order dated February 7, 1992, FMM has until February 28, 1992 to file a petition for administrative proceedings regarding the permits.

I am writing on behalf of FMM to request an extension of sixty (60) additional days, to and including April 28, 1992, in which to file a petition for administrative proceedings regarding the permits. This request is made pursuant to Florida Administrative Code Rule 17-103.070, which provides that a timely request for extension of time shall toll the running of the time period in which to file an appropriate petition. As good cause for granting the requested extension of time for filing, FMM would show the following:

1. As proposed, the amended permits contain fourteen specific conditions that would establish various requirements applicable to performance testing and related matters.

Carol M. Browner, Secretary  
February 28, 1992  
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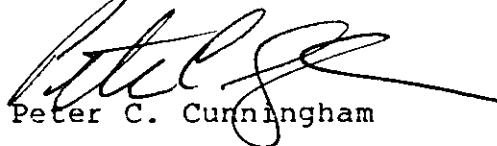
2. FMM understands that Hernando County Board of County Commissioners is interested in the proposed permit amendments. Additional discussions with representatives of Hernando County are anticipated, in conjunction with the Citizen Advisory Committee consideration of the protocol for performance testing of solid hazardous waste derived fuel at FMM's Brooksville Cement Plant.

3. This request is filed as a protective measure to avoid waiver of FMM's rights to challenge the permit amendments as proposed. Grant of this request will allow all interested parties an opportunity to discuss the pertinent permit provisions and to achieve a mutually acceptable resolution of points in need of clarification or correction, without the initiation of formal administrative proceedings.

I hereby certify that I have contacted Bruce Mitchell, of the Department's Bureau of Air Regulation, regarding this matter and that he does not object to the grant of this request.

Accordingly, I respectfully request that you formally extend the time for filing of a petition for administrative proceedings in regard to the Department's Notice of Intent to revise air construction permits No. AC 27-173474, AC 27-186923 and PSD-FL-124B to and including April 28, 1992.

Sincerely,



Peter C. Cunningham

FlMinExt:gbb

cc: Clair Fancy, P.E.  
Bruce Mitchell  
W. Douglas Beason, Esquire  
Segundo Fernandez, Esquire  
Don Kelly  
Diane Schenke, Esquire