



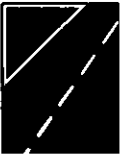
**APAC-Florida, Inc.**

**Macasphalt Division**

P.O. Box 1819

Winter Haven, FL 33882-1819

Office 941/967-0646 ■ Fax 941/967-6829



Macasphalt  
Division

**RECEIVED**

**AUG 20 1998**

**BUREAU OF  
AIR REGULATION**

August 18, 1998

Florida Department of  
Environmental Protection  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

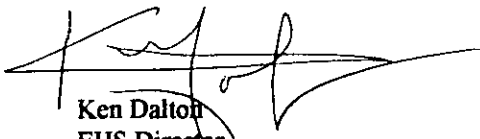
RE: Proof of Publication Draft No. 0550012-003-AC

Dear A.A. Linero, P.E. :

Enclosed please find a copy of the required Proof of Publication for the above referenced facility. A copy of the proof of publication has been forwarded to the local DEP office in Ft. Myers. It is our intent to relocate this facility within the next few months, our delay is with local permitting through the county at our Kissimmee location. Upon completion of construction at that location the existing plant will be moved to Highlands county.

Should there be any additional information needed, please do not hesitate to contact me at (941) 967-0646.

Sincerely,

  
Ken Dalton  
EHS Director

Enclosures: Proof of Publication  
Letter to Local DEP



EQUAL  
OPPORTUNITY  
EMPLOYER

# News-Sun, Inc

2227 U.S. 27 SOUTH

Published three (3) times weekly

SEBRING, HIGHLANDS COUNTY, FL

**PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT**  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DRAFT Permit No. 0550012-003-AC  
APAC-Florida, Inc., Macasphalt Division  
Highlands County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to APAC-Florida, Inc., Macasphalt Division, for the Avon Park Asphalt Plant located at Route 17A, Avon Park, Highlands County. A Best Available Control Technology (BACT) determination was not required pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD). The applicant's name and address are: APAC-Florida, Inc., Macasphalt Division, 1445 42nd Street NW, Winter Haven, Florida 33881.

This permit allows the applicant to relocate the existing asphalt plant currently in Kissimmee, Osceola County to Avon Park, Highlands County. Upon relocation, the existing asphalt plant currently located at Highlands County will be dismantled. Total emissions of pollutants shall not exceed the following limits:

Pollutant	Maximum Emissions Tons Per Year (TPY)
PM	31.2

An air quality impact analysis was not conducted. Emissions from the facility will not consume PSD increment and will not significantly contribute to or cause a violation of any state or federal ambient air quality standards.

The Department will issue the final permit 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.

The Department will issue the final permit 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.

The Department will accept written comments concerning the proposed permit issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit." Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the Public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under sections 120.569 and 120.57 F.S., or to intervene in this proceeding and participate as 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 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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, the name address, and telephone number of the petitioner's

STATE OF FLORIDA,  
COUNTY OF HIGHLANDS:

Before the undersigned authority personally appeared **Tim Thompson** who on oath says that he is Publisher of the **News-Sun**, a tri-weekly newspaper published at Sebring, in Highlands County, Florida; that the attached copy of advertisement being a Proof of Publication in the matter of

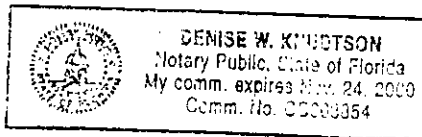
PUBLIC NOTICE

was published in said newspaper in the issues of

AUG 14, 1995

Affiant further says the **News-Sun** is a newspaper published at Sebring, in Highlands County, Florida, and that the said newspaper has heretofore been continuously published in said Highlands County, Florida, Wednesday, Friday and/or Sunday and has been entered as a second class mail matter at the post office in Sebring, in said 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, rebate, commission or refund of the purchase of securing this advertisement of publication in the said newspaper.

Tim Thompson  
Tim Thompson, Publisher



Swore to and subscribed before me

this 14th day of AUG

A.D. 19 95

Alexia W. Knudtson

representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of how and when petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate; (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 Department's action is based shall state that so such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding. In accordance with the requirements set forth above.

Mediation is not available in this proceeding. A complete project file is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays.

Department of Environmental Protection  
Bureau of Air Regulation  
111 S. Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/922-6979

Department's South District  
Air Program  
2295 Victoria Avenue, Suite 346  
Fort Myers, Florida 33902-2549  
Telephone: 941/332-6975  
Fax: 941/332-3269

The complete project file includes the application, technical evaluations, Draft Permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested Persons may contact the Administrator, new Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

August 14, 1998

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