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MAR 23 2000

March 20, 2000



Mr. Lennon Anderson BUREAU OF AIR REGULATION  
Air Permitting Engineer  
FDEP Southeast District  
Post Office Box 15425  
West Palm Beach, Florida 33416-5425

**SUBJECT:** Florida Rock Industries, Inc. -- Fort Pierce Mine  
DEP File No. 1110072-009-AC  
Response to Request for Additional Information Dated February 10, 2000  
and Amended Application for Air Construction Permit

Dear Mr. Anderson:

This letter responds fully to the referenced request for additional information by establishing synthetic facility-wide limitations on process rates. Rule 62-210.200(228) defines "Potential to Emit" as the maximum capacity of an emissions unit or facility to emit a pollutant under its physical and operational design. Any enforceable physical or operational limitation on the capacity of the emissions unit or facility to emit a pollutant, including any air pollution control equipment and any restrictions on hours of operation or on the type or amount of material combusted, stored, or processed shall be treated as part of its design provided that, for any regulated air pollutant, such physical or operational limitation is federally enforceable. [emphasis added]. This permitting request for construction permits provides the necessary federal enforceability.

The project requests:

- I. A construction permit for the MGL screening unit, as requested in September 1999.  
(see DEP File No. 1110072-009-AC)
- II. A construction permit to reinstate the Cedar Rapids portable crushing unit.  
(see DEP File No. 1110072-004-AC).
- III. A construction permit to make federally enforceable an assumed restriction on the potential emissions of the facility by limiting annual fuel use and annual throughput.
- IV. A construction permit to authorize the operation of any combination of portable material handling equipment on the list attached to this application. Such operation will not exceed any of the requested operational limitations. This permitting approach was suggested by Bruce Mitchell (FDEP DARM) on March 2, 2000.

The facility-wide operational limitations are:

8760 hours/year of operation  
250,000 gallons per year of diesel fuel in non-exempt processing equipment  
10,000,000 tons/year of raw material processed

These limits apply to any combination of equipment on the attached list.

Please find enclosed four (4) copies of the referenced permit application and a check for \$5000 (\$5500 minus \$500 submitted in September 1999) as the applicable processing fee.


The Permittee respectfully requests that this permitting be expedited.

If you have any questions or require further information, please contact me.

Sincerely,



Steven C. Cullen, PE  
Koogler & Associates

copies to: Mike O'Berry -- FRI  
Bruce Mitchell -- FDEP/DARM  




ENVIRONMENTAL SERVICES

4014 NW THIRTEENTH STREET  
GAINESVILLE, FLORIDA 32609  
352/377-5822 • FAX/377-7158PROJECT 187-99-11

## FAX TRANSMITTAL FORM

TO: Bill CullenDEP

FAX NO. \_\_\_\_\_

FROM: Steve CullenDATE: 3/13/00SENT BY: SC

The text being transmitted consists of 2 page(s) PLUS this one. If you do not receive all of the pages or if there are difficulties with this transmission, please call (352) 377-5822.

REMARKS: Permitting time clock waiver as discussed for  
Florida Rock portable equipment.

Hard copy to follow by US Mail

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GAINESVILLE, FLORIDA 32609  
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March 13, 2000

Mr. William Leffler, P.E.  
Permit Engineer  
FDEP DARM  
2600 Blair Stone Road, MS 5505  
Tallahassee, Florida 32399-2400

Subject: Florida Rock Industries, Inc.  
Waiver of Permit Processing Time Clocks  
(6) Applications for Relocatable Permits

Dear Mr. Leffler:

Per our meeting at your office on March 2, 2000, this letter waives applicable permit processing time clocks for the referenced applications for Florida Rock. The applications are specifically described as follows:

- ☐ Cedar Rapids Portable Crushing Unit – Ft. Pierce
- ☐ Cedar Rapids Portable Crushing Unit – Sunniland
- ☐ Hewitt Robbins Portable Crushing Unit – Ft. Pierce
- ☐ MGL Portable Screening Unit – Ft. Pierce
- ☐ Cedar Rapids Portable Crushing Unit – Ft. Myers
- ☐ Powerscreen Portable Screening Unit – Ft. Pierce

The waiver will allow Florida Rock to pursue permitting of the relocatable units at the DEP District level within the existing stationary source permits for their mines. This waiver is requested, rather than withdrawing the applications, to preserve Florida Rock's ability to permit the relocatable units through the Tallahassee office.

**WAIVER OF 90 DAY TIME LIMIT  
UNDER SECTIONS 120.60 AND 403.0876, FLORIDA STATUTES**

Applicant's Name: **Florida Rock Industries, Inc.**

The undersigned has read sections 120.60 and 403.0876, Florida Statutes, and fully understands the applicant's rights under those sections.

With regard to the above referenced permit applications, the applicant hereby with full knowledge and understanding of its rights under Sections 120.60 and 403.0876,

March 13, 2000 Letter to Bill Leffler (FDEP), Waiver for Relocatables  
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Florida Statutes, waives the right under Sections 120.60 and 403.0876, Florida Statutes, to have the application approved or denied by the State of Florida Department of Environmental Protection within the time periods prescribed in Sections 120.60 and 403.0876, Florida Statutes.

Said waiver is made freely and voluntarily by the applicant, is in its self-interest, and without any pressure or coercion by anyone employed by the State of Florida Department of Environmental Protection.

This waiver shall expire on the 31<sup>st</sup> day of December, 2000.

The undersigned is authorized to make this waiver on behalf of the applicant.

In specific, this letter waives the 30-day completeness reviews of the information provided to the Department. This waiver shall in no way limit the Department's ability to request information at any time. This waiver shall expire December 31, 2000, at which time all processing time clocks will resume.

For all permit applications, Section 403.0876(1), Florida Statutes, provides that within 30 days after receipt of an application for a permit under this chapter, the department shall review the application and shall request submittal of all additional information the department is permitted by law to require, and within 30 days after receipt of such additional information, the department shall review it and may request only that information needed to clarify such additional information or to answer new questions raised by or directly related to such additional information. This letter waives the 30-day completeness reviews of Section 403.0876(1), Florida Statutes.

I trust that this letter is responsive to your request. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,



Steven C. Cullen, PE  
Koogler & Associates

Consultant to Florida Rock Industries, Inc.

copy to: Michael O'Berry - Florida Rock

