



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 26, 2009

Sent by Electronic Mail – Received Receipt Requested

Cary Cohrs, President
American Cement Company, L.L.C.
P.O. Box 445
Sumterville, FL 33585

Re: Project No. 1190042-004-AC, PSD-FL-361C
Extension of Air Construction Permit No. 1190042-001-AC, PSD-FL-361
Natural Resources of Central Florida
dba American Cement Company, L.L.C.
Sumterville Cement Plant

Dear Mr. Cohrs:

On January 30, 2009, American Cement Company requested an extension of the expiration date of air construction permit No. 1190042-001-AC, PSD-FL-361 for the Sumterville Cement Plant located in Sumter County at 4750 E. County Road 470 in Sumterville, Florida. Additional information was received on March 20, 2009. American Cement Company requests the additional time to complete construction, perform the required tests and submit a timely Title V operation permit due to conflicts with the general contractor. The completed construction items include the finish mill, gypsum handling system, cement storage, distribution, office and maintenance buildings. The items yet to be completed include the systems beginning with primary crushing through clinker production and storage, but not limited to the quarry conveying, raw material proportioning, raw material grinding, clinker production, storage and all miscellaneous equipment associated with this process. Based on the circumstances and information provided, the Department approves this request.

Determination: The expiration date is hereby extended from **June 30, 2009** to **June 30, 2010** to provide the necessary time to complete construction and submit a complete application for a Title V air operation permit. This permitting action does not authorize any new construction. A copy of this letter shall be filed with the referenced permit and shall become part of the permit. This permitting decision is issued pursuant to Chapter 403, Florida Statutes.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida 32301. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the

information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2241 / Facsimile: 850/245-2303). Petitions must be filed within 14 days of receipt of this permit extension. 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Permitting Authority'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 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 when and how each petitioner received notice of the agency action or proposed decision; (d) A statement of all disputed issues of material fact; (e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

Mediation: Mediation is not available in this proceeding.

Effective Date: This permitting decision is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition pursuant to Rule 62-110.106, F.A.C., and the petition conforms to the content requirements of Rules 28-106.201 and 28-106.301, F.A.C. Upon timely filing of a petition or a request for extension of time, this action will not be effective until further order of the Department.

Judicial Review: Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station #35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The notice must be filed within 30 days after this order is filed with the clerk of the Department.

Livingston, Sylvia

From: Livingston, Sylvia
Sent: Thursday, March 26, 2009 1:07 PM
To: 'ccohrs@americacementcompany.com'
Cc: 'scullen@kooglerassociates.com'; Zhang-Torres; Gibson, Victoria; DeVore, Susan; Koerner, Jeff; Walker, Elizabeth (AIR)
Subject: AMERICAN CEMENT COMPANY, LLC - SUMTERVILLE CEMENT PLANT; 1190042-004-AC/PSD-FL-361C

Dear Sir/ Madam:

Attached is the official **Notice of Final Permit** for the project referenced below. Click on the link displayed below to access the permit project documents and send a "reply" message verifying receipt of the document(s) provided in the link; this may be done by selecting "Reply" on the menu bar of your e-mail software, noting that you can view the documents, and then selecting "Send".

Note: We must receive verification that you are able to access the documents. Your immediate reply will preclude subsequent e-mail transmissions to verify accessibility of the document(s).

Click on the following link to access the permit project documents:

http://ARM-PERMIT2K.dep.state.fl.us/adh/prod/pdf_permit_zip_files/1190042.004.AC.F_pdf.zip

Owner/Company Name: AMERICAN CEMENT COMPANY, LLC
Facility Name: SUMTERVILLE CEMENT PLANT
Project Number: 1190042-004-AC/ PSD-FL-361C
Permit Status: FINAL
Permit Activity: CONSTRUCTION/ Extension
Facility County: SUMTER
Processor: Susan DeVore

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Access these documents by clicking on the link provided above, or search for other project documents using the "*Air Permit Documents Search*" website at <http://www.dep.state.fl.us/air/eproducts/apds/default.asp>.

Permit project documents addressed in this email may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible, and verify that they are accessible. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record. If you have any problems opening the documents or would like further information, please contact the Florida Department of Environmental Protection, Bureau of Air Regulation at (850)488-0114.

Sylvia Livingston
Bureau of Air Regulation
Division of Air Resource Management (DARM)
850/921-9506
sylvia.livingston@dep.state.fl.us

Note: The attached document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site: <http://www.adobe.com/products/acrobat/readstep.html>.

Livingston, Sylvia

From: Gotsch, Henry [GotschH@VMCMAIL.com]
Sent: Thursday, April 02, 2009 1:19 PM
To: Livingston, Sylvia
Subject: RE: FL Rock Industries - THOMPSON S. BAKER CEMENT PLANT; 0010087-036-AC/ PSD-FL-228D

Thank you.

Henry Gotsch
Environmental Manager
Florida Rock Industries, Inc.

From: Livingston, Sylvia [mailto:Sylvia.Livingston@dep.state.fl.us]
Sent: Thursday, April 02, 2009 1:17 PM
To: Horner, Chris
Cc: Gotsch, Henry; jkoogler@kooglerassociates.com; abrams.heather@epamail.epa.gov; forney.kathleen@epamail.epa.gov; catherine_collins@fws.gov; Kirts, Christopher; Gibson, Victoria; Mitchell, Bruce; Walker, Elizabeth (AIR)
Subject: FL Rock Industries - THOMPSON S. BAKER CEMENT PLANT; 0010087-036-AC/ PSD-FL-228D

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Owner/Company Name: FLORIDA ROCK INDUSTRIES, INC.

Facility Name: THOMPSON S. BAKER CEMENT PLANT

Project Number: 0010087-036-AC/ PSD-FL-228D

Permit Status: FINAL

Permit Activity: CONSTRUCTION/ Extension

Facility County: ALACHUA

Processor: Bruce Thomas

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