



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

## NOTICE OF PERMIT AMENDMENT

### CERTIFIED MAIL-RETURN RECEIPT REQUESTED

Mr. Seamus Burlingame, CEO  
Eagle Roofing Products Florida LLC  
3546 N. Riverside Avenue  
Rialto, CA 92377

Dear Mr. Burlingame:

Re: Amendment of Air Construction Permit 1190045-001-AC (DEP Project No. 1190045-003-AC)  
Eagle Roofing Products Florida LLC (Facility ID 1190045)

The Department received your request for an amendment to Construction Permit 1190045-001-AC issued for the Eagle Roofing Products Florida LLC, facility located at 1575 East County Road 470, Sumterville, Sumter County. The amendment request was for an extension of the construction permit expiration date to insure the construction permit will remain active until completion of the fourth tile production line.

The Department reviewed this request and has no objection. Therefore, the following amendment is hereby made to construction permit 1190045-001-AC:

#### Page 1 of 23 - Expiration Date:

**Change from:** 11/30/2008

**Change to:** 12/31/2011

A person whose substantial interests are affected by the proposed permit amendment may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. 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. 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, F.A.C.

All petitions filed under these rules shall contain:

- (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 the petitioner received notice of the agency decision;
- (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, 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 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 Department'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 Department's final action may be different from the position taken by it in this permit amendment. 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.

This permit amendment is final and effective on the date filed with the Clerk of the Department unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. or unless a request for an extension of time in which to file a petition is filed within the time specified for filing a petition. Upon timely filing of a petition or a request for an extension of time to file the petition, this permit amendment will not be effective until further Order of the Department.

Any party to the Order (Permit Amendment) has the right to seek judicial review of the Order pursuant to Section 120.68, F.S., by the filing of 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, Douglas Building, 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 of Appeal must be filed within 30 days after this Order is filed with the Clerk of the Department.

This amendment letter must be attached to and becomes a part of permit 1190045-001-AC. If you have any questions please call Cindy Zhang-Torres, P.E., Air Permitting Supervisor, at (813) 632-7600, extension 107, or Nancy E. Knight, Engineering Specialist, at (813) 632-7600, extension 120.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Mara Grace Nasca  
Mara Grace Nasca  
District Air Program Administrator  
Southwest District

MGN/NEK/pp


**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Permit Amendment was sent by certified mail before the close of business on 08-12-08 to the person(s) listed:

Mr. Seamus Burlingame, CEO  
Eagle Roofing Products Florida LLC  
3546 N. Riverside Avenue  
Rialto, CA 92377

Clerk Stamp

**FILING AND ACKNOWLEDGMENT FILED**, on this date, pursuant to §120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 08-12-08  
(Clerk) (Date)

**U.S. Postal Service™**  
**CERTIFIED MAIL™ RECEIPT**  
*(Domestic Mail Only; No Insurance Coverage Provided)*

For delivery information visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

7007 0710 0003 0138 9325

Postage	\$
Certified Fee	

Return (Endorsement)  
Restriction (Endorsement)  
Total Paid

Seamus Burlingame, CEO  
Eagle Roofing Products Florida LLC  
3546 N. Riverside Avenue  
Rialto, CA 92377

Sent To 1190045-003-AC Permit Amendment  
NK 08/12/2008

Street, Apt. No., or PO Box No.  
City, State, ZIP+4

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Seamus Burlingame, CEO  
 Eagle Roofing Products Florida LLC  
 3546 N. Riverside Avenue  
 Rialto, CA 92377

1190045-003-AC Permit Amendment  
 NK 08/12/2008

**COMPLETE THIS SECTION ON DELIVERY**

- A. Signature  Agent  
 \* *[Handwritten Signature]*  Addressee
- B. Received by (Printed Name)  Agent  
*[Handwritten Name]*  Addressee
- C. Date of Delivery
- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No



3. Service Type
- Certified Mail.  Express Mail
  - Registered  Return Receipt for Merchandise
  - Insured Mail  C.O.D.
4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7007 0710 0003 0138 9325

UNITED STATES POSTAL SERVICE



Dept. Of Environmental Protection

First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP code in this box •

**AUG 20 2008**

**Southwest District**

Dept. of Environmental Protection  
Air Resource Management  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

