

ARMS update 5/21/07
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MAY 21 2007

BUREAU OF AIR REGULATION

APAC Southeast, Inc.

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LETTER OF TRANSMITTAL

To: FL Dept. of Environmental Protection
Air Resources Management
MS #5505
2600 Blair Stone Road
Tallahassee, FL 32399-2400

Date: 5/17/07

Attn: Bruce Mitchell

Re: Project No.Facility ID 7770073-10-AC

We are sending Under separate cover Attached

Copies	Description
1	Original copie of Proof of Publication Legal Advertisement

Signed

ST. PETERSBURG TIMES

Published Daily

St. Petersburg, Pinellas County, Florida

STATE OF FLORIDA
COUNTY OF PINELLAS

} S.S.

Before the undersigned authority personally appeared **B. HARR** who on oath says that he/she is **Legal Clerk** of the *St. Petersburg Times* a daily newspaper published at St. Petersburg, in Pinellas County, Florida; that the attached copy of advertisement, being a **Legal Notice** in the matter **RE: NOTICE OF INTENT TO ISSUE AIR PERMIT 7770073-010-AC** was published in said newspaper in the issues of **CLS N Pinellas CLS S Pinellas**, 5/12/07

Affiant further says the said **ST. PETERSBURG TIMES** is a newspaper published at St. Petersburg, in said Pinellas County, Florida and that the said newspaper has heretofore been continuously published in said Pinellas County, Florida, each day and has been entered as second class mail matter at the post office in St. Petersburg, in said Pinellas 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/she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

B. Harr

Signature of Affiant

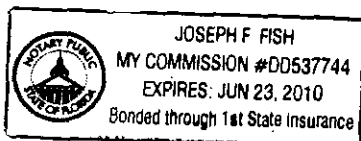
Sworn to and subscribed before me
this 14th day of May A.D.2007

Joseph F. Fish

Signature of Notary Public

Personally known or produced identification _____

Type of identification produced _____



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BUREAU OF AIR REGULATION

PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Bureau of Air Regulation
Project No. 7770073-010-AC
APAC-Southeast, Inc. - Central Florida Division
Pinellas County, Florida

Applicant: The applicant for this project is the APAC-Southeast, Inc. - Central Florida Division. The applicant's authorized representative and mailing address is: Mr. John H. Skidmore, Division President, APAC-Southeast, Inc., Central Florida Division, 4634 Scarborough Drive, Lutz, Florida 33559.

Facility Location: APAC-Southeast, Inc. - Central Florida Division has been operating an existing drum-mix asphalt plant in Okeechobee County located at 1491 24th Drive NW, Okeechobee, Florida.

Project: The applicant seeks authorization to relocate an existing rotary drum-mix asphalt plant from Okeechobee County to 12955 40th Street North, Clearwater, Pinellas County, Florida. The existing facility will dry and mix aggregates of rock, sand, and reclaimed asphalt pavement with liquid asphalt cement in a rotary drum to make an asphalt product, which will be stored in silos for load-out into trucks. The rotary drum is allowed to fire distillate fuel oil and on-specification used oil to dry the aggregate materials. The fuel oils have a maximum sulfur content limitation of 0.5 percent by weight. From the combustion of the fuel oils and processing the aggregate materials, the plant operations will emit particulate matter, carbon monoxide, nitrogen oxides, sulfur dioxide and volatile organic compounds. The total emissions are such that the plant is designated as a minor source of emissions (less than 100 tons/year).

Permitting Authority: Applications for 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 Florida Department of Environmental Protection's Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Bureau of Air Regulation's physical address is 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Bureau of Air Regulation's phone number is 850/488-0114.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information of the address and phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all applicable provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit unless a timely petition for an administrative hearing is filed, in accordance with Sections 120.569 and 120.57, F.S., or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority no later than 5:00 p.m. on or before the end of this 14-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly, and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the Draft Permit, the Permitting Authority will issue a Revised Draft Permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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; Fax: 850/245-2303). Petitions filed by any person other than the applicant are subject to written notice under Section 120.60(3), F.S.; must be filed within 14 days of publication of this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S.; however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 (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 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 28-106.201, 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 of Intent to Issue Air Permit. 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.