

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF PERMIT

In the matter of an
Application for Permit by:

DEP File No. AC 29-261151
Statewide Operation

Mr. Alan G. Payne
Manager - Pugmill Operation
Kearney Development Company, Inc.
8621 Martin Luther King Blvd. E.
Tampa, Florida 33610

Enclosed is Permit Number AC29-261151 for the construction (modification of operating conditions) of an existing portable soil cement plant. This permit authorizes operation in any county within Florida. This permit is issued pursuant to Section 403, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 14 days from the date this Notice is filed with the Clerk of the Department.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

C. H. Fancy, P.E.
for C. H. Fancy, P.E., Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400
904-488-1344

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed by certified mail before the close of business on 3-24-95 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52(11), Florida Statutes,
with the designated Department
Clerk, receipt of which is hereby
acknowledged.

Keri Jaber
Clerk Date 3-24-95

Copies furnished to:

District Air Program Administrators
County Air Program Administrators
Joseph Kowalski, K² Engineering, Inc.

Z 311 902 945



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

PS Form 3800, March 1993

Name of Addressee <i>Alan G Payne</i>	
Street and No. <i>Kearney Det.</i>	
P.O., State and ZIP Code <i>ampa, FL</i>	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Remark or Date	<i>3-24-95</i>
<i>AC 29-261151</i>	
<i>Statewide</i>	

UNITED STATES POSTAL SERVICE

Official Business



PENALTY FOR PRIVATE USE TO AVOID PAYMENT OF POSTAGE, \$300



Print your name, address and ZIP Code here

*Patty Adams, BAR-REP
2600 Blair Stone-Twin Towers
Tallahassee, FL 32399-2400*

File

Final Determination

Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, FL 33610

Portable Soil Cement Plant
Statewide Operation

Permit No.: AC 29-261151

Department of Environmental Protection
Department of Air Resources Management
Bureau of Air Regulation

March 24, 1995

FINAL DETERMINATION

A Technical Evaluation and Preliminary Determination and proposed construction permit for Kearney Development Company, Inc.'s existing portable soil cement plant was distributed on February 3, 1995. The proposed permit authorizes this plant to operate in every county in Florida. The Notice of Intent to Issue was published in the legal section of newspapers that have distribution in all counties within the state. The attached March 13, 1995, letter from Kearney Development Company, Inc. lists the newspapers that the Notice of Intent was published in and the date of each publication.

The only comments received on the Department's intent were from the Broward County Department of Natural Resource Protection. They requested that the permittee contact them prior to operating in Broward County and that the permittee comply with the county's regulations. General Condition No. 3 of the permit requires the permittee to comply with county regulations. Specific Condition No. 9 requires the permittee to notify the county prior to relocation of the plant to the county.

The final action of the Department will be to issue the permit as proposed in the Technical Evaluation and Preliminary Determination.

Attachment



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

PERMITTEE:

**Kearney Development Company, Inc.
8621 M. L. King Blvd. E.
Tampa, Florida 33610**

**Permit Number: AC 29-261151
Expiration Date: Sept. 1, 1995
County: Statewide
Project: Portable Soil
Cement Plant**

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4, 62-210, 212, 272, 275, 276, and 297, Florida Administrative Code (F.A.C.). The above named permittee is hereby authorized to perform the work or operate the emission unit shown on the application and approved drawings, plans, and other documents attached hereto or on file with the Department of Environmental Protection (Department) and specifically described as follows:

For the construction (modification of operation) of an existing portable soil cement plant. Major components of the Aran continuous mixing plant (Model No. ASR-280B, Serial No. 053) are a 47 ton cement silo equipped with a DCE Volkes Series DLMV 10/10 baghouse, aggregate hopper, water tank, pugmill mixer, conveyers, Caterpillar diesel engine (Model No. 3208, Serial No. 90N68412), and associated equipment.

The plant may be operated in any county in Florida and at any construction site that the permittee has listed in the Notification of Intent to Relocate Air Pollutant Emitting Facility.

Completion of construction of this source shall be in accordance with the permit application, plans, documents, amendments and drawings, except as otherwise noted in the General and Specific Conditions.

Attachments are listed below:

1. Application received November 21, 1994.
2. DEP letter dated Dec. 12, 1994.
3. Kearney letter received Dec. 22, 1994.
4. Kearney letter received March 16, 1995.

PERMITTEE:

Kearney Development Company, Inc.

Permit Number: AC 29-261151**Expiration Date: Sept. 1, 1995****GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a

PERMITTEE:

Kearney Development Company, Inc.

Permit Number: AC 29-261151

Expiration Date: Sept. 1, 1995

GENERAL CONDITIONS:

reasonable time, access to the premises, where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and,
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. a description of and cause of non-compliance; and,
- b. the period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the F.S. or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance

PERMITTEE:

Kearney Development Company, Inc.

Permit Number: AC 29-261151

Expiration Date: Sept. 1, 1995

GENERAL CONDITIONS:

of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. The permittee shall comply with the following:

- a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
- b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
- c. Records of monitoring information shall include:
 - the date, exact place, and time of sampling or measurements;
 - the person responsible for performing the sampling or measurements;
 - the dates analyses were performed;
 - the person responsible for performing the analyses;
 - the analytical techniques or methods used; and,
 - the results of such analyses.

14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

PERMITTEE: Permit Number: AC 29-261151
Kearney Development Company, Inc. Expiration Date: Sept. 1, 1995

SPECIFIC CONDITIONS:

CONSTRUCTION

1. No alternations shall be made to the portable soil cement plant that has the potential to increase air pollutant emissions without prior written approval from the Department's Bureau of Air Regulation.

EMISSIONS STANDARDS, TESTING, AND RECORD REQUIREMENTS

2. Visible emissions from the cement silo, aggregate hopper, aggregate storage area, and plant conveyers shall not exceed 5 percent opacity pursuant to Rule 62-296.414(1), F.A.C.

3. Visible emissions from the diesel engine shall be less than 20 percent opacity pursuant to Rule 62-296.310(2), F.A.C.

4. The silo baghouse and diesel engine shall be tested annually for visible emissions by EPA Method 9, as described in 40 CFR 60, Appendix A (July 1, 1994), while cement is being transferred. The maximum rate shall not exceed 36 TPH. Minimum test time is 30 minutes. The baghouse shall be inspected and repaired, if needed, prior to erection of the silo at any location. The results of each inspection and any maintenance done on the baghouse shall be recorded in the plant operation log. These records shall be kept for a minimum of two years for inspection by the Department.

5. In order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), F.A.C., emissions of particulate matter from the cement silo baghouse shall not exceed 4.5 pounds per hour and 2.6 TPY. To ensure that these emission limits are met, the loading time of the cement silo shall not exceed 4.5 hours per day (equivalent to unloading six 27-ton loads of cement from trucks or 162 tons of cement per day), 5 days per week, and 52 weeks per year. Not more than 200,000 tons of aggregate shall be processed by this facility during any 12-month period. If there is a good reason to believe that the particulate matter emission standard is not being met, the Department may require that compliance with the particulate matter standard be measured using EPA Method 5 as described in 40 CFR 60, Appendix A (July 1, 1993), in accordance with Rule 62-297.340(2), F.A.C. A written log of daily cement transfer shall be kept for a minimum of 2 years and available for inspection to the Department.

PERMITTEE:

Kearney Development Company, Inc.

Permit Number: AC 29-261151

Expiration Date: Sept. 1, 1995

SPECIFIC CONDITIONS:

6. The air program administrators for the Department's Districts or county environmental programs having jurisdiction over the site where the plant will be tested and the Department's Bureau of Air Regulation shall be notified in writing at least 15 days in advance of any compliance test scheduled to be conducted on this plant.

7. Reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.310(3), F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alterations, or industrial related activities such as loading, unloading, storing, and handling of materials. Wetting the material with water to minimize dust is considered reasonable precautions for this plant.

8. Operation of this facility shall not cause, suffer, allow or permit the discharge of air pollutants which cause or contribute to an objectionable odor. (Rule 62-296.320(2), F.A.C.)

9. At least 7-days prior to relocating the plant, the permittee shall notify the air program administrator for the Department's District and, if applicable, county environmental program, along with the Department's Bureau of Air Regulation, all potential sites that the plant may be operated at in the next 30 days. The notification will be on DEP Form 62-210.900(3), F.A.C. All potential construction sites may be shown on a USGS topographic map. Unless notified otherwise by an environmental agency, the plant may be relocated and operated at any site on the list.

10. Submit to the Department's Bureau of Air Regulation for this plant for each calendar year, on or before March 1, an emission report for the preceding calendar year containing the following information pursuant to Section 403.061(13), F.S.; and Rule 62-210.370(2)(b), F.A.C:

- (A) Annual amount of materials and/or fuels utilized.
- (B) Annual emissions (note calculation basis).
- (C) Emissions test report.
- (D) Any changes in the information contained in the permit application.

11. The permittee, for good cause, may request that this construction permit be extended. Such a request shall be submitted to the Bureau of Air Regulation prior to 60 days before the expiration of the permit. (Rule 62-4.090, F.A.C.)

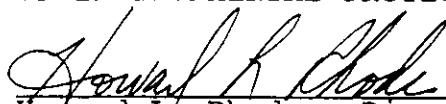
PERMITTEE: Permit Number: AC 29-261151
Kearney Development Company, Inc. Expiration Date: Sept. 1, 1995

SPECIFIC CONDITIONS:

12. An application for an operation permit must be submitted to the Department's Bureau of Air Regulation at least 90 days prior to the expiration date of this construction permit or within 45 days after completion of compliance testing, whichever occurs first. To properly apply for an operation permit, the permittee shall submit the appropriate application form, fee, certification that construction was completed noting any deviations from the conditions in the construction permit, and compliance test reports as required by this permit. (Rule 62-4.220, F.A.C.)

Issued this 24 day
of March, 1995

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Howard L. Rhodes, Director
Division of Air Resources
Management

Memorandum

**Florida Department of
Environmental Protection**

To: Howard Rhodes
From: Clair Fancy *by Al Linn 3/22*
Date: March 24, 1995
Subject: Approval of Construction Permit
AC 29-261151
Kearney Development Company, Inc.

Attached for your approval and signature is an air construction permit for an existing portable soil cement plant. The plant is currently permitted to operate in central Florida. The attached permit will authorize operation throughout the state.

I recommend your approval and signature.

Attachment

CF/wh/t

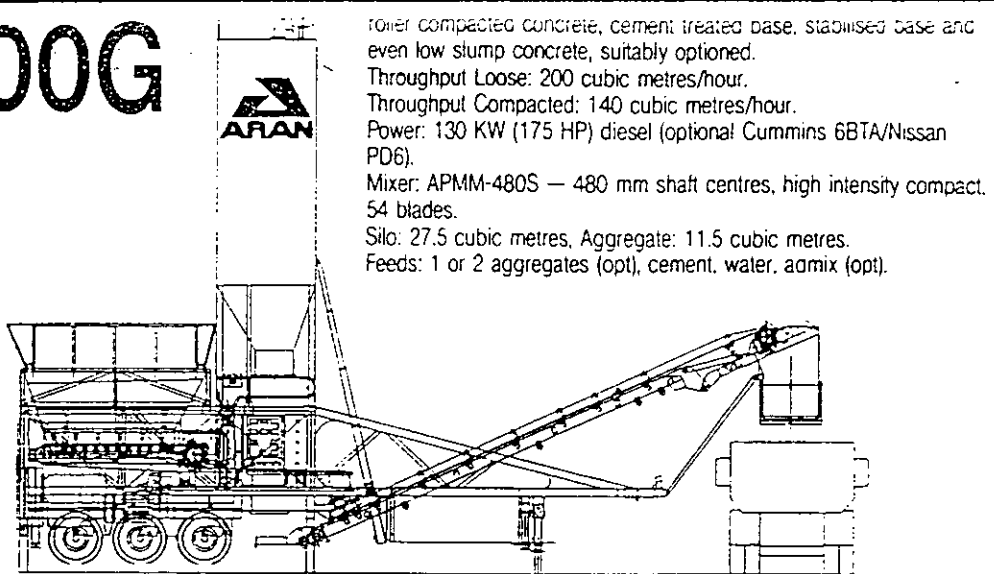
Howard -

This is moveable plant. It is used at road sites, mall parking lots, etc to make a subfoundation of soil cement. It has operated for years in central Florida. I sealed and Clair approved Intent to issue permit for statewide operation. Following statewide publication, we can now issue this permit.

al

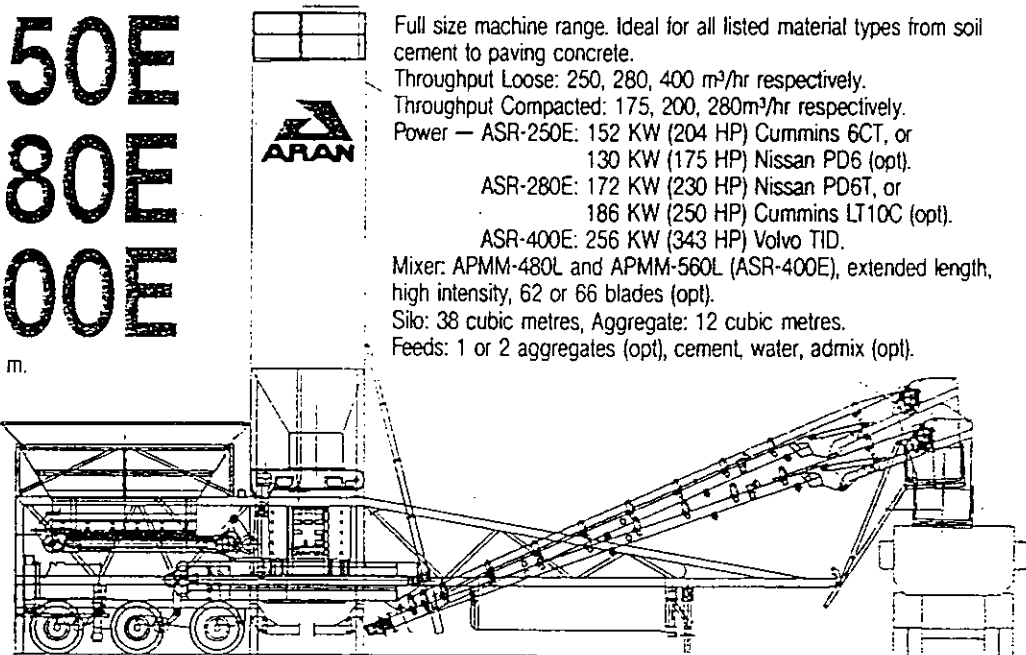
ASR-200G

Length overall travelling: 12.534 m.
Height overall travelling: 3.8 m.
Width overall travelling: 2.95 m.



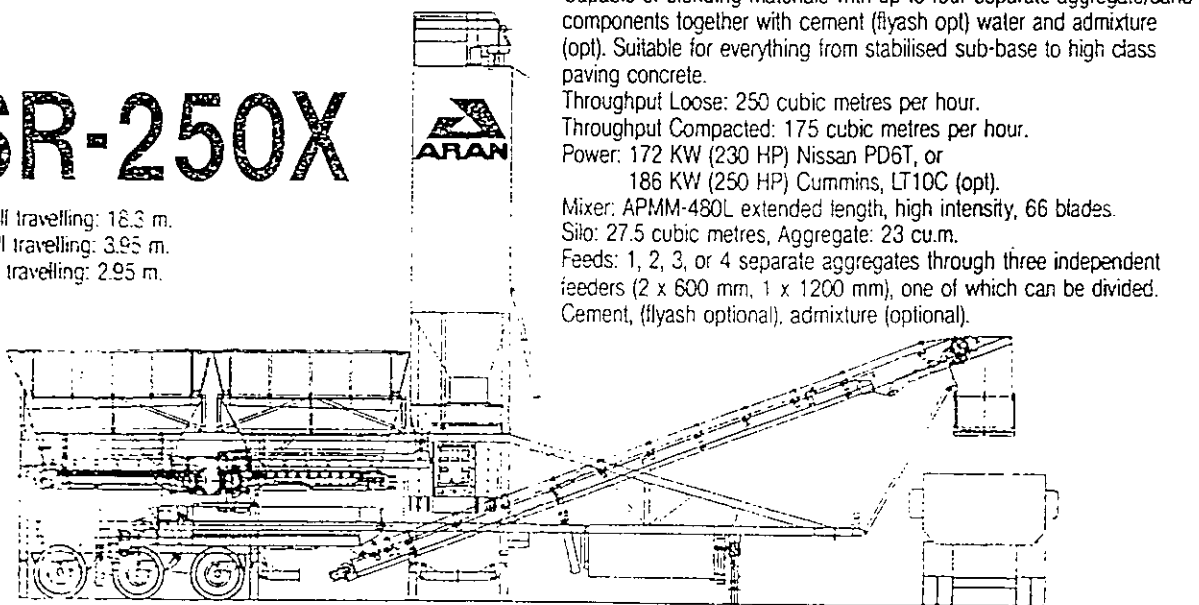
ASR-250E ASR-280E ASR-400E

Length overall travelling: 17.122 m.
Height overall travelling: 4.1 m.
Width overall travelling: 3.05 m.



ASR-250X

Length overall travelling: 18.3 m.
Height overall travelling: 3.95 m.
Width overall travelling: 2.95 m.



The power demand of twin shaft continuous mixers varies greatly with material characteristics. Fine local materials with significant clay content require up to three times as much power as resilient crushed rock. ARAN machines are rated for average road base construction materials. Capacities in excess of those quoted may be achieved with some materials and reduced capacities with others. Lesser powered mixers from other sources usually suffer severe throughput loss with fine materials.

Underground Utilities ☆ Site Development ☆ Since 1956

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

March 13, 1995

Mr. Willard Hanks
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED

MAR 16 1995

Bureau of
Air Regulation

RE: DEP FILE NUMBER AC 29-261151

Dear Mr. Hanks:

As required, please find attached the proofs of publication as follows:

NEWSPAPER OF GENERAL CIRCULATION	DATE OF PUBLICATION	FLORIDA COUNTIES PUBLISHED IN
The Orlando Sentinel	02/11/95	Orange, Lake, Osceola, Volusia, Brevard, Seminole.
The Tampa Tribune	02/12/95	Citrus, Sumter, Hernando, Pasco, Pinellas, Polk, Hillsborough, Manatee, Hardee, Desoto, Highlands, Sarasota.
Pensacola News Journal	02/14/95	Escambia, Santa Rosa, Okaloosa, Walton, Washington.
The Gainesville Sun	02/15/95	Alachua, Bradford, Union, Levy, Suwannee, Clay, Putnam, Columbia, Gilchrist.
Tallahassee Democrat	02/19/95	Calhoun, Gadsden, Franklin, Jefferson, Leon, Bay, Jackson, Madison, Liberty, Washington, Gulf, Taylor, Holmes, Suwannee.
The Florida Times Union	02/22/95	Duval, Baker, Clay, Nassau, St. Johns.
The Miami Herald	02/23/95	Dade, Broward, Monroe, Brevard, Pinellas, Palm Beach, Martin, St. Lucie, Hendry, Lee, Collier, Indian River, Hillsborough.
News-Press	02/23/95	Lee, Charlotte, Collier, Glades, Hendry.
The Okeechobee News	02/24/95	Okeechobee.
The Ocala Star-Banner	02/24/95	Marion, Citrus, Levy, Sumter.
Flager/Palm Coast News-Tribune	02/25/95	Flager.
The Mayo Free Press	03/02/95	Lafayette.
The Jasper News	03/09/95	Hamilton.
Dixie County Advocate	03/09/95	Dixie.

I trust this information is acceptable. Please contact me if you require any further information.

Respectfully,

A handwritten signature in black ink, appearing to read "Alan G. Payne".

Alan G. Payne

Manager-Pugmill Operations

AGP/agp

Cc: Bing Kearney, KDC

Bryan Kearney, KDC

Joseph Kowalski, K² Engineering, Inc.

Attachments: 14 Proofs Of Publication.

The Orlando Sentinel

633 North Orange Avenue
P.O. Box 2833
Orlando, Florida 32802-2833

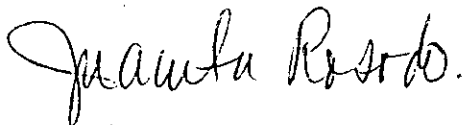
February 20, 1995

TO WHOM IT MAY CONCERN:

Kearney Development has published a Notice of Intent to Issue Permit with the Orlando Sentinel. This publication was published in the main Orlando Sentinel legal classifies. This section does also appear in the following counties: Lake, Osceola, Volusia, Brevard and Seminole.

If you have any questions, please feel free to contacts us at the following number 407-420-5160.

Sincerely,



Juanita Rosado
Legal Advertising Representative

RECEIVED
FEB 25 1995
KEARNEY DEVELOPMENT
INC.

The Orlando Sentinel

Published Daily
\$233.00

State of Florida } S.S.
COUNTY OF ORANGE }

Before the undersigned authority personally appeared _____

_____ who on oath says that he/she is the Legal Advertising Representative of The Orlando Sentinel, a daily newspaper published at ORLANDO County, Florida;

ORANGE In the matter of FILE AC 29-261151 STATE OF FLORIDA D

in the ORANGE Court, was published in said newspaper in the issue of 02/11/95

Affiant further says that the said Orlando Sentinel is a newspaper published at ORLANDO County, Florida, in said

ORANGE County, Florida, and that the said newspaper has heretofore been continuously published in said ORANGE County, Florida,

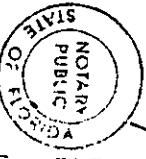
each Week Day and has been entered as second-class mail matter at the post office in ORLANDO County, Florida, in said

ORANGE 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.

The foregoing instrument was acknowledged before me this 20 day of FEBRUARY, 1995, by JUANITA ROSADO

who is personally known to me and who did take an oath. *Juanita Rosado*

(SEAL)



BEVERLY C. SIMMONS
My Comm. Exp. 3/10/97
Bonded By Service Ins
No. CC263839
[[Personally Known]] Other []

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

AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution control permit (AC 29-261151) to Kennedy Feed Supplement Company, Inc. 8821 Martin Luther King Blvd., East Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 Tpy in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2) (a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine, Best Available Control Technology (BACT) and Lowest Achievable Emissions Rate (LAER). Determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding. Section 120.57, Florida Statutes (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 2800 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.53, F.S.

The petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department, Permit File Number and the county in which the project is proposed; (b) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (c) A statement of the material facts disputed by petitioner, if any; (d) A statement of facts which petitioner contends warrant reversal

or modification of the Department's action, proposed action, or statement of which rules or require reversal or modification of the Department's action; and (e) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be by consent from the parties or by default. In this Notice, persons interested in this Notice should be at the substantial interest of the Department with respect to the petition to become a party to the proceeding. The requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to file a petition under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code. The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. The Department of Environmental Protection District offices located at: 160 Government Center, Pensacola, FL 32501; 794 Bayou Laurel, Tallahassee, FL 32309; 364 Florida Ave., Tallahassee, FL 32309; 3901 Baymeadows Way, Ste. 7577, Jacksonville, FL 32256; 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803; 3767 Ste. A, West Palm Beach, FL 33406. The County Environmental offices located at: Ft. Lauderdale, FL 33301; Ste. 9-33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130; Ste. 412, 421 W. Church St., Jacksonville, FL 32202; 4114 N. 1410 N. 21st St., Tampa, FL 33605; 901 Evernia St., West Palm Beach, FL 33409-4029. Any person may send written comment to the proposed action to Mr. A. A. Lirio, at the attention of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. Feb. 11, 1995

RECEIVED

FEB 17 1995

KEARNEY DEVELOPMENT COMPANY, INC.

THE TAMPA TRIBUNE

Published Daily Tampa, Hillsborough County, Florida

State of Florida County of Hillsborough

Before the undersigned authority personally appeared R. Putney, who on oath says that he is Accounting Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida, that the attached copy of advertisement being a

LEGAL NOTICE

in the matter of STATE OF FLORIDA

was published in said newspaper in the issues of FEBRUARY 12, 1995

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough 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 for the purpose of securing this advertisement for publication in the said newspaper.

[Signature]

Sworn to and subscribed before me, this 15 FEBRUARY A.D. 19 95

Personally known or Produced Identification Type of Identification Produced

(SEAL) IMOS Kennedy

INA S. KENNEDY Notary Public, State of Florida My comm. expires Mar. 22, 1996 No. CC187731

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT AC 29-261151 The Department of Environmental Protection, Department of Permitting and Construction, hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. E059, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Further, the permit authorizes the plant to emit emissions from a maximum of 4.5 lbs/hr and 2.6 TBY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-996.700(2)(g). Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine, Best Available Control Technology (BACT) and Low-level Ash/Leak Emission Rate (L.A.E.R.) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this notice to issue for the Record, Application and Preliminary Determination. If a person whose substantial interests are affected by the Department's proposed permit decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and may be filed (received) in the office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32309-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right, such person may have to request an administrative determination under Section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; (b) The name, address, and telephone number of each petitioner's representative; (c) The name of the project and the location of the project; (d) A statement of how and when each petitioner received notice of the Department's action or proposed action; (e) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (f) A statement of the petitioner's position on the proposed action; (g) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (h) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (i) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (j) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (k) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (l) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (m) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (n) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (o) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (p) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (q) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (r) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (s) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (t) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (u) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (v) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (w) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (x) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (y) A statement of the petitioner's proposed action or modification of the Department's action or proposed action; (z) A statement of the petitioner's proposed action or modification of the Department's action or proposed action.

within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 29.5207, Florida Administrative Code. The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at: The Department of Environmental Protection District Office, 160 Governmental Center, Pensacola, FL 32501-5794 8407 Laurel Fair Drive, Tampa, FL 33619 2295 Victoria Ave., Ste. 344, Ft. Myers, FL 33901 7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577 3319 Mogulville Blvd., Ste. 232, Orlando, FL 32803-3767 1900 S. Congress Ave., Ste. A West Palm Beach, FL 33406 The County Environmental Offices located at: 218 S.W. First Ave., Ft. Lauderdale, FL 33301 33 S.W. Second Ave., Ste. 9-223 Miami, FL 33130 421 W. Church St., Ste. 412 Jacksonville, FL 32202-4111 1410 N. 21st St., Tampa, FL 33605 901 Evernia St., West Palm Beach, FL 33402-0029 Any person may send written comments on the proposed action to Mr. A. A. Lopez, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32309-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. 2/12/95 1497

PENSACOLA News Journal


One News Journal Plaza, Pensacola, Florida 32501 (904) 435-8500

February 21, 1995

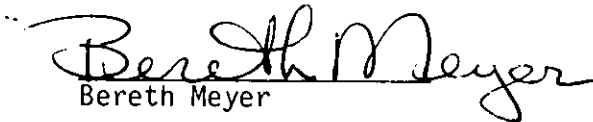
Kearney Development Co.
8621 E. Buffalo Ave.
Tampa, FL 33610
Attn: Bil Watts

This is to certify that the Pensacola News Journal published the attached legal ad on February 14, 1995.

The Pensacola News Journal is delivered in the following counties according to the most recent ABC audit report: Escambia, Santa Rosa, Okaloosa, Washington, Walton, Baldwin, Covington, and Mobile.


Mick Berthelot
Contract Classified Clerk

Subscribed to and sworn to before me this 21st day of February, 1995.


Bereth Meyer

BERETH MEYER
"Notary Public-State of Florida"
My Commission Expires October 10, 1997
CC 313093

RECEIVED

FEB 24 1995

KEARNEY DEVELOPMENT
COMPANY, INC.



PENSACOLA
News Journal

RECEIVED

FEB 24 1995

KEARNEY DEVELOPMENT
COMPANY, INC.

PUBLISHED DAILY

Pensacola, Escambia County, Florida

STATE OF FLORIDA
County of Escambia

Before the undersigned authority personally appeared

Decki Berthelot

who is personally known to me and who on oath says that he/she is a representative of The Pensacola News Journal, a daily newspaper published at Pensacola in Escambia County, Florida; that the attached copy of advertisement, being a lease in the matter of notice intent

in the _____ Court, was

published in said newspaper in the issues of

February 14, 1995

Affiant further says that the said Pensacola News Journal is a newspaper published at Pensacola, in said Escambia County, Florida, and that the said newspaper has heretofore been continuously published in said Escambia County, Florida each day and has been entered as second class mail matter at the post office in Pensacola, in said Escambia 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.

Sworn to and subscribed before me this 21st

day of February A.D., 19 95

Bereth Meyer
Notary Public

BERETH MEYER
"Notary Public-State of Florida"
My Commission Expires October 10, 1997
CC 313093

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION

NOTICE OF INTENT
TO ISSUE PERMIT

AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Bests Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A persons whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitutes a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The petition shall contain the following information: a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

The Department of Environmental Protection District offices located at:
160 Governmental Center,
Pensacola, Florida 32501-5794
3407 Laurel Fair Drive,
Tampa, FL 33619

2295 Victoria Ave., Ste. 364,
Ft. Myers, FL 33901
7825 Baymeadows Way, Ste B200,
Jacksonville, FL 32256-7577
3319 Maguire Blvd., Ste. 232,
Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A,
West Palm Beach, FL 33406

The County Environmental offices located at:

218 S.W. First Ave.,
Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223,
Miami, FL 33130
421 W. Church St., Ste. 412,
Jacksonville, FL 32202-4111
1410 N. 21st St.,
West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Legal No. 46049 1T
February 14, 1995

TALLAHASSEE DEMOCRAT
PUBLISHED DAILY
TALLAHASSEE - LEON - FLORIDA

STATE OF FLORIDA COUNTY OF LEON:
Before the undersigned authority personally
appeared Christie Stephens who on oath says
that she is Legal Advertising Representative
of the Tallahassee Democrat, a daily
newspaper published at Tallahassee in Leon
County, Florida; that the attached copy of
advertising being a Legal Ad in the matter of

NOTICE OF INTENT TO ISSUE PERMIT
AC29-261151

in the Second Judicial Circuit Court was
published in said newspaper in the issues of:

FEBRUARY 19, 1995

Affiant further says that the said Tallahassee
Democrat is a newspaper published at
Tallahassee, in the said Leon County, Florida,
and that the said newspaper has heretofore
been continuously published in said Leon
County, Florida, each day and has been
entered as second class mail matter at the
post office in Tallahassee, in said Leon
County, Florida, for a period of one year next
preceding the first publication of the attached
copy of advertisement; and affiant further says
that she has neither paid nor promised any
person, firm or corporation any discount,
rebate, commission or refund for the purpose
of securing this publication in the said
newspaper.

Christie Stephens
CHRISTIE STEPHENS
LEGAL ADVERTISING REPRESENTATIVE

Sworn To And Subscribed Before Me *23*

Day of *February*

A.D. 19 *95*

(SEAL)

Lee Prince
Notary Public

Notary Public, State of Florida
My Commission Expires April 27, 1995
Bonded Thru Troy Fain - Insurance Inc.

RECEIVED
FEB 27 1995

KEARNEY DEVELOPMENT
COMPANY, INC.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
AC 29-261151

The Department of Environmental Protection gives
notice of its intent to issue an air pollution construction
permit (AC 29-261151) to Kearney Development Company,
Inc., 8621 Martin Luther King Blvd. East, Tampa, FL
33610. The permit authorizes the operation of a portable
soil cement plant in any county in Florida. Particulate
matter emissions from the plant will be limited to a
maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT
(Reasonably Available Control Technology) requirements
pursuant to Rule 62-296.700(2)(a), Florida Administrative
Code (F.A.C.). The plant will also emit the products of
combustion from a 210 HP diesel engine. Best Available
Control, Technology, (BACT); and Lowest Achievable
Emission Rate (LAER) determinations were not required.
These emissions will not cause a violation of any ambient
air quality standard. The Department is issuing this Intent
to Issue for the reasons stated in the Technical Evaluation
and Preliminary Determination.

A person whose substantial interests are affected by
the Department's proposed permitting decision may
petition for an administrative proceeding (hearing) in
accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee,
Florida 32399-2400 within 21 days of publication of this
notice. Petitioner shall mail a copy of the petition to the
applicant at the address indicated above at the time of
filing. Failure to file a petition within this time period shall
constitute a waiver of any right such person may have to
request an administrative determination (hearing) under
Section 120.57, Florida Statutes.

The petition shall contain the following information:
(a) The name, address, and telephone number of each
petitioner, the applicant's name and address, the
Department Permit File Number and the county in which
the project is proposed; (b) A statement of how and when
each petitioner received notice of the Department's action
or proposed action; (c) A statement of how each petitioner's
substantial interests are affected by the Department's
action or proposed action; (d) A statement of the material
facts disputed by petitioner, if any; (e) A statement of facts
which petitioner contends warrant reversal or
modification of the Department's action or proposed
action; (f) A statement of which rules or statutes petitioner
contends require reversal or modification of the
Department's action or proposed action; and (g) A
statement of the relief sought by petitioner, stating
precisely the action petitioner wants the Department to
take with respect to the Department's action or proposed
action.

If a petition is filed, the administrative hearing process
is designed to formulate agency action. Accordingly, 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 decision of the
Department with regard to the application have the right to
petition to become a party to the proceeding. The petition
must conform to the requirements specified above and be
filed (received) within 21 days of publication of this notice
in the Office of General Counsel at the above address of the
Department. Failure to petition within the allowed time
frame constitutes a waiver of any right such person has to
request a hearing under Section 120.57, Florida Statutes,
and to participate as a party to this proceeding. Any
subsequent intervention will only be at the approval of the
presiding officer upon motion filed pursuant to Rule
28-5.207, F.A.C.

The application is available for public inspection
normal business hours, 8:00 a.m. to 5:00 p.m., Monday
through Friday except for legal holidays at:

The Department of Environmental Protection District
offices at:

160 Governmental Center, Pensacola, FL 32501-5794
8407 Laurel Fair Drive, Tampa, FL 33619
2295 Victoria Ave., Ste. 364, Ft. Meyers, FL 33901
7825 Baymeadows Way, Ste. B200, Jacksonville, FL
32256-7577
3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406

The County Environmental office located at:
218 S.W. First Ave., Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
1410 N. 21st St., Tampa, FL 33605
901 Evernia St., West Palm Beach, FL 33402-0029

Any person may send written comments on the
proposed action to Mr. A.A. Linero, at the Department of
Environmental Protection, Bureau of Air Regulation, Mail
Station 5505, 2600 Blair Stone Road, Tallahassee, Florida
32399-2400. All comments received within 30 days of the
publication of this notice will be considered in the
Department's final determination.

FEBRUARY 19, 1995.

030880

TALLAHASSEE DEMOCRAT

FLORIDA'S CAPITAL NEWSPAPER

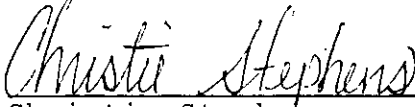
February 21, 1995

Kearney Development Co., Inc.
8621 M.L. King Blvd. E.
Tampa, Florida 33610

RECEIVED
FEB 27 1995
KEARNEY DEVELOPMENT
COMPANY, INC.

RE: Notice of Intent to Issue Permit
AC 290261151

This is to certify that we ran an ad in the Legal Advertising Section of the Tallahassee Democrat for the above on February 19, 1995. The cost was \$177.28. This ad appeared in the following county editions: Calhoun, Gadsden, Franklin, Jefferson, Jackson, Gulf, Madison, Liberty, Leon, Taylor, Wakulla, Holmes, Suwannee, Washington, and Bay.



Christie Stephens
Legal Advertising Representative
Tallahassee Democrat

Subscribed to and sworn to before me this 21st day of February 1995.



Lee Pierce
Notary Public, State of Florida
My Commission Expires April 27, 1995
Bonded Thru Troy Fain - Insurance Inc.

RECEIVED
MAR 01 1995
KEARNEY DEVELOPMENT
COMPANY, INC.

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE PERMIT
AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd., East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonable Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interest are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner; the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (e) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner; stating precisely, the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

The Department of Environmental Protection District offices located at:

- 160 Governmental Center, Pensacola, FL 32501-5794
- 8407 Laurel Fair Drive, Tampa, FL 33619
- 2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
- 7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577
- 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
- 1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406

The County Environmental Offices located at:

- 218 S.W. First Ave., Ft. Lauderdale, FL 33301
- 33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
- 421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
- 1410 N. 21st St., Tampa, FL 33605
- 901 Evernia St., West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

FLORIDA PUBLISHING COMPANY
Publisher
JACKSONVILLE, DUVAL COUNTY, FLORIDA

STATE OF FLORIDA }
COUNTY OF DUVAL }

Before the undersigned authority personally appeared _____

Cappy MacPherson who on oath says that he is

Classified Adv Inside Sales Rep of The Florida Times-Union,

a daily newspaper published at Jacksonville in Duval County, Florida; that the

attached copy of advertisement, being a Legal Notice

in the matter of Notice of Intent to Issue Permit

in the _____ Court,

was published in THE FLORIDA TIMES-UNION in the issues of _____

February 22, 1995

Affiant further says that the said The Florida Times-Union is a newspaper published at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, The Florida Times-Union each day, has been entered as second class mail matter at the postoffice in Jacksonville, in said Duval 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, and rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper. The Florida

Times Union is also the Major Newspaper in the following counties: Baker, Clay, Nassau and St. Johns.

Sworn to and subscribed before me this 27 day of February A.D. 1995

Vera Janie Likens
Notary Public,
State of Florida at Large.
VERA JANIE LIKENS

My Commission Expires June 1, 1996
COMMISSION # CQ 222556 EXPIRES
June 1, 1996
BONDED THRU TROY FAIN INSURANCE, INC.

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

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 28-261151) to Kearney Development Company, Inc., 8231 Martin Luther King Blvd., East Tampa, FL 33607. The permit authorizes the operation of a portable soil treatment plant in any county in Florida. Particular matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700 (2) (a), Florida Administrative Code (F.A.C.).

The plant will also emit the products of combustion from a 210 HP diesel engine, best available control technology (BACT) and low level volatile emissions were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding with (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel at the Department at 2600 W. Florida Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S. and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 205-2.07, Florida Administrative Code.

The application is available for public inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday, except legal holidays, at:

The Department of Environmental Protection District offices located at:

160 Governmental Center, Pensacola, FL 32501-5784
8407 Laurel Fair Drive, Tampa, FL 33619
2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
7825 Bay Meadows Way, Ste. B200, Jacksonville, FL 32256-7577
3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406
The County Environmental Office is located at:
218 S.W. 17th Ave., Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
1410 N. 21st St., Tampa, FL 33605
801 Evermia St., West Palm Beach, FL 33402-0028.

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administration hearing process is designed to formulate agency action. Accordingly, 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 decision on the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S. and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 205-2.07, Florida Administrative Code.

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1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406
The County Environmental Office is located at:
218 S.W. 17th Ave., Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
1410 N. 21st St., Tampa, FL 33605
801 Evermia St., West Palm Beach, FL 33402-0028.

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administration hearing process is designed to formulate agency action. Accordingly, 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 decision on the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S. and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 205-2.07, Florida Administrative Code.

The application is available for public inspection from 8:00 a.m. to 5:00 p.m. Monday through Friday, except legal holidays, at:

The Department of Environmental Protection District offices located at:

160 Governmental Center, Pensacola, FL 32501-5784
8407 Laurel Fair Drive, Tampa, FL 33619
2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
7825 Bay Meadows Way, Ste. B200, Jacksonville, FL 32256-7577
3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406
The County Environmental Office is located at:
218 S.W. 17th Ave., Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
1410 N. 21st St., Tampa, FL 33605
801 Evermia St., West Palm Beach, FL 33402-0028.

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1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406
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33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
1410 N. 21st St., Tampa, FL 33605
801 Evermia St., West Palm Beach, FL 33402-0028.

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

STATE OF FLORIDA
COUNTY OF ALACHUA

NO. 9150
THE GAINESVILLE SUN
Published Daily and Sunday
GAINESVILLE, FLORIDA

Before the undersigned authority personally appeared Naomi Williams-Jordan

who on oath says that he/she is Assistant Classified Mgr. of THE GAINESVILLE SUN, a daily newspaper published at Gainesville in Alachua County, Florida, that the attached copy of advertisement, being a Notice of Intent to Issue Permit

in the matter of
in the Court, was published in said newspaper in the issue of, February 15, 1995

Affiant further says that the said THE GAINESVILLE SUN is a newspaper published at Gainesville, in said Alachua County, Florida, and that the said newspaper has heretofore been continuously published in said Alachua County, each day, and has been entered as second class mail matter at the post office in Gainesville, in said Alachua 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 for publication in the said newspaper.

Clay, Putnam, Columbia, Gilchrist
Sworn to and subscribed before me this

6 day of March, 1995
Martha J. Cavin
(Seal) Notary Public



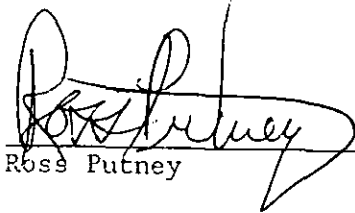
The Tampa Tribune

March 3, 1995

Kearney Development
8621 East Buffalo Ave
Attn: Bill Watts
Tampa, FL 33610

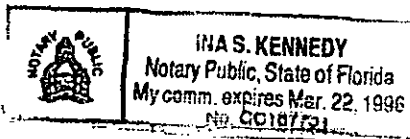
This is to Certify that we ran an ad in the Classified Section of the Tampa Tribune for the above under the classification 0 (Legal) February 12, 1995
Cost: \$559.00.

This ad appeared in the following county editions: Citrus, Sumter, Hernando, Pasco, Pinellas, Hillsborough, Polk, Manatee Hardee, Desoto, Highlands, Sarasota.


Ross Putney

Subscribed to and sworn before me this 3rd day of March 1995





as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.
The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:
The Department of Environmental Protection District offices located at:
160 Governmental Center, Pensacola, FL 32501-5794
8407 Laurel Fair Drive, Tampa, FL 33619
2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577
3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406
The County, Environmental of-

ices located at:
218 S.W. First Ave., Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
1410 N. 21st St., Tampa, FL 33605
901 Evernia St., West Palm Beach, FL 33402-0029
Any person may send written comments on the proposed action to Mr. A. A. Lirnero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.
1497 2/12/95

RECEIVED

MAR 07 1995

KEARNEY DEVELOPMENT
COMPANY, INC.

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
NOTICE OF INTENT
TO ISSUE PERMIT
AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the Reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number, and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate



PUBLISHED DAILY
MIAMI-DADE-FLORIDA

The Miami Herald Publishing Company

STATE OF FLORIDA
COUNTY OF DADE

Before the undersigned authority
personally appeared:

ANN MARTULA

who on oath says that he/she is:

CUSTODIAN OF RECORDS

of The Miami Herald, a daily newspaper published at Miami in Dade County, Florida; that the attached copy of advertisement was published in said newspaper in the issues of: DADE COUNTY, BROWARD COUNTY, MONROE COUNTY, BREVARD COUNTY, PINELLAS COUNTY, PALM BEACH COUNTY, MARTIN COUNTY, ST. LUCIE COUNTY, HENDRY COUNTY, LEE COUNTY, COLLIER COUNTY, INDIAN RIVER COUNTY, HILLSBOROUGH COUNTY

- FEBRUARY 23, 1995

Affiant further says that the said The Miami Herald is a newspaper published at Miami, in the said Dade County, Florida and that the said newspaper has heretofore been continuously published in said Dade County, Florida each day and has been entered as second class mail matter at the post office in Miami, in said Dade 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 for the purpose of securing this advertisement for publication in the said newspaper(s).

Ann Martula

Sworn to and subscribed before me
this 27TH day of FEBRUARY A.D.

995 OFFICIAL NOTARY SEAL
VIRGINIA J GALLON
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC323842
MY COMMISSION EXP. OCT. 17, 1997

My Commission
expires: October 17, 1997

Virginia J. Gallon

Virginia J. Gallon NOTARY

NOTICE OF INTENT
TO ISSUE PERMIT

AC 28-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 28-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.5 TPyk in order to avoid RACT. (Reasonably Available Control Technology) requirements pursuant to Rule 62-299.700(2)(a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the reasons stated in the Preliminary Evaluation and Determination. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the following information: (a) information as to the location and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2440, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right, such person may have to request an administrative determination (hearing) under Section 120.57, F.S. 11.1. The petition shall contain the following information: (a) The name, address and telephone number of each petitioner; (b) the applicant's name and address; (c) the Department Permit in which the project is proposed; (d) A statement of how and when each petitioner received notice of the Department's action or proposed action; (e) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (f) A statement of the material facts disputed by petitioner, if any; (g) A statement of the facts which petitioner contends warrant or modification of the Department's action or proposed action; (h) A statement of which rules or statutes petitioner contends warrant or modification of the Department's action or proposed action; and (i) A statement of the relief sought by the petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by the notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S. and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code. The application is available for public inspection during normal business hours, 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at: The Department of Environmental Protection District offices located at:

- 180 Governmental Center, Pensacola, FL 32501-5794
- 8407 Laurel Fair Drive, Tampa, FL 33619
- 2295 Victoria Ave, Ste. 364, Ft. Myers, FL 33901
- 7625 Baymeadows Way, Ste. B200, Jacksonville, FL 32268-7577
- 3319 Maguire Blvd, Ste. 202, Orlando, FL 32803-3727
- 1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406
- The County Environmental offices located at:
 - 218 S.W. First Ave., Ft. Lauderdale, FL 33301
 - 39 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
 - 421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
 - 1410 N. 21st St., Tampa, FL 33605
 - 601 Evernia St., West Palm Beach, FL 33402-0029
- Any person may send written comments on the proposed action to Mr. A. A. Lingo, at the Department of Environmental Protection, Mail Bureau of Air Regulation, Mail Station, 5505, 2800, Blair Stone Road, Tallahassee, Florida 32399-3400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

NEWS-PRESS
 Published every morning — Daily and Sunday
 Fort Myers, Florida
Affidavit of Publication

STATE OF FLORIDA
 COUNTY OF LEE

Before the undersigned authority, personally appeared _____

Brenda Leighton

who on oath says that he/she is the _____

Legal Coordinator of the News-Press, a

daily newspaper, published at Fort Myers, in Lee County, Florida; that the

attached copy of advertisement, being a Notice of Intent

to Issue Permit

in the matter of Kearney Development Company,

Inc.

in the _____ Court

was published in said newspaper in the issues of February 23,

1995

Affiant further says that the said News-Press is a paper of general circulation daily in Lee, Charlotte, Collier, Glades and Hendry Counties and published at Fort Myers, in said Lee County, Florida and that said newspaper has heretofore been continuously published in said Lee County, Florida, each day, and has been entered as a second class mail matter at the post office in Fort Myers in said Lee County, Florida, for a period of one year next preceding the first publication of the attached copy of the 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.

Brenda Leighton

Sworn to and subscribed before me this

twentv-third day of February

, 19 95 by

Brenda Leighton

who is personally known to me ~~and who was produced~~

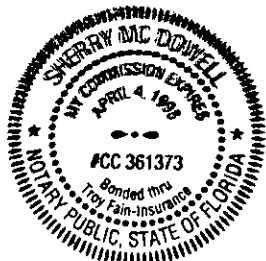
as identification, and who did or did not take an oath.

Notary Public _____

Print Name _____

My Commission Expires:

CLASS-16



**STATE OF FLORIDA
 DEPARTMENT OF
 ENVIRONMENTAL
 PROTECTION**

**NOTICE OF INTENT
 TO ISSUE PERMIT
 AC 29-261151**

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2)(a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material fact disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A

statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner.

stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at:

The Department of Environmental Protection District offices located at:
 160 Governmental Center, Pensacola, FL 32501-5794; 8407 Laurel Fair Drive, Tampa, FL 33619; 2295 Victoria Avenue, Ste. 364, Ft. Myers, FL 33901; 7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577; 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767; 1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406.

The County Environmental offices located at:
 218 S.W. First Ave., Ft. Lauderdale, FL 33301; 33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130; 421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111; 1410 N. 21st St., Tampa, FL 33605; 901 Evernia St., West Palm Beach, FL 33402-0029.

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

AFFIDAVIT OF PUBLICATION

NEWS-PRESS
"Serving Southwest Florida Since 1884"

10/10/2017

The Okeechobee News
 P.O. Box 639, Okeechobee, Florida 34973
 (813) 763-3134
 Published Daily

STATE OF FLORIDA
 COUNTY OF OKEECHOBEE

Before the undersigned authority personally appeared Richard Hitt, who on oath says he is Publisher of the Okeechobee News, a DAILY newspaper published at Okeechobee, in Okeechobee County, Florida; that the attached copy of advertisement, being a

Notice of Intent
to Issue Permit

in the matter of

State of Florida
Department of Transportation

in the 19th Judicial District of the Circuit Court of Okeechobee County, Florida, was published in said newspaper in the issues of

February 24, 1995

Affiant further says that the said Okeechobee News is a newspaper published at Okeechobee, in said Okeechobee County, Florida, and that said newspaper has heretofore been published continuously in said Okeechobee County, Florida each week and has been entered as second class mail matter at the post office in Okeechobee, in said Okeechobee 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 for the purpose of securing this advertisement for publication in the said newspaper.

Richard Hitt
 Sworn to and subscribed before me this 24th

day of February A.D. 19 95

Anna M. Nicoll
 Notary Public, State of Florida at Large

STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc. 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700 (2) (a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interest are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The petition shall contain the following information: (a) the name, address, and telephone number of each petitioner, the applicant's name and address, the Department's Permit File Number and the county in which the project is proposed; (b) a statement of how and when each petitioner received notice of the Department's action or proposed action; (c) a statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) a statement of the material facts disputed by petitioner, if any; (e) a statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) a statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) a statement of the relief sought by the petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

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The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at The Department of Environmental Protection District offices located at:
 160 Governmental Center, Pensacola, FL 32501-5794
 8407 Laurel Palm Drive, Tampa, FL 33619
 2285 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
 7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577
 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
 1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406

The County Environmental offices located at:
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 33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
 421 W. Church St., Ste 412, Jacksonville, FL 32202-4111
 1410 N. 21st St., Tampa, FL 33605
 901 Evernig St., West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to Mr. A.A. Lizaro, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

PUBLISH: 2/24/95
 OKEECHOBEE NEWS # 778



ANNA M. NICOLL
 MY COMMISSION # CC360808 EXPIRES
 March 31, 1998
 BONDED THRU TROY FAIN INSURANCE, INC.

STAR ^{OCALA} BANNER

P.O. Box 490, Ocala, Florida 34478 (904) 867-4010

February 28, 1995

RECEIVED

MAR 02 1995

**KEARNEY DEVELOPMENT
COMPANY, INC.**

THE NEW YORK TIMES
REGIONAL NEWSPAPER
GROUP

ALABAMA
Gadsden Times
Florence Times Daily
Tuscaloosa News

CALIFORNIA
Santa Barbara News Press
Santa Rosa Press-Democrat

FLORIDA
Avon Park Sun
Fernandina Beach News-Leader
Gainesville Sun
Lake City Reporter
Lakeland Ledger
Leesburg Commercial
Marco Island Eagle
Ocala Star-Banner
Palatka Daily News
Sarasota Herald-Tribune
Sebring News

GEORGIA
Forsyth County News
Winder News

KENTUCKY
Madisonville Messenger

LOUISIANA
Houma Daily Courier
Opelousas Daily World
Thibodaux Daily Comet

MAINE
Kennebunk York County Coast Star

MISSISSIPPI
Booneville Banner Independent
Corinth Daily Corinthian

NORTH CAROLINA
Hendersonville Times-News
Lenoir News-Topic
Lexington Dispatch
Wilmington Star-News

SOUTH CAROLINA
Spartanburg Herald-Journal

TENNESSEE
Dyersburg State Gazette

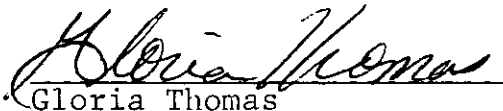
Kearney Development Co., Inc.
8621 M. L. King Blvd., E.
Tampa, FL 33610
Attention: Bill Watts

This is to certify that your advertisement ran in the Legal section of the Ocala Star Banner on February 24, 1995 (Copy attached on proof of publication).
The Cost of The advertisement was \$186.45.
The Ocala Star Banner distributes to Marion, Citrus, Levy & Sumter Counties, daily.



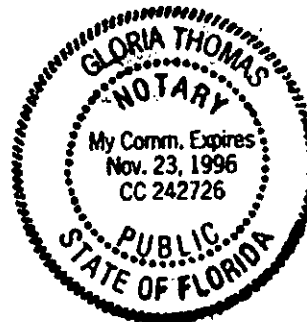
BUTCH PEIKER
Classified Manager
Ocala Star Banner

Subscribed to and sworn before me this 28th day of February, 1995.



Gloria Thomas

GLORIA THOMAS



PROOF OF PUBLICATION
THE OCALA STAR-BANNER
 Published—Daily
 OCALA, MARION COUNTY, FLORIDA

STATE OF FLORIDA,
 COUNTY OF MARION.

Before me the undersigned authority personally appeared Butch Peiker, who on oath says that he is Classified Manager

of the Ocala Star-Banner, a daily newspaper published at Ocala, in Marion County,

Florida; that the attached copy of advertisement, being a notice in the matter of #2L014 Notice of Intent To Issue Permit

in the _____ Court

was published in said newspaper in the issues of _____
 February 24, 1995

Affiant further says that the said THE OCALA STAR-BANNER is a daily newspaper published at Ocala, in said Marion County, Florida, and that the said newspaper has heretofore been continuously published in said Marion County, Florida, daily, and has been entered as second class mail matter at the post office in Ocala, in said Marion 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 for the purpose of securing this advertisement for publication in the said newspaper.

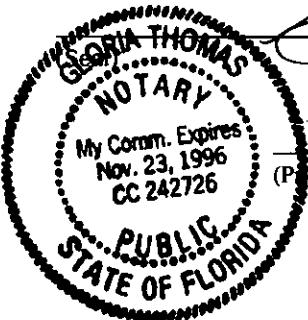
Butch Peiker

Sworn to and subscribed before me this 28th day

of February, A.D., 19 95

Gloria Thomas
 Notary Public

GLORIA THOMAS
 (Print, Type or Stamp Commissioned Name of Notary Public)



STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE
PERMIT
 AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700(2) (a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determination were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at:
 The Department of Environmental Protection District offices located at:
 160 Governmental Center
 Pensacola, FL 32501-3794
 8407 Laurel Fair Drive, Tampa, FL 33619

West Palm Beach, FL 33406
 The County Environmental offices located at:
 218 S.W. First Ave., Ft. Lauderdale, FL 33301
 33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130
 421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
 1410 N. 21st St., Tampa, FL 33605
 901 Evernia St., West Palm Beach, FL 33402-0029
 Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.
 No. 21014 — February 24, 1995

2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
 7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577
 3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
 1900 S. Congress Ave., Ste. A,



RECEIVED

APR 1 1964

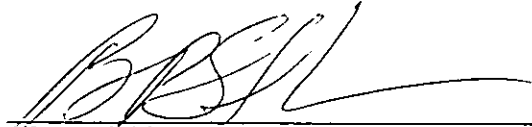
The Daytona Beach
News-Journal

901 SIXTH STREET, P.O. BOX 2831,
DAYTONA BEACH, FLORIDA 32120-2831
904/252-1511

Kearney Development Co.
8621 East Buffalo Ave.
Tampa, FL 33610

Attn: Jim Allen

This is to certify that we ran an ad in the Legal Advertising Section of The Flagler/Palm Coast News-Tribune on February 25, 1995. The Cost was \$16.57. This ad appeared in the Flagler County area.



Classified Advertising Manager

The above mentioned personally known to me.

Subscribed to and sworn before me this 27th of February 1995.


Marsha L. Nichols

MARSHA L. NICHOLS
Notary Public, State of Florida
My Comm. Exp. Aug. 20, 1998
Comm. No. CC 389798

Flagler/Palm Coast NEWS-TRIBUNE

Published Each Wednesday and Saturday
Flagler County, Florida

State of Florida,
County of Flagler:

Before the undersigned authority personally appeared
... Bryan P. Stephens who, on oath says
that he is Classified Manager of
the Flagler/Palm Coast NEWS-TRIBUNE, a twice
weekly newspaper published in Flagler County, Flor-
ida; that the attached copy of advertisement, being a
... Notice of Intent to Issue Permit
.....
in the matter of Air Pollution Construction
Permit to Kearney Development Company
in the Court, was published
in said newspaper in the issues
... February 25, 1995

Affiant further says that said the Flagler/Palm Coast
NEWS-TRIBUNE is a newspaper published in said
Flagler County, Florida, and that the said newspaper
has heretofore been continuously published in said
Flagler County, Florida, each Wednesday and Satur-
day and has been entered as second-class mail matter
at the post office in Flagler Beach, in said Flagler
County, Florida, for a period of one year next preceding
the first publication of the attached copy of advertise-
ment; and affiant further says that he has neither paid
nor promised any person, firm or corporation any dis-
count rebate, commission or refund for the purpose of
securing this advertisement for publication in the said
newspaper.

Sworn to and subscribed before me
this 27th day of February
A.D. 1995

Marsha L. Nichols



MARSHA L. NICHOLS
Notary Public, State of Florida
My Comm. Exp. Aug. 20, 1998
Comm. No. CC 389798

LEGAL ADVERTISEMENT

STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
NOTICE OF INTENT
TO ISSUE PERMIT
AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.5 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-294.700(2)(a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of the ambient air quality standard. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

PROOF OF PUBLICATION

IN RE

Flagler/Palm Coast NEWS-TRIBUNE

If a petition is filed, the administrative hearing process is assigned to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 10 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

The Department of Environmental Protection District offices located at:
160 Governmental Center
Pensacola, FL 32501-5794
8407 Laurel Fair Drive
Tampa, FL 33619
2295 Victoria Ave. Ste. 364
Ft. Myers, FL 33901
7825 Baymeadows Way, Ste. B200
Jacksonville, FL 32256-7577
3319 Maguire Blvd., Ste. 232
Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A
West Palm Beach, FL 33406
The County Environmental offices located at:

218 S.W. First Ave.
Ft. Lauderdale, FL 33301
33 S.W. Second Ave., Ste. 9-223
Miami, FL 33130
421 W. Church St., Ste. 412
Jacksonville, FL 32202-4111
1410 N. 21st St.
Tampa, FL 33605
901 Evernia St.
West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32395-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination. Legal NTS208, February 25, 1995 1t.

The Mayo Free Press

PUBLISHED WEEKLY
P. O. Box 248 - Telephone 294-1210
Mayo, Lafayette County, Florida 32066

STATE OF FLORIDA
COUNTY OF LAFAYETTE:

Before the undersigned authority personally appeared

Tammy Mobley

who on oath says that she is

Legal Secretary

of The Mayo Free Press, a weekly newspaper published at Mayo in Lafayette County, Florida; that the attached copy of advertisement, being a

State of Florida Department of

in the matter of

Environmental Protection

Notice of Intent To Issue Permit

in the

Lafayette County

Court, was published in said newspaper in the issues of

March 2, 1995

Affiant further says that the said The Mayo Free Press is a newspaper published at Mayo in said Lafayette County, Florida, and that the said newspaper has heretofore been continuously published in said Lafayette County, Florida, each week and has been entered as second class mail matter at the post office in Mayo, in said Lafayette 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 for the purpose of securing this advertisement for publication in said newspaper.

Tammy Mobley

Sworn to and subscribed before me this 2nd
day of March, A.D. 19 95

Sandra E. Smith
(SEAL) Notary Public

Personally known or produced identification

Type of identification produced

SANDRA E. SMITH
Notary Public, State of Florida
My Comm. Exp. Feb. 11, 1998
Comm. No. CC 346553

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT

AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700 (2) (a), Florida Administrative Code (F.A.C.). The plant will also omit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) a statement of how and when each petitioner received notice of the Department's action or proposed action; (c) a statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the

Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S. and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business

hours, 8:00 a.m. to 33301
5:00 p.m., Monday 33 S.W. Second
through Friday, Ave., Ste. 9-223,
except legal Miami, FL 33130
holidays, at: 421 W. Church St.,
Ste. 412.

The Department of Jacksonville, FL
Environmental 32202-4111
Protection District 1410 N. 21st St.,
offices located at: Tampa, FL 33605

160 Governmental 901 Evernia St.,
Center, Pensacola, West Palm Beach,
FL 32501-5794 FL 33402-0029

8407 Laurel Fair Any person may
Drive, Tampa, FL send written
33619 comments on the

2295 Victoria Ave., proposed action to
Ste. 364, Ft. Myers; Mr. A.A. Linero, at
FL 33901 the Department of

7825 Baymeadows Environmental
Way, Ste. B200, Protection, Bureau
Jacksonville, FL of Air Regulation,
32256-7577 Mail Station 5505,

3319 Maguire Blvd., 2600 Blair Stone
Ste. 232, Orlando, Road, Tallahassee,
FL 32803-3767 Florida 32399-2400.

1900 S. Congress All comments
Ave., Ste. A, West received within 30
Palm Beach, FL days of the
33406 publication of this

The County notice will be
Environmental considered in the
offices located at: Department's final
determination.

218 S.W. First Ave.,
Ft. Lauderdale, FL March 2, 1995

The Jasper News

PUBLISHED WEEKLY
Jasper, Hamilton County, Florida

STATE OF FLORIDA
COUNTY OF HAMILTON

Before the undersigned authority personally appeared
Tammy Mobley

who on oath says that she is

Legal Secretary

of the Jasper News, a weekly newspaper published at Jasper in Hamilton County, Florida; that the attached copy of advertisement, being a

Notice of Intent To

in the matter of

Issue Permit AC29-261151

in the

Hamilton County

Court, was published in said newspaper in the issues of

March 9, 1995

Affiant further says that the said Jasper News is a newspaper published at Jasper in said Hamilton County, Florida, and that the said newspaper has heretofore been continuously published in said Hamilton County, Florida, each week and has been entered as second class mail matter at the post office in Jasper, in said Hamilton 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 for the purpose of securing this advertisement for publication in said newspaper.

Tammy Mobley

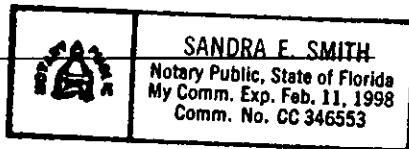
Sworn to and subscribed before me this 9th

day of March, A.D. 19 95

Sandra E. Smith
(SEAL) (Notary Public)

Personally known or produced identification

Type of identification produced



STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PERMIT AC 29-261151

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Keamey Development Company, Inc., 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorized the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonable Available Control Technology) requirements pursuant to Rule 62-296.700 (2) (a), Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (BACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

A person whose substantial interest are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of the General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative deter-

mination (hearing) under Section 120.57, F.S.

The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and, (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of

publication of this notice in the Office of General Counsel at the above address of the Department; Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

The Department of Environmental Protection District offices located at:

160 Governmental Center, Pensacola, FL 32501-5784
8407 Laurel Fair Drive, Tampa, FL 33619

2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901

7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577

3319 Maguire Blvd., Ste. 232, Orlando, FL 32803-3767
1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406

The County Environmental Office located at:

218 S.W. First Ave., Ft. Lauderdale, FL 33301

33 S.W. Second Ave., Ste. 9-223, Miami, FL 33130

421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111

1410 N. 21st St., Tampa, FL 33605

901 Evemia St., West Palm Beach, FL 33402-0029

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

March 9, 1995

STATE OF FLORIDA COUNTY OF DIXIE

Before the undersigned authority personally appeared Linda Swann who on oath says that she is Bookkeeper of the Dixie County Advocate, a weekly newspaper published at Cross City in Dixie County, Florida; that the attached copy of advertisement, being a Legal in the matter of NOTICE OF INTENT TO ISSUE PERMIT in the Dixie County Court, was published in said newspaper in the issues of MARCH 9, 1995

Affiant further says that the said Dixie County Advocate is a newspaper published at Cross City in said Dixie County, Florida, and that the said newspaper has heretofore been continuously published in said Dixie County, Florida, each week and has been entered as second class mail matter at the post office in Cross City, in said Dixie County, Florida, for a period of one year next preceeding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm of corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in said newspaper.

Sworn to and subscribed before me this
9th day of March, 1995 by,

Signature Linda Swann

who is personally known to me or who has produced
(type of identification) as identification.

Toma Sue Jones
Signature of Notary Public



TOMA SUE JONES
NOTARY PUBLIC, STATE OF FLORIDA
My commission expires Jan. 15, 1999
Commission No. CC 431250

(SEAL)

LEGAL NOTICE

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT.

The Department of Environmental Protection (Department) hereby gives notice of its intent to issue an air pollution construction permit (AC 29-261151) to Kearney Development Company, Inc, 8621 Martin Luther King Blvd. East, Tampa, FL 33610. The permit authorizes the operation of a portable soil cement plant in any county in Florida. Particulate matter emissions from the plant will be limited to a maximum of 4.5 lbs/hr and 2.6 TPY in order to avoid RACT (Reasonably Available Control Technology) requirements pursuant to Rule 62-296.700 (2) (a). Florida Administrative Code (F.A.C.). The plant will also emit the products of combustion from a 210 HP diesel engine. Best Available Control Technology (RACT) and Lowest Achievable Emission Rate (LAER) determinations were not required. These emissions will not cause a violation of any ambient air quality standard. The Department is issuing this Intent to Issue for the reasons stated in the Technical Evaluation and Preliminary Determination.

intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:

- The Department of Environmental Protection District offices located at: 160 Governmental Center, Pensacola, FL 32501-5794
- 8407 Laurel Fair Drive, Tampa, FL 33619.
- 2295 Victoria Ave., Ste. 364, Ft. Myers, FL 33901
- 7825 Baymeadows Way, Ste. B200, Jacksonville, FL 32256-7577
- 3319 Maguire Blvd., Ste. 232, Orlando, FL 32703-3767
- 1900 S. Congress Ave., Ste. A, West Palm Beach, FL 33406

The County Environmental offices located at:

- 218 S.W. First Ave., Ft. Lauderdale, FL 33301
- 33 S.W. SEcond Ave., Ste. 9-223, Miami, FL 33130
- 421 W. Church St., Ste. 412, Jacksonville, FL 32202-4111
- 1410 N. 21st St, Tampa, FL 33605
- 901 Evernia St., West Palm Beach, FL 33402-0029

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes (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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

Any person may send written comments on the proposed action to Mr. A.A. Linero, at the Department of Environmental Protection, Bureau of Air Regulation, Mail Station 5505, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. All comments received within 30 days of the publication of this notice will be considered in the Department's final determination.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department permit File Number and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action, or proposed action; (c) A statement of how each petitioner's

substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceedings. Any subsequent



Willard - I think we already got this. ae

Department of Natural Resource Protection
Air Quality Division
218 S.W. 1st Avenue
Fort Lauderdale, FL 33301

(305) 519-1220 • FAX (305) 519-1495

INTEROFFICE MEMORANDUM

DATE: March 1, 1995

TO: Alvaro A. Linero, Bureau of Air Regulation, Department of Environmental Protection

FROM: Olga M. Ibarra, Air Quality Department, Department of Natural Resource Protection

RE: Intent to Issue Permit for Kearney Development

The Broward County Department of Natural Resource Protection, Air Quality Division, has the following comments regarding the Intent to Issue a permit for Kearney Development:

Please include the following in the permit conditions:

1. The permittee shall comply with any local (county) regulations including obtaining local licenses or permits.
2. The facility shall contact the Broward County Department of Natural Resource Protection, Air Quality Division, and obtain approval before operating in Broward County.

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