


# INTEROFFICE MEMORANDUM

TO: Howard Rhodes

FROM: Trina Vielhauer 

SUBJECT: Administrative Correction Project No.: 7770420-005-AO  
Administrative Correction to Air Operation Permit No.: 7770420-002-AO  
PAW Materials, Inc.  
54 Yard  
Pasco County

DATE: December 10, 2002

The attached is an Administrative Correction to recognize the change in ownership of a relocatable crusher operation.

TLV/sms/bm

Attachment

cc: Scott Sheplak, P.E.

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

**NOTICE OF ADMINISTRATIVELY CORRECTED AIR OPERATION PERMIT**

In the Matter of a Request for Administrative Correction:

Mr. Richard Wohlfiel  
President  
PAW Materials, Inc.  
6640 S.R. 52  
Hudson, Florida 34667

Project No.: 7770420-005-AO  
Administrative Correction to Permit No.: 7770420-002-AO  
54 Yard  
Pasco County

Enclosed is an ADMINISTRATIVE CORRECTION to the Air Operation Permit, No. 7770420-002-AO, to acknowledge the change in ownership of a relocatable crusher operation located at a site identified as 54 Yard (14201 S.R.54), in Pasco County. This correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request received December 5, 2002, which is the day that the processing fee was received. This corrective action does not alter the effective dates of the existing permit.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Agency Clerk in the Department's Office of General Counsel, MS #35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9314, Fax: 850/487-4938). Petitions filed by the permit applicant or any of the parties listed below must be filed within 14 (fourteen) days of receipt of this notice. Petitions filed by any other person must be filed within 14 (fourteen) days of receipt of this proposed action. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition must contain the following information:

- (a) The name and address of each agency affected and each agency's file or identification number, if known;
- (b) The name, address, and telephone number of the petitioner; the name, address and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- (c) A statement of how and when each petitioner received notice of the agency action or proposed action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and,
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the permitting authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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

In addition to the above, a person subject to regulation has a right to apply to the Department for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;

ADMINISTRATIVE CORRECTION

Project No.: 7770420-005-AO

Administrative Correction to Permit No.: 7770420-002-AO

54 Yard

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- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and,
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

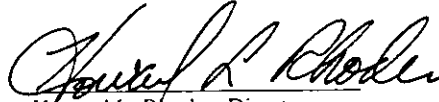
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any party to this order (permit) has the right to seek judicial review of it under Section 120.68, F.S., by the filing of a Notice of Appeal, under Rule 9.110 of the Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000; and, by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within thirty days from the date this notice is filed with the Clerk of the permitting authority.

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Howard L. Rhodes, Director  
Division of Air Resource Management

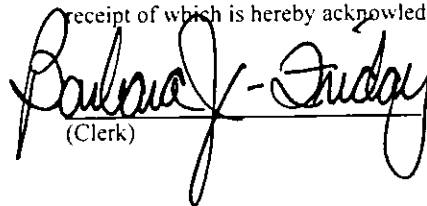
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF ADMINISTRATIVELY CORRECTED PERMIT was sent by certified mail (\*) and copies were mailed by U.S. Mail before the close of business on 12/12/02 to the person(s) listed or as otherwise noted:

Mr. Richard Wohlfiel\*, President, PAW Materials, Inc.  
Mr. Gerald Kissel, P.E., SWD

Clerk Stamp

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

 12/12/02  
(Clerk) (Date)

ADMINISTRATIVE CORRECTION

Project No.: 7770420-005-AO

Administrative Correction to Permit No.: 7770420-002-AO

54 Yard

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1. The following recognizes the change in ownership:

**FROM:**

Mr. James E. Cobb, Owner  
Southern Crushing Services  
Odessa, Florida 33556

**TO:**

Mr. Richard Wohlfiel, President  
PAW Materials, Inc.  
Hudson, Florida 34667

**SENDER: COMPLETE THIS SECTION**

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

1. Article Addressed to:  
 Mr. Richard Wohlfiel  
 President  
 PAW Materials, Inc.  
 6640 S.R. 52  
 Hudson, Florida 34667

2. Article Number  
 (Transfer from service label) 7000 0600 0021 6524 2601

PS Form 3811, August 2001

Domestic Return Receipt

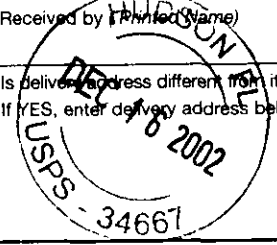
102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  *Donna J. Olson*  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No



3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

7000 0600 0021 6524 2601

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

Article Sent To:  
 Mr. Richard Wohlfiel

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total Postage &amp; Fees</b>	<b>\$</b>

Postmark  
 Here

Name (Please Print Clearly) (to be completed by mailer)  
 Mr. Richard Wohlfiel  
 Street, Apt. No., or PO Box No.  
 6640 S.R. 52  
 City, State, ZIP+4  
 Hudson, Florida 34667

**Mitchell, Bruce**

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**To:** Zhu, Yi  
**Cc:** Sheplak, Scott  
**Subject:** ARMS update for PAW Materials, Inc.: 7770420-005-AO: Administrative Correction.

12/13/02

Dear Yi,

Please check ARMS for the update of the change in ownership for the above referenced facility. The previous facility was known as Southern Crushing Services. Many thanks.

Bruce

P.A.W. MATERIALS, INC.  
6640 STATE ROAD 52 W  
HUDSON, FL 34667

# facsimile transmittal

To: PATTY ADAMS Fax: (850) 922 6979

From: Ron Wohlfiel Date: 11-21-02

Pages: (3)

CC: \_\_\_\_\_

Urgent     For Review     Please Comment     Please Reply  
727-919-2740

IF YOU NEED ANY FURTHER DOCUMENTATION OR INFORMATION REGARDING THIS, PLEASE DO NOT HESITATE TO CALL ME AT THE NUMBER LISTED BELOW.

THANK YOU

IF THIS FAX IS ILLEGIBLE, PLEASE CONTACT US AT:  
PHONE (727) 862-5956 ext. 231 or by FAX (727) 862-1776  
THANK YOU.

*11-22-02  
@ 2:10  
with a number  
Ron Wohlfiel that  
the request requires  
a \$50 fee for processing  
RPN*

12-5-02



Direct

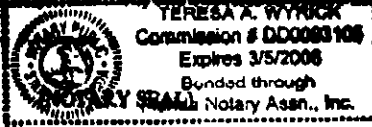
Approved - Project # is  
7770420-005-A0

Title

Non-Title

727 914/2790

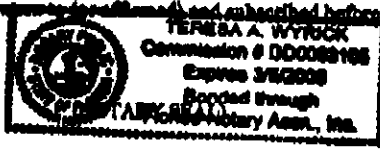
Notice

Facility Owner/Company Name (As Currently Permitted): <b>SOUTHERN CRUSHING SERVICES</b>		Facility ID No.: <b>7770420</b>
Site Name: <b>54 YARD</b>		County: <b>PASCO</b>
Street Address or Other Location: <b>14201 SR 54</b>		
City: <b>ODDESSA FL</b>		Zip Code: <b>33556</b>
I, the undersigned, hereby notify the department of the sale or legal transfer of the facility listed above. Under its current air permit(s), I am the owner or authorized representative of the non-Title V source or the responsible official of the Title V source addressed in this application, whichever is applicable.		
<i>James E. Cobb</i> (Signature)		
Name: <b>JAMES E. COBB</b>		
Title: <b>OWNER</b>		Date: <b>11-14-02</b>
STATE OF FLORIDA COUNTY OF <b>PASCO</b>		
Sworn to (or affirmed) and subscribed before me this <b>14</b> day of <b>NOVEMBER</b> , 20 <b>02</b>		
		
<i>Teresa A. Wyrick</i> (Signature of Notary Public - State of Florida)		
<b>TERESA A. WYRICK</b> (Name of Notary Typed, Printed, or Stamped)		
Personally Known _____ OR Produced Identification <input checked="" type="checkbox"/>		
Type of Identification Produced: <b>FL DR LIC # C100-445-34-281-0</b>		

\* Title V Sources Only: Attach a written agreement containing a specific date for transfer of permit responsibility, coverage, and liability between the current and new permittee. If there is a change in designated representative at an Acid Rain source, submit a copy of the Certificate of Representation submitted to EPA pursuant to 40 CFR 71, subpart B. A Statement of Compliance (DEP Form 62-213.900(7)) covering the portion of the calendar year up to the DEP Form No. 62-210.900(7) Effective: 04/16/01



Notification of New Ownership

New Facility Owner/Company Name: <b>PAW MATERIALS</b>	
New Site Name: <b>54 YARD</b>	County: <b>PASCO</b>
<p>I, the undersigned, am or will be the new owner or authorized representative* of the non-Title V source or the DEW responsible official of the Title V source addressed in this application, whichever is applicable. I further state that I have examined the application and documents submitted by the current permittee, the basis on which the above listed permit(s) was/were issued by the Department, and state that they accurately and completely describe the permitted facility. I further state that I am familiar with the permit(s), agree to comply with its/their terms and conditions, and agree to assume the rights and liabilities contained therein. I hereby certify, based on information and belief formed after reasonable inquiry, that the statements made in this application are true, accurate and complete. I also agree to promptly notify the Department of any future change in ownership of, or responsibility for, the permitted facility.</p>	
<p><i>[Signature]</i> (Signature)</p>	
Name: <b>Richard White</b>	
Title: <b>Pres</b>	Date: <b>11-5-02</b>
Mailing Address: <b>1640 SR 52</b>	
City: <b>Hudson Fla</b>	Zip Code: <b>34667</b>
Telephone No: <b>727 862 2825</b>	Fax No: <b>727 869 2825</b>
<p>Effective Date of Sale or Legal Transfer: _____          (If not yet known, leave blank. Once known, date must be provided to the Department to process a change of ownership administrative permit correction in accordance with Rule 62-210.360, F.A.C.)</p>	
<p>STATE OF FLORIDA          COUNTY OF <b>PASCO</b></p>	
<p>Witnessed, read, and subscribed before me this <b>5</b> day of <b>NOVEMBER</b>, 20<b>02</b></p>	
	<p><i>[Signature]</i>          (Signature of Notary Public - State of Florida)</p> <p><b>TERESA A. WYRICK</b>          (Name of Notary Typed, Printed, or Stamped)</p>
<p>Personally Known <input checked="" type="checkbox"/> OR Produced Identification _____</p>	
<p>Type of Identification Produced _____</p>	

\* Attach letter of authorization if other than owner or corporate officer.

DEP Form No. 62-210.900(7)  
Effective: 04/16/01