

FACSIMILE COVER PAGE

Date: 11/21/00
Time: 10:14:24
Pages: 4

To: Bill Leffler
Company: Florida DEP
Fax #: 850-922-6979

RECEIVED

NOV 21 2000

BUREAU OF AIR REGULATION

Message:

Bill,

The following is proof of public notice for the Better Roads Rock Crusher.

Bill Arlington



A SUN COAST MEDIA GROUP, INC PUBLICATION

Printers and Publishers of
Charlotte Sun Herald
Englewood Sun Herald
North Port Sun Herald
DeSoto Sun Herald
Venice Gondoller

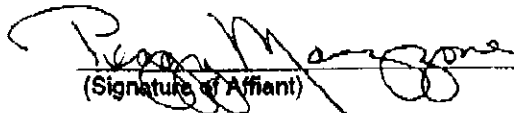
PUBLISHER'S AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA,
COUNTY OF Charlotte

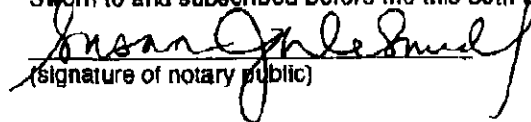
Before the undersigned personally appeared Peggy Mazzone who on oath says she is Legal Clerk of the (Charlotte Sun Herald, Englewood Sun Herald, DeSoto Sun Herald, North Port Sun Herald, Venice Gondoller) a newspaper printed at Charlotte Harbor in Charlotte County, Florida; that the attached Notice of intent published in said issues:

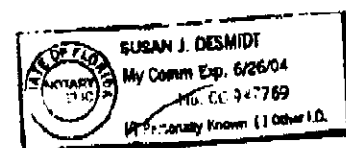
October 28, 2000

Affiant further says that the said newspaper has heretofore been continuously published in Charlotte County, Florida, Sarasota County, Florida, and DeSoto County, Florida, each day and has been entered as Second-Class mail matter at the Post Office in Punta Gorda, in said Charlotte County, Florida and at additional mailing offices, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says 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.


(Signature of Affiant)

Sworn to and subscribed before me this 30th day of October, 2000


(Signature of notary public)



BETTER ROADS INC

703 P32 NOV 20 102 16:24

PUBLIC NOTICE OF INTENT TO SIGN AIR
CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
Draft Permit No. 7778122011-AC
Berter Roads, Inc.

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Berter Roads, Inc., for a diesel engine powered portable concrete, asphalt, and rock crushing facility. The proposed plant to operate the facility at construction and industrial sites throughout Florida. The facility is a minor source of air pollution. It is subject to the Standards of Performance for New Stationary Sources, 40 CFR 61, Subpart 900, for non-hazardous material processing. It is not subject to the Prevention of Significant Deterioration (PSD) regulations, rule 62-212.400, Florida Administrative Code (F.A.C.). Best Available Control Technology information was not required for this facility. The applicant's name and address is: Berter Roads, Inc., P.O. Box 9979, Naples, Florida 33961.

The facility has been reviewed for potential operation in all counties of Florida. The facility will emit fugitive particulate matter from the conveyor operation and the products of combustion from the diesel fuel firing control of process air-fired engine particulate matter emissions shall be accomplished by wetting the material with water spray systems as needed at crushing, at the crusher entrance, and at conveyor transfer points. All non-process unburned fugitive particulate matter emissions shall be controlled using wetting and/or application of some inert solid material on the haul roads, work areas and stockpiles. Because of the low emissions estimates and limited type of operation at any one site, the applicant will not cause or contribute to any violation of an ambient air quality standard or increment.

The Department will issue the final permit, in accordance with the conditions of the Draft permit, unless a response is received in accordance with the following procedures resulting in a different condition or requirement change of terms or conditions. The Department will accept written comments concerning the proposed Draft permit to receive before a period of 14 (fourteen) days from the date of publication of this notice, which comments should be provided to the Department, Bureau of Air Regulation, 2500 South Florida Road, Mail Station 3050A, Tallahassee, Florida 32399-2401. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the Draft permit, the Department shall issue a revised Draft permit and require, if applicable, another Public Notice.

The Department will issue the final permit with the conditions of the Draft permit unless a final petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). Petitions are not available for this action. The procedures for petitioning for a hearing are set forth below. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petitioner must obtain the information set forth below and must file the petition in the Office of General Counsel of the Department, 2500 South Florida Road, Mail Station 3050, Tallahassee, Florida 32399-2401, telephone: 904/489-9370, fax: 904/489-4238. Petitions must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the proposed permit. A hearing occurs first. A petitioner must file a copy of the petition with the Department's Office of General Counsel, at the time of filing. A statement of any person who is a party to the proceeding shall be prepared and filed with a statement of the petitioner's right to present and be heard. Sections 120.569 and 120.57, F.S., or to intervene in the 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 89E, 2007 F.A.C.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the permit 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; (e) (i) A statement of the facts and the petitioner contends that reversal or modification of the Department's action or proposed action; (ii) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (f) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the department's action or proposed action addressed in the notice of intent. Because the administrative hearing process is designed to stimulate the agency's action, the filing of a petition means that the Department's final action may be different from the position taken by it in the notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department on the application have the right to petition to become a party to the proceeding, in accordance with the Department's administrative procedures.

Copies of the proposed air construction permit and the technical evaluation of the facility for this project are available during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Dept. of Environmental Protection

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| <p>Florida Dept. of Environmental Protection Bureau of Air Regulation 111 S. Magnolia Drive, Suite 4 Tallahassee, Florida 32301 Telephone: 904/488-0114</p> | <p>Florida Dept. of Environmental Protection Tallahassee Office 331 S. Magnolia Boulevard, Suite 252 Orlando, Florida 32803 Telephone: 407/894-7355</p> |
| <p>Orange County Environmental Protection Department - Air Program Section 800 Mary Drive Orlando, Florida 32808 Telephone: 407/836-1430</p> | <p>Florida Dept. of Environmental Protection Northwest District Office 160 Governmental Center Gainesville, Florida 32601 Telephone: 850/594-8300</p> |
| <p>Florida Dept. of Environmental Protection Northwest District Office 7825 Baymeadows Way, Suite 2000 Jacksonville, Florida 32256 Telephone: 904/448-1300</p> | <p>Florida Dept. of Environmental Protection Southeast District Office 3004 Coconut Palm Drive Tampa, FL 33614 Telephone: 813/744-5100</p> |
| <p>Florida Dept. of Environmental Protection Southwest District Office 400 North Congress Avenue West Palm Beach, Florida 33416 Telephone: 561/668-0777</p> | <p>Florida Dept. of Environmental Protection South District Office 4250 Magnolia Highway, Suite 304 Port Myer, Florida 32932 Telephone: 541/432-6676</p> |
| <p>Hendry County Department of Public Health Natural Resource Protection 216 South West Pine Avenue Fort Lauderdale, Florida 33307 Telephone: 954/519-1202</p> | <p>County Department of Environmental Resources Management 32 Southwest Second Avenue, Suite 900 Miami, Florida 33130 Telephone: 305/397-6025</p> |
| <p>Highway and Environmental Services Department 117 West Canal Street, Suite 225 Jacksonville, Florida 32202 Telephone: 904/630-3484</p> | <p>Hillsborough County Environmental Protection Commission 1410 Hill 23 Street Tampa, Florida 33606 Telephone: 813/272-5500</p> |
| <p>Polk County Health Department 901 Euclid Street Post Office Box 29 West Palm Beach, Florida 33401 Telephone: 561/358-3070</p> | <p>Pinellas County Department of Environmental Management 877 South Central Avenue Clearwater, Florida 33765 Telephone: 727/464-4422</p> |
| <p>Sarasota County Natural Resources Department 1301 Cartesian Avenue, Building A Sarasota, Florida 34232 Telephone: 941/578-6125</p> | |

The complete project file which includes the technical evaluation, technical evaluation, draft air construction permit and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S., is available in the office of the permitting authority in Tallahassee. Interested persons may request William Leffler, P.E., project engineer, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 904/488-0114 for additional information.

Public: October 28, 2000