



FLORIDA CRUSHED STONE COMPANY

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July 14, 1997

Eric P.

Mr. David Zell,
Air Permit Engineer
Florida Dept. Of Environmental Protection
Southwest District
3804 Coconut Palm Dr.
Tampa, Florida 33619-8318

Re: Fla-Crushed Stone; Center Hill Mine; Proof of Publication; Permit#AC 1190018-005

Dear Mr. Zell:

Enclosed please find proof of publication per FDEP regulation, Notice of Intent to issue permit for Florida Crushed Stone's Center Hill Limerock Mine. Please forward final permit as soon as possible.

If you should have any questions, please contact me at (352) 787-0608.

Sincerely,

Dennis C. Kenney

Dennis C. Kenney, P.G.
Director of Technical Services

DCK/cm

Affidavit of Publication

The Daily Commercial

Leesburg, Lake County, Florida

Case No. _____

STATE OF FLORIDA
COUNTY OF LAKE

Before the undersigned authority personally appeared Jim Perry, who on oath says that he is Publisher of The Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

Legal ad # 05503578

in the matter of Notice of Intent

in the _____ Court,

was published in said newspaper in the issues of _____

July 10, 1997

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year 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.

Signed Jim Perry
Jim Perry, Publisher

Sworn to and subscribed before me this 10th day of

July, 1997, by Jim Perry, Publisher, who is personally known to me.

(Seal)

Elizabeth K Newberry
Elizabeth K Newberry, Notary Public



ELIZABETH K NEWBERRY
My Commission CC390838
Expires Aug. 28, 1998

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

The Department of Environmental Protection gives notice of its intent to issue an air pollution construction permit (Permit File No. 1190018-005-AC) to Florida Crushed Stone Co./Consolidated Minerals, Inc. for the addition of three belt conveyors to its limestone processing plant located at State Road 48 West, Center Hill, Sumter County. MAILING ADDRESS: Florida Crushed Stone Company, P.O. Box 490300, Leesburg, FL 34749-0300, to the attention of Mr. Dennis Kenney.

A Best Available Control Technology (BACT) determination was not required.

The Department will issue the permit unless a timely petition for an administrative hearing is filed pursuant to sections 120.569 and 120.57 of the Florida Statutes, or a party requests mediation as an alternative remedy under section 120.573 before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing are set forth below, followed by the procedures for requesting mediation.

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 of the 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 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000 within fourteen days of receipt of this notice of intent. A petitioner must mail a copy of the petition to

as indicated above, at the time of filing. The failure of any person to file a petition (or a request for mediation, as discussed below) 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 of the Florida Statutes, 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 28-5.207, of the Florida Administrative Code.

following:

- (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 the petitioner, if any;
- (e) A statement of the acts that the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement identifying the rules or statutes that the 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 that the petitioner wants the Department to take with respect to the action or proposed action addressed in this notice of intent.

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

A person whose substantial interests are affected by the Department's proposed permitting decision, may elect to pursue mediation by asking all parties to the proceeding to agree to such mediation and by filing with the Department a request for mediation and the written agreement of all such parties to mediate the dispute. The request and agreement must be filed in (received by) the office of General Counsel of the Department at 2900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, by the same deadlines as set forth above for the filing of a petition.

A request for mediation must contain the following information:

- (a) The name, address, and telephone number of the person requesting mediation and that person's representative, if any;
- (b) A statement of the preliminary agency action;
- (c) A statement of the relief sought, and
- (d) Either an explanation of how the requester's substantial interests will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that the requester has already filed, and incorporating it by reference

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agree-

ment of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under sections 120.569 and 120.57 remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

The application is available for inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at 8407 Laurel Fair Boulevard, Tampa, Florida.

No 05503578.