

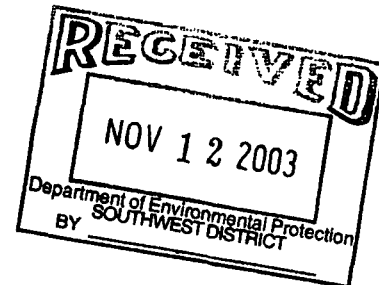
**KOOGLER & ASSOCIATES**

**ENVIRONMENTAL SERVICES**

4014 NW THIRTEENTH STREET  
GAINESVILLE, FLORIDA 32609  
352/377-5822 ■ FAX/377-7158

KA519-02-01

November 11, 2003



Quaid M. Noor  
FDEP, Southwest District  
3804 Coconut Palm Drive  
Tampa, FL 33619

**SUBJECT: Proof of Publication of Notice of Intent  
C. W. Roberts Contracting, Inc.  
New Asphalt Drum Mix Plant – Sumter county  
Air Construction Permit Application**

Dear Mr. Noor:

Please find enclosed the proof of publication of Notice of Intent for the C.W. Roberts Contracting, Inc., Wildwood asphalt facility. Please contact me at your earliest convenience if FDEP receives any response to this public notice or if you have questions or comments (352) 377-5822.

Sincerely,

Max Lee, Ph.D., P.E.  
Koogler & Associates

c: Joseph Shuler, C. W. Roberts Contracting Inc.

# Proof of Publication

from the

**SUMTER COUNTY TIMES**

Bushnell, Sumter County, Florida

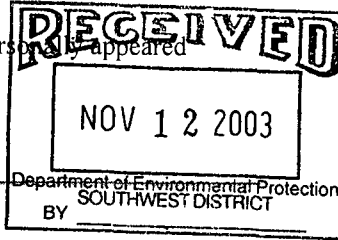
**PUBLISHED WEEKLY**

STATE OF FLORIDA

COUNTY OF SUMTER

Before the undersigned authority personally appeared

Karen McDaniel



Of the Sumter County Times, a newspaper published weekly at Bushnell, in Sumter County, Florida, that the attached copy of advertisement being a public notice in the matter of the

602-1106 SCT PUBLIC NOTICE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT EXTENSION The Department of Environmental Protection gives notice of its intent to issue an air constructio

Court, was published in said newspaper in the issues of November 6th, 2003,

Affiant further says that the Sumter County Times is a Newspaper published at Bushnell in said Sumter County, Florida, and that the said newspaper has heretofore been continuously published in Sumter County, Florida, each week and has been entered as second class mail matter at the post office in Bushnell in said Sumter 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.

*Karen McDaniel*

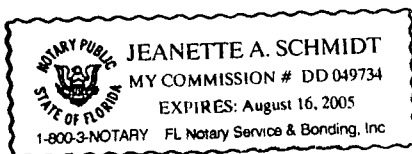
The foregoing instrument was acknowledged before me

This 6th day of November, 2003

By: Karen McDaniel

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

*Jeannette A. Schmidt*  
Notary Public



602-1106 SCT  
PUBLIC NOTICE

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION  
PERMIT EXTENSION

The Department of Environmental Protection gives notice of its intent to issue an air construction permit extension (Permit File No. 7775176-001-AC) to C.W. Roberts Contracting, Inc., for the construction of a relocatable asphalt concrete plant. The plant will be initially constructed at County Road 114, 0.2 miles east of State Road 35, Wildwood, Sumter County, FL 34785. The applicant's name and address are: C.W. Roberts Contracting, Inc. Hwy 20 East, Hosford, FL 32334, Attention: Mr. Charles W. Roberts, President.

The Department will issue the permit extension unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120 57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120 57, 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 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent, whichever occurs first.

Under Section 120.60(3), F.S., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120 57, F.S., or to intervene in this proceeding and participate as a party to it.

Any subsequent intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based, must contain the following information:

- The name and address of each agency affected and each agency's file or identification number, if known;
- 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;
- A statement of how and when petitioner received notice of the agency action or proposed action;
- A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
- A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's action; and
- A statement of specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and
- 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 Department'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 Department's final action may be different from the position taken by it in this permit extension. 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.

Mediation is not available in this proceeding.

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 8407 Laurel Fair Circle, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the draft permit extension, and all other materials available to the Department that are relevant to the permit decision. Additionally, the Department will accept written comments concerning the proposed permit extension issuance action for a period of 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Permit Extension." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Eric Peterson (phone no. 813-744-6100 ext. 107) referencing Permit File No. 7775176-001-AC. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the draft permit extension and require, if applicable, another Public Notice.

Published one (1) time in the Sumter County Times, November 6, 2003.