

THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In the Matter of an
Application for Permit by:

OGC CASE NO.: 04-1739
FDEP Draft Permit No.: 0250020-013-AV

Tarmac America, Inc.
Tarmac Pennsuco Cement Plant
Miami-Dade County, Florida

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JAN 20 2006

BUREAU OF AIR REGULATION

NINTH REQUEST FOR ENLARGEMENT OF TIME

By and through undersigned counsel, Tarmac America, Inc. (Tarmac) hereby requests, pursuant to Florida Administrative Code Rule 62-110.106(4), an enlargement of time, to and including April 1, 2006, in which to file a Petition for Administrative Proceedings in the above-styled matter. As good cause for granting this request, Tarmac states the following:

1. On or about October 5, 2004, Tarmac America, Inc. received from the Department of Environmental Protection ("Department") an "Intent to Issue Title V Air Operation Permit Revision" and accompanying "Revised Draft Permit," (Draft Permit No.0250020-013-AV), for the Tarmac Pennsuco Cement Plant, located at 11000 NW 121 Way, Medley, Miami-Dade County, Florida.
2. Based on Tarmac's review, the Revised Draft Permit and associated documents contain several provisions that warrant clarification or corrections.
3. Tarmac and DEP are in the process of discussing possible resolutions to the issues needing clarification or correction.

4. Tarmac filed a Eighth Request for Enlargement of Time on October 28, 2005, extending the time until January 27, 2006; more time is needed to resolve the remaining issues. Moreover, Tarmac will be submitting an application to renew its Title V Permit in February, and presumably all of the issues can be combined and resolved as part of that process.

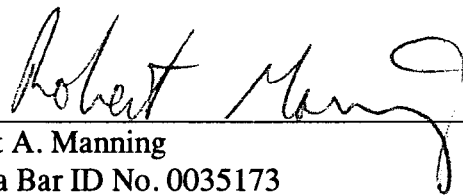
5. Accordingly, Tarmac hereby files this Ninth Request for Enlargement of Time until April 1, 2006, in order to resolve remaining issues before the Department.

6. This ninth request is filed simply as a protective measure to avoid waiver of Tarmac's right to challenge certain conditions contained in the Revised Draft Title V Permit. Grant of this request will not prejudice either party, but will further their mutual interest and hopefully avoid the need to file a Petition and proceed to a formal administrative hearing.

WHEREFORE, Tarmac America, Inc. respectfully requests that the time for filing of a Petition for Administrative Proceedings in regard to the Department's Intent to Issue Title V Air Operation Permit Revision No.0250020-013-AV be formally extended to and including April 1, 2006.

RESPECTFULLY SUBMITTED this 20th day of January, 2006.

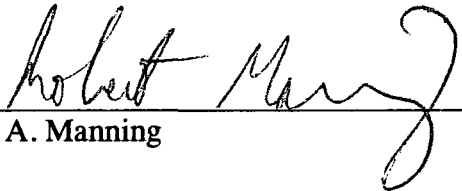
By: _____


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Attorney for Tarmac America, Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by Hand Delivery to Lea Crandall, Agency Clerk, and Doug Beason, General Counsel, Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Suite 300, Tallahassee, Florida 32399-3000; and Trina Vielhauer, Florida Department of Environmental Protection, Division of Air Resource Management, 111 S. Magnolia Drive, Suite 23, Tallahassee, Florida 32399 this 20th day of January, 2006.



Robert A. Manning