



# Florida Department of Environmental Protection

Southwest District Office  
13051 North Telecom Parkway  
Temple Terrace, Florida 33637-0926

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

## REVISED NOTICE FOR STATEMENT OF COMPLIANCE

In the matter of a request for a change from a Title V facility to a synthetic non-Title V facility:

Mr. Jay Poppleton, President	DEP File No.: 1190007-004-AV
Metal Industries, Inc.	Sumter County
(J.T. Walker Industries, Inc. – parent company) P.O. Box 4490 Clearwater, FL 33758-4490	Bushnell Facility

Permit Nos. 1190007-005-AF and 1190007-006-AC (one document) were issued by the Department on **October 3rd, 2007**. These permits changed your Bushnell Facility, which is located at 400 West Walker Blvd., Bushnell, Sumter County, from a Title V facility to a synthetic non-Title V facility. In accordance with Rule 62-213.440(3)(a)2.b., F.A.C., the Responsible Official is required to submit a Statement of Compliance within 60 days of the last day the facility operated as a Title V facility. Therefore, the Statement of Compliance should be submitted by **November 30<sup>th</sup>, 2007**, to the Air Compliance Section of the Department's Southwest District Office.

A person whose substantial interests are affected by the proposed agency action 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 owner or operator or any of the parties listed below must be filed within fourteen (14) days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within fourteen (14) days of receipt of this notice. 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 (14) days of receipt of that notice. 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: (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 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, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (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 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 notice. Persons whose substantial interests will be affected by any such final decision of the Department on the request for conditional exemption 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.

#### NOTICE OF APPEAL RIGHTS

Any party to this order (notice) has the right to seek judicial review of the permit (notice) pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Legal Office; 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 30 (thirty) days from the date this Notice is filed with the Clerk of the Department.

Executed in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Mara Grace Nasca  
District Air Program Administrator  
Southwest District

JLM/MGN/pp

**CERTIFICATE OF SERVICE**


The undersigned duly designated deputy agency clerk hereby certifies that this REVISED NOTICE FOR STATEMENT OF COMPLIANCE was sent by certified mail (\*) and copies were sent by U.S. Mail before the close of business on 10-03-2007 to the person(s) listed or as otherwise noted:

Mr. Jay Poppleton, President\*  
Metal Industries, Inc.  
(J.T. Walker Industries, Inc. – parent company)  
P.O. Box 4490  
Clearwater, FL 33758-4490

Mr. Howard Loy, P.E.  
Metal Industries, Inc.  
(J.T. Walker Industries, Inc. – parent company)  
P.O. Box 4490  
Clearwater, FL 33758-4490

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.

 10-03-2007  
(Clerk) (Date)

In addition, copies of this Revised Notice for Statement of Compliance was e-mailed separately by permit engineer to the person(s) listed:

Barbara Friday, BAR [barbara.friday@dep.state.fl.us] for posting with Region 4, U.S. EPA)

Scott Sheplak, BAR, [scott.sheplak@dep.state.fl.us], Title V Coordinator

7002 3150 0003 5039 8590

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- Mr. Jay Poppleton, President
- MI Metals, Inc/Metal Industries, Inc
- (J.T. Walker Industries, Inc-parent company)
- P.O. Box 4490
- 1 Clearwater, FL 33758-4490

Se. 1190007-004-AV Revised Notice For Statement of Compliance  
JM 10-03-2007

Street, Apt. No.,  
or PO Box No. \_\_\_\_\_

City, State, ZIP+4 \_\_\_\_\_

PS Form 3800, June 2002 See Reverse for Instructions

**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:

FL 33758-4490

Mr. Jay Poppleton, President  
MI Metals, Inc/Metal Industries, Inc  
(J.T. Walker Industries, Inc-parent company)  
P.O. Box 4490  
Clearwater, FL 33758-4490

1190007-004-AV Revised Notice For Statement of Compliance  
JM 10-03-2007

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
*William Clinton*  Addressee

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

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.

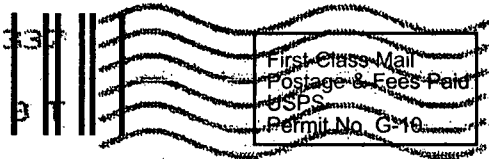
4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

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UNITED STATES POSTAL SERVICE ST. PETERSBURG FL 337

09 OCT 2007 PM 3



• Sender: Please print your name, address, and ZIP+4 in this box •

Dept. Of Environmental Protection

OCT 10 2007

Dept. of Environmental Protection Southwest District  
Air Resource Management  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

PP

