

SOLID WASTE  
SECTION

JAN 28 2013



Tarmac America LLC  
11000 N.W. 121 Way  
Medley, FL 33178  
Phone: (305) 200-1655  
Fax: (305) 364-2288  
www.titanamerica.com

Received

JAN 28 2013

BCHW

January 23, 2013

Michell Mason Smith  
Engineering Specialist IV  
Division of Waste Management  
Bureau of Solid and Hazardous Waste, FDEP  
Solid Waste Section, MS 4565  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

**RE: Proof of Public Notice WT Permit # OWT13-0314354-001  
Tarmac America LLC – Pennsuco Complex**

Dear Ms. Smith:

Please find attached the notarized copy of the public notice of intent to issue Waste Tire Permit # OWT13-0314354-001. Tarmac America published the public notice in the issue of January 11, 2013 with the South Florida Business Journal.

Do not hesitate to call me at 305-200-1655 (office) or 561-248-9626 (cell) should you have any questions or concerns.

Sincerely,

Muhammad Khan, E.I.  
Environmental Manager  
[mkhan@titanamerica.com](mailto:mkhan@titanamerica.com)



**PUBLISHED WEEKLY  
BROWARD, MIAMI-DADE and PALM BEACH  
STATE of FLORIDA, COUNTY of BROWARD**

Before the undersigned authority personally appeared Phil Beringer of South Florida Business Journal, a weekly newspaper published in Broward, Miami-Dade and Palm Beach Counties, Florida; that the attached copy of advertisement being a legal notice in the matter of **Public Notice**

**Titan America**

in the Circuit Court was published in said newspaper in the issue of **January 11th, 2013.**

The cost of the publication of this Public Notice is \$1,520<sup>00</sup>

Affiant further says that the said South Florida Business Journal is a newspaper published at in said Broward, Miami-Dade and Palm Beach Counties, Florida, and that the said newspaper has heretofore been continuously published in said Broward, Miami-Dade and Palm Beach Counties, Florida, each week and has been entered as second-class mail matter at the post office in Fort Lauderdale, in said Broward County, Florida for a period of one (1) year next preceeding 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 the said newspaper.

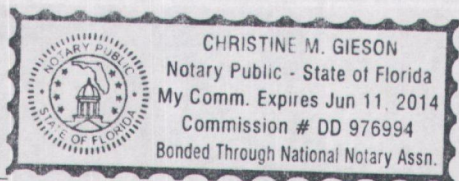
*Phil M. Beringer*

*Phil Beringer (South Florida Business Journal)*

Sworn to and subscribed before me,  
this 14th day of January, A.D. 2013

*Christine M. Gieson*

Notary Public



**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF PROPOSED AGENCY ACTION**

The Department of Environmental Protection gives Notice of its intent to issue an operation permit to Tarmac America, LLC / Kevin Baird, 11000 NW 121 Way, Medley, Florida 33178, to operate the Pennsuco Complex waste tire processing facility in Miami-Dade County, FL. The facility is located at 11000 NW 121 Way, Medley, Florida 33178, in Section 31, Township 52 South, Range 40 East, in Miami-Dade County, Florida.

The Department has assigned File Number WT13-0314354-001 to the project. The Department's file on this matter 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 the Department of Environmental Protection, Tallahassee office, 2600 Blair Stone Road, MS 4565, Tallahassee, FL 32399-3000, Telephone 850/245-8721.

To view Documents in the Department's electronic filing system called Oculus:  
Go to website: <http://dwmedms.dep.state.fl.us/Oculus/servlet/login>  
Log in using the PUBLIC OCULUS LOGIN Button  
Under Catalog - Highlight Solid Waste  
Under Search by - Make Sure Profile is selected  
Under Profile- Highlight Permitting\_Authorization  
For Facility-Site ID - Enter 100946  
For Document Date - Select the "Greater Than" Symbol (>) and enter 10-07-2012  
Click on the Search Button

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (hearing) under 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 Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within 14 days of publication of this notice or receipt of the written notice, whichever occurs first. The 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 of the Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

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

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 all material facts disputed by petitioner or a statement that there are no disputed facts;
- (e) A statement of facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes 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 the petitioner wants the Department to take with respect to the Department's action or proposed action.

A petition that does not dispute the material facts on 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 of the Florida Administrative Code.

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 have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case as an alternative to filing a petition for an administrative determination.

01/11/13