

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

The Department gives notice of its intent to issue an Environmental Resource Permit, File No. MMR_137482-018, to The Chemours Company FC, LLC, PO Box 753, Starke, FL 32091, for construction of a surface water management system to facilitate heavy minerals mining activities at the Trail Ridge South Mine. The project consists of heavy minerals mining operations on approximately 1,749.92 acres within a 2,884.4-acre property known as the Trail Ridge South Mine and includes impacts to approximately 740.45 acres of wetlands and other surface waters. Mitigation to offset wetlands and other surface waters impacts associated with the project consists of 710.59 acres of wetland creation and 136.49 acres of wetland enhancement within the 2,884.4-acre property. The project is not expected to cause or contribute to violations of water quality standards. The project is Clay County, Sections 6, 7, 18, and 19, Township 7 South, Range 23 East; Parcel ID Numbers 06-07-23-000731-005-00, 07-07-23-000731-006-00, 18-07-23-000731-017-00, and 19-07-23-000732-000-00, and in Bradford County, Sections 12, 13, and 24, Township 7 South, Range 22 East; Parcel ID Numbers 04828-0-00000, 04829-0-00000, and 04986-0-00000. The project is in the Santa Fe River basin, Class III waters.

A person whose substantial interests are affected by the Department's action may petition for an administrative hearing under sections 120.569 and 120.57, F.S. Pursuant to Rule 28-106.201, Fla. Admin. Code, a petition for an administrative hearing 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 are or will be affected by the agency determination;
- (c) A statement of when and how the petitioner received notice of the agency decision;
- (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 that the petitioner contends warrant reversal or modification of the agency's proposed action;
- (f) A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

In accordance with rule 62-110.106(3), Fla. Admin. Code, petitions for an administrative hearing concerning the permit must be filed within 21 days of publication of this notice or receipt of written notice, whichever occurs first. Petitions for an administrative hearing concerning the variance must be filed within 14 days of publication of this notice or receipt of written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative hearing under sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it.

Under rule 62-110.106(4), Fla. Admin. Code, a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at the address indicated above, prior to the applicable deadline. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon. Upon motion by the requesting party showing that the failure to file a request for an extension of time before the deadline was the result of excusable neglect, the Department may also grant the requested extension of time.

On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, this process may result in a modification of the agency action or even a denial of the request for a variance or waiver.

Mediation is not available in this proceeding.

The files associated with these orders are available upon request. Please address your request to MiningAndMitigation@FloridaDEP.gov or call 850-245-7554 and include the file number in your request.