



CITY OF DUNNELLON

20750 River Drive
Dunnellon, FL 34431
(352) 465-8500
FAX (352) 465-8505

October 29, 2025

Office of General Counsel
Florida Department of Environmental Protection
3900 Commonwealth Boulevard, Mail Station 35
Tallahassee, Florida 32399-3000
Email: Agency_Clerk@dep.state.fl.us

**RE: REQUEST FOR EXTENSION OF TIME TO FILE PETITION FOR
ADMINISTRATIVE HEARING**

Draft Air Permit No. 0830196-001-AC

Track Line, LLC - Dunnellon Facility

20365 E. McKinney Avenue, Dunnellon, Marion County, Florida

Dear General Counsel:

Pursuant to Rule 62-110.106(4), Florida Administrative Code, the City of Dunnellon hereby requests an extension of time to file a petition for an administrative hearing regarding Draft Air Permit No. 0830196-001-AC proposed to be issued to Track Line, LLC for a creosote-treated railroad tie shredding and grinding facility.

SUBSTANTIAL INTERESTS AFFECTED

The City of Dunnellon's substantial interests are directly and significantly affected by the Department's proposed action to issue this air permit. The proposed facility is located in immediate proximity to the City of Dunnellon, and prevailing wind patterns will carry emissions directly into our municipal boundaries, affecting our residents, air quality, water resources, and community welfare.

The facility's proposed emissions of 58.77 tons per year of particulate matter, 20.83 tons per year of PM2.5, and other harmful pollutants, combined with the processing of carcinogenic creosote-treated materials, pose substantial threats to:

- The health and safety of Dunnellon residents, particularly vulnerable populations
- The City's air quality
- The Rainbow River and associated waters which are critical to our community
- Property values and economic productivity within the City
- The City's comprehensive planning objectives and community character

GOOD CAUSE FOR EXTENSION

Good cause exists for granting this extension based on the following grounds:

1. Complexity of Technical Issues

The permit application involves complex technical issues regarding emission calculations, health risk assessments, and compliance with multiple statutory and regulatory requirements under Chapters 403 and 62, Florida Statutes and Florida Administrative Code. The City requires additional time to:

- Retain and consult with qualified environmental and air quality experts
- Conduct thorough technical review of emission calculations
- Analyze potential cumulative impacts on air quality standards
- Evaluate the adequacy of proposed emission control measures
- Assess health risks to City residents from both conventional pollutants and carcinogenic creosote compounds

2. Need for Comprehensive Legal Analysis

The City's substantial interests require careful legal analysis of multiple statutory provisions and administrative rules, including but not limited to Chapter 403 Florida Statutes, and Chapters 62-4, 62-204, 62-210, 62-212, 62-296, and 62-297, Florida Administrative Code. Additional time is necessary to:

- Conduct comprehensive legal research regarding applicable standards
- Properly identify and articulate all legal grounds for challenging the permit
- Coordinate with legal counsel to ensure all procedural requirements are met
- Develop a complete administrative record to support the City's position

3. Municipal Deliberative Process

As a municipal government representing the collective interests of our residents, the City must follow appropriate governmental procedures, including:

- Coordination among multiple City departments (legal, planning, public works)
- Review and approval by the City Council in public meetings
- Opportunity for public input from affected residents
- Preparation of supporting documentation and expert reports

The standard deadline does not provide adequate time for these necessary municipal processes while simultaneously conducting the technical and legal analysis required.

4. Magnitude of Public Health and Environmental Impacts

The potential impacts of this facility on public health and the environment are substantial and far-reaching. The City has a duty to its residents to thoroughly investigate and properly present all relevant concerns. Given that this facility would process carcinogenic materials in proximity to a residential community and critical water resources, a hasty or incomplete petition would not serve the public interest or the objectives of the administrative hearing process.

5. No Prejudice to Other Parties

Granting this extension will not prejudice the applicant or the Department. The facility is not yet constructed or operational, and a brief extension to ensure a complete and proper administrative record will enhance the efficiency of any subsequent proceedings. A well-developed petition based on thorough technical and legal analysis will promote judicial economy and ensure all relevant issues are properly before the hearing officer.

REQUEST FOR RELIEF

The City of Dunnellon respectfully requests that the Department grant an extension of **60 days** from the current deadline to file a petition for administrative hearing regarding Draft Air Permit No. 0830196-001-AC.

This extension is necessary to protect the substantial interests of the City and its residents, to ensure a complete administrative record, and to facilitate the proper presentation of complex technical and legal issues. The City is proceeding diligently and in good faith to evaluate this matter and will file a comprehensive petition within the extended timeframe.

The City understands that this timely request for extension of time tolls the running of the time period for filing a petition until the Department acts upon this request.

Should you require any additional information regarding this request, please contact me immediately at (352) 465-8500

Respectfully submitted,



Walter L. Green, Mayor

CERTIFICATION

I hereby certify that a copy of this Request for Extension of Time has been furnished to the following on this 29th day of October 2025:

The Honorable Ron DeSantis
Governor of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001
GovernorRon.Desantis@eog.myflorida.com

The Honorable Jeanette Nunez
Lieutenant Governor of Florida
The Capitol
400 S. Monroe Street
Tallahassee, FL 32399-0001

The Honorable Senator Stan McClain
315 SE 25th Avenue
Ocala, FL 34471
McClain.Stan.web@flsenate.gov

The Honorable Representative J.J. Grow
Florida House of Representatives
106 E. Dampier Street
Inverness, FL 34450
JJ.Grow@flhouse.gov

Florida Department of Environmental
Protection
Division of Air Resource Management
Permit Review Section
2600 Blair Stone Road, MS #5505
Tallahassee, Florida 32399-2400

The Honorable Chairman Kathy Bryant
Marion County Board of County
Commissioners
601 SE 25th Avenue
Ocala, FL 34471
Kathy.Bryant@marionfl.org

Track Line, LLC
Layton Environmental Engineering LLC
1900 Crestwood Blvd STE 114
Birmingham, AL, 35210-2056



Amanda L. Odom, City Clerk