FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
160 West Government Street, Suite 308
Pensacola, Florida 32502-5794

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

NOTICE OF PERMIT ISSUANCE

April 8, 2014

By Electronic Mail, Received Receipt Requested
Brian.stumpe@us.af.mil

In the matter of an
Application for Permit
By:
Brian M. Stumpe, Lt. Col, U. S. Air Force
325th CES Tyndall Air Force Base
119 Alabama Avenue, Stop 42
Tyndall Air Force Base, Florida 32403-5014
_____/

DEP File No. 0050024-014-AF
Bay County

Enclosed is Permit Number 0050024-014, issued pursuant to Section 403.087, Florida Statutes, for operating the U.S. Air Force, Tyndall Air Force Base.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Sections 120.569 and 120.57, of the Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida, 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within 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 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 (in a proceeding initiated by another party) will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code, 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, any email address, telephone number and any facsimile number of the petitioner, the name, address, any email address, telephone number and any facsimile 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 each petitioner received notice of the agency action or proposed 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 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; 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 the 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 application 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.

Any party to this Order (permit) has the right to seek judicial review of the permit 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 Agency Clerk in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, 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 days from the date this Notice is filed with the Agency Clerk.

Executed in Pensacola, Florida.

_____/s/_____
J. Charles Harp
Program Administrator
Waste Management/Air Resources

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by electronic mail before the close of business on April 8, 2014 to the listed persons.

FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated agency Clerk, receipt of which is hereby acknowledged.

_____/s/_____ April 8, 2014
Clerk Date

Copies Furnished to:
David O'Brien, Air Emissions Specialist, Tyndall Air Force Base, David.obrien.7@us.af.mil
Joseph Mclernan, Tyndall Air Force Base, joseph.mclernan@us.af.mil
Mark Sumner, DEP NWD Branch Office, Panama City, Mark.C.Sumner@dep.state.fl.us
Ana Oquendo, U.S. EPA Region 4, oquendo.ana@epa.gov