



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

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

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

CLIFFORD D. WILSON III
INTERIM SECRETARY

December 19, 2014

Mr. Michael Liese, Plant Manager
Pactiv, LLC
209 S. Phosphate Boulevard
Mulberry, FL 33860

Re: Project No. 1050312-010-AF
Pactiv, LLC, Mulberry Facility
Notice of Administrative Permit Correction - Transfer of Air Permit

Dear Mr. Liese:

On 12/15/2014, you submitted an Application for Transfer of Air Permit for the facility located in Polk County at 209 S. Phosphate Boulevard in Mulberry, Florida. Enclosed is the Notice of Administrative Permit Correction. If you have any questions, please contact the project engineer, Quaid Noor, at 813-470-5726, or by e-mail at quaid.noor@dep.state.fl.us.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kelley M. Boatwright', written over a horizontal line.

Kelley M. Boatwright
Permitting & Waste Cleanup Program Administrator
Southwest District

Enclosures

KMB\qn\admin

NOTICE OF ADMINISTRATIVE PERMIT CORRECTION

*In the Matter of an
Application for Transfer of Air Permit by:*

Pactiv, LLC
209 Phosphate Boulevard
Mulberry, FL 33860

Project No. 1050312-010-AF
Polk County, Florida
Pactiv, LLC – Mulberry Facility
Transfer of Air Permit

Authorized Representative:
Michael Liese, Plant Manager

Facility Location: The existing Master Containers, Inc. facility is located in Polk County at 209 Phosphate Boulevard in Mulberry, Florida.

Project: Master Containers, Inc. and Pactiv, LLC submitted an application requesting Air Operation Permit 1050312-009-AF be transferred from Master Containers, Inc. to Pactiv, LLC. This permit was issued on 10/26/2012 for an expandable polystyrene container manufacturing facility.

As requested, the following administrative permit correction is hereby made to Permit 1050312-009-AF in accordance with Rule 62-210.360, F.A.C.:

Page 1, Permittee:

FROM:

Master Containers, Inc., 209 S. Phosphate Boulevard, Mulberry, FL 33860

TO:

Pactiv, LLC, 209 S. Phosphate Boulevard, Mulberry, FL 33860

Permitting Authority: Applications for Transfer of Air Permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4 and 62-210 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Air Resource Management Section in the Southwest District Office. The Permitting Authority's physical address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's mailing address is: 13051 North Telecom Parkway, Temple Terrace, Florida 33637-0926. The Permitting Authority's telephone number is 813/632-7600.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at address indicated above for the Permitting Authority. The complete project file includes the application and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this notice. A petitioner shall mail a copy of the petition to the applicant at the address indicated above, at the time of filing. A petition for administrative hearing 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. 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

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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 Permitting Authority'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 when and how 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 Permitting Authority'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 Permitting Authority'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 Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

Judicial Review: Any party to this order has the right to seek judicial review of it under section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department of Environmental Protection in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, 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 must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Hillsborough County, Florida.



Kelley M. Boatwright
District Air Program Administrator
Southwest District

NOTICE OF ADMINISTRATIVE PERMIT CORRECTION

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Notice of Administrative Permit Correction was sent by electronic mail (or a link to these documents made available electronically on a publicly accessible server) with received receipt requested before the close of business on the date indicated below to the persons listed below.

Michael Liese, Pactiv, LLC (mliese@pactiv.com)

Clerk Stamp

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



(Clerk)

12/19/2014
(Date)