PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Miami-Dade County Regulatory & Economic Resources
Draft Permit No. 0250664-009-AV
Flowers Baking Company of Miami, LLC.
Miami-Dade County, Florida

Applicant: The applicant for this project is Flowers Baking Company of Miami, LLC. The applicant's responsible official and mailing address are: John Deleu, Plant President, Flowers Baking Company of Miami, LLC., 17800 NW Miami Court, Miami, FL 33169.

Facility Location: The applicant operates the Flowers Baking Company of Miami, LLC. facility, which is located in Miami-Dade County at 17800 NW Miami Court, Miami, Florida.

Project: The applicant applied on July 11, 2013 to the Miami-Dade County Department of Regulatory and Economic Resources (RER), Division of Environmental Resources Management, Air Quality Management for a Title V Air Operation Permit Renewal. This is a renewal of the Title V Air Operation Permit No. 0250664-008-AV. Flowers Baking Company of Miami, LLC. is a commercial bakery. The facility produces bread and bread-type bun products for human consumption utilizing three high speed production lines. Bread production at the facility consists of mixing ingredients such as flour, water, sugar and yeast in a dough mixing process, followed by fermentation, baking, and packaging of the bread products.

Permitting Authority: Aplications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Title V air operation permit is required to operate the facility. The Miami-Dade County Department of Regulatory and Economic Resources (RER), Division of Environmental Resources Management, Air Quality Management is the Permitting Authority responsible for making a permit determination for this project. The RER's physical address is: 701 NW 1 Court, Suite 200, Miami, Florida 33136. The RER's mailing address is: 701 NW 1 Court, Suite 400, Miami, Florida 33136. The RER's telephone number is 305/372-6925.

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 the address indicated above for the RER. The complete project file includes the draft permit, the statement of basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: http://www.dep.state.fl.us/air/emission/apds/default.asp and entering the permit number shown above. Interested persons may contact the RER's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permit: The RER gives notice of its intent to issue a draft Title V air operation permit renewal to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The RER will issue a proposed permit and subsequent final permit in accordance with the conditions of the draft permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

(Public Notice to be Published in the Newspaper)

Comments: The RER will accept written comments concerning the draft Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the RER's Air Quality Management at the above address. As part of his or her comments, any person may also request that the RER hold a public meeting on this permitting action. If the RER determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the RER, any oral and written comments received during the public meeting will also be considered by the RER. If timely received written comments or comments received at a public meeting result in a significant change to the draft permit, the RER shall issue a revised draft permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the RER at the above address or phone number.

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. The petition must contain the information set forth below and must be filed with (received by) the RER's Air Quality Management at 701 NW 1 Court, Suite 400, Miami, Florida 33136 (Telephone: 305-372-6925). Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. 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 publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the RER for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. 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, F.A.C.

A petition that disputes the material facts on which the RER'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 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 rights will be affected by the agency determination; (c) A statement of when and how the 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 RER'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 RER's final action may be different from the position taken by it in this Public Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the RER 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 for this proceeding.

(Public Notice to be Published in the Newspaper)

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460. For more information regarding EPA review and objections, visit EPA's Region 4 web site at http://www.epa.gov/region4/air/permits/Florida.htm.