Florida Department of Environmental Protection

Northeast District Office
7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T Vinyard Jr
Secretary

Mr. Joseph R. Earle, Managing Member
Dixie Waste Services, LLC
4140 NW 37th Place
Gainesville, FL 32606

Re: Permit No. 0290016-001-AC
Project No. 0290016-002-AC
Project No. 0290016-003-AC
Dixie Waste Services, LLC
Dixie County
Permit Expiration Date Extension and Notice of Application

Dear Mr. Earle:

On May 18, 2011, Dixie Waste Services, LLC, submitted an application to the Northeast District Office requesting that: 1) The existing air construction permit (Permit No. 0290016-001-AC) expiration date be extended from August 29, 2011 to August 29, 2013 to allow sufficient time to construct and test the proposed facility. The Department has designated the time extension as Project No. 0290016-003-AC.; and 2) The existing air construction permit (Permit No. 0290016-001-AC) be modified to include a steam generating boiler to recover heat from the municipal waste combustor and combust auxiliary natural gas for steam generation and to construct a steam driven turbine for the generation of electricity. The Department has designated the modification (boiler/turbine) as Project No. 0290016-002-AC.

Dixie Waste Services, LLC possesses a permit to construct a municipal waste combustion plant, which is to be located at 322 NE 264th Street, Cross City, Dixie County, Florida. Enclosed are the following documents: the Draft Permit (Time Extension Only); the Written Notice of Intent to Issue Air Permit (Time Extension); and the Public Notice of Intent to Issue Air Permit (Time Extension) and Notice of Application. The Public Notice of Intent to Issue Air Draft Permit (Time Extension) and Notice of Application are the actual notices that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. If you have any questions, please contact the project engineer, Jerry Woosley at 904/256-1700.

Sincerely,

Christopher L. Kirts, P.E.
District Air Program Administrator

Enclosures
CLK/jw

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMIT (TIME EXTENSION) and NOTICE OF APPLICATION

In the Matter of an
Application for Air Permit by:

Dixie Waste Services, LLC
4140 NW 37th Place
Gainesville, FL 32606

Authorized Representative:
Mr. Joseph R. Earle, Managing Member

Permit No. 0290016-001-AC
Project Nos. 0290016-002 -AC
and 0290016-003-AC
Dixie County Facility
Time Extension Project and
Notice of Application
Dixie County, Florida

Facility Location: Dixie Waste Services, LLC possesses a permit to construct a municipal waste combustion plant, which is to be located at 322 NE 264th Street, Cross City, Dixie County, Florida.

Notice of Application: On May 18, 2011, Dixie Waste Services, LLC, submitted an application to the Northeast District Office requesting that:

1. The existing air construction permit (Permit No. 0290016-001-AC) expiration date be extended from August 29, 2011 to August 29, 2013 to allow sufficient time to construct and test the proposed facility. The Department has designated the time extension as Project No. 0290016-003-AC.
2. The existing air construction permit (Permit No. 0290016-001-AC) be modified to include a steam generating boiler to recover heat from the municipal waste combustor and combust auxiliary natural gas for steam generation and to construct a steam driven turbine for the generation of electricity. The Department has designated the modification (boiler/turbine) as Project No. 0290016-002-AC.

Project: The Department intends to extend the existing air construction permit No. 0290016-001-AC expiration date from August 29, 2011 to August 29, 2013 to allow sufficient time for construction and testing of the proposed facility (Project No. 0290016-003-AC) . Note: Department action on the modification request (Item 2. above, Project No. 0290016-002-AC) shall be handled by a separate Public Notice at a later date.

Permitting Authority: Applications for air construction/modification permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapter 62-4 of the Florida Administrative Code (F.A.C.). The proposed project (Time Extension) is not exempt from air permitting requirements and an air permit modification is required to extend the applicable permit. The Department of Environmental Protection, Northeast District Office, Air Resources Section is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical and mailing address is: 7825 Baymeadows Way, Suite 200B, Jacksonville, FL 32256-7590. The Permitting Authority's telephone number is 904/256-1700.

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 Draft Permit (Time Extension), 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. In addition, electronic copies of these documents are available on the following web site: http://www.dep.state.fl.us/air/emission/apds/default.asp.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue a Draft air construction/modification permit to the applicant for the **Project** (Time Extension) described above. The applicant has provided reasonable assurance that operation of proposed 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, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a Final Permit in accordance with the conditions of the proposed Draft Permit (Time Extension) unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

Comments: The Permitting Authority will accept written comments concerning the proposed Draft Permit (Time Extension) for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the Draft Permit (Time Extension), the Permitting Authority shall revise the Draft Permit (Time Extension) and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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 Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/245-2242). 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 this Public Notice or receipt of a written notice, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority 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 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 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 state; (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 Public Notice of Intent to Issue Air Permit. 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 for this proceeding.

Executed in Jacksonville, Florida

Christopher L. Kirts, P.E.
District Air Program Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permit package (including the Written Notice of Intent to Issue Air Permit, the Public Notice of Intent to Issue Air Permit, and the Draft Permit) 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 June 2, 2011 to the persons listed below.

c: Mr. Joseph R. Earle, Dixie Waste Services, LLC jearle@elihoenergy.com
Mr. Frank Darabi, P.E., Darabi & Associates, Inc. fdarabi@darabiassociates.com
Ms. Joy Ezell hopeforcleanwater@yahoo.com
Ms. Joyce Tarnow tarnowj@bellsouth.net
Mr. Mike Cassidy, County Manager, Dixie County dixiecm51@bellsouth.net

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) 6/2/2011 (Date)