ENVIRONMENTAL AND COMPLIANCE DEPARTMENT

Jacksonville
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WRITTEN NOTICE OF INTENT TO ISSUE

CERTIFIED - RETURN RECEIPT

Mr. Steve Allaire, Plant Manager
Johns Manville
5510 West 12th Street
Jacksonville, FL 32254-1653

Re: Duval County – Air Pollution
Johns Manville-Jacksonville
Insulation Manufacturing Facility
Project Number 0310334-008-AC

Dear Mr. Allaire:

This letter is in reference to your application for an air pollution source construction permit for the above referenced project. Enclosed are the following documents: the Technical Evaluation and Preliminary Determination; the draft Air Construction Permit; and the Public Notice of Intent to Issue Air Permit.

If you have any questions, please contact the project engineer, C. Blane Johnson, at 904-255-7199 or christ@coj.net.

Facility Location: Johns Manville operates the existing insulation manufacturing facility, which is located in Duval County at 5510 West 12th Street, Jacksonville, FL 32254-1653.

Project: The applicant proposes to replace the existing laminator (EU 002). Details of the project are provided in the application and the Technical Evaluation and Preliminary Determination.

Permitting Authority: Applications for Non-Title V Air Construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and a Non-Title V Air Construction Permit is required to perform the proposed work. The Permitting and Compliance Authority (PCA) responsible for making a permit determination for this project is the City of Jacksonville, Environmental and Compliance Department, Environmental Quality Division. The PCA's physical and mailing address is: 214 North Hogan Street, Seventh Floor, Jacksonville, Florida 32202. The PCA's telephone number is (904) 255-7100.

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 physical address indicated above for the PCA. The complete project file includes the Draft Non-Title V Air Construction Permit, the Technical Evaluation and Preliminary Determination, the permit application, and other information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the PCA's project 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 Permit: The PCA gives notice of its intent to issue a Non-Title V Air Construction Permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the 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 PCA will issue a Final Permit in accordance with the conditions of the proposed Draft Permit 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.

Public Notice: Pursuant to Section 403.815, F.S., and Rule 62-110.106, F.A.C., the applicant is required to publish, at their own expense, the enclosed **PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT** (Public Notice). The Public Notice shall be published one time only, as soon as possible but no later than thirty (30) days from receipt of this notice, in the legal advertisement section of a newspaper of general circulation in Duval County, the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If the applicant is uncertain that a newspaper meets these requirements, please contact the PCA at the above address or phone number.

Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication through the submittal of the newspaper affidavit to the PCA within seven (7) days of publication. Processing of the application will be delayed until fourteen (14) days after the PCA has received the proof of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The PCA will accept written comments concerning the proposed Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the PCA by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the PCA shall revise the Draft Permit 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 Office of General Counsel, City of Jacksonville, 117 West Duval Street, Suite 480, Jacksonville, FL 32202. 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 PCA 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 PCA'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 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 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 PCA'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 PCA's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the PCA 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.

Executed in Jacksonville, Florida

Richard L. Robinson, P.E., Manager
Air Pollution Source Permitting Section

CERTIFICATE OF SERVICE

The undersigned duly designated PCA 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, the Technical Evaluation and Preliminary Determination, and the Draft Non-Title V Air Construction Permit) was mailed before the close of business on December 30, 2011 to the permitee's Authorized Representative.

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) 12/30/11 (Date)

c: Mr. Daniel Hempsall, CSP, SGE, Johns Manville (E-mail)
Mr. Scott A. McCann, PE, Golder Associates Inc. (E-mail)
Ms. Rita Felton-Smith, FDEP - Northeast District (E-mail)
Ms. Lori Tilley, City of Jacksonville, Environmental Quality Division (E-mail)
Mr. Wayne Walker, City of Jacksonville, Environmental Quality Division (E-mail)
EQD Facility File: 0310334-008-AC File C

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