



# Florida Department of Environmental Protection

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Ryan Matthews  
Interim Secretary

*In the Matter of a Request for Administrative Correction:*

Mr. John P. Mulholland  
Site Director, Florida Space Coast Operations  
The Boeing Company  
100 Boeing Way M/C 721C-3pf  
Titusville, FL 32780

Project No. 0090239-005-AC  
Administrative Correction to:  
Permit No. 0090239-001-AC  
Brevard County

Authorized Representative:

Mr. John P. Mulholland, Site Director, Florida Space Coast Operations ([john.p.mulholland@boeing.com](mailto:john.p.mulholland@boeing.com))

Dear Mr. Mulholland,

Enclosed is an administrative correction for Air Construction Permit No. 0090239-001-AC for the Boeing Company facility, which is located in Brevard County at the Kennedy Space Center, Commercial Crew and Cargo Processing facility. This action is an extension of time for the expiration of the previously issued air construction Permit No. 0090239-001-AC. The extension is necessary since the current schedule for initial operation of the emissions units in the permit is approximately January 2018.

The original construction permit 0090239-001-AC, was issued on March 14, 2013, and the original expiration date for this permit was June 30, 2014. The expiration date of the permit was subsequently extended to June 30, 2017 by projects 0090239-002-AC and 0090239-003-AC.

This administrative correction is issued pursuant to Rule 62-210.360, Florida Administrative Code (F.A.C.), and Chapter 403, Florida Statutes (F.S.). This change is made at the applicant's request dated January 11, 2017.

The Department of Environmental Protection (Department) will consider the above-noted action final unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, F.S. Mediation under Section 120.573, F.S., will not be available for this proposed action.

**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, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 [Agency\\_Clerk@dep.state.fl.us](mailto:Agency_Clerk@dep.state.fl.us), before the deadline. Petitions must be filed within 14 days of receipt of this administratively corrected permit. 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 interests will be affected by

**NOTICE OF ADMINISTRATIVELY CORRECTED AIR CONSTRUCTION PERMIT**

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 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 written 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.

**Judicial Review:** Any party to this permitting decision (order) has the right to seek judicial review of it under Section 120.68, F.S., 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, 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 must be filed within 30 days after this order is filed with the clerk of the Department.

Executed in Orlando, Florida.

  
F. Thomas Lubozynski, P.E.  
Environmental Administrator  
Permitting and WCU  
Waste, Air, & Stormwater Permitting

Attachment:  
1 – Copy of Permit No. 0090239-001-AC

**CERTIFICATE OF SERVICE**

The undersigned duly designated deputy clerk hereby certifies that this permit and all copies were sent on the filing date below to the following listed persons:

- Mr. John P. Mulholland, Site Director, Florida Space Coast Operations, The Boeing Company ([john.p.mulholland@boeing.com](mailto:john.p.mulholland@boeing.com))
- Suzanne McArdle, EHS Specialist, The Boeing Company ([suzanne.h.mcardle@boeing.com](mailto:suzanne.h.mcardle@boeing.com))
- Dr. Mitchell J. Hait, Mitchell J. Hait, Ph.D., P.E., Inc. ([haitinc@gmail.com](mailto:haitinc@gmail.com))
- FDEP, Central District: Tom Lubozynski, Stephen Amirault, Reggie Phillips

Clerk Stamp

**FILING AND ACKNOWLEDGMENT**

FILED, on this date, pursuant to Section 120.52, F. S., with the designated Department Clerk, receipt of which is hereby acknowledged.

  
**Clerk** February 6, 2017  
**Date**

## NOTICE OF ADMINISTRATIVELY CORRECTED AIR CONSTRUCTION PERMIT

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The following permit is revised as indicated. **Strikethrough** is used to denote the deletion of text. **Double-underlines** are used to denote the addition of text. All changes are emphasized with shading.

**Permit Being Administratively Corrected: Permit No. 0090239-001-AC**

As requested, the expiration date of the above referenced construction permit is hereby extended as follows:

**FROM:** 06/30/2017

**TO:** 06/30/2019