CERTIFIED MAIL

NOTICE OF AIR POLLUTION OPERATION PERMIT

PERMITTEE:
South Florida Shavings Company
10191-b Lantana Road
Lake Worth, FL 33467

Authorized Representative:
Hillel Frishman, President

Air Permit No.: 0990562-003-AO
PALM BEACH COUNTY, FLORIDA
Project: Wood Shavings Dryer

Filename: 562003.nop

Dear Mr. Frishman

Enclosed is Air Permit No. 0990562-003-AO which authorizes the above referenced facility to operate a source of air pollution located in Palm Beach County. This permit is issued pursuant to Section 403.087 of the Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-212, 62-296, and 62-297 of the Florida Administrative Code.

The Florida Department of Environmental Protection (DEP) has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). However, in accordance with Section 403.182, F.S., the DEP recognizes the Palm Beach County Health Department (Health Department) as the approved local air pollution control program of Palm Beach County. Through a Specific Operating Agreement, the DEP delegated to the Health Department the authority to issue or deny permits for this type of air pollution source located in Palm Beach County.

Administrative Hearings: A person whose substantial interests are affected by this 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 (received) in the Health Department's office at the address listed below within 14 days of receipt of this Final Permit. A petitioner must 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 will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-5.207, F.A.C.

A petition for administrative hearing must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Permit Number, and the county in which the project is located; (b) A statement of how and when each petitioner received notice of the Health Department's action; (c) A statement of how each petitioner's substantial interests are affected by the Health Department's action; (d) A statement of the material facts disputed by the petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Health Department's action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Health Department's action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Health Department to take with respect to the action addressed in this Final Permit.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Health Department's final action may be different from the position taken by it in this Final Permit. Persons whose substantial interests will be affected by any such final decision of the Health Department on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Variances and Waivers: In addition to the above, a person subject to regulation has a right to apply to the Department of Environmental Protection for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action taken in this PERMIT.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. The petition must specify the following information: (a) The name, address, and telephone number of the petitioner; (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any; (c) Each rule or portion of a rule from which a variance or waiver is requested; (d) The citation to the statute underlying (implemented by) the rule identified in (c) above; (e) The type of action requested; (f) The specific facts that would justify a variance or waiver for the petitioner; (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and, (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

The Department of Environmental Protection will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically NOT authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Effective: This Permit is final and effective on the date filed with the Clerk of the Health Department *unless* a petition is filed in accordance with the above paragraphs *or unless* a request for an extension of time in which to file a petition is filed within 14 days of receipt of this Final Permit and conforms to Rule 62-103.0.70, F.A.C. Upon timely filing of a petition or a request for an extension of time, this permit will not be effective until further Order of the Health Department.

Any party to this Final Permit has the right to seek judicial review pursuant to Section 120.68, F.S., by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure with the Health Department at the address listed below; 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 of Appeal must be filed within 30 days from the date this Order is filed with the Clerk of the Health Department.

Executed in West Palm Beach, Florida.
PALM BEACH COUNTY HEALTH DEPARTMENT

_____
James E. Stormer, Q.E.P., Environmental Administrator
Air Pollution Control Section
Division of Environmental Health and Engineering

If you have any questions, contact:
Antoine Devonshire, Air Permitting Engineer
Air Pollution Control Section
Palm Beach County Health Department
P.O. Box 29 (901 Evernia Street)
West Palm Beach, Florida, 33402-0029

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that the Notice of Permit and the Final Permit were sent by certified mail before the close of business on _____ to the permittee.

In addition, the undersigned duly designated deputy agency clerk hereby certifies that *copies* of these documents were sent by U.S. mail on the same date to the following persons:

Darrel Graziani, PE
Southeast District Office - DEP
P.O. Box 15425 (400 N. Congress Avenue)
West Palm Beach, Florida, 33416-5425

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

_____ _____
(Clerk) (Date)