



Containerboard Mill Division

December 8, 2005

Mr. Jeff Koerner, Project Engineer  
Florida Dept. of Environmental Protection  
Twin Towers Office Bldg  
2600 Blair Stone Rd, MS #5505  
Tallahassee, FL, 32399-2400

Re: Permit No. 0050009-022-AC  
#4 Combination Boiler, EU016

Dear Mr. Koerner

The proof of public notice for the above permit is attached. It was published in the Panama City "News Herald" on December 6. We had no comments on the draft permit, and would like to thank you for the quick turn around  
Please call me at (850) 785-4311 x470 if you have additional questions.

Sincerely

Tom Clements  
Environmental Mgr.

Shared/environ/Ind boiler MACT/FDEP Dec08-05 note

RECEIVED  
DEC 09 2005  
BUREAU OF AIR REGULATION

# Florida Freedom Newspapers, Inc.

PUBLISHERS OF THE NEWS HERALD  
Panama City, Bay County, Florida  
Published Daily

## State of Florida County of Bay

Before the undersigned authority appeared \_\_\_\_\_

Glenda Sullivan who on oath says that (s)he

is Classified Manager of The News Herald, a daily

newspaper published at Panama City in Bay County, Florida, that the attached copy of

advertisement, being a Legal Advertisement - 1063

in the matter of Public Notice of Intent

Issuance of Air Permit

in the Bay County

Court, was published in said newspaper in the issue of \_\_\_\_\_

December 6, 2005

Affiant further says that The News Herald is a direct successor of the Panama City News and that this publication, together with its direct predecessor, has been continuously published in said Bay County, Florida, each day (except that the predecessor, Panama City News, was not published on Sundays), and that this publication together with its said predecessor, has been entered as periodicals matter at the post office in Panama City, in said Bay County, Florida, for a period of 1 year next preceding the first publication of the attached copy of advertisement, and affiant further says that he or she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper

*Glenda Sullivan*

State of Florida  
County of Bay

Sworn and subscribed before me this 6th day of December

A.D. 2005 by Glenda Sullivan, Classified Manager

of The News Herald, who is personally known to me or has produced n/a

as identification

*Marie Forrest*

Notary Public, State of Florida at Large



Marie Forrest  
MY COMMISSION # DD205621 EXPIRES  
May 5, 2007  
BONDING AND SURETY COMPANY, INC.

1063  
Florida Department of Environmental Protection  
Draft Air Construction Permit No. 0050009-022-AC  
Smurfit-Stone Container Enterprises, Inc. - Panama City Mill  
No. 4 Combination Boiler, Control Equipment Improvements Revised Steam Rate  
Bay County, Florida  
Applicant: The applicant for this project is the Smurfit-Stone Container Enterprises, Inc. The applicant's authorized representative and mailing address is: Mr. B. G. Sammons, General Manager of the Panama City Mill, Smurfit-Stone Container Enterprises, Inc., One Everitt Avenue, Panama City, FL 32402.  
Location: Smurfit-Stone Container Enterprises, Inc. operates an existing pulp and paper mill (SIC No. 2611) located at One Everitt Avenue in Panama City, Bay County, Florida.

Project: The Department issued Permit No. 0050009-021-AC to authorize improvements to the existing overfire air system and existing wet scrubber for the No. 4 combination boiler to reduce particulate matter emissions. The permit specified a maximum steam rate of 300,000 lb/hour based on the vendor design. The applicant requests a revision of the permit to allow a maximum steam rate of up to 330,000 lb/hour during periods when another plant boiler is taken out of service. Based on the available information, the proposed changes to the existing pollution controls will not increase the capacity of the existing boiler in terms of the maximum permitted heat input rate or the steam production rate. The retrofit overfire air system is being designed for a continuous steam production rate of 300,000 pounds per hour. However, the boiler is currently capable of operating at steam rates of approximately 330,000 lb/hour, has demonstrated compliance at these levels, and the project vendor for the OFA system states that the higher steam rate is achievable. Therefore, the revised draft permit allows the No. 4 combination boiler to operate at a steam rate of up to 330,000 lb/hour when one of the other plant boilers is not in operation. This preliminary determination is based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. No air quality modeling analysis is required because the project is not reasonably expected to result in increased emissions.

Permitting Authority will accept written comments concerning the proposed Draft Permit for a period of fourteen (14) days from the date of publication of this Public Notice. Written comments must be provided to the Permitting Authority at the above address. Any written comments filed will be made available for public inspection. If written comment received result in a significant change to the Draft Permit, the Permitting Authority shall revise the Draft Permit and require, if applicable, another Public Notice.

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. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S. must be filed within fourteen (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 fourteen (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 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.

*Law Firm*  
c. State of Florida at Large

based on a technical review of the complete application, reasonable assurances provided by the applicant, and the conditions specified in the draft permit. No air quality modeling analysis is required because the project is not reasonably expected to result in increased emissions.

**Permitting Authority:** Applications for 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 an air permit is required to perform the proposed work. The Bureau of Air Regulation is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite #4, Tallahassee, Florida. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone number is 850/488-0114.

**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, the Technical Evaluation and Preliminary Determination, 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.

**Notice of Intent to Issue Air Permit:** The Permitting Authority gives notice of its intent to issue an air permit to the applicant for the project 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 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 Permit-

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 how and when the petitioner received notice of the agency action or proposed action; (d) A statement of all disputed issues of material fact, if there are none, the petitioner 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; 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 the petitioner 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.

December 6, 2005