



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

November 20, 2007

Sent Electronically -- Received Receipt Requested

Mr. B. G. Sammons
R.O. and General Manager
Smurfit-Stone Container Enterprises, Inc.
Panama City Mill
One Everitt Avenue
Panama City, Florida 32402

Re: Draft Permit No. 0050009-027-AC
No. 4 Combination Boiler
Best Available Retrofit Technology Exemption Request

Dear Mr. Sammons:

One copy of the Technical Evaluation and Preliminary Determination, the Public Notice, and the Draft Permit for the Smurfit-Stone's Panama City mill, located at One Everitt Avenue, Panama City, Bay County, is enclosed. The permitting authority's intent to issue air permit and the public notice of intent to issue air permit are also included.

The public notice of intent to issue air permit must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Jeffery F. Koerner, P.E., at the above letterhead address. If you have any other questions, please contact Bruce Mitchell at 850/413-9198.

Sincerely,

Trina L. Vielhauer, Chief
Bureau of Air Regulation

TLV/jfk/bm

Enclosures

WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

In the Matter of an
Application for Permit by:

Smurfit-Stone Container Enterprises, Inc.
One Everitt Avenue
Panama City, Florida 32402

Draft Permit No. 0050009-027-AC
No. 4 Combination Boiler
Bay County

Responsible Official: Mr. B. G. Sammons

Facility Location: The applicant, Smurfit-Stone Container Enterprises, Inc., operates a Kraft pulp and paper mill located at One Everitt Avenue, Panama City, Bay County.

Project: The Panama City Mill operates several existing emissions units potentially subject to Rule 62-296.340, Florida Administrative Code (F.A.C.), which requires a review for the Best Available Retrofit Technology (BART). However, the applicant proposes a new emissions standard of 690 pounds per hour of sulfur dioxide from the No. 4 combination boiler with compliance demonstrated by continuous emissions monitor. An air quality modeling analysis of the BART-eligible units indicates a maximum visibility impairment of 0.498 deciviews to the nearest Class I area (St. Marks National Wilderness Area). This is less than the regulatory threshold of 0.5 deciviews, which exempts the facility from BART review.

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 Florida Department of Environmental Protection's 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 32301, and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone 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 Technical Evaluation and Preliminary Determination, the Draft Permit, 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 and phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an 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 applicable 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 attached 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 Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your 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 in the legal advertisement section of a newspaper of general circulation in 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 you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the address or phone number listed above. Pursuant to Rules 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days 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.

Smurfit-Stone Container Enterprises, Inc.
Panama City Mill

Draft Permit No. 0050009-027-AC
BART Exemption Project

WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

Comments: The Permitting Authority will accept written comments concerning the Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be post-marked by the close of business (5:00 p.m.), on or before the end of this 14-day period by the Permitting Authority at the above address. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a revised 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 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 (Telephone: 850/245-2241; Facsimile: 850/245-2303). 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 fourteen 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 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 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; (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 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 in this proceeding.

Executed in Tallahassee, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



Trina L. Vielhauer, Chief
Bureau of Air Regulation

WRITTEN NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

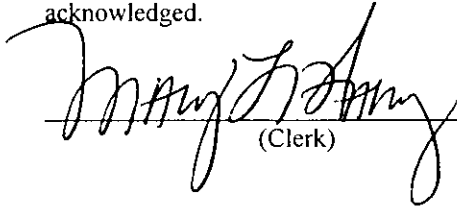
CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue An Air Construction Permit package (including the Public Notice, the Technical Evaluation and Preliminary Determination, and the Draft Permit) was sent electronically (with received receipt requested) before the close of business on 11/20/07 to the persons listed below.

- Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc. (bsammons@smurfit.com)
- Mr. Rick Bradburn , Northwest District (rick.bradburn@dep.state.fl.us)
- Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc. (tmclemen@smurfit.com)
- Mr. David A. Buff, P.E., Golder Associates, Inc. (dbuff@golder.com)

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)

11/20/07
(Date)

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Permit No. 0050009-027-AC

Smurfit-Stone Container Enterprises, Inc.
Panama City Mill
Bay County

Applicant: The applicant for this project is Smurfit-Stone Container Enterprises, Inc., Panama City Mill. The applicant's Responsible Official and Authorized Representative is: Mr. B. G. Sammons, General Manager, Smurfit-Stone Container Enterprises, Inc.

Facility Location: The applicant operates the existing Panama City Mill, which is located at One Everitt Avenue, Panama City, Bay County.

Project: The Panama City Mill operates several existing emissions units potentially subject to Rule 62-296.340, Florida Administrative Code (F.A.C.), which requires a review for the Best Available Retrofit Technology (BART). However, the applicant proposes a new emissions standard of 690 pounds per hour of sulfur dioxide from the No. 4 combination boiler with compliance demonstrated by continuous emissions monitor. An air quality modeling analysis of the BART-eligible units indicates a maximum visibility impairment of 0.498 deciviews to the nearest Class I area (St. Marks National Wilderness Area). This is less than the regulatory threshold of 0.5 deciviews, which exempts the facility from BART review.

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 Florida Department of Environmental Protection's 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 32301, and the mailing address is 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's phone 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 Technical Evaluation and Preliminary Determination, the Draft AC, the request/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 and phone number listed above.

Notice of Intent to Issue Air Permit: The Permitting Authority gives notice of its intent to issue an air construction permit (AC) 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 applicable 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 attached 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 Permitting Authority will accept written comments concerning the Draft Permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be post-marked by the close of business (5:00 p.m.), on or before the end of this 14-day period by the Permitting Authority at the above address. If written comments result in a significant change to the Draft Permit, the Permitting Authority will issue a revised 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

PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT

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 (Telephone: 850/245-2241; Facsimile: 850/245-2303). 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 fourteen 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 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 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; (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 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 in this proceeding.

TECHNICAL EVALUATION
AND
PRELIMINARY DETERMINATION

Smurfit-Stone Container Enterprises, Inc.
Panama City Mill
Facility ID No.: 0050009
Bay County

Air Construction Permit
Draft Air Construction Permit No. 0050009-027-AC
No. 4 Combination Boiler
Best Available Retrofit Technology

Department of Environmental Protection
Division of Air Resource Management
Bureau of Air Regulation
North Permitting Section

TECHNICAL EVALUATION & PRELIMINARY DETERMINATION

I. APPLICATION INFORMATION.

A. Applicant Name and Address:

Smurfit-Stone Container Enterprises, Inc.
Panama City Mill
One Everitt Avenue
Panama City, Florida 32402

Responsible Official:

Mr. B. G. Sammons, General Manager

B. Reviewing and Process Schedule:

January 29, 2007: Receipt of application

February 23, 2007: RAI letter issued

November 2, 2007: Response to the RAI letter received and application deemed complete

II. FACILITY INFORMATION.

A. Facility Location

The existing pulp and paper mill is located at One Everitt Avenue in Panama City, Bay County, Florida. The UTM coordinates of this facility are: Zone 17; 632.8 km East; and, 3335.1 km North.

B. Standard Industrial Classification Codes (SIC):

Major Group No.	26	Paper and Allied Products
Group Nos.	261	Pulp Mills
	262	Paper Mills
Industry Nos.	2611	Pulp Mills
	2621	Paper Mills

C. Facility Category

The Panama City mill is classified as a major air pollutant emitting facility and is a Title V facility. This facility is a Kraft pulp and paper mill that consists of major activities areas such as: wood handling facility, pulping, bleaching, chemical recovery, power house, paper machines, finishing/shipping/warehouse and associated processes and equipment.

D. Regulatory Categories

Title III: The mill is a potential major source of hazardous air pollutants (HAP).

Title IV: The mill has no units subject to the acid rain provisions of the Clean Air Act.

Title V: The mill is a Title V major source of air pollution in accordance with Chapter 213, Florida Administrative Code (F.A.C.).

PSD: The mill is a PSD-major stationary source in accordance with Rules 62-210.200(Definitions) & 62-212.400(PSD), F.A.C.

NSPS: The mill operates units subject to New Source Performance Standards (NSPS) in 40 CFR 60.

NESHAP: The mill operates units subject to National Emissions Standards for HAPs in 40 CFR 63.

III. PROJECT DESCRIPTION.

The applicant applied for an air construction permit to establish an emissions limit for sulfur dioxide (SO₂) for the No. 4 combination boiler in order for the mill to be exempt from the requirements of Best Available Retrofit Technology (BART) in Rule 62-296.340, Florida Administrative Code (F.A.C.).

TECHNICAL EVALUATION & PRELIMINARY DETERMINATION

IV. RULE APPLICABILITY.

Pursuant to Section 403.061(35), Florida Statutes, the federal Clean Air Act, and the regional haze regulations contained in Title 40, Part 51 of the Code of Federal regulations (40 CFR Part 51), Subpart P – Protection of Visibility, the Florida Department of Environmental Protection (Department) is required to ensure that certain sources of visibility impairing pollutants in Florida use BART to reduce the impact of their emissions on regional haze in federal Class I areas. Requirements for individual source BART determinations and for BART exemptions are established in Rule 62-296.340, F.A.C.

Rule 62-296.340(5)(c), F.A.C., states that a BART-eligible source may demonstrate that it is exempt from the requirement for BART determination for all pollutants by performing an individual source attribution analysis in accordance with the procedures contained in 40 CFR Part 51, Appendix Y. A BART-eligible source is exempt from BART determination requirements if its contribution to visibility impairment does not exceed 0.5 deciview above natural conditions in any federal Class I area.

A subset of emissions units at the existing mill are subject to the BART regulations at Rule 62-296.340, F.A.C. These emissions units are:

Source	Emissions Unit No.
No. 1 Recovery Boiler	1
No. 2 Recovery Boiler	19
No. 4 Combination Boiler	16
No. 1 Smelt Dissolving Tank	21
No. 2 Smelt Dissolving Tank	20
Lime Kiln	4
Lime Slaker	5

The applicant conducted an initial modeling analysis that indicated the visibility impairment to the nearest Class I area (St. Marks National Wilderness Area) was over the threshold of 0.5 deciviews. However, the regulations allow the option of obtaining lower federally enforceable emissions standards for BART-eligible units to reduce the predicted visibility impairment below the threshold of 0.5 deciviews, which exempts the facility from BART review. The applicant requested a new limit of 690 pounds per hour (lbs/hr) of sulfur dioxide (SO₂) emissions from the No. 4 combination boiler on a 24-hour rolling continuous emissions monitoring system (CEMS) average. The applicant provided a subsequent air quality modeling analysis indicating that a visibility impairment of 0.498 deciviews to the St. Marks National Wilderness Area. This level is below the regulatory threshold and allows the Panama City mill to avoid a BART determination.

V. CONCLUSION.

Based on the foregoing technical evaluation, the Department has made a preliminary determination that the proposed project will be in compliance with all applicable state and federal air pollution regulations. The proposed permit is attached.

Permit Engineer: Bruce Mitchell

Reviewed and Approved by Jeffery F. Koerner, P.E.

Permittee:
Smurfit-Stone Container Enterprises, Inc.
One Everitt Avenue
Panama City, Florida 32402

Permit No. 0050009-027-AC
Facility ID No. 0050009
SIC Nos. 26, 2611 and 2621
Project: No. 4 Combination Boiler
BART Exemption Project

Authorized Representative:
Mr. B. G. Sammons, General Manager

This permit establishes an emissions limit for sulfur dioxide (SO₂) for the No. 4 combination boiler, which allows the mill to be exempt from the requirements of Best Available Retrofit Technology (BART) pursuant to Rule 62-296.340, Florida Administrative Code (F.A.C.). The existing Panama City mill is classified as a major stationary source and is a Title V facility. This facility is a Kraft pulp and paper mill that consists of the following major activities: wood handling facility, pulping, bleaching, chemical recovery, power house, paper machines, finishing/shipping/warehouse and associated processes and equipment. This facility is a major source of hazardous air pollutants (HAP). The existing Panama City Mill is located at One Everitt Avenue, Panama City, Bay County. The UTM Coordinates are: Zone 16, 632.8 km East and 3335.1 km North; and, Latitude: 30° 08' 30" North and Longitude: 85° 37' 25" West.

STATEMENT OF BASIS: This air construction permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.) and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212, 62-296 and 62-297. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the permitting authority, in accordance with the terms and conditions of this permit.

Effective Date: Pending
Expiration Date: Pending

**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

Draft

Joseph Kahn, Director
Division of Air Resource Management

JK/tlv/jfk/bm

SECTION I. SPECIFIC CONDITIONS

NO. 4 COMBINATION BOILER

<u>E.U. ID No.</u>	<u>Brief Description</u>
016	<u>No. 4 Combination Boiler.</u> The total maximum operational heat input of this emissions unit is 545 million British thermal units per hour (MMBtu/hr). The heat input is limited to 472 MMBtu/hr from fuel oil, 395 MMBtu/hr from coal, 474 MMBtu/hr from carbonaceous fuels or 512 MMBtu/hr from natural gas. This emissions unit may burn carbonaceous fuels (includes wood, bark and primary clarified wood fibers), coal, natural gas and/or No. 2 or No. 6 fuel oil. Particulate emissions are controlled by a fly ash arrestor, Process Equipment Model AR56UACB-8-7, followed by a wet venturi scrubber manufactured by FMC Link-Belt, Model 200K variable-throat. SO ₂ emissions are controlled when burning total reduced sulfur (TRS) or condensate stripper off-gases and/or firing 100% fuel oil by maintaining a minimum pH of 8.0 in the wet scrubber (3-hour average). This boiler and the No. 3 Combination Boiler serve as control devices for the condensate stripper off-gases. The No. 4 Combination Boiler is also the backup control device for the non-condensable gases from the Multiple-Effect Evaporator System and the Batch Digester System. HAP and TRS emissions are controlled by injecting the gases into the boiler with the primary fuel or into the flame zone of the boiler, or with the combustion air. This emissions unit is regulated under Rule 62-296.410, F.A.C., Carbonaceous Fuel Burning Equipment, Rule 62-296.404, F.A.C., Kraft Pulp Mills, and 40 CFR Part 63, Subpart S, National Emission Standards for HAP from the Pulp and Paper Industry.

The following conditions apply to the No. 4 combination boiler and are in addition to, and supplement, all other applicable permits and regulations.

GENERAL

1. Compliance Authority. The permittee shall submit all compliance related notifications and reports required by this permit to the Department's Northwest District office at: Department of Environmental Protection, Northwest District Office, 160 Governmental Center, Pensacola, Florida 32501-5794; Telephone: 850/595-8364; and Facsimile: 850/595-8096. Notification of compliance testing may be submitted by electronic mail to: NWDAIR@dep.state.fl.us.
2. Plant Operation – Problems. If temporarily unable to comply with any of the conditions of the permit due to breakdown of equipment or destruction by fire, wind or other cause, the permittee shall notify each Compliance Authority as soon as possible, but at least within one working day, excluding weekends and holidays. The notification shall include: pertinent information as to the cause of the problem; steps being taken to correct the problem and prevent future recurrence; and, where applicable, the owner's intent toward reconstruction of destroyed facilities. Such notification does not release the permittee from any liability for failure to comply with the conditions of this permit or the regulations. [Rule 62-4.130, F.A.C.]
3. Circumvention. The permittee shall not circumvent the air pollution control equipment or allow the emission of air pollutants without this equipment operating properly. [Rule 62-210.650, F.A.C.]

EMISSION LIMITATION AND STANDARDS

4. SO₂ Emissions Limit. Sulfur dioxide emissions shall not exceed 690 pounds per hour, 24-hour rolling average, as determined by the required continuous emissions monitoring system (CEMS). Compliance with this limit ensures that the mill is exempt from the provisions of BART at Rule 62-296.340, F.A.C. The effective date of this standard is 30 calendar days after issuance of this permit. [Rules 62-4.070(3), 62-296.340(BART) and 62-297.520, F.A.C.; 40 CFR 60, Appendices B and F; and applicant requested]

EXCESS EMISSIONS

5. Excess Emissions – Allowed. Excess emissions resulting from startup, shutdown or malfunction of any emissions unit shall be permitted providing (1) best operational practices to minimize emissions are adhered to and (2) the duration of excess emissions shall be minimized but in no case exceed two hours in any 24 hour period unless specifically authorized by the Department for longer duration. This state provision cannot be used to vary any applicable NSPS requirements from 40 CFR 60. [Rule 62-210.700(1), F.A.C.]
6. Excess Emissions – Prohibited. Excess emissions caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure that may reasonably be prevented during startup, shutdown or malfunction shall be

SECTION I. SPECIFIC CONDITIONS

NO. 4 COMBINATION BOILER

prohibited. This state provision cannot be used to vary any applicable NSPS requirements from 40 CFR 60. [Rule 62-210.700(4), F.A.C.]

7. Excess Emissions – Notification. In case of excess emissions resulting from malfunctions, the permittee shall notify the Department in accordance with Rule 62-4.130, F.A.C. A full written report on the malfunctions shall be submitted in a quarterly report, if requested by the Department or its designee. This state provision cannot be used to vary any applicable NSPS requirements from 40 CFR 60. [Rule 62-210.700(6), F.A.C.]

RECORDKEEPING, REPORTING AND NOTIFICATION REQUIREMENTS

8. Excess SO₂ Emissions – Notification. Based on SO₂ CEMS data, any 24-hour rolling average that exceeds the SO₂ standard specified in this permit shall be reported to the Compliance Authority within one working day of: the nature, extent, and duration of the excess emissions; the cause of the excess emissions; and the actions taken to correct the problem. In addition, the Department may request a written summary report of the incident. For additional recordkeeping, reporting and notification requirements, see Appendix CC. Failure to comply with the SO₂ standard in this permit may subject this facility to BART review. [Rules 62-4.070(3), 62-4.130, 62-210.700(6) and 62-213.440(1)(b), F.A.C.; and Appendix CC]


9. Records Retention. All measurements, records, and other data required by this permit shall be documented in a permanent, legible format and retained for at least five (5) years following the date on which such measurements, records, or data are recorded. Records shall be made available to the Department or its designee upon request. [Rule 62-213.440(1)(b)2., F.A.C.]


10. Annual Operating Report. The permittee shall submit an annual report that summarizes the actual operating rates and emissions from this facility. Annual operating reports shall be submitted to the Compliance Authority by March 1st of each year. [Rule 62-210.370(3), F.A.C.]

Memorandum

Florida Department of Environmental Protection

TO: Trina Vielhauer

THRU: Jeff Koerner 

FROM: Bruce Mitchell 

DATE: November 16, 2007

SUBJECT: Smurfit-Stone Container Enterprises, Inc.
Panama City Mill
Draft Air Construction Permit - BART Exemption Project
0050009-027-AC

Attached is the Draft Air Construction Permit for the Panama City Mill located at One Everitt Avenue, Panama City, Bay County.

Attachments

TLV/jfk/rbm

SECTION II. APPENDICES

CONTENTS

Appendix A. Citation Formats

Appendix GC. General Conditions

SECTION II. APPENDIX A
CITATION FORMATS

The following examples illustrate the format used in the permit to identify applicable permitting actions and regulations.

REFERENCES TO PREVIOUS PERMITTING ACTIONS

Old Permit Numbers

Example: Permit No. AC50-123456 or Air Permit No. AO50-123456

Where: “AC” identifies the permit as an Air Construction Permit
“AO” identifies the permit as an Air Operation Permit
“123456” identifies the specific permit project number

New Permit Numbers

Example: Permit Nos. 099-2222-001-AC, 099-2222-001-AF, 099-2222-001-AO, or 099-2222-001-AV

Where: “099” represents the specific county ID number in which the project is located
“2222” represents the specific facility ID number
“001” identifies the specific permit project
“AC” identifies the permit as an air construction permit
“AF” identifies the permit as a minor federally enforceable state operation permit
“AO” identifies the permit as a minor source air operation permit
“AV” identifies the permit as a Title V Major Source Air Operation Permit

PSD Permit Numbers

Example: Permit No. PSD-FL-317

Where: “PSD” means issued pursuant to the Prevention of Significant Deterioration of Air Quality
“FL” means that the permit was issued by the State of Florida
“317” identifies the specific permit project

RULE CITATION FORMATS

Florida Administrative Code (F.A.C.)

Example: [Rule 62-213.205, F.A.C.]

Means: Title 62, Chapter 213, Rule 205 of the Florida Administrative Code

Florida Statutes (F.S.)

Example: [Section 403.161, F.S.]

Means: Chapter 403, Section 161 of the Florida Statutes

Code of Federal Regulations (CFR)

Example: [40 CFR 60.7]

Means: Title 40, Part 60, Section 7

MISCELLANEOUS

ARMS: Air Resource Management System

SECTION II. APPENDIX GC
GENERAL CONDITIONS

The permittee shall comply with the following general conditions from Rule 62-4.160, F.A.C.

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.161, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey and vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of F.S. and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed or used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at a reasonable time, access to the premises, where the permitted activity is located or conducted to:
 - a. Have access to and copy and records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit, and,
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and
 - b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance.

The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the F.S. or Department rules, except where such use is prescribed by Sections 403.73 and 403.111, F.S. Such evidence

SECTION II. APPENDIX GC
GENERAL CONDITIONS

shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and F.S. after a reasonable time for compliance, provided, however, the permittee does not waive any other rights granted by F.S. or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rules 62-4.120 and 62-730.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - a. Determination of Best Available Control Technology (Not Applicable);
 - b. Determination of Prevention of Significant Deterioration (Not Applicable);
 - c. Compliance with New Source Performance Standards (Not Applicable); and,
 - d. Compliance with the National Emission Standards for Hazardous Air Pollutants (Not Applicable).
14. The permittee shall comply with the following:
 - a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application or this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - c. Records of monitoring information shall include:
 - (1) The date, exact place, and time of sampling or measurements;
 - (2) The person responsible for performing the sampling or measurements;
 - (3) The dates analyses were performed;
 - (4) The person responsible for performing the analyses;
 - (5) The analytical techniques or methods used; and
 - (6) The results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware that relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

Harvey, Mary

From: Harvey, Mary
Sent: Tuesday, November 20, 2007 4:34 PM
To: 'Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc.'; Bradburn, Rick; 'Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc.'; 'Mr. David A. Buff, P.E., Golder Associates, Inc.'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT
Attachments: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT.zip

Tracking:	Recipient	Delivery	Read
✓	Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc.'		
✓	Bradburn, Rick	Delivered: 11/20/2007 4:34 PM	Read: 11/26/2007 8:10 AM
✓	Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc.'		
✓	Mr. David A. Buff, P.E., Golder Associates, Inc.'		
✓	Mitchell, Bruce	Delivered: 11/20/2007 4:34 PM	
✓	Adams, Patty	Delivered: 11/20/2007 4:34 PM	Read: 11/20/2007 4:36 PM
	Gibson, Victoria	Delivered: 11/20/2007 4:34 PM	

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

11/26/2007

Harvey, Mary

From: Clements, Tom [TMCLEMEN@SMURFIT.COM]
Sent: Tuesday, November 20, 2007 5:28 PM
To: Harvey, Mary
Subject: RE: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Message received, thank you
Tom Clements

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Tuesday, November 20, 2007 3:34 PM
To: Sammons, Bob; Bradburn, Rick; Clements, Tom; Mr. David A. Buff, P.E., Golder Associates, Inc.
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Harvey, Mary

From: Sammons, Bob [BSAMMONS@SMURFIT.COM]
To: Harvey, Mary
Sent: Tuesday, November 20, 2007 5:18 PM
Subject: Read: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Your message

To: BSAMMONS@SMURFIT.COM
Subject:

was read on 11/20/2007 5:18 PM.

Harvey, Mary

From: Sammons, Bob [BSAMMONS@SMURFIT.COM]
Sent: Tuesday, November 20, 2007 5:19 PM
To: Harvey, Mary
Subject: RE: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

From: Harvey, Mary [mailto:Mary.Harvey@dep.state.fl.us]
Sent: Tuesday, November 20, 2007 3:34 PM
To: Sammons, Bob; Bradburn, Rick; Clements, Tom; Mr. David A. Buff, P.E., Golder Associates, Inc.
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

Harvey, Mary

From: Mitchell, Bruce
Sent: Tuesday, November 20, 2007 5:04 PM
To: Harvey, Mary
Cc: Koerner, Jeff
Subject: RE: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Mary,

Many thanks for processing.

Bruce

From: Harvey, Mary
Sent: Tuesday, November 20, 2007 4:34 PM
To: 'Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc.'; Bradburn, Rick; 'Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc.'; 'Mr. David A. Buff, P.E., Golder Associates, Inc.'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

Harvey, Mary

From: Adams, Patty
To: Harvey, Mary
Sent: Tuesday, November 20, 2007 4:36 PM
Subject: Read: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Your message

To: 'Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc.'; Bradburn, Rick; 'Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc.'; 'Mr. David A. Buff, P.E., Golder Associates, Inc.'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT
Sent: 11/20/2007 4:34 PM

was read on 11/20/2007 4:36 PM.

Harvey, Mary

From: Buff, Dave [DBuff@GOLDER.com]
To: undisclosed-recipients
Sent: Tuesday, November 20, 2007 4:36 PM
Subject: Read: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Your message

To: DBuff@GOLDER.com
Subject:

was read on 11/20/2007 4:36 PM.

Harvey, Mary

From: Bradburn, Rick
To: Harvey, Mary
Sent: Monday, November 26, 2007 8:10 AM
Subject: Read: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Your message

To: 'Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc.>'; Bradburn, Rick; 'Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc.>'; 'Mr. David A. Buff, P.E., Golder Associates, Inc.'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT
Sent: 11/20/2007 4:34 PM

was read on 11/26/2007 8:10 AM.

Harvey, Mary

From: Bradburn, Rick
Sent: Monday, November 26, 2007 8:10 AM
To: Harvey, Mary
Subject: RE: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Received....Rick

From: Harvey, Mary
Sent: Tuesday, November 20, 2007 3:34 PM
To: 'Mr. B. G. Sammons, Smurfit-Stone Container Enterprises, Inc.'; Bradburn, Rick; 'Mr. Tom Clements, Smurfit-Stone Container Enterprises, Inc.'; 'Mr. David A. Buff, P.E., Golder Associates, Inc.'
Cc: Mitchell, Bruce; Adams, Patty; Gibson, Victoria
Subject: SMURFIT-STONE CONTAINER ENTERPRISES, INC. - 0050009-027-AC-DRAFT

Dear Sir/Madam:

Please send a "reply" message verifying receipt of the attached document(s); this may be done by selecting "Reply" on the menu bar of your e-mail software and then selecting "Send". We must receive verification of receipt and your reply will preclude subsequent e-mail transmissions to verify receipt of the document(s).

The document(s) may require immediate action within a specified time frame. Please open and review the document(s) as soon as possible.

The document is in Adobe Portable Document Format (pdf). Adobe Acrobat Reader can be downloaded for free at the following internet site:
<http://www.adobe.com/products/acrobat/readstep.html>.

The Bureau of Air Regulation is issuing electronic documents for permits, notices and other correspondence in lieu of hard copies through the United States Postal System, to provide greater service to the applicant and the engineering community. Please advise this office of any changes to your e-mail address or that of the Engineer-of-Record.

Thank you,

DEP, Bureau of Air Regulation

11/26/2007