



Smurfit-Stone
Container Corporation
Panama City Mill
1 Everitt Ave.
Panama City, FL 32401
850-785-4311
850-763-8530 fax

February 27, 2008

Mr. Bruce Thomas, P.E.
Division of Air Resource Mgmt
Fl. Dept. of Environmental Protection
2600 Blair Stone Rd, MS #5505
Tallahassee, FL, 32399-2400

RECEIVED
FEB 29 2008
BUREAU OF AIR REGULATION

Re: Proof of Publication
Permit PSD-FL-388 ²⁹
Project No.: 0050009-028-AC

Dear Mr. Thomas

Attached is the proof of publication for the public notice associated with the above permit. It ran on February 19, 2008. Please call me at (850) 785-4311 x470 if you have additional questions.

Sincerely

Tom Clements
Environmental Mgr.

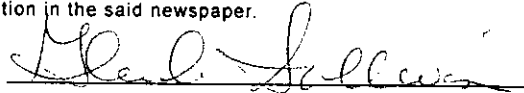
Florida Freedom Newspapers, Inc.

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

State of Florida County of Bay

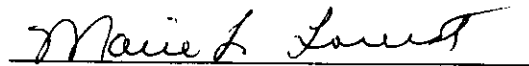
Before the undersigned authority appeared Glenda Sullivan, who on oath says that she is Classified In-Column Manager of The News Herald, a daily newspaper published at Panama City, in Bay County, Florida; that the attached copy of advertisement, being a Legal Advertisement - #6623 in the matter of Public Notice of Intent to Issue Air Permit - Smurfit-Stone Container in the Bay County Court, was published in said newspaper in the issue of February 19, 2008

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.



State of Florida
County of Bay

Sworn and subscribed before me this 19th day of February, A.D., 2008, by Glenda Sullivan, Classified In-Column Manager of The News Herald, who is personally known to me or has produced N/A as identification.



Notary Public, State of Florida at Large

RECEIVED

FEB 29 2008

BUREAU OF AIR REGULATION

6623 PUBLIC NOTICE OF INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protection
Division of Air Resource Management, Bureau of Air Regulation
Draft Air Permit, No. PSD-FL-388A, Project: No. 0050009-029-AC
Smurfit-Stone Container Enterprises, Inc.
Panama City Mill
Bay County, Florida

Applicant: The applicant for this project is Smurfit-Stone Container Enterprises, Inc. The applicant's authorized representative and mailing address is: B. G. Sammons, General Manager, Smurfit-Stone Container Enterprises, Inc., Panama City Mill, One Everitt Avenue, Panama City, Florida 32402.

Facility: Location: Smurfit-Stone Container Enterprises, Inc. operates the existing Panama City Mill, which is located in Bay County at One Everitt Avenue in Panama City, Florida 32402. The existing facility is a Kraft pulp and paper mill.

Project: On September 26, 2007, the Department issued Permit PSD-FL-388 (Project No. 0050009-028-AC) to authorize construction of a new burner system to fire petcoke in the No. 4 Lime Kiln and a new building enclosure for the recovery boilers. The project was subject to preconstruction review in accordance with Rule 62-212.400, Florida Administrative Code (F.A.C.) for the Prevention of Significant Deterioration (PSD). The draft permit for the original project was issued based on an air quality modeling analysis that did not include several increment consuming sources that should have been present. Prior to issuing the final permit, the applicant provided a supplemental air quality analysis based on the corrected source inventory, but that also corresponded with the PSD Class II increments which were identified in the public notice. To achieve the same level of PSD Class II increment consumption that was publicly noticed, the applicant accepted reduced sulfur dioxide (SO₂) emission standards for the Nos. 3 and 4 Combination Boilers in the final permit. However, the final permit also allowed the applicant to submit an application within 90 days of issuance to revise the reduced SO₂ emissions standards based on a corrected air quality analysis.

On December 19, 2007, the Department received an application pursuant to the permit condition requesting revised SO₂ emissions standards for

posed 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 Permitting Authority will accept written comments concerning the Draft Permit for a period of 30 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 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting 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 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 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



facility will not significantly contribute to or cause a violation of any state or federal ambient air quality standards.

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, 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 and 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/eproducts/apds/default.asp>.

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 pro-

ceeding; and an explanation of how the petitioner's substantial rights will be affected by the agency determination.

(c) A statement of when and how the 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 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.

February 19, 2008