

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 _____

Kaye Nichols

, who on oath says that (s)he

is Advertising Director of the News-Herald, a daily

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

of advertisement, being a Legal Notice

in the matter of Intent to Issue

In the Bay County

Court, was published in said newspaper in the issues of _____

August 9, 1984

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 a second class mail matter at the post office in Panama City in said Bay County, Florida, for a period of one year next preceding the first publication of the attached copy of the advertisement, all in accordance with the provisions of section 49.03, Florida Statutes; and affiant further says that (s)he 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.

Kaye Nichols

Sworn to and subscribed before me this 9th day of

August, A. D., 1984

Lauretta J. Ouellet

Notary Public, State of Florida at Large Public, State of Florida

My Commission Expires Aug. 14, 1988

My Commission Expires _____ Bonded thru Troy Fain Insurance, Inc.

5175: State of Florida Department of Environmental Regulation. Notice of Proposed Agency Action on Permit Application. The Department of Environmental Regulation gives notice of its intent to issue permits to Bay County Energy Resources to construct two 65.6 million Btu incinerators that will burn municipal solid waste and wood wastes. The project location is approximately eight miles from the center of Panama City on U.S. Highway 231. A determination of best available control technology (BACT) was required. This application was reviewed under Florida Administrative Code Rule 17-2.500, Prevention of Significant Deterioration. Emissions of air pollutants, in tons per year, will increase by the following amounts: PM: 50; SO2: 192; NOX: 214; CO: 1010; HC: 78; Pb: 0.3. The maximum percentages of allowable PSD increments consumed by the proposed project will be as follows: Class I: Annual 1: 24; Hour 2: 3-Hour N/A; SO2: Annual 1: 24-Hour 12; 3-Hour 12; Class II: PM Annual 1: 24-Hour 5; 3-Hour N/A; SO2: Annual 3: 24-Hour 7; 3-Hour 4. Persons whose substantial interests are affected by the department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must conform to the requirements of Chapters 17-103 and 28-5, Florida Administrative Code, and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Twin Towers Office Building, Tallahassee, Florida 32301, within fourteen (14) days of publication of this notice. Failure to file a request for hearing within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this preliminary statement. Therefore, persons who may not object to the proposed agency action may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to Model Rule 28-5.207 at least five (5) days before the final hearing and be filed with the hearing officer if one has been assigned at the Division of

Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32301. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32301. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, Florida Statutes.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at:

Dept. of Environmental Regulation
Northwest District
106 Government Center
Pensacola, Florida 32501

Dept. of Environmental Regulation
Bureau of Air Quality Management
2600 Blair Stone Road
Tallahassee, Florida 32301

DER, Northwest District
Branch Office
217 E. 23rd St., Suite B
Panama City Florida 32405

Any person may send written comments on the proposed action to Mr. Bill Thomas at the department's Tallahassee address. All comments mailed within 30 days of the publication of this notice will be considered in the department's final determination.

RULES OF THE
ADMINISTRATIVE
COMMISSION
MODEL RULES OF
PROCEDURE
CHAPTER 28-5

DECISIONS DETERMINING
SUBSTANTIAL INTERESTS

28-5.15 Requests for Formal
and Informal Proceedings

(1) Requests for proceedings shall be made by petition to the agency involved.

Each petition shall be printed, typewritten or otherwise duplicated in legible form on white paper of standard legal size. Unless printed, the impression shall be on one side of the paper only and lines shall be double spaced and indented.

(2) All petitions filed under these rules should contain:

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name and address of the petitioner, or petitioners;

(c) All disputed issues of material fact. If there are none, the petition must so indicate;

(d) A concise statement of the ultimate facts alleged, and the rules, regulations and constitutional provisions which entitle the petitioner to relief;

(e) A statement summarizing any informal action taken to resolve the issues, and the results of that action;

(f) A demand for the relief to which the petitioner deems himself entitled; and

(g) Such other information which the petitioner contends is material.

Aug. 9, 1984.