

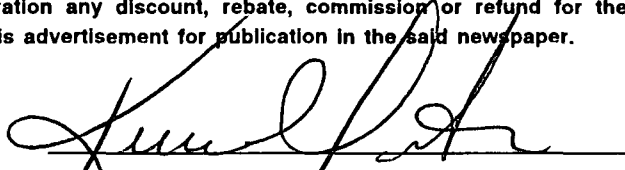
Florida Freedom Newspapers, Inc.

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

State of Florida County of Bay

Before the undersigned authority appeared _____
Ken Carpenter _____, 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 Advertisement _____
in the matter of _____ Public Notice _____
Notice of Intent P.O.#66942 _____
in the _____
Court, was published in said newspaper in the issues of _____
November 10, 1999 _____

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.

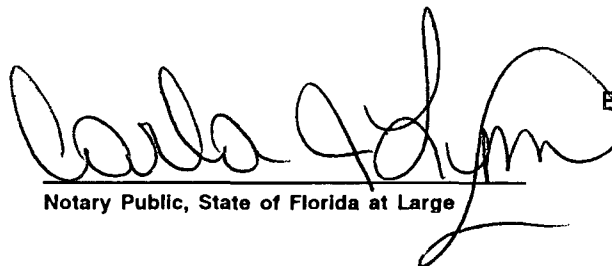
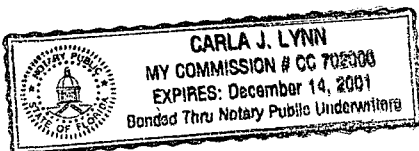


State of Florida
County of Bay
Sworn to and subscribed before me this 10th day of November,
A. D., 1999 by Ken Carpenter, Advertising Director of The
News Herald, who is personally known to me or has produced _____
as identification.

RECEIVED

NOV 30 1999

BUREAU OF AIR REGULATION



Notary Public, State of Florida at Large

5608

PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT

**STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

Title V DRAFT Permit No:
0050031-002-AV
Bay Resource
Management Center
Bay County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V air operation permit to Bay County for the Bay Resource Management Center located at 6510 Bay Line Drive, Panama City, Bay County. The applicant's name and address are: County Administrator, Bay County, 310 West 6th Street, Panama City, Florida 32401.

Bay County is planning to replace forced draft fans at the facility to reduce the capacity of the two municipal waste combustors (MWCs). Each of the MWCs is presently permitted to burn 255 tons per day (TPD) while producing 68,000 pounds per hour (lbs/hr) of steam. The purpose of the fan replacement project is to reduce the capacity of (derate) each MWC to less than 250 tons per day of municipal solid waste (MSW). The U.S. Environmental Protection Agency (U.S. EPA) has advised Bay County and the Department that by reducing the capacity of each MWC, the facility will no longer be subject to 40 CFR 60, Subpart Cb, "Emission Guidelines and Compliance Times for Large Municipal Waste Combustors That Are Constructed on or Before September 20, 1994, amended August 25, 1997, 62FR45119", adopted and incorporated by reference as Department Rule 62-204.800 (8)(b)1-10., F.A.C. 62FR 45119", adopted and incorporated by reference as Department Rule 62-204.800(8)(b)1-10., F.A.C.

U.S. EPA has given preliminary approval to derate the facility as detailed in a letter to the Department dated September 30, 1999. U.S. EPA's final approval is contingent upon incorporation of certain enforceable permit conditions. These conditions are part of the DRAFT Title V permit. The conditions reflect a reduced capacity of 245 TPD of MSW and 65,333 lbs/hr of stream on a 24-hour rolling average.

The facility remains subject to 40 CFR 60, Subpart E, "Standards of Performance for Incinerators", adopted and incorporated by reference as Department Rule 62-204.800(7)(b)5., F.A.C. After the proposed action, the facility will be subject to the proposed U.S. EPA Regulation 40 CFR 60, Subpart BBBB, "Emission Guidelines for Existing Stationary sources: Small Municipal Waste Combustion Units". Compliance with Subpart BBBB will be in accordance with the ultimate schedule established following finalization of the rule. The practical effect of the derating will be the deferral of additional air pollution control equipment installation by approximately three to four years.

The permitting authority will issue the Title V PROPOSED Permit, and subsequent Title V FINAL Permit, in accordance with the conditions of the Title V DRAFT Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The permitting authority will accept written comments concerning the proposed Title V DRAFT Permit issuance action for a period of 30 (thirty) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Permit, the permitting authority shall issue another DRAFT Permit and require, if applicable, another Public Notice.

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 of the Florida Statutes (F.S.) The petition must contain the information set forth below and must be filed (received) in Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/488-9730; Fax: 850/4874938). Petitions filed by any persons other than those entitled to written

notice under Section 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of the notice of intent, 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 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 applicable 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; 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 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 petition must so state;
- (e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief; and
- (f) A demand for relief.

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 notice of intent. 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 is not available for this proceeding.

In addition to the above, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit. Any petition shall be based only on objections to the permit that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition with the Administrator of the EPA does not stay the effective date of any permit properly issued pursuant to the provisions of Chapter 62-213, F.A.C. Petitions filed with the Administrator of EPA must meet the requirements of 42 U.S.C. Section 7661d(b)(2) and must be filed with the Administrator of the EPA at: U.S. EPA, 401 M Street, S.W., Washington, D.C. 20460.

A complete project file 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:

Permitting Authority
Department of Environmental
Protection
Bureau of Air Regulation
111 South Magnolia Drive
Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-1344
Fax: 850/922-6979
Affected District Program:
Department of Environmental
Protection

Northwest District Office
160 Governmental Center
Pensacola, Florida
32501-5794

Telephone: 850/444-8300
Fax: 850/444-8417

The complete project file includes the DRAFT Permit, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111 F.S. Interested persons may contact Scott M. Sheplak, P.E., at the above address, or call 850/931-9532, for additional information.
November 10, 1999

Facility Name: Bay County Resource Management Center
Initial Title V Draft Permit Number: 0050031-002-AV
County: Bay County
Permit Engineer: Tom Cascio

Title V Permit Application: Available in File Area on Bookshelf

1. Permitting Application Event Page
2. Proof of Publication dated November 10, 1999, received November 30, 1999.
3. Interoffice Memorandum to Tom Cascio from Carolyn Salmon dated November 23, 1999
4. Interoffice Memorandum to Scott Sheplak from Carolyn Salmon dated November 17, 1999
5. Interoffice Memorandum to Mike Hewett from Tom Cascio dated November 3, 1999
6. Interoffice Memorandum to Nevin Zimmerman from Tom Cascio dated November 2, 1999
7. Letter to C. H. Fancy from Nevin Zimmerman dated October 28, 1999, received October 29, 1999 in re: Bay County Resource Recovery Facility – Bay County's comment to the Draft Permit
8. Interoffice Memorandum to Al Linero from Mike Hewett dated October 22, 1999
9. Letter to Tom Cascio from Nevin Zimmerman dated October 13, 1999, received October 15, 1999 in re: Bay County Resource Recovery Facility – formal request for minor modification Title V Permit Application.
10. Interoffice Memorandum to Bruce Mitchell from Mike Hewett dated October 6, 1999
11. P.E. Seal Page
12. Intent:
Intent to Issue clerked October 20, 1999
Notice to Public

13. Draft Permit

Referenced attachments made a part of this permit:

Appendix I-1, List of Insignificant Emissions Units and/or Activities
Appendix TV-3, TITLE V CONDITIONS (version dated 4/30/99)
Appendix SS-1, STACK SAMPLING FACILITIES (version dated 10/07/96)
Appendix 40 CFR 60, Subpart A - General Provisions (dated 07/23/97)

AIRS ID: 0050031 Facility: BAY COUNTY ENERGY SYSTEMS, INC.
 Permit #: Type/Subtype: AV/00 Received: 10-JUN-1996
 Project #: 002 Name: (BAY COUNTY ENERGY SYSTEMS INC)

> Receive Request: Done

Event	Begin Date	Prd	Due Date	Rmn	Status	End Date
Receive Request	10-JUN-1996	1	11-JUN-1996		Done	10-JUN-1996
Initial Completeness	10-JUN-1996	60	09-AUG-1996		Default	09-AUG-1996
Awaiting Detailed	09-AUG-1996	365	09-AUG-1997		Begin Deta	23-AUG-1999
Detailed Complete	23-AUG-1999	60	22-OCT-1999		Complete	23-AUG-1999
Determine Agency	23-AUG-1999	90	21-NOV-1999		Issue	20-OCT-1999
Draft Permit	20-OCT-1999	1	21-OCT-1999		Issue	20-OCT-1999
STOP CLOCK	20-OCT-1999	1	21-OCT-1999		Done	20-OCT-1999
Date of Public	20-OCT-1999	999	15-JUL-2002		Published	10-NOV-1999
Public Commen	10-NOV-1999	30	10-DEC-1999	-3	Pending	

Count: *9

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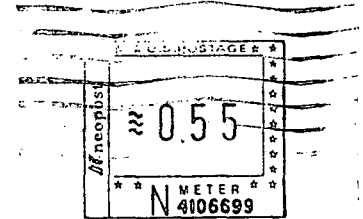
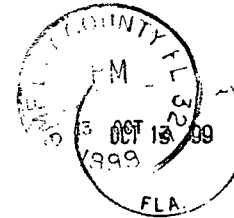
**BOARD OF COUNTY
COMMISSIONERS**

OFFICE OF THE
COUNTY ATTORNEYS

221 MCKENZIE AVENUE
POST OFFICE BOX 70
PANAMA CITY, FLORIDA 32402

A

Mr. Thomas Cascio
Division of Air Resources
Florida Department of Environmental Protection
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, FL 32399



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