

## BOARD OF COUNTY COMMISSIONERS

www.co.bay.fl.us

Bay County Solid Waste 11411 Landfill Road Panama City Beach, FL 32413 Ofc: (850) 236-2212 Fax: (850) 233-5053

July 13, 2010

POST OFFICE BOX 1818 PANAMA CITY, FL 32402

COMMISSIONERS:

MIKE NELSON DISTRICT I

GEORGE B. GAINER
DISTRICT II

WILLIAM T. DOZIER
DISTRICT III

JERRY L. GIRVIN DISTRICT IV

MIKE THOMAS DISTRICT V

EDWIN L. SMITH COUNTY MANAGER Robert Bull, P.E.
Professional Engineer II
Florida Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

RE: Bay County Waste-to-Energy Facility

Re-rate of Air Permit Permit #0050031-012-AC

Dear Mr. Bull:

Please find enclosed, as required, the official Notice of Publication for the Public Notice of Intent to Issue Air Permit. If you need anything further, please do not hesitate to contact my office at (850) 236-2212, or by email at <a href="mailto:goborn@baycountyfl.gov">goborn@baycountyfl.gov</a>.

Sincerely,

Glenn E. Ogborn

Solid Waste Superintendent

Enclosure

GO/ck

C: Richard Brookins, Engen, LLC. File

RECEIVED

JUL 1 4 2010

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 JoAnn Greenlee, who on oath says that she is Legal Advertising Representative 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 # 7852 in the matter of Public Notice of Intent to Issue Air Permit in the Bay County Court, was published in said newspaper in the issue of June 29, 2010.

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  $\underline{8th}$  day of  $\underline{July},$  A.D., 2010, by  $\underline{JoAnn}$ Greenlee, Legal Advertising Representative of The News Herald, who is personally known to me or has produced N/A as identification.



Man L Janus Notary Public, State of Florida at Large

RECEIVED

JUL 1 4 2010

BUREAU OF AIR REGULATION

NOTICE PUBLIC INTENT TO ISSUE AIR PERMIT

Florida Department of Environmental Protec-Environmental Protection Bureau of Air Regulation, Division, of Air Resource Management

Draft Minor Source Air Draft Minor Source Air Construction Permit, Project No. 0050031-012-AC Bay County Utility Ser-vices, Bay County Re-source Recovery Facil-Bay County, Florida

Applicant: The appli-Applicant: Ine applicant for this project is Bay County Utility Services. The applicant's authorized representative and mailing address is: Mr. Glenn Ogborn, Solid Waste Superintendent. Bay dress is: Mr. Glenn Ogborn, Solid Waste Superintendent, Bay County Utilities Ser-vicès, Bay County Re-source Recovery Facil-ity, 3410 Transmitter Road, Panama City, FL 32404.

Facility Location: Bay
County Utility Services
operates the existing
Bay County Resource
Recovery Facility Bay County Facility, which is located in Bay County at 6510 Bay Line Drive, in Panama City, Florida.

245 tons of solid waste per day per unit to the original throughput of 255 tons of solid waste per day per unit. The rerating will reclassify Units 1 and 2 as large municipal waste combustors subject to the federal New Source Performance Standards of Subpart Cb in Part. federal New
Performance Standards
of Subpart Cb in Part
60, Title 40 of the Code
of Federal Regulations,
for Large Municipal for Large Municipal Waste Combustors that were Constructed on or before Sentent

permit determination for this project is the Department of Environmental Protection's Bundation read of Air Regulation in the Division of Air in the Division of Air Resource Manage-ment. The Permitting Authority's physical ad-dress is: 111 South Magnolia 'Drive; Suite 4, Tallahassee, Florida .32399-2400. The Per-mitting Authority's mail-ing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399 The Per-#5505, Tallahassee, Florida 32399. The Per-mitting Authority's telenumber 850/488-0114.

Project File: A plete project file is available for public in-spection during the normal business hours of 8:00 a.m. to 5:00 p.m.; Monday through

Project: The applicant requests that municipal waste combustor Units 1 and 2 be rerated from 245 tons of solid waste

Waste Combustors that were Constructed on or before September 20, 1994. This was confirmed through an applicability determination conducted by the Region 4 Office of the U.S. Environmental Protection Agency (EPA). The rationale behind EPA's determination is that the cost of the blades to achieve the rerating is well below the annual guideline repair allow ance for resource recovery plants.

Permitting Authority. Applications for air construction permits are subject to review in accordance with the proposed Draft Permit ing Authority the Florida Administrative Code (FA.C.) The proposed project is not exempt from air permit ting requirements and an air permit is required to perform the proposed work. The Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's But information set forth below and must be filled with (received by) mental Protection's But information set forth below and must be filled with (received by) mental Protection's But information set forth below and must be filled with (received by) mental Protection's But information set forth below and must be filled with (received by) mental Protection's But information set forth below and must be filled with (received by) mental Protection's But information set forth below and must be filled with (received by) mental Protection's But into appropriate in the information set forth below and must be filled with (received by) mental Protection's But into appropriate into proposed and into appropriate into protection in the information set forth below and must be filled with (received by) mental Protection's But into appropriate into proposed into appropriate into protection in the information set forth below and must be filled with (received by) mental Protection's But into appropriate into proposed into appropriate into appropriate

below and must be filed with (received by) the Department's the Department's Agency Clerk in the Of-fice of General Counsel of the Department of Environmental Protec-tion at 3900 Commonwealth Boulevard, Mail Station #35, Tallahas-Station #35, Tallahas-see, Florida 32399-3000 (Telephone: 850/ 245-2241). Petitions filed by any persons other than those enti-tled to written notice under Section 120.60 (3), FS. must be filed (3), F.S. must be filed within 14 days of publication of this Public Notice or receipt of a written notice, which ever occurs first. Under Section 120.60(3), F.S., however, any person proceeding. June 29, 2010 in a without for notice ing Authority for notice of agency action may file a petition within 14

Friday (except legal days of receipt of holidays), at the physi-notice, regardless cal address indicated the date of publications. aduress indicated the date of publication above for the Permitt- A petitioner shall mail a ing Authority. cal address indicated the date of publication above for the Permitt-A petitioner shall mail a ing Authority. The com-copy of the petition to plete project file in the applicant at the adcludes the Draft Permit, dress indicated above, the Technical Evalual at the time of filing. The tion and Preliminary failure of any person to Determination, the application within the plication and informal appropriate time period tion submitted by the shall constitute a applicant (exclusive of waiver of that person's confidential records un-right to request an adder. Section 403.111, ministrative determinates.) Interested pertion (hearing) under sons may contact the Sections 120.569 and Permitting Authority's 120.57, F.S., or to interproject engineer for advene in this proceeding ditional information at and participate as a the address and phone party to it. Any subsenumber listed above. In quent intervention (in a addition, in electronic proceeding initiated by copies, of, these docuaddition, electronic proceeding initiated by copies of these docu- another party) will be ments are available on only at the approval of the following web site: the presiding officer http://www.dep.state.fl.us/ upon the filing of a mo-air/emission/apds/default.a, tion in compliance with sp.

Rule 28-106.205, FA.C. A petition that disputes sp. Rule 28-106.205, r.a.c. A petition that disputes Notice of Intent to Is—the material facts on sue Air Permit: The which the Permitting Permitting Authority's action is gives notice of its intent based must contain the to issue an air con-following information:

Permitting Authority Authority's action is gives notice of its intent based must contain the to issue an air con- inclination permit to the (a). The name and adapplicant for the applicant has prospect described above affected and each The applicant has provided reasonable as urance that operation known; (b). The name, of proposed equipment address and telephone will not adversely impact air quality and that tioner; the name adathe project will comply dress and telephone with all appropriate number of the petition-provisions of Chapters er's representative, if 62-212, 62-296 and address for service purposed Draft Permit in ing, and an explanational accordance with the conditions of the proposed Draft Permit in ling; and an explanational accordance with the conditions of the proposed Draft Permit in ling; and an explanational accordance with the conditions of the proposed decision; (c) A statement of when ing is filed under Sectand how the petitioner agency determination; an administrative hearting is filed under Sectand how the petitioner agency determination; an administrative hearting is filed under Sectand how the petitioner agency determination; an administrative hearting is filed under Sectand how the petitioner agency determination; an administrative hearting is filed under Sectand how the petitioner agency action or proposed decision; (d) A statement of all distance of the utility of terms or conditions.

Comments: The Permate following intornation is accordance, with this notice results puted issues of material fact. If there are of terms or conditions. rial 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 ex 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 wishes the agency to take with respect to the agency's proposed ac-tion. A petition that does not dispute the material facts upor does not dispute the material facts upor which the Permitting Authority's action is based shall state tha 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 adminis

> Mediatio not available for thi

> of the Permitting Al thority on the applica-tion have the right to petition to become party to the proceed-ing, in accordance with the requirements so

Because the administrative hearing process is designed to formulate final agency action the filling of a petition means that the Permitting Authorities (1994) 26

ing Authority's final action may be differen

ing Authority's final action may be differer from the position take by it in this Public Notice of Intent to Issu Air Permit. Person whose substantial inte ests will be affected be any such final decision of the Permitting Atthority on the application.