



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

**BOARD OF COUNTY  
COMMISSIONERS**

www.co.bay.fl.us

July 13, 2010

POST OFFICE BOX 1818  
PANAMA CITY, FL 32402

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

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EDWIN L. SMITH  
COUNTY MANAGER

**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 [goborn@baycountyfl.gov](mailto:goborn@baycountyfl.gov).

Sincerely,

  
Glenn E. Ogborn  
Solid Waste Superintendent

Enclosure

GO/ck

C: Richard Brookins, Engen, LLC.  
File

**RECEIVED**

**JUL 14 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.

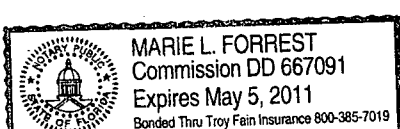
*JoAnn Greenlee*

State of Florida  
County of Bay

Sworn and subscribed before me this 8th day of July, A.D., 2010, by JoAnn Greenlee, Legal Advertising Representative of The News Herald, who is personally known to me or has produced N/A as identification.

*Marie L Forrest*

Notary Public, State of Florida at Large



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JUL 14 2010

BUREAU OF  
AIR REGULATION

7852  
PUBLIC NOTICE OF  
INTENT TO ISSUE AIR  
PERMIT

Florida Department of Environmental Protection Bureau of Air Regulation, Division of Air Resource Management, Draft Minor Source Air Construction Permit, Project No. 0050031-012-AC, Bay County Utility Services, Bay County Resource Recovery Facility, Bay County, Florida

**Applicant:** The 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 County Utilities Services, Bay County Resource Recovery Facility, 3410 Transmitter Road, Panama City, FL 32404.

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

**Project:** The applicant requests that municipal waste combustor Units 1 and 2 be rerated from 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 60, Title 40 of the Code of Federal Regulations, for Large Municipal 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 allowance for resource recovery plants.

**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 Permitting Authority responsible for making a permit determination for this project is the Department of Environmental Protection's Bureau of Air Regulation in the Division of Air Resource Management. The Permitting Authority's physical address is: 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32399-2400. The Permitting Authority's mailing address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399. 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 the physical address indicated above for the Permitting Authority. The complete project file includes the Draft Permit, the Technical Evaluation and Preliminary Determination, the application and information submitted by the applicant (exclusive of confidential records under Section 403.111, F.S.). Interested persons may contact the Permitting Authority's project 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/emission/apds/default.asp>.

**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 proposed 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 proposed Draft Permit for a period of 14 days from the date of publication of this Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of the 14-day period. If written comments received result in a significant change to the Draft Permit, the Permitting Authority shall revise the 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 (Telephone: 850/245-2241). 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 Permitting Authority for notice of agency action may file a petition within 14

**Mediation:** Mediation is not available for this proceeding. June 29, 2010