

Published Daily-Pensacola, Escambia County, FL

**STATE OF FLORIDA**  
County of Escambia

Before the undersigned authority personally appeared **NIKKI WINDHAM** who is personally known to me and who on oath says that he/she is a representative of The Pensacola News Journal, a daily newspaper published in Pensacola in Escambia County, Florida; that the attached copy of advertisement, being a legal in the matter of **NOTICE OF INTENT** was published in said newspaper in the issues **JULY 1, 2003**. Affidavit further says that the said Pensacola News Journal is a newspaper published in Pensacola, in said Escambia County, Florida, and that the said newspaper has heretofore been continuously published in said Escambia County, Florida each day and has been entered as second class mail matter at the post office in Pensacola, in said Escambia County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and Affidavit further says that he/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.

Sworn to and subscribed before me this **1<sup>ST</sup> DAY OF JULY A.D., 2003**.

*Bereth Ferguson*

Notary Public

BERETH FERGUSON  
"Notary Public-State of FL"  
My Comm. Expires OCT. 10, 2005  
Comm. No. DCC-40662

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nal  
BUREAU OF AIR REGULATION  
Pensacola, FL

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

Draft Permit No.: 0330042-007-AC

International Paper Company  
Pensacola Mill  
Escambia County

The Department of Environmental Protection (permitting authority) gives notice of its intent to issue an air construction permit to International Paper Company - Pensacola Mill for the installation of a new causticizer body and associated piping, the installation of "diagonal" extraction screens in the continuous digester for improved downflow cooking, and the replacement of two (2) medium consistency pumps in the Pine O2 Delignification and Bleach Plant area at the existing mill located at 375 Muscogee Road, Escambia County. The applicant's name and address are: International Paper Company, 375 Muscogee Road, Cantonment, Florida 32533-0087. A Best Available Control Technology was not required pursuant to Rule 62-212.400, Florida Administrative Code (F.A.C.), and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

Actual production limitations are being established to effect no changes in actual emissions and are based on calendar years 1998 and 1999. Therefore, an air quality impact analysis was not required because there were no significant increases in any pollutant emissions; and, this permitting action will not contribute to or cause a violation of any state or federal ambient air quality standards or increment.

The Department will issue the Final Permit with the attached conditions 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 permit issuance action for a period of 14 (fourteen) days from the date of publication of this Public Notice of Intent to Issue An Air Construction Permit. 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 the proposed agency action, the permitting authority shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below. Mediation is not available in this proceeding.

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 (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: 850/487-4938). 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 petitioner 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.

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: 850/488-0114  
Fax: 850/922-6979

Affected District:  
Department of Environmental Protection  
Northwest District  
160 Governmental Center  
Pensacola, Florida 32501-5794  
Telephone: 850/595-8364  
Fax: 850/595-8096

The complete project file includes the Technical Evaluation and Preliminary Determination, 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 850/921-9532, for additional information.

Escambia County, FL

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