

RECEIVED
PENSACOLA News Journal
 AUG 16 1999
 BUREAU OF AIR REGULATION

PUBLISHED DAILY

Pensacola, Escambia County, Florida

STATE OF FLORIDA
 County of Escambia

Before the undersigned authority personally appeared

Kay Goolwin

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 at Pensacola in Escambia County, Florida; that the attached copy of advertisement, being a legal in the matter of

Public Notice of Intent

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

August 5, 1999

Affiant further says that the said Pensacola News Journal is a newspaper published at 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 affiant 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 5th day of Aug A.D., 19 99

Bereth Ferguson
 Notary Public

CC; J. Kahn
 NWD
 NPS
 EPA

BERETH FERGUSON
 Notary Public - State of FL
 My comm. expires: Oct. 10, 2001
 Comm. No. CC867980

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
 STATE OF FLORIDA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 DEP File No. 0330260-001-AC, PSD-FL-271
 Champion International Corporation
 McDavid Sawmill
 Escambia County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Champion International Corporation, for its proposed McDavid Sawmill to be located at US Highway 29, Pine Barren, Escambia County. The permit is to allow construction of a lumber sawmill with a capacity to produce up to 225 million board feet per year of lumber. The applicant's mailing address is: Champion International Corporation, 117 Pace Parkway, Cantonment, Florida 32533. A Best Available Control Technology (BACT) determination was required for particulate matter and VOC pursuant to Rule 62-212.400, F.A.C. and 40 CFR 52.21, Prevention of Significant Deterioration (PSD).

The lumber mill will have two natural gas fired boilers that will provide steam to three lumber drying kilns, a planermill to plane and trim dried lumber, and fugitive emissions.

Total emissions of pollutants, including quantifiable fugitive PM emissions shall not exceed the annual emission rates in tons per year: PM, 31.2; PM₁₀, 17.9; SO₂, 0.3; NOx, 39.0; VOC, 326 and CO, 70.2

An air quality impact analysis was conducted for PM₁₀. Emissions from the facility will not significantly contribute to or cause a violation of any state or federal ambient air quality standards or PSD increments. The maximum predicted PSD Class II PM₁₀ increment consumed by all sources in the area, including this project, will be as follows:

Increment Consumed (ug/m ³)	Allowable Increment (ug/m ³)	% Increment Consumed
24-hour: 3	17	18
Annual: 19	30	63

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 Department will accept written comments and requests for public meetings concerning the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #505, Tallahassee, FL 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 Department 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 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 proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within fourteen days of receipt of this notice of intent. Petitions filed by any persons other than those entitled to written notice under section 120.56(3) of the Florida Statutes must be filed within fourteen days of publication of the public notice or within fourteen days of receipt of this notice of intent, whichever occurs first. Under section 120.60(3), however, any person who asked the Department 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 appropriate 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 petition intervention will be only at the approval of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department'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, the 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 the petitioner's substantial interests 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 indicate; (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; and (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action.

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Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department or 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:

Dept. of Environmental Protection Bureau of Air Regulation Suite 4, 111 S. Magnolia Drive Tallahassee, Florida 32301 Telephone: 850-488-0114 Fax: 850-922-6979	Dept. of Environmental Protection Northwest District 160 Government Center Pensacola, Florida 32501-5794 Telephone: 904/444-8300
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The complete project file includes the application, technical evaluations, Draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, New Source Review Section, or the Department's reviewing engineer for this project, Joseph Kahn, PE, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

Legal No 57759 IT August 5, 1999



Fax Transmittal Cover Sheet

McDavid Sawmill

McDavid, Florida

Temporary Address:
117 Pace Parkway
P.O. Box 875
Cantonment, Florida 32533

Fax #: 850 968-3027

Date: 8/13/99

To: Joseph Kahn P.E.

Company / Department: DEP - Air Bureau

Fax Number: (850) 922-6979

From: Dave Stevens

Number of Pages (including cover): 1 + 2

Message:

Joe: Originals sent to Al by Fed Ex (arrives Monday)
Thought you might need fax to ensure we
met time lites.

Thanks
Dave

The material contained in this communication is intended only for the use of the addressee. It may contain information that is confidential, proprietary, attorney privileged, and exempt from disclosure under applicable law. If the reader of this communication is not the intended recipient, you are hereby notified that any dissemination, distribution or duplication of this communication is prohibited. If you have received this communication in error, please notify us immediately by telephone and return, by mail, the original message to us. Thank you.

McDavid Sawmill
Forest Products Manufacturing
5590 South Century Boulevard
P.O. Box 3537
McDavid, Florida 32568



RECEIVED
AUG 18 1999
BUREAU OF AIR REGULATION

August 16, 1999

Mr. Joseph Kahn, P.E.
New Source Review Section
Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road, Mail Station #5505
Tallahassee, Florida 32399-2400

Dear Mr. Kahn:

Champion International Corporation (CHAMPION) has reviewed the Florida DEP air construction permit for our McDavid saw mill. Based on that review CHAMPION requests that clarifications, corrections and modifications be made to the permit and Technical Evaluation and Preliminary Determination as outlined below.

Air Construction Permit Section II

Page 5 10(c) Paving and maintenance of roads, parking areas and yards. Champion plans to pave roads and parking areas. Some areas of the yard will not be paved. For example, the log storage area will not be paved, however, logs in storage will be periodically sprayed with water to preserve the logs and minimize the potential for fugitive dust to be generated. In addition, the area where logs are delivered and transferred to the sawing and debarking operations by the overhead crane will not be paved. However all roadways leading to and from this area will be paved. Therefore, Champion requests that this description be changed to delete the reference to paving yards.

Page 6 10(c) All by-product (bark, fines (sawdust), chips, shavings) open storage piles shall be shaped, compacted and oriented to minimize wind erosion (Note: the applicant estimated that by-product open storage piles are estimated to be used for about 10 days each year.) . Compacting the by-products piles would render them unusable. Champion will shape and orient piles to reduce the potential for fugitive emissions. Champion conducted a modeling analysis to evaluate the impact of potential emissions from these piles as well as other particulate emissions. The study included the maximum projected hourly emissions from the by-product storage piles assuming that the piles are in place year round. The study indicated that these piles have an insignificant impact on air quality. Champion has included a revised estimate of the annual emissions from the piles that is consistent with the modeling study conducted and assumes use of the piles 365 days per year. The revised estimate is included as attachment 1. Therefore, Champion requests that the requirement to compact these materials be deleted and that the reference to storage for 10 days per year be modified to reflect that storage can occur year round.

Page 6 11(a) No person shall not store... This should read: **No person shall store...**

Page 9 23 Duration of recordkeeping The sentence that describes the recordkeeping timeframe includes a typo. Please clarify if materials must be retained for three or five years.


Technical Evaluation and Preliminary Determination

Page TE-3 3. Project Description. The discussion of the drying kilns in paragraph 3 should be modified to more accurately reflect the mill operating configuration. The paragraph should read as follows: **The drying kilns will be used to reduce lumber moisture content from approximately 50% to 15-20% under controlled conditions of temperature and relative humidity. The drying kilns are each approximately 98 feet long.**

Page TE-6 6.4 Emissions Unit 005, Fugitive PM emissions. The sentence discussing temporary storage piles should be modified to remove the reference to compacting storage piles, as noted above in the requested corrections to the permit.

We appreciate your assistance on this important project. Please call me if you have questions or require further information.

Sincerely,



Dave Stevens
Project Director

CC: File
NWD
EPA
NPS

Table 2-3. Maximum PM/PM₁₀ Pollutant Emission Rates - Fugitive Sources (Revised 8/16/99)

Emission Source Description	Emission Source ID	Emission Rates			
		PM		PM ₁₀	
		(lb/hr)	(tpy)	(lb/hr)	(tpy)
Bark Processing/Handling					
Conveyor Transfer; Main Conveyor to Disc Screen/Hog Conveyor	F-9	0.0004	0.0011	0.0002	0.0005
Conveyor Transfer; Disc Screen/Hog Conveyor to Disc Screen/Hog	F-10	0.0004	0.0011	0.0002	0.0005
Conveyor Transfer; Disc Screen/Hog to Bark Bin Conveyor	F-13	0.0004	0.0011	0.0002	0.0005
Conveyor Transfer; Bark Bin Conveyor to Bark Bin	F-14	0.0004	0.0011	0.0002	0.0005
Bark Bin Truck Loading	F-15	0.0014	0.0036	0.0007	0.0017
Fines (Sawdust) Processing/Handling					
Conveyor Transfer; Fines Chip Screen Conveyor to Fines Bin Conveyor	F-16	0.0002	0.0006	0.0001	0.0003
Conveyor Transfer; Fines Bin Conveyor to Fines Bin	F-17	0.0002	0.0006	0.0001	0.0003
Fines Bin Truck Loading	F-18	0.0007	0.0018	0.0003	0.0009
Baghouse Fines Truck Loading	F-35	0.0001	0.0003	0.0001	0.0001
Chips Processing/Handling					
Conveyor Transfer; Oversize Chips Conveyor to Rechipper Conveyor	F-19	0.0002	0.0004	0.0001	0.0002
Conveyor Transfer; Chips Screen to Chips Bin Conveyor	F-22	0.0018	0.0046	0.0008	0.0022
Conveyor Transfer; Chips Bin Conveyor to Chips Bin	F-23	0.0018	0.0046	0.0008	0.0022
Chips Bin Truck Loading	F-24	0.0058	0.0153	0.0028	0.0072
Planermill Shavings					
Cyclone Bin Truck Loading	F-27	0.0006	0.0016	0.0003	0.0007
Truck Traffic on Paved Roadways					
Raw Material Wood Trucks	F-28	3.9208	5.8109	0.7650	1.1338
Product Lumber Trucks	F-29	2.4539	2.8155	0.4788	0.5494
Wood By-Product Trucks	F-30	3.2099	7.9208	0.6263	1.5455
Outdoor Storage Piles					
Chip Storage	F-31	0.1271	0.5567	0.0607	0.2657
Bark Storage	F-32	0.0370	0.1619	0.0176	0.0773
Sawdust Storage	F-33	0.0330	0.1447	0.0158	0.0691
Shavings Storage	F-34	0.0259	0.1133	0.0123	0.0541
Totals		9.8221	17.5616	1.9834	3.7127

Sources: Champion, 1999.
ECT, 1999.

EMISSION INVENTORY WORKSHEET

FUG-PM

Champion International - McDavid Sawmill

EMISSION SOURCE TYPE

FUGITIVE PM - ACTIVE OUTDOOR STORAGE

Figure: **2-3**

FACILITY AND SOURCE DESCRIPTION

Emission Source Description: Fugitive PM - Active Outdoor Storage Piles
 Emission Control Method(s)/ID No.(s): Moist Material
 Emission Point ID: FUG-PM

EMISSION ESTIMATION EQUATIONS

PM Emission (lb/hr) = Emission Factor (lb PM/acre/day) x Storage Pile Area (acres) x (1 day/24 hrs)
 PM Emission (ton/yr) = Emission Factor (lb PM/acre/day) x Storage Pile Area (acres) x Storage Period (dys/yr) x (1 ton/2,000 lb)

Source: ECT, 1999.

INPUT DATA AND EMISSIONS CALCULATIONS

Storage Pile Material Type	Source ID	Period of Storage (dys/yr)	Pile Area (acre)	Uncontrolled Emission Factor (lb PM/acre/dy)	Control Efficiency (%)	Controlled Emission Factor (lb PM/acre/dy)	Potential Emission Rates	
							(lb/hr)	(tpy)
Chip Storage	F-31	365	0.770	13.2	70.0	3.96	0.127	0.557
Bark Storage	F-32	365	0.224	13.2	70.0	3.96	0.037	0.162
Sawdust Storage	F-33	365	0.200	13.2	70.0	3.96	0.033	0.145
Shavings Storage	F-34	365	0.157	13.2	70.0	3.96	0.026	0.113

SOURCES OF INPUT DATA

Parameter	Data Source
Storage Pile Identification	Champion, 1999.
Uncontrolled Emission Factors	Section 8.19.1-1, AP-42, September 1991.
Control Efficiency	Based on high moisture content, Texas Natural Resources Conservation Commission, 1999.

NOTES AND OBSERVATIONS

DATA CONTROL

Data Collected by:	T. Davis	Date:	5/99
Evaluated by:	T. Davis	Date:	8/99
Data Entered by:	T. Davis	Date:	8/99

EMISSION INVENTORY WORKSHEET							FUG-PM		
Champion International - McDavid Sawmill									
EMISSION SOURCE TYPE									
FUGITIVE PM ₁₀ - ACTIVE OUTDOOR STORAGE							Figure: 2-3		
FACILITY AND SOURCE DESCRIPTION									
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Emission Control Method(s)/ID No.(s):			Moist Material						
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EMISSION ESTIMATION EQUATIONS									
PM ₁₀ Emission (lb/hr) = Emission Factor (lb PM/acre/day) x Storage Pile Area (acres) x (1 day/24 hrs)									
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Source: ECT, 1999.									
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							(lb/hr)	(tpy)	
Chip Storage	F-31	365	0.770	6.3	70.0	1.89	0.061	0.266	
Bark Storage	F-32	365	0.224	6.3	70.0	1.89	0.018	0.077	
Sawdust Storage	F-33	365	0.200	6.3	70.0	1.89	0.018	0.069	
Shavings Storage	F-34	365	0.157	6.3	70.0	1.89	0.012	0.054	
SOURCES OF INPUT DATA									
Parameter	Data Source								
Storage Pile Identification	Champion, 1999.								
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Evaluated by:	T. Davis						Date:	8/99	
Data Entered by:	T. Davis						Date:	8/99	

4. Professional Engineer Statement:

I, the undersigned, hereby certify, except as particularly noted herein, that:*

(1) To the best of my knowledge, there is reasonable assurance that the air pollutant emissions unit(s) and the air pollution control equipment described in this Application for Air Permit, when properly operated and maintained, will comply with all applicable standards for control of air pollutant emissions found in the Florida Statutes and rules of the Department of Environmental Protection; and

(2) To the best of my knowledge, any emission estimates reported or relied on in this application are true, accurate, and complete and are either based upon reasonable techniques available for calculating emissions or, for emission estimates of hazardous air pollutants not regulated for an emissions unit addressed in this application, based solely upon the materials, information and calculations submitted with this application.

If the purpose of this application is to obtain a Title V source air operation permit (check here [], if so), I further certify that each emissions unit described in this Application for Air Permit, when properly operated and maintained, will comply with the applicable requirements identified in this application to which the unit is subject, except those emissions units for which a compliance schedule is submitted with this application.

If the purpose of this application is to obtain an air construction permit for one or more proposed new or modified emissions units (check here [], if so), I further certify that the engineering features of each such emissions unit described in this application have been ~~designed~~ or examined by me or individuals under my direct supervision and found to be in conformity with sound engineering principles applicable to the control of emissions of the air pollutants characterized in this application.

If the purpose of this application is to obtain an initial air operation permit or operation permit revision for one or more newly constructed or modified emissions units (check here [], if so), I further certify that, with the exception of any changes detailed as part of this application, each such emissions unit has been constructed or modified in substantial accordance with the information given in the corresponding application for air construction permit and with all provisions contained in such permit.

Thomas R. Owens

Signature

8/16/99

Date

(seal)

* Attach any exception to certification statement.

This certification is applicable to the revised estimates of storage pile fugitive PM/PM₁₀ emission rates pertaining to Champion International Corporation's McDavid Sawmill project.



PUBLISHED DAILY

Pensacola, Escambia County, Florida

FLORIDA
Escambia

undersigned authority personally appeared

Kay Colwin

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Notice of Intent

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copy of advertisement; and affiant further says
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and subscribed before me this 5th

Aug A.D., 19 99

Bereth Ferguson
Notary Public

BERETH FERGUSON
Notary Public-State of FL
My comm. expires Oct. 10, 2001
Comm. No. CC687980

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 0320280-001-AC, PSD-FL-271

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- | | |
|---|--|
| Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979 | Dept. of Environmental Protection
Northwest District
160 Government Center
Pensacola, Florida 32501-5794
Telephone: 904/444-8300 |
|---|--|

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PENSACOLA News Journal

PUBLISHED DAILY

Pensacola, Escambia County, Florida

OF FLORIDA
of Escambia

The undersigned authority personally appeared

Kay Goodwin

personally known to me and who on oath
t he/she is a representative of The
Pensacola News Journal, a daily newspaper
published at Pensacola in Escambia County,
Florida, that the attached copy of advertisement,
Legal in the matter of Notice of Intent

Notice of Intent in the _____ Court, was

published in said newspaper in the issues of
August 5, 1999

further says that the said Pensacola News Journal is a newspaper published at 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 in 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 said copy of advertisement; and affiant further says that he/she has neither paid nor promised any person, firm, corporation any discount, rebate, commission or other consideration for the purpose of securing this advertisement for publication in the said newspaper.

to and subscribed before me this 5th

Aug A.D., 19 99

Bereth Ferguson
Notary Public

BERETH FERGUSON
Notary Public-State of FL
My commission expires Dec. 10, 2001
Comm. No. CC667881

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 0330250-001-AC, PSD-FL-271
Champion International Corporation
McDevitt Sawmill
Escambia County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Champion International Corporation, for its proposed McDevitt Sawmill to be located at US Highway 29, Pine Barren, Escambia County. The permit is for construction of a lumber sawmill with a capacity to produce up to 225 million board feet of lumber. The applicant's mailing address is: Champion International Corporation, 11 Parkway, Cantonment, Florida 32533. A Best Available Control Technology (BACT) determination was required for particulate matter and VOC pursuant to Rule 62-212.4 and 40 CFR 62.21, Prevention of Significant Deterioration (PSD).

The lumber mill will have two natural gas fired boilers that will provide steam to three drying kilns, a planermill to plane and trim dried lumber, and fugitive emissions.

Total emissions of pollutants, including quantifiable fugitive PM emissions shall not exceed the annual emission rates in tons per year: PM₁₀, 31.2; PM_{2.5}, 17.9; SO₂, 0.3; NO_x, 39.0; and CO, 70.2.

An air quality impact analysis was conducted for PM₁₀. Emissions from the facility will not significantly contribute to or cause a violation of any state or federal ambient air quality standards or PSD increments. The maximum predicted PSD Class II PM₁₀ increment from all sources in the area, including this project, will be as follows:

Increment Consumed	Allowable Increment	% Increment Consumed
(µg/m ³)	(µg/m ³)	
24-hour: 3	17	18
Annual: 19	30	63

The Department will issue the Final permit with the attached conditions unless a request is received in accordance with the following procedures results in a different decision or change of terms or conditions.

The Department will accept written comments and requests for public meetings on the proposed permit issuance action for a period of 30 (thirty) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments and requests for public meetings should be provided to the Department's Bureau of Air Regulation, Blair Stone Road, Mail Station #5505, Tallahassee, FL 32309-2400. Any written comment should be made available for public inspection. If written comments received result in a change in the proposed agency action, the Department shall revise the proposed permit, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely request for an administrative hearing is filed pursuant to sections 120.569 and 120.57 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth in Rule 120.569 F.S.

A petition whose substantial interests are affected by the proposed permitting decision shall be filed with the Department under sections 120.569 and 120.57 F.S. Florida Statutes. The petition must contain the information set forth below and must be filed in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within fourteen days of receipt of notice of intent. Petitions filed by any persons other than those entitled to written notice of intent must be filed within fourteen days of receipt of this notice of intent, whichever occurs later. Under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of this notice of intent. A petitioner who asked the Department for notice of intent 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 appropriate 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 participate in this proceeding and participate as a party to it. Any subsequent intervention will be at the approval of the presiding officer upon the filing of a motion in compliance with Rule 106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based shall contain the following information: (a) The name and address of each agency affected by the agency's action or proposed action, if known; (b) The name, address, and telephone of the petitioner, the name, address, and telephone of the petitioner's representative, if any, which shall be the address for service purposes during the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency's action or proposed action; (c) A statement of how and when petitioner received notice of the agency's action or proposed action; (d) A statement of all disputed issues of material fact, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action; (e) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action; and (f) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

A petition that does not dispute the material facts upon which the Department'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 28-109.301.

Because the administrative hearing process is designed to formulate final agency action, a petitioner means that the Department's final action may be different from the action proposed in this notice. Persons whose substantial interests will be affected by any decision of the Department 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 from 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at:
Dept. of Environmental Protection
Bureau of Air Regulation
Suite 4, 111 S. Magnolia Drive
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Dept. of Environmental Protection
Northwest District
150 Government Center
Pensacola, Florida 32501-57
Telephone: 904/444-6300

The complete project file includes the application, technical evaluations, Draft permit information submitted by the responsible official, exclusive of confidential records under 40 CFR 1.111, F.S. Interested persons may contact the Administrator, New Source Review of the Department's reviewing engineer for this project, Joseph Kahn, P.E., at 111 S. Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information.

Legal No. 57759 IT