

In the Matter of an Application for Title V Air Operation Permit by:

Leon County Board of County Commissioners  
7550 Apalachee Parkway  
Tallahassee, Florida 32311  
Responsible Official:  
Norman Thomas, Director

Permit No. 0730099-009-AV  
Facility ID No. 0730099  
Leon County Solid Waste Management  
Title V Permit Renewal  
Leon County, Florida

**Facility Location:** Leon County Board of County Commissioners operates the Leon County Solid Waste Management Facility, which is located in Leon County at 7550 Apalachee Parkway, Tallahassee, Florida.

**Project:** The purpose of this project is to renew Title V air operation permit No. 0730099-007-AV. Details of the project provided in the application and the enclosed Statement of Basis.

**Permitting Authority:** Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-213 of the Florida Administrative Code (F.A.C.). The Office of Permitting and Compliance in the Division of Air Resource Management is the Permitting Authority responsible for making a permit determination for this project. The Permitting Authority's physical address is: 2600 Blair Stone Road, Tallahassee, Florida. The Permitting Authority's address is: 2600 Blair Stone Road, MS #5505, Tallahassee, Florida 32399-2400. The Permitting Authority's telephone is 850/717-9000.

**Project File:** A complete project file is available for public inspection during the normal business hours of 8:00 a.m. p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit, the Statement of Basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft/proposed permit by visiting the following web site: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

**Notice of Intent to Issue Permit:** The Permitting Authority gives notice of its intent to issue a Title V air operation permit renewal to the applicant for the project described above. The applicant has provided reasonable assurance that continued operation of the existing equipment will not adversely impact air quality and that the project will comply with the appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

**Public Notice:** Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.012, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, you should contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to provide the proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

**Comments:** The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority no later than 5:00 p.m. on or before the end of this 30-day period by the Permitting Authority at the above address. If you have comments, any person may also request that the Permitting Authority hold a public meeting to discuss the draft/proposed permit. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish a public meeting notice and conduct the meeting. If a public meeting is requested within the comment period and conducted by the Permitting Authority, any oral and written comments received during the meeting will also be considered by the Permitting Authority. If timely received written comments or comments received during a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

**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, Department of Environmental Protection, 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 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those set forth in this notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice. However, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 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 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 proceeding initiated by another party will be only at the approval of the presiding officer upon the filing of a motion for 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 find 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 when and where each petitioner received notice of the agency action; (d) A statement of all disputed issues of material fact. If there are none, the petitioner 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 are violated or modified by 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 take with respect to the agency's proposed action. 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 Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority, in an application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

**Mediation:** Mediation is not available in this proceeding.

**EPA Review:** EPA has agreed to treat the draft/proposed Title V air operation permit as a proposed Title V air operation permit and to perform its 45-day review provided by the law and regulations concurrently with the public comment period provided that the applicant also transmits an electronic copy of the required proof of publication directly to EPA. The following email address: [quendo.ana@epa.gov](mailto:quendo.ana@epa.gov). Although EPA's 45-day review period will be performed concurrently with the public comment period, the deadline for submitting a citizen petition to object to the EPA Administrator's review of the permit will be issued after the conclusion of the 45-day EPA review period so long as no adverse comment is received that result in a different decision or significant change of terms or conditions. The status regarding EPA's 45-day review of this project and the deadline for submitting a citizen petition can be found at the following website address: <http://www.epa.gov/region4/air/permits/florida.htm>.

**Objections:** Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as established in U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based on objections to the permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise objections within the comment period or unless the grounds for such objection arose after the comment period. Filin objections 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. For more information regarding EPA review and objections, visit EPA's Region 4 web site at <http://www.epa.gov/region4/air/permits/florida.htm>.

Executed in Tallahassee, Florida.  
for Jeffery F. Koerner, Program Administrator  
Office of Permitting and Compliance  
Division of Air Resource Management

JANUARY 16, 2013

TALLAHASSEE DEMOCRAT  
PUBLISHED DAILY  
TALLAHASSEE-LEON-FLORIDA

STATE OF FLORIDA COUNTY OF LEON:  
Before the undersigned authority personally  
appeared Cassandra Moore, who on oath says  
that he or she is a Legal Advertising  
Representative of the Tallahassee Democrat, a  
daily newspaper published at Tallahassee in Leon  
County, Florida; that the attached copy of  
advertisement, being a Legal Ad in the matter of

NOTICE

In the Second Judicial Circuit Court was  
published in said newspaper in the issues of:

JANUARY 16, 2013

Affiant further says that the said Tallahassee  
Democrat is a newspaper published at  
Tallahassee, in the said Leon County, Florida,  
and that the said newspaper has heretofore been  
continuously published in said Leon County,  
Florida each day and has been entered as  
periodicals matter at the post office in  
Tallahassee, in said Leon 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 or  
she has never paid nor promised any person, firm  
or coporation any discount, rebate, commission  
or refund for the purpose of securing this  
advertisement for publication in the said  
newspaper.

CASSANDRA MOORE  
LEGAL ADVERTISING REPRESENTATIVE

Sworn to and Subscribed before me.

This 16<sup>th</sup> Day of January 2013, by  
Cassandra Moore, *Cassandra Moore*

Personally Known *[Signature]*

OR Produced Identification \_\_\_\_\_

Type of Identification Produced \_\_\_\_\_

(SEAL)

Notary Public  
State of Florida  
County of Leon

