



14055 Riveredge Drive, Suite 300
Tampa, Florida 33637 USA
Telephone: (813) 558-0990
Telefax: (813) 558-9726

FAX COVER SHEET

To: MS. TERESA HERON

Firm: BUREAU OF AIR REGULATION

Fax No.: 850-921-9533

From: KEN CARGILL Project No.: AWD400/TASK 13

Cover page plus _____ pages following.

Sent by: A. GUPTA Date: 8 APRIL 2003 Time: 2:5:05PM

MESSAGE

THE MODIFICATIONS TO "ITEM 4" ARE ATTACHED.

Acton, MA Office: (978) 263-9588
Austin, TX Office: (512) 451-4003
Chicago, IL Office: (312) 658-0500
Guelph, Canada Office: (519) 822-2230
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Atlanta, GA Office: (404) 705-9500
Boca Raton, FL Office: (561) 995-0900
Columbia, MD Office: (410) 381-4333
Huntington Beach, CA Office: (714) 969-0800
Santa Barbara, CA Office: (805) 897-3800
Seattle, Washington Office: (206) 985-6963
Soil Geosynthetic Lab: (404) 705-9500

8 April 2003

Mr. Allen A. Linero
Program Administrator, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Comments Related to the Draft Air Construction Permit
DEP File No. 0970079-001-AC
Oak Hammock Disposal (OHD) Facility
Omni Waste of Osceola County, LLC (Omni)
Osceola County, Florida

As requested, the suggested modifications to Item 4 (as in our previous letter dated 31 March 2003 to FDEP) are included below:

Item 4:

Special Condition # 6, Page 9 of 10, Draft ACP

Visible Emissions: Compliance.....The required visible emissions test report shall also contain the extraction wells gas flow rate and the flare temperature data.

Requested Modifications

Visible Emissions: Compliance.....The required visible emissions test report shall also contain the ~~extraction wells~~ flare gas flow rate and the flare temperature data.

Special Condition # 13, Page 10 of 10, Draft ACP

Continuous Monitoring: Proper devices for the continuous monitoring and recording of the total gas flow rate from all extraction wells, and each flare flame temperature, shall be.....

Mr. Allen A. Linero
8 April 2003
Page 2

Requested Modifications

Continuous Monitoring: Proper devices for the continuous monitoring and recording of the total gas flow rate ~~from all extraction wells~~, and each flare flame temperature at each flare, shall be.....

Comments/Clarification

As per the monitoring requirements of 40 CFR 60 Subpart WWW, the gas flow rate and the flame temperature will be monitored and recorded continuously (i.e., at least every 15 minutes) at the flare stations. However, it is clarified that the gauge pressure, nitrogen or oxygen concentration, and temperature will be measured at each vertical gas extraction well on a monthly basis (and not continuously).

If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Sincerely,



Kenneth W. Cargill, P.E.
Principal



RECEIVED

APR 01 2003

BUREAU OF AIR REGULATION 31 March 2003

Mr. Allen A. Linero
Program Administrator, Bureau of Air Regulation
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Subject: Comments Related to the Draft Air Construction Permit
DEP File No. 0970079-001-AC
Oak Hammock Disposal (OHD) Facility
Omni Waste of Osceola County, LLC (Omni)
Osceola County, Florida

Dear Mr. Linero:

The purpose of this letter is to provide Florida Department of Environmental Protection (FDEP) with written comments related to the above referenced draft Air Construction Permit (ACP). The draft ACP was issued by FDEP for review and comments on 13 March 2003 in a letter addressed to Mr. Timothy J. Salopek. The draft ACP language is reproduced in italic font. The requested modifications to the draft ACP language are underlined and are followed by comments/clarifications (if any) for the requested modifications in normal font.

Item 1:

Page 1 & 2 of 10, Draft ACP

.....a gas extraction and collection system (GECS), two flares, and ancillary equipment

Page TE-3, Technical Evaluation and Preliminary Determination (TEPD)

.....a gas extraction and collection system (GECS), and two flares, and has an overall footprint

Mr. Allen A. Linero
 31 March 2003
 Page 2

Requested Modifications

..... (GECS), up to two flares, and

It is noted that up to 2 flares will be installed during the Phase 1 development of the OHD facility. As noted on Sheets 24 and 29 of 50 of the permit drawings, the first flare station will be constructed near the north end of the facility during Phase 1 development. The second flare station is scheduled to be constructed during Phase 2 development of the facility, beyond the southern limits of Phase 1. The GECS will ultimately consist of 4 flare stations after the OHD facility is fully developed. It is clarified that the second flare station will be constructed during Phase 1 development of the facility only if needed. The intent of requesting up to 2 flares to be constructed during Phase 1 development was to assure that this ACP will continue to be applicable to Phase 1 in the event a second flare station was needed and modification to the permit will not be required until Phase 2 is permitted.

Item 2:

Page 2 of 10, Draft ACP

Future phases not covered by this permit consist of 21 landfill cells, a larger GECS, four flares, and ancillary equipment on approximately 264 acres.

Requested Modifications

Future phases not covered by this permit consist of 17 additional landfill cells, a larger GECS, additional flares up to a total of four flares, and ancillary equipment on approximately 264 acres.

It is noted that after complete build-out, the OHD facility will consist of 21 landfill cells (developed in 6 phases) and a GECS with 4 flares. Phase 1 development of the facility will include 4 landfill cells and a GECS with up to 2 flares.

Mr. Allen A. Linero
31 March 2003
Page 3

Item 3:

Special Condition # 8, Page 4 of 10, Draft ACP

Title V Operation Permit Required: Thisshall be submitted to the Department's Southeast District office.

Requested Modifications

Title V Operation Permit Required: Thisshall be submitted to the Department's Central District office.

Item 4:

Special Condition # 6, Page 9 of 10, Draft ACP

Visible Emissions: Compliance.....The required visible emissions test report shall also contain the extraction wells gas flow rate and the flare temperature data.

Special Condition # 13, Page 10 of 10, Draft ACP

Continuous Monitoring: Proper devices for the continuous monitoring and recording of the total gas flow rate from all extraction wells, and each flare flame temperature, shall be.....

Comments/Clarification

As per the monitoring requirements of 40 CFR 60 Subpart WWW, the gas flow rate and the flame temperature will be monitored and recorded continuously (i.e., at least every 15 minutes) at the flare stations. However, it is clarified that the gauge pressure, nitrogen or oxygen concentration, and temperature will be measured at each vertical gas extraction well on a monthly basis (and not continuously).

Item 5:

Page 1 of 3, Intent to Issue ACP

You must provide proof of publication within seven days of publication,



Mr. Allen A. Linero
31 March 2003
Page 4

Comments

The Public Notice of Intent to Issue ACP was published in the 22 March 2003 issue of the Orlando Sentinel. Proof of the publication is attached. It is noted that the proof of publication was faxed to your office on 28 March 2003. The fax transmission report for the same is also attached.

If you have any questions or need additional information, please do not hesitate to contact the undersigned.

Sincerely,



Kenneth W. Cargill, P.E.
Principal

Copy to: Tim Salopek, Omni Waste
Lenny Marion, Omni Waste
David Dee, Landers & Parsons



Orlando Sentinel

Published Daily

State of Florida } S.S.
COUNTY OF ORANGE }

Before the undersigned authority personally appeared Linda Bridgewater

who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at KISSIMMEE in OSCEOLA County, Florida; that the attached copy of advertisement, being a PUBLIC NOTICE OF I in the matter of DEP File # 0970070-001-AC

in the OSCEOLA Court, was published in said newspaper in the issue; of 03/22/03

Affiant further says that the said Orlando Sentinel is a newspaper published at KISSIMMEE in said OSCEOLA County, Florida, and that the said newspaper has heretofore been continuously published in said OSCEOLA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in KISSIMMEE in said OSCEOLA 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.

Linda Bridgewater

The foregoing instrument was acknowledged before me this 26th day of March, 20 03, by Linda Bridgewater

who is personally known to me and who did take an oath.

(SEAL)

OFFICIAL NOTARY SEAL
JULIA NICHOLS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD054311
MY COMMISSION EXP. SEPT 23, 2005

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA

DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0970070-001-AC

Omni Waste of Osceola County, LLC
Oak Hammock Disposal Facility
Osceola County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Omni Waste of Osceola County for construction of a solid waste disposal facility west of Highway 441, approximately 6.5 miles south of Holopaw. A determination of Best Available Control Technology pursuant to Rule 62-212.400, F.A.C. was not required at this time. The applicant's name and address are: Omni Waste of Osceola County, LLC, 100 Church Street, Kissimmee, Florida, 34741.

The proposed project, known as the Oak Hammock Disposal Facility, will be developed in six different phases on a site comprising 2779 acres. This air construction permit is for Phase 1, which includes four landfill cells covering an area of approximately 53 acres, two flares, and ancillary facilities. The complete build-out of the facility includes 21 landfill cells covering an area of approximately 264 acres and four flares.

The average solid waste disposal rate over the projected 30-year life of the facility is estimated at roughly 1,450 tons per day (TPD) with a maximum rate of 4,000 TPD. The ultimate height of the landfill will be roughly 100 feet above ground level.

A gas extraction and control system (GECS) including the flares will be installed and will function as early as the third year of operation. The GECS will collect approximately 75 percent of the gases evolved during the decomposition of the waste and will reduce emissions of non-methane hydrocarbons (NMOC) and minimize odor. The same GECS and flares will insure compliance with applicable Standards of Performance for Municipal Solid Waste Landfills and the National Emission Standards for Hazardous Air Pollutants from Municipal Solid Waste Landfills.

The proposed permit requires Omni Waste to regularly submit emissions estimates to the Department and to submit an application for a construction permit for each subsequent phase. Depending on projected emissions, the applications for subsequent phases may require a review under the Department's Rules for the Prevention of Significant Deterioration of Air Quality (PSD) and BACT at Rule 62-212.400.

The Department will issue the FINAL Permit, in accordance with the conditions of the DRAFT Permit, 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 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 Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station 4505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If 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, Mall 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 120.60(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 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 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 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 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 28-106.301.

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 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:

Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Department of Environmental Protection
Central District Office
3319 Maguire Boulevard, Suite 232

Orlando, Florida 32803-3767
Telephone: 407/894-7555
Fax: 407/897-2966

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 Program Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. Key documents may also be viewed at www.dep.state.fl.us/air/permitting/construct.htm

OSCL 4953434

Mar 22, 2003

 *** TX REPORT ***

TRANSMISSION OK

TX/RX NO	3798	
CONNECTION TEL		18509226979
SUBADDRESS		
CONNECTION ID		
ST. TIME	03/28 15:42	
USAGE T	01'47	
PGS. SENT	3	
RESULT	OK	



14055 Riveredge Drive, Suite 300
 Tampa, Florida 33637 USA
 Telephone: (813) 558-0990
Telefax: (813) 558-9726

FAX COVER SHEET

To: AL LINERO, PROGRAM ADMINISTRATOR (TEL: 850-921-9523)
 Firm: BUREAU OF AIR REGULATION, ADEP TALLAHASSEE
 Fax No.: 850-922-6979
 From: KEN CARGILL Project No.: F00400/TASK 1.3

Cover page plus 2 pages following.

Sent by: A. GUPTA Date: 3/28/03 Time: 2:45PM

MESSAGE

- ① PROOF OF PUBLICATION OF "PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT" IS ATTACHED.
- ② FAXING THIS AS WE ARE NOT SURE IF OMNI SENT YOU A COPY OR NOT.
- ③ WILL SEND A COPY OF IT IN THE MAIL AS WELL.



P.O. Box 421613
Kissimmee, FL 34742
407-957-7284 Phone
407-957-7202 Fax

March 28, 2003

Ms. Trina Vielhauer, Chief
Bureau of Air Regulation
2600 Blair Stone Road
Tallahassee, FL 32399-2400

RECEIVED

MAR 31 2003

BUREAU OF AIR REGULATION

RE: Affidavit of Publication
Public Notice of Intent to Issue
Air Construction Permit
DEP File No. 0970079-001-AC
Oak Hammock Disposal Facility

Dear Ms. Vielhauer:

Please find enclosed the *original* Affidavit of Publication for the Notice of Intent to Issue. This information was published on 22 March 2003 in the Orlando Sentinel. If you need additional information please feel free to contact me.

Sincerely,

Timothy J. Salopek
President

TJS/ss

Enclosure

cc: David Dee/Landers & Parsons
Ken Cargill/GeoSyntec Consultants

Orlando Sentinel

Published Daily

RECEIVED

MAR 31 2003

State of Florida }
COUNTY OF ORANGE } S.S.

BUREAU OF AIR REGULATION

Before the undersigned authority personally appeared Linda Bridgewater

who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at KISSIMMEE in OSCEOLA County, Florida;

that the attached copy of advertisement, being a PUBLIC NOTICE OF I in the matter of DEP File # 0970070-001-AC

in the OSCEOLA Court, was published in said newspaper in the issue; of 03/22/03

Affiant further says that the said Orlando Sentinel is a newspaper published at KISSIMMEE in said OSCEOLA County, Florida, and that the said newspaper has heretofore been continuously published in said OSCEOLA County, Florida, each Week Day and has been entered as second-class mail matter at the post office in KISSIMMEE in said OSCEOLA 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.

Linda Bridgewater

The foregoing instrument was acknowledged before me this 26th day of March, 20 03, by Linda Bridgewater

who is personally known to me and who did take an oath.

(SEAL)

OFFICIAL NOTARY SEAL
JULIA NICHOLS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. DD054311
MY COMMISSION EXP. SEPT 23, 2005

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT
STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
DEP File No. 0970070-001-AC
Omni Waste of Osceola County, LLC
Oak Hammock Disposal Facility
Osceola County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Omni Waste of Osceola County for construction of a solid waste disposal facility west of Highway 441, approximately 6.5 miles south of Holopow. A determination of Best Available Control Technology pursuant to Rule 62-212.400, F.A.C. was not required at this time. The applicant's name and address are: Omni Waste of Osceola County, LLC, 100 Church Street, Kissimmee, Florida, 34741.

The proposed project, known as the Oak Hammock Disposal Facility, will be developed in six different phases on a site comprising 2179 acres. This air construction permit is for Phase I, which includes four landfill cells covering an area of approximately 53 acres, two flares, and ancillary facilities. The complete build-out of the facility includes 21 landfill cells covering an area of approximately 264 acres and four flares.

The average solid waste disposal rate over the projected 30-year life of the facility is estimated at roughly 1,650 tons per day (TPD) with a maximum rate of 4,000 TPD. The ultimate height of the landfill will be roughly 100 feet above ground level.

A gas extraction and control system (GECS) including the flares will be installed and will function as early as the third year of operation. The GECS will collect approximately 75 percent of the gases evolved during the decomposition of the waste and will reduce emissions of non-methane hydrocarbons (NMOC) and minimize odor. The same GECS and flares will insure compliance with applicable Standards of Performance for Municipal Solid Waste Landfills and the National Emission Standards for Hazardous Air Pollutants from Municipal Solid Waste Landfills.

The proposed permit requires Omni Waste to regularly submit emissions estimates to the Department and to submit an application for a construction permit for each subsequent phase. Depending on projected emissions, the applications for subsequent phases may require a review under the Department's Rules for the Prevention of Significant Deterioration of Air Quality (PSD) and BACT at Rule 62-212.400.

The Department will issue the FINAL Permit, in accordance with the conditions of the DRAFT Permit, 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 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 Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If 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 835, 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 120.60(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 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 of the Florida Administrative Code.

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Department of Environmental Protection
Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4
Tallahassee, Florida 32301
Telephone: 850/488-0114
Fax: 850/922-6979

Department of Environmental Protection
Central District Office
3319 McGuire Boulevard, Suite 232

Orlando, Florida 32803-3747
Telephone: 407/894-7555
Fax: 407/897-2966

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 Program Administrator, New Resource Review Section at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/488-0114, for additional information. Key documents may also be viewed at www.dep.state.fl.us/air/permitting/construct.htm