



Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

## CERTIFIED MAIL

In the Matter of an Application  
for Permit by:

DEP File No.: 1190011-004-AC  
County: Sumter

Mr. Jerome G. Robbins, II  
Vice President  
Robbins Manufacturing Company  
P.O. Box 17939  
Tampa, FL 33682

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## INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Robbins Manufacturing Company, applied on July 15 and September 30, 2004, to the Department of Environmental Protection for a permit to modify 2 wood fired boilers, the after-the-fact construction of a Sawdust Storage Silo, Planer Shavings Storage Silo, Kiln No. 1, and the construction of a new Kiln No. 2 at S.R. 50 & Route 471, Tarrytown.

The Department has permitting jurisdiction under Section 403.087, Florida Statutes (F.S.). The project is not exempt from permitting procedures. The Department has determined that an air pollution construction modification permit is required for the proposed work.

The Department intends to issue this permit based on the belief reasonable assurances have been provided to indicate the proposed project will comply with the appropriate provisions of Florida Administrative Code (F.A.C.) Chapters 62-204 through 62-297 & 62-4.

Pursuant to Section 403.815, F.S., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice will be published one time only within 30 days of receipt of this Intent to Issue, in the legal ad section of a newspaper of general circulation in the area affected. For the purposes of this rule "publication in a newspaper of general circulation in the affected area" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the

permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed above. The applicant shall provide proof of publication to the Department, at 3804 Coconut Palm Drive, Tampa, Florida 33619 within 7 days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

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.

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, F.S. 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 14 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), F.S., must be filed within 14 days of publication of the public notice or within 14 days of receipt of this notice of intent, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Department 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 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 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 action; and

- (f) A statement of 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, F.A.C.

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 of intent. 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.

Mediation is not available in this proceeding.

In addition to the above, a person subject to regulation has a right to apply for a variance from or waiver of the requirements of particular rules, on certain conditions, under Section 120.542, F.S. The relief provided by this state statute applies only to state rules, not statutes, and not to any federal regulatory requirements. Applying for a variance or waiver does not substitute or extend the time for filing a petition for an administrative hearing or exercising any other right that a person may have in relation to the action proposed in this notice of intent.

The application for a variance or waiver is made by filing a petition with the Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. The petition must specify the following information:

- (a) The name, address, and telephone number of the petitioner;
- (b) The name, address, and telephone number of the attorney or qualified representative of the petitioner, if any;
- (c) Each rule or portion of a rule from which a variance or waiver is requested;
- (d) The citation to the statute underlying (implemented by) the rule identified in (c) above;
- (e) The type of action requested;
- (f) The specific facts that would justify a variance or waiver for the petitioner;
- (g) The reason why the variance or waiver would serve the purposes of the underlying statute (implemented by the rule); and
- (h) A statement whether the variance or waiver is permanent or temporary and, if temporary, a statement of the dates showing the duration of the variance or waiver requested.

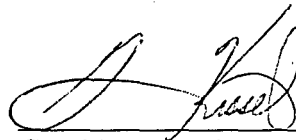
The Department will grant a variance or waiver when the petition demonstrates both that the application of the rule would create a substantial hardship or violate principles of fairness, as each of those terms is defined in Section 120.542(2), F.S., and that the purpose of the underlying statute will be or has been achieved by other means by the petitioner.

Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of EPA and by the person under the Clean Air Act unless and until Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

Any person listed below may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, and all other materials available to the Department that are relevant to the permit decision. In addition any person may send written comments on the proposed permitting action. All requests and comments should be sent to this office at the address referenced above to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1190011-004-AC. All comments received within 14 days of receipt of this Intent to Issue will be considered in the Department's final determination.

Executed in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Gerald J. Kissel, P.E.

District Air Program Administrator

Attachment

cc: Mr. Frank Darabi, P.E.  
Darabi & Associates, Inc.  
730 NE Waldo Road, Building A  
Gainesville, FL 32641

Mr. Bruce Lee  
Operations Manager  
Robbins Manufacturing Company  
13904 SR 471  
Webster, FL 33597

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE was sent to the addressee by certified mail and all copies were sent by regular mail before the close of business on DEC 06 2004 to the listed persons, unless otherwise noted.

FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to Section 120.52(7), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

*Patricia A. Roberts*

Clerk

DEC 06 2004

Date

<b>U.S. Postal Service™</b>	
<b>CERTIFIED MAIL™ RECEIPT</b> <i>(Domestic Mail Only; No Insurance Coverage Provided)</i>	
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<b>OFFICIAL USE</b>	
Postage \$	Postmark Here
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	Mr. Jerome G. Robbins, II Vice President/Secretary Robbins Manufacturing Company P. O. Box 17939 Tampa, FL 33682
Total Postage & Fee	
Sent To	
Street, Apt. No., or PO Box No.	1190011-004-AC ITI JM 12/06/2004
City, State, ZIP+4	
PS Form 3800, June 2002	
See Reverse for Instructions	

5695  
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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

AIR  
PP

1. Article Addressed to:

Mr. Jerome G. Robbins, II  
Vice President/Secretary  
Robbins Manufacturing Company  
P O. Box 17939  
Tampa, FL 33682

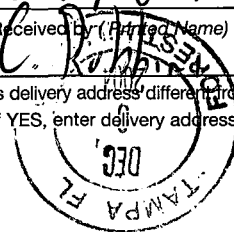
1190011-004-AC ITI JM 12/06/2004

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No



3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)  Yes

2. Article Number  
(Transfer from service label)

7002 3150 0003 8458 4495

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

STATE OF FLORIDA  
Department of Environmental Protection  
Air Program  
8407 Laurel Fair Circle  
Tampa, Florida 33610

SOUTHWEST DISTRICT  
DEC 10 2004  
TAMPA

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (Permit File No. 1190011-004-AC) to the Robbins Manufacturing Company for the construction modification of 2 wood fired boilers, the after-the-fact construction of a Sawdust Storage Silo, Planer Shavings Storage Silo, Kiln No. 1, and the construction of a new Kiln No. 2 at Chip and Saw facility located at S.R. 50 and Route 471, Tarrytown, Sumter County. The modifications in part will reduce the boilers' total combined emissions and establish the facility as a synthetic non-Title V facility, thus exempting it from the Title V permitting requirements of Chapter 62-213, F.A.C. MAILING ADDRESS – Robbins Manufacturing Company, P.O. Box 17939, Tampa, FL 33682 to the attention of Mr. Jerome G. Robbins, Vice President.

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.

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, F.S. 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 120.60(3), F.S., 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), F.S., 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, F.A.C.

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 action; and
- (f) A statement of 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.

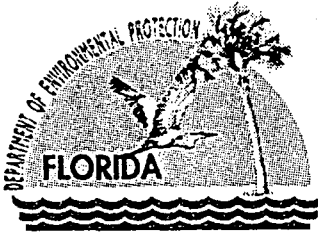
A petition that does not dispute the material facts upon which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

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 permit. 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.

Mediation is not available in this proceeding.

The application 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 8407 Laurel Fair Circle, STE 214, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, 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 "Public Notice of Intent to Issue Permit." Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1190011-004-AC. 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.



Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

**PERMITTEE:**  
Robbins Manufacturing Company  
P.O. Box 17939  
Tampa, FL 33682

**Permit No.:** 1180011-004-AC  
**County:** Sumter  
**Effective Date:**  
**Expiration Date:** 03/10/2006  
**Project:** 2 Wood Fired Boilers, 2 Kilns,  
Sawdust Storage Silo, Planer Shavings  
Storage Bin

## DRAFT

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Chapters 62-204 through 62-297 & 62-4. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the department and made a part hereof and specifically described as follows:

This permit is for the construction modification of 2 boilers, the after-the-fact construction of Kiln No. 1, the construction of Kiln No. 2, the after-the-fact construction of a Sawdust Storage Silo serving the Hurst boiler, and the after-the-fact construction of a Planer Shavings Storage Bin. These emission units/activities are located at a synthetic non-Title V Chip and Saw (sawmill) facility based on control of particulate emissions.

The modifications for the 2 wood fired boilers are as follows:

1. Change the maximum heat input to each boiler from based on a monthly average to a daily average.
2. Change recordkeeping requirements to demonstrate compliance with No. 1 above.
3. Page 7 of 7 in construction permit 1190011-003-AC determined this facility is a Title V facility, based on an error in how the carbon monoxide emissions were determined. Therefore, this permit changes the Title V status of the facility to a synthetic non-Title V facility.

The air emission sources at this facility are as described below:

PERMITTEE:  
Robbins Manufacturing Company

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

**DRAFT**

**Emission Unit ID No. 001 – Abco Industries boiler (west)**

For the construction modification of an existing 260 HP Abco Industries 72' x 20' wood (wood chips) fired boiler, currently permitted on Permit No. 1190011-002-AO. Wood chip piles on the ground are transferred to an enclosed mechanical screw conveyor that transfers the wood chips to the boiler. The maximum heat input to the boiler is 13.1 MMBTU (Million British Thermal Unit)/hour (daily average), based on a maximum wood firing rate of 1,875 lbs/hr. with the wood having an expected BTU value of 7,000 BTU's/pound. Emissions from the boiler are controlled by a S & S Construction Company cyclone separator with a design flow rate of 9,405 ACFM. The boiler can supply heat to the existing Kiln No. 1 (northeast) and/or the new Kiln No. 2 (southwest). This boiler is located to the west of the Hurst boiler - Emission Unit ID No. 002.

**Emission Unit ID No. 002 – Hurst boiler (east)**

For the construction modification of a wood (sawdust) fired 260 HP Hurst Firebox Steam Boiler. The sawdust is fed to the boiler by an enclosed screw conveyor from a Sawdust Storage Silo. The maximum heat input to the boiler is 13.1 MMBTU/hour (daily average), based on a maximum wood firing rate of 1,875 lbs./hr. with the wood having a BTU value of 7,000 BTU's/pound. Emissions from the boiler are controlled by a Hurst Multicyclone Collector with a design flow rate of 6,650 ACFM. The boiler can supply heat to the existing Kiln No. 1 and/or the new Kiln No. 2. This boiler is located to the east of the Abco boiler - Emission Unit No. 001.

**Emission Unit ID Nos. 001 & 002 Information Summary**

Both boilers are subject to 40 CFR 60, Subpart Dc - Standards of Performance for Small Industrial-Commercial-Institutional Steam Generating Units and Rule 62-296.410, F.A.C. - Carbonaceous Fuel Burning Equipment.

**Emission Unit ID No. 003 – Kiln No. 1 (northeast - existing)**

Kiln No. 1 is located to the northeast of the proposed new Kiln No. 2. This kiln is used to dry wood, which consists of lumber and/or poles at a maximum rate of 21,600 Mbf (thousand board feet) per any consecutive 12 month period. The typical maximum charge to the kiln is 138 Mbf/charge. Heat to the kiln is supplied by any combination of 3 boilers. The 3 boilers are the Abco Industries boiler (Emission Unit ID No. 001), the Hurst boiler (Emission Unit ID No. 002), and an exempt from permitting 150 HP Hurst, Series 400, boiler fired with LP gas at maximum heat input rate of 6.3 MMBTU/hr. (see the list of Exempt Emission Sources below).

**DRAFT**

PERMITTEE:  
Robbins Manufacturing Company

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

**Emission Unit ID No. 004 – Kiln No. 2 (southwest – new)**

Kiln No. 2 will be located to the southwest of Kiln No. 1. This kiln is used to dry wood, which consists of lumber and/or poles at a maximum rate of 24,000 Mbf per any consecutive 12 month period. The typical maximum charge to the kiln is 138 Mbf/charge. Heat to the kiln is supplied by any combination of the same 3 boilers that supply heat to Kiln No. 1.

**Emission Unit ID No. 005 – Sawdust Storage Silo**

Sawdust is transferred pneumatically from the sawmill to the Sawdust Storage Silo that feeds the Hurst boiler (Emission Unit ID No. 002) at a maximum rate of 5.42 tons/hr. (daily average) and 39,566 tons per any consecutive 12 month period. Emissions from filling the silo are controlled by a cyclone with a design airflow rate of 27,500 acfm.

**Emission Unit ID No. 006 – Planer Shavings Storage Bin**

Wood shavings are transferred pneumatically from the planer to the Planer Shavings Storage Bin at a maximum rate of 112 tons/hr. (daily average) and 40,880 tons per any consecutive 12 month period. Emissions from filling the bin are controlled by a design airflow rate of 16,500 acfm.

**Exempt Emission Source(s):**

A 150 HP Hurst, Series 400, boiler fired with only LP Gas was installed in October 2001, and is considered exempt per Rule 62-210.300(a)3., F.A.C. At a maximum LP Gas usage rate of 69 gallons/hour and based on 91,500 BTU/gallon of LP Gas, this boiler has a maximum heat input rate of 6.3 MMBTU/hr.

A Bark Storage Bin located to the north of the Planer Shavings Storage Bin is exempt from permitting per Rule 62-210.300(3)(b)1., F.A.C. The bark is transferred from the sawmill to the uncontrolled bin by conveyor belt.

The uncontrolled Bark Storage Bin's truck loading operation is located under the bin and is exempt from permitting per Rule 62-210.300(3)(b)1., F.A.C.

**DRAFT**

PERMITTEE:  
Robbins Manufacturing Company

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

A Sawdust Storage Bin located to the north of the Bark Storage Bin is exempt from permitting per Rule 62-210.300(3)(b)1., F.A.C. The sawdust is transferred from the sawmill to the uncontrolled bin by conveyor belt.

The uncontrolled Sawdust Storage Bin's truck loading operation is located under the bin and is exempt from permitting per Rule 62-210.300(3)(b)1., F.A.C.

A Wood Chip Storage Bin located to the east of the Planer Shavings, Bark, and Sawdust Storage Bins is exempt from permitting per Rule 62-210.300(3)(b)1., F.A.C. The wood chips are transferred from the sawmill to the uncontrolled bin by conveyor belt.

The uncontrolled Wood Chip Storage Bin's truck loading operation is located under the bin and is exempt from permitting per Rule 62-210.300(3)(b)1., F.A.C.

**Facility Information Summary**

**Location:** SR 50 and CR 471, Tarrytown

**UTM Coordinates:** Zone 17      396.70 km East      3158.89 km North

**Latitude:** 28° 33' 10" North      **Longitude:** 82° 03' 27" West

**Facility ID No.:** 1190011

**Emission Unit ID No.:** 001 – Abco Boiler  
002 – Hurst Bioler  
003 – Kiln No. 1  
004 – Kiln No. 2 (new)  
005 – Sawdust Storage Silo  
006 – Planer Shavings Storage Bin

**Permit History:**

**Modifies Permit Nos.:** 1190011-002-AO and 1190011-003-AC

**NOTE:** Please reference the Facility Name, Permit No., Facility ID, and Emission Unit ID in all correspondence, test report submittals, applications, etc.

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

## SPECIFIC CONDITIONS

### Facility-Wide Limitations

1. **General Conditions.** A part of this permit is the attached 15 General Conditions.  
[Rule 62-4.160, F.A.C.]
2. **Other Requirements.** Issuance of this permit does not relieve the permittee from complying with applicable emission limiting standards or other requirements of Chapters 62-204 through 62-297, or any other requirements under federal, state, or local law.  
[Rule 62-210.300, F.A.C.]
3. **General Visible Emission Limitation:** Except for emissions units that are subject to a particulate matter or opacity limit set forth or established by rule and reflected by conditions in this permit, no person shall cause, let, permit, suffer or allow to be discharged into the atmosphere the emissions of air pollutants from any activity, the density of which is equal to or greater than that designated as Number 1 on the Ringelmann Chart (20 percent opacity). EPA Method 9 is the method of compliance pursuant to Chapter 62-297, F.A.C.  
[Rules 62-296.320(4)(b)1. & 4., F.A.C.]
4. **Hours of Operation.** The emission units/activities at this facility are permitted to operate continuously, 8,760 hours/year.  
[Construction permit application dated September 28, 2004]
5. **Reasonable Precautions for Unconfined Emissions of Particulate Matter.** All reasonable precautions shall be taken to prevent and control generation of unconfined emissions of particulate matter in accordance with the provisions in Rule 62-296.320, F.A.C. These provisions are applicable to any source, including but not limited to, vehicular movement, transportation of materials, construction, alteration, demolition or wrecking, or industrial related activities such as loading, unloading, storing and handling. Reasonable precautions include the following:
  - A. Paving and maintenance of roads, parking areas and yards.
  - B. Application of water or chemicals to control emissions from such activities as demolition of buildings, grading roads, construction, and land clearing.

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

- C. Application of asphalt, water, oil, chemicals or other dust suppressants to unpaved roads, yards, open stock piles and similar activities.
- D. Removal of particulate matter from roads and other paved areas under the control of the owner or operator of the facility to prevent reentrainment, and from buildings or work areas to prevent particulate from being airborne.
- E. Landscaping or planting of vegetation.
- F. Use of hoods, fans, filters, and similar equipment to contain, capture and/or vent particulate matter.
- G. Confining abrasive blasting where possible.
- H. Enclosure or covering of conveyor systems.

[Rule 62-296.320(4)(c), F.A.C.]

6. **Recordkeeping – Reasonable Precautions.** The permittee shall record and maintain logs/records of any activities required in Specific Condition No. 5., regarding controlling unconfined emissions of particulate. The logs/records shall include the following:

- A. Date
- B. Start and end time
- C. Type of activity performed

[Rule 62-4.070(3), F.A.C.]

7. **Record Retention.** The records required by Specific Condition Nos. 6, A.4., B.2., and C.2. shall be maintained on-site or electronically available on-site for a minimum of the most recent two (2) year period and made available to the Department upon request. [40 CFR 60.48c(i) and Rule 62-4.070(3), F.A.C.]

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

8. **Objectionable Odor.** The permittee shall not cause, suffer, allow, or permit the discharge of air pollutants from this plant which cause or contribute to an objectionable odor. Objectionable odor is defined as "Any odor present in the outdoor atmosphere which by itself or in combination with other odors, is or may be harmful or injurious to human health or welfare, which unreasonably interferes with the comfortable use and enjoyment of life or property, or which creates a nuisance."  
[Rules 62-296.320(2) and 62-210.200, Definitions-(Objectionable Odor), F.A.C.]
9. **Circumvention of Air Pollution Control Device** - The permittee shall not circumvent any air pollution control device or allow the emissions of air pollutants without the applicable air pollution control devices (i.e. cyclone) operating properly.  
[Rule 62-210.650, F.A.C.]
10. **Modifications.** Unless otherwise exempted by rule, the permittee shall not initiate any "modification" at the facility without obtaining prior authorization from the Department. Modification is defined as: Any physical change in, change in the method of operation or addition to a facility which would result in an increase in actual emissions of any air pollutant subject to regulation under the Act, including any not previously emitted, from any emission unit or facility.  
[Rules 62-210.200 and 62-4.070(3), F.A.C.]
11. **Excess Emissions.** Excess Emissions which are caused entirely or in part by poor maintenance, poor operation, or any other equipment or process failure which may reasonably be prevented during startup, shutdown, or malfunction shall be prohibited. {Permitting note: The Excess Emissions Rule at Rule 62-210.700, F.A.C., cannot vary any requirement of a NSPS or NESHAP provision.}  
[Rule 62-210.700(4), F.A.C.]
12. **Other Tests.** If the Department of Environmental Protection has reason to believe that any applicable emission standard is being violated, the Department may require the permittee to conduct compliance tests, which identify the nature and quantity of emissions and to provide a report on the results of the tests.  
[Rule 62-297.310(7)(b), F.A.C.]
13. **Annual Operating Report Requirement.** Submit to the Air Compliance Section of this office for this source, each calendar year and on or before March 1, an emission report [DEP Form 62-210.900(5)] for the preceding calendar year. [Rule 62-210.370(3), F.A.C.]



PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

14. **Operating Permit Application.** An air pollution operation permit application for these 6 emission units shall be submitted to the Air Permitting Section of this office within 120 days of Kiln No. 2 being placed in operation or by November 25, 2005, whichever occurs first. To properly apply for the permit, the applicant shall submit the following:

- A. The appropriate Department application form (see Rule 62-210.900(3), F.A.C. (Forms and Instructions)) along with the appropriate fee.
- B. Copies of the most recent month of records as required by Specific Condition Nos. 6., A.4., B.2., and C.2., if not previously submitted.

{Permit Note: This condition replaces Specific Condition No. 21 of permit 1190011-003-AC.}

[Rules 62-4.070(3), 62-4.090, 62-210.300(2), and 62-210.900, F.A.C.]

Emission Unit ID Nos. 001 and 002

A.1. **Applicable NSPS.** Each boiler is subject to and shall meet all the applicable requirements and limitations of 40 CFR 60, Subpart Dc, Standards of Performance for Industrial-Commercial-Institutional Steam Generating Units, adopted by reference in Rule 62-204.800(8), F.A.C. Also see 40 CFR 60.48c(g) and 40 CFR 60.48c(i).

A.2. **Heat Input Rate.** The boilers shall comply with the following:

- A. The maximum heat input rate to each boiler is 13.1 MMBTU/hour, based on a daily average. The heat input rate is determined from the amount of wood\* (sawdust/wood chips) used to fire the boiler.
- B. The maximum firing rate of wood\* (sawdust/wood chips as appropriate) to each boiler is 1,875 pounds/hour, based on a daily average.

\* The Abco boiler (Emission Unit ID No. 001) is only fired with wood chips and the Hurst boiler (Emission Unit ID No. 002) is only fired with sawdust.

[Rule 62-210.200(PTE), F.A.C.; Requested by permittee in application dated September 28, 2004]

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

**A.3. Visible Emission Limitation.** Visible emissions from each boiler shall not exceed 20% opacity, except for one two-minute period per hour during which visible emissions shall not exceed 40% opacity.  
[Rule 62-296.410(2), F.A.C.]

**A.4. Recordkeeping Requirements.** The permittee shall record and maintain the following logs/records for each boiler's operational day:

DAILY FOR EACH BOILER

- A. Date (Day/Month/Year) & Emission Unit ID No.
- B. Daily the amount of wood (sawdust/wood chips as appropriate) combusted, in lbs.
- C. Daily the number of hours of combusting wood (sawdust/wood chips as appropriate).
- D. Calculate and record the daily average hourly heat input rate, in MMBTU/hr.

The daily logs shall be completed by the end of the following 3<sup>rd</sup> business day. [40 CFR 60.48c(g) and Rule 62-4.070(3), F.A.C.]

**A.5. Test Frequency.** Each boiler shall be tested for visible emissions during each federal fiscal year (October 1 – September 30). The test report(s) shall be submitted to the Air Compliance Section of this office within 45 days of testing.  
[Rules 62-297.310(7) and 62-297.310(8), F.A.C.]

**A.6. VE Compliance Test Method.** Compliance with the visible emissions limitations of Specific Condition No. A.3. shall be demonstrated using DEP Method 9 contained in 40 CFR 60, Appendix A and adopted by reference in Rule 62-204.800, F.A.C. The visible emissions compliance test shall be conducted by a certified observer and be a minimum of 60 minutes in duration. The test observation period shall include the period during which the highest opacity can reasonably be expected to occur. The minimum requirements for source sampling and reporting shall be in accordance with the requirements of Chapter 62-297, F.A.C.  
[Rules 62-297.310(4), 62-297.401(9), and 62-296.410(3), F.A.C.]

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

**A.7. Operation Rate During Testing.** Testing of emissions from each boiler must be conducted within 90-100% of the maximum permitted heat input rate of 13.1 MMBTU/hour. (1,875 pounds/hour of wood). A compliance test submitted at a heat input rate less than 90% of maximum permitted rate will automatically constitute an amended permitted heat input rate at that lesser rate, plus 10%. Within 30 days of that lower amended heat input rate being exceeded as determined from daily recordkeeping, a new compliance test shall be conducted at no less than that higher heat input rate and no greater than 13.1 MMBTU/hr. (1,875 pounds/hour of wood). The test results shall be submitted to the Air Compliance Section of this office within 45 days of testing. Acceptance of the test by the Department will automatically constitute an amended permit at the higher tested heat input rate, plus 10%, but in no case shall the maximum heat input rate of 13.1 MMBTU/hr. (1,875 pounds/hour of wood) be exceeded. Each test report shall include the heat input rate during the test period and a copy of the logs/records for the day the test was conducted as required by Specific Condition No. A.4.

[Rules 62-297.310(2), 62-297.310(8), and 62-4.070(3), F.A.C.]

**A.8. Compliance Test Date Notification.** The permittee shall notify the Air Compliance Section of this office in writing at least 15 days prior to the date on which the compliance test is to begin. The notice shall include, the date, time, and place of each test, and the test contact person who will be responsible for coordinating and having each test conducted.

[Rule 62-297.310(7)(a)9., F.A.C.]

Emission Unit ID Nos. 003 and 004

**B.1. Operating Limitations.** The permittee shall comply with the following:

- A. Kiln No. 1 – The maximum process/throughput rate of drying lumber and/or poles is 21,600 Mbf per any consecutive 12 month period.
- B. Kiln No. 2 – The maximum process/throughput rate of drying lumber and/or poles is 24,000 Mbf per any consecutive 12 month period.

[Rule 62-210.200(PTE), F.A.C.; Permittee's letter dated November 2, 2004]

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

**B.2. Recordkeeping Requirements.** The permittee shall record and maintain the following logs/records for each kiln's operational day:

DAILY FOR EACH KILN

- A. Date (Day/Month/Year) & Emission Unit ID No.
- B. The amount of lumber and/or poles dried in Mbf.

MONTHLY FOR EACH KILN

- C. The amount of lumber and/or poles dried in Mbf.
- D. The most recent consecutive 12 month period total of lumber and/or poles dried in Mbf.

Daily records shall be completed by the end of the 3<sup>rd</sup> business day and monthly records shall be completed by the end of the following month.

[Rule 62-4.070(3), F.A.C.]

Emission Unit ID Nos. 005 and 006

**C.1. Operating Limitations.** The permittee shall comply with the following:

- A. Sawdust Storage Silo - The maximum filling rate of the silo is 2.26 tons/hour, based on a daily average. This value is derived from the daily amount of wood, in Mbf, processed in the sawmill. Therefore, when sawdust is being transferred to the silo from the sawmill, the amount of sawdust transferred is considered to be 0.542 tons of sawdust per Mbf of wood processed in the sawmill.
- B. Planer Shavings Storage Bin – The maximum filling rate of the bin is 2.33 tons/hour, based on a daily average. This value is derived from the daily amount of wood, in Mbf, processed by the planer. Therefore, when shavings are being transferred to the bin from the planer, the amount of shavings transferred is considered to be 0.373 tons of shavings per Mbf of wood processed by the planer.

[Rule 62-210.200(PTE), F.A.C.; Permittee's letter dated November 2, 2004]

PERMITTEE:  
Robbins Manufacturing Company

**DRAFT**

PERMIT NO.: 1190011-004-AC  
PROJECT: 2 Wood Fired Boilers,  
2 Kilns, Sawdust Storage Silo,  
Planer Shavings Storage Bin

- B. Planer Shavings Storage Bin – The maximum filling rate of the bin is 2.33 tons/hour, based on a daily average. This value is derived from the daily amount of wood, in Mbf, processed by the planer. Therefore, when shavings are being transferred to the bin from the planer, the amount of shavings transferred is considered to be 0.373 tons of shavings per Mbf of wood processed by the planer.

[Rule 62-210.200(PTE), F.A.C.; Permittee's letter dated November 2, 2004]

**C.2. Recordkeeping Requirements.** The permittee shall record and maintain the following logs/records:

- A. Date (Day/Month/Year) & Emission Unit ID No.
- B. The total daily amount of wood processed in the sawmill in Mbf and the hours of operation of the sawmill when the sawdust storage silo is filled.
- C. The total daily amount of wood processed in the planer in Mbf and the hours of operation of the planer when the planer shavings storage bin is filled.
- D. The daily average filling rate of sawdust, in tons/hour, to the sawdust storage silo.
- E. The daily average filling rate of planer shavings, in tons/hour, to the planer shavings storage bin.

The daily logs/records shall be completed by the end of the 3<sup>rd</sup> business day.

[Rule 62-4.070(3), F.A.C.]

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

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Gerald J. Kissel, P.E.  
District Air Program Administrator

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ATTACHMENT - GENERAL CONDITIONS

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "Permit Conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, Florida Statutes (F.S.). The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. Not applicable to Air Permits.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under conditions of the permit;

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GENERAL CONDITIONS:

- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonable necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of noncompliance; and
- b. The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-730.300 F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

**DRAFT**

GENERAL CONDITIONS:

13. This permit also constitutes:

- ( ) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- (x) Compliance with New Source Performance Standards (NSPS)

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

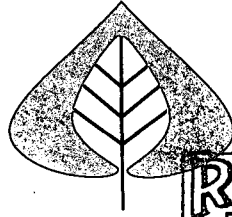
1. the date, exact place, and time of sampling or measurements;
2. the person responsible for performing the sampling or measurements;
3. the dates analyses were performed;
4. the person responsible for performing the analyses;
5. the analytical techniques or methods used;
6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. Not applicable to Air Permits.

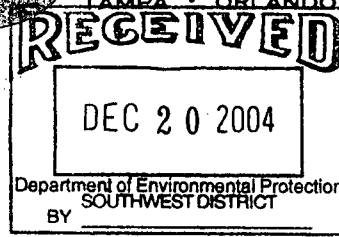
17. Not applicable to Air Permits.





**Robbins**  
MANUFACTURING COMPANY  
TAMPA • ORLANDO • FT. MYERS

December 17, 2004



Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, FL 33619

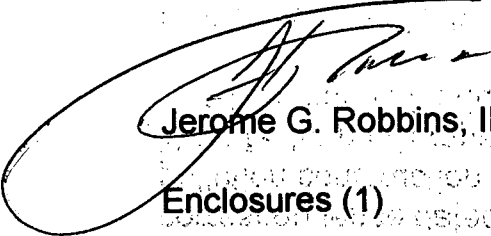
RE: Permit File No. 119001-004-AC  
Proof of Publication

Please accept this Affidavit of Publication from The Daily Commercial dated December 11, 2004, showing the public notification as required by your correspondence dated December 6, 2004, concerning the "Intent To Issue" an air pollution construction permit (Permit File No. 1190011-004-AC) for Robbins Manufacturing Company's facility located at 13904 State Route, Tarrytown, Sumter County, Florida.

If you have any further questions or concerns, please contact me at 813-971-3030 or email at [jrobbins@robbinslumber.com](mailto:jrobbins@robbinslumber.com).

Sincerely,

Robbins Manufacturing Company



Jerome G. Robbins, II

Enclosures (1)

Cc: Frank Darabi, PE  
Bruce Lee

# Affidavit of Publication

## The Daily Commercial

Leesburg, Lake County, Florida

Case No. \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF LAKE

Before the undersigned authority personally appeared Steve Skaggs who on oath says that he is the Advertising Director of The Daily Commercial, a daily newspaper published at Leesburg in Lake County, Florida, that the attached copy of advertisement, being

No. 01511106

in the matter of Notice of Intent to Issue Permit

in the \_\_\_\_\_ Court,

was inserted in said newspaper in the issues of \_\_\_\_\_

Dec. 11, 2004

Affiant further says that the said Daily Commercial is a newspaper published in said Leesburg, in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each day and has been entered as second class matter at the post office in Leesburg in said Lake County, Florida, for a period of one year preceding the first publication of the attached copy of advertisement; and affiant further says that he 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 said newspaper.

Signed \_\_\_\_\_

Steve Skaggs, Advertising Director

Sworn to and subscribed before me this 15 day of

December, 2004, by Steve Skaggs,

Advertising Director, who is personally known to me.

(Seal)

Tina L. Reader

Tina L. Reader, Notary Public



TINA L. READER  
Notary Public - State of Florida  
My Commission Expires Nov 19, 2005  
Commission # DD060474  
Bonded by National Notary Assn.

### Attach Not

#### STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue an air pollution permit (Permit File No. 1190011-004-AC) to the Robbins Manufacturing Company for the construction modification of 2 wood fired boilers, the after-the-fact construction of a Sawdust Storage Silo, Planer Shavings Storage Silo, Kiln No. 1, and the construction of a new Kiln No. 2 at Chip and Saw facility located at S.R. 50 and Route 471, Tarrytown, Sumter County. The modifications in part will reduce the boilers' total combined emissions and establish the facility as a synthetic non-Title V facility, thus exempting it from the Title V permitting requirements of Chapter 62-213, F.A.C. MAILING ADDRESS - Robbins Manufacturing Company, P.O. Box 17939, Tampa, FL 33682 to the attention of Mr. Jerome G. Robbins, Vice President. 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.

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, F.S. 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 120.60(3), F.S., must be filed within fourteen days of publication of the public notice or within four-

teen days of publication of the public notice, whichever occurs first. Under Section 120.60(3), F.S., 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, F.A.C.

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 action; and
- (f) A statement of 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, F.A.C. 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 permit. 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. Mediation is not available in this proceeding.

The application 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 8407 Laurel Fair Circle, STE 214, Tampa, Florida.

Any person may request to obtain additional information, a copy of the application (except for information entitled to confidential treatment pursuant to Section 403.111, F.S.), all relevant supporting materials, a copy of the permit draft, and all other materials available to the Department that are relevant to the permit decision. Additionally, 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

Issue Permit. Requests and written comments filed should be provided to the Florida Department of Environmental Protection at 3804 Coconut Palm Drive, Tampa, FL 33619 to the attention of Mr. Jason Waters (phone no. 813-744-6100 ext. 107) referencing Permit File No. 1190011-004-AC. 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.

NO.: 01511106  
December 11, 2004

