



# Florida Department of Environmental Protection

Northwest District  
160 W. Government Street  
Pensacola, Florida 32502

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Herschel T. Vinyard Jr.  
Secretary

September 26, 2014

*Electronic Mail – Received Receipt Requested*  
[andy.hicks@bergpipe.com](mailto:andy.hicks@bergpipe.com)

Mr. Andy Hicks, General Manager of Operations  
Berg Steel Pipe Corp.  
1700 “E” Avenue  
Panama City, Florida 32401

Re: Draft Air Construction Permit No.: 0050048-009-AC  
Draft/Proposed Title V Air Operation Permit Renewal Project No.: 0050048-010-AV  
Renewal of Title V Air Operation Permit No.: 0050048-005-AV  
Panama City Plant

Dear Mr. Hicks:

One copy of the Technical Evaluation and Preliminary Determination, the combined Public Notice, the Draft Air Construction Permit, and the Draft/Proposed Title V Air Operation Permit Renewal for the Panama City Plant located in Bay County at 1700 “E” Avenue, Panama City, Florida, is enclosed. The permitting authority's “INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL” and the “PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL” are also included.

An electronic version of the Draft/Proposed Permit will be posted on the Division of Air Resource Management's world wide web site for the United States Environmental Protection Agency (USEPA) Region 4 office's review. The web site address is: <http://www.dep.state.fl.us/air/emission/apds/default.asp>.

The “PUBLIC NOTICE OF INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL” must be published as soon as possible. Proof of publication, i.e., newspaper affidavit, must be provided to the permitting authority's office within 7 (seven) days of publication pursuant to Rule 62-110.106(5), F.A.C. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permits pursuant to Rule 62-110.106(11), F.A.C. Because this permit is being processed as a combined draft/proposed permit in order to reduce processing time, a duplicate copy of the proof of publication must also be transmitted by electronic mail within seven days of the date of publication to Ms. Ana Oquendo at EPA Region 4 at the following address: [oquendo.ana@epamail.epa.gov](mailto:oquendo.ana@epamail.epa.gov).

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Armando I. Sarasua, P.E., at the above letterhead address. If you have any other questions, please contact the Project Engineer, Debbie Moore, by telephone at 850.595.0624 or by e-mail at [Deborah.L.Moore@dep.state.fl.us](mailto:Deborah.L.Moore@dep.state.fl.us).

Sincerely,

J. Charles Harp  
Program Administrator  
Waste Management/Air Resources

Enclosures

JCH/dm/r

- (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 the United States Environmental Protection Agency and by any person under the Clean Air Act unless and until the Administrator separately approves any variance or waiver in accordance with the procedures of the federal program.

**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 (sixty) days of the expiration of the Administrator's 45 (forty-five) day review period as established at 42 U.S.C. Section 7661d(b)(1), to object to issuance of any permit renewal. Any petition shall be based only on objections to the permit renewal that were raised with reasonable specificity during the 30 (thirty) day public comment period provided in this notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise such objections within the comment period or unless the grounds for such objection arose after the comment period. Filing of a petition 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 Pensacola, Florida.



---

J. Charles Harp  
Program Administrator  
Waste Management/Air Resources  
Northwest District

### **CERTIFICATE OF SERVICE**

The undersigned duly designated deputy agency clerk hereby certifies that this INTENT TO ISSUE AN AIR CONSTRUCTION PERMIT AND A TITLE V AIR OPERATION PERMIT RENEWAL (including the combined PUBLIC NOTICE, the Draft Air Construction Permit and the Draft/Proposed Title V Air Operation Permit package), or a link to these documents available electronically on a publicly accessible server, was sent by electronic mail with received receipt requested before the close of business on **September 26, 2014** to the persons listed below.

Mr. Andy Hicks, General Manager of Operations, Berg Steel Pipe Corp., [andy.hicks@bergpipe.com](mailto:andy.hicks@bergpipe.com)

Veronica Sgro, P.E., Koogler & Associates, Inc., [vsgro@kooglerassociates.com](mailto:vsgro@kooglerassociates.com)

Pradeep Raval, consultant, Koogler & Associates, Inc., [praval@kooglerassociates.com](mailto:praval@kooglerassociates.com)

Tim Lister, EH & S Manager, Berg Steel Pipe Corp., [tim.lister@bergpipe.com](mailto:tim.lister@bergpipe.com)

Ms. Ana Oquendo, EPA Region 4, [oquendo.ana@epa.gov](mailto:oquendo.ana@epa.gov)

Ms. Natasha Hazziez, U.S. EPA Region 4, [hazziez.natasha@epa.gov](mailto:hazziez.natasha@epa.gov)

Ms. Barbara Friday, DEP BAR, [barbara.friday@dep.state.fl.us](mailto:barbara.friday@dep.state.fl.us) (for posting with U.S. EPA, Region 4)

Tracy White, DEP Northwest District Branch Office, Panama City, [tracy.a.white@dep.state.fl.us](mailto:tracy.a.white@dep.state.fl.us)

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



September 26, 2014

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date