



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

NORTHEAST DISTRICT
8800 BAYMEADOWS WAY WEST, SUITE 100
JACKSONVILLE, FLORIDA 32256

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

Electronic Mail – Received Receipt Requested

Mr. Thomas Sweetser, General Manager
RockTenn CP, LLC
P.O. Box 2000
Fernandina Beach, Florida 32035

Re: Draft Air Construction Permit No. 0890003-043-AC
Draft Air Construction Permit No. 0890003-045-AC
DRAFT/PROPOSED Title V Air Operation Permit Revision No. 0890003-044-AV
Fernandina Beach Sulfite Mill

Dear Mr. Sweetser:

Enclosed is the draft Air Construction permits and draft/proposed Title V Operation permit package to revise the Title V air operation permit for Fernandina Beach Mill. The existing facility is located in Nassau County at North 8th Street, Fernandina Beach, FL 32035, Nassau County. The permit package includes the following documents:

- The draft air construction permits and supporting technical evaluation and preliminary determination documents.
- The statement of basis, which summarizes the facility, the equipment and the primary rule applicability for the initial Title V air operation permit.
- The draft/proposed Title V air operation permit revision, which includes the specific permit conditions that regulate the emissions units covered by the proposed project.
- The Written Notice of Intent to Issue Air Permit provides important information regarding: the Permitting Authority's intent to issue air permits for the proposed project; the requirements for publishing a Public Notice of the Permitting Authority's intent to issue air permits; the procedures for submitting comments on the draft Air Construction permits and the draft/proposed Title V Operation permit; the process for filing a petition for an administrative hearing; and the availability of mediation.
- The Public Notice of Intent to Issue Air Permits is the actual notice that you must have published in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The Public Notice of Intent to Issue Air Permits must be published as soon as possible and the proof of publication must be provided to the Department within seven days of the date of publication. **Because the Title V 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. Natasha Hazziez at EPA Region 4 at the following address: Hazziez.natasha@epa.gov.**

Written Notice
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If you have any questions, please contact the Project Engineer, Rita Felton-Smith, by telephone at 904) 256-1556 or by email at Rita.Felton-Smith@dep.state.fl.us.

Sincerely,



Richard S. Rachal III, P.G.
Program Administrator
Waste and Air Resource Management Program

Enclosures
RSR/rfs

WRITTEN NOTICE OF INTENT TO ISSUE AIR PERMITS

In the Matter of an

Application for Title V Operation Permit and Air Construction Permit by:

RockTenn CP, LLC
PO Box 2000
Fernandina Beach, Florida 32035

Permit No. 0890003-044-AV
Permit No. 0890003-043-AC
Permit No. 0890003-045-AC
Facility ID No. 0890003
Fernandina Beach Mill
Title V Permit Revision and Air
Construction Permits

Responsible Official:

Mr. Thomas Sweetser, General Manager

Nassau County, Florida

Facility Location: RockTenn CP, LLC operates the existing Fernandina Beach Mill, which is located in Nassau County at the North 8th Street, Fernandina Beach, Florida 32034.

Project: The purpose of this project is to revise Title V Operation Permit No. 0890003-038-AV for the above referenced facility.

The applicant applied on March 26, 2014 to the Department for a Title V with the Title V Air Operation Permit Revision to incorporate the terms and conditions of previously issued Air Construction Permit No. 0890003-040-AC. Air Construction Permit No. 0890003-040-AC authorized the replacement of the existing 400 TPH coal crusher at the Coal Handling System with a unit of the same size and also included minor changes to the dust suppression system requirements applicable to the Coal Handling System.

The applicant also applied on March 26, 2014 for a modification of Air Construction Permit No. 0890003-040-AC for Emissions Unit 041, Coal Bunkers A, B, and C. These bunkers were identified in Permit No. 0890003-040-AC as individual emission points, Nos. 09, 10, and 11. The facility has since determined that these bunkers are enclosed and all vent to a common stack. A single emission point is identified for the common stack, EP 09, and Emission Points 10, and 11 have been eliminated in the modified construction permit. The modification is being co-processed with the Title V Air Operation Permit Revision as Air Construction Permit No. 0890003-043-AC.

The Department issued a Draft Air Construction Permit (draft permit) and Draft/Proposed Title V Permit Revision package on April 8, 2014. Subsequent to its issuance, the applicant submitted an amendment to the application that was received by the Department on April 10, 2014.

The amendment application included a request for a Title V Air Operation Permit Revision to incorporate the applicable federal air regulations for two, existing, emergency use, reciprocating internal combustion engines, and to remove the requirement to monitor/maintain a maximum oxygen set point for the minimizing of Nitrogen Oxide (NO_x) emissions at the existing No. 7 Power Boiler due to the installation of a required NO_x Continuous Emissions Monitoring System on boiler. Details of the Title V Revision project are provided in the application and the enclosed Statement of Basis.

The amendment application also included a request for modification of previously issued Air Permit Nos. PSD-FL-062, PSD-FL-062A, PSD-FL-062B, AC45-35532, and 0890003-034-AC to remove the No. 7 Power Boiler maximum oxygen set point requirement from these underlying air construction permits. This request is being co-processed with the Title V Air Operation Permit Revision as Air Construction Permit No. 0890003-045-AC. Details of Construction Permit projects are provided in the application and the enclosed Technical Evaluation

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and Preliminary Determination documents.

On June 6, 2014 the Department, through its permitting authority, withdrew the draft permit package issued on April 8, 2014, and replaced it with the enclosed draft permit package.

On June 9, 2014, the applicant notified the Department that the permit documents were issued to the previous Responsible Official and not to the Primary Responsible Official as of the May 23, 2014 Responsible Official Notification form submittal. The permit documents were re-issued on June 9, 2014 to reflect Mr. Thomas Sweetser as the Primary Responsible Official for the Fernandina Beach Mill.

On June 23 and June 25, 2014, the applicant submitted comments on the draft permit package issued on June 9, 2014 prior to publication of the Public Notice. The Department has made changes to the draft permits based on the submitted comments. The Department, through its permitting authority, hereby withdraws the draft permit package issued on June 9, 2014, and replaces it with the enclosed draft permit package. Both Title Operation Permit Revision projects are being issued under Permit No. 0890003-044-AV.

Permitting Authority: Applications for air construction permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, and 62-212 of the Florida Administrative Code (F.A.C.). Applications for Title V air operation permits are subject to review in accordance with the provisions of Chapter 403, Florida Statutes (F.S.) and Chapters 62-4, 62-210, 62-213 of the Florida Administrative Code (F.A.C.). The proposed project is not exempt from air permitting requirements and an air permit is required to perform the proposed work, to commence, or continue operations at the facility. The Department of Environmental Protection, Northeast District Office, Waste and Air Resource Management Program is the Permitting Authority responsible for making a permit determination for these projects. The Permitting Authority's physical address is: 8800 Baymeadows Way W., Suite 100, Jacksonville, Florida 32256. The Permitting Authority's mailing address is: 8800 Baymeadows Way W., Suite 100, Jacksonville, Florida 32256. The Permitting Authority's telephone number is 904/256-1700.

Project File: A complete project file is available for public inspection during the normal business hours of 8:00 a.m. to 5:00 p.m., Monday through Friday (except legal holidays), at the address indicated above for the Permitting Authority. The complete project file includes the draft/proposed permit, the statement of basis, the application, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S. Interested persons may view the draft permit by visiting the following website: <http://www.dep.state.fl.us/air/emission/apds/default.asp> and entering the permit number shown above. Interested persons may contact the Permitting Authority's project review engineer for additional information at the address or phone number listed above.

Notice of Intent to Issue Permits: The Permitting Authority gives notice of its intent to issue an air construction permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft air construction permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. or unless public comment received in accordance with this notice results in a different decision or a significant change of terms or conditions.

The Permitting Authority gives notice of its intent to issue a Title V air operation permit to the applicant for the project described above. The applicant has provided reasonable assurance that operation of the proposed equipment will not adversely impact air quality and that the project will comply with all appropriate provisions of

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Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-214, 62-296 and 62-297, F.A.C. The Permitting Authority will issue a final permit in accordance with the conditions of the draft/proposed permit unless a response received in accordance with the following procedures results in a different decision or a significant change of terms or conditions.

Public Notice: Pursuant to Section 403.815, F.S. and Rules 62-110.106 and 62-210.350, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Public Notice of Intent to Issue Air Permit (Public Notice). The Public Notice shall be published one time only as soon as possible in the legal advertisement section of a newspaper of general circulation in the area affected by this project. The newspaper used must meet the requirements of Sections 50.011 and 50.031, F.S. in the county where the activity is to take place. If you are uncertain that a newspaper meets these requirements, please contact the Permitting Authority at the above address or phone number. Pursuant to Rule 62-110.106(5) and (9), F.A.C., the applicant shall provide proof of publication to the Permitting Authority at the above address within 7 days of publication. Failure to publish the notice and provide proof of publication may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

Comments: The Permitting Authority will accept written comments concerning the draft air construction permit for a period of 14 days from the date of publication of the Public Notice. Written comments must be received by the Permitting Authority by close of business (5:00 p.m.) on or before the end of this 14-day period. If written comments received result in a significant change to the draft air construction permit, the Permitting Authority shall revise the draft air construction permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

The Permitting Authority will accept written comments concerning the draft/proposed Title V air operation permit for a period of 30 days from the date of publication of the Public Notice. Written comments must be received by the close of business (5:00 p.m.), on or before the end of this 30-day period by the Permitting Authority at the above address. As part of his or her comments, any person may also request that the Permitting Authority hold a public meeting on this permitting action. If the Permitting Authority determines there is sufficient interest for a public meeting, it will publish notice of the time, date, and location in the Florida Administrative Weekly (FAW). If a public meeting is requested within the 30-day comment period and conducted by the Permitting Authority, any oral and written comments received during the public meeting will also be considered by the Permitting Authority. If timely received written comments or comments received at a public meeting result in a significant change to the draft/proposed permit, the Permitting Authority shall issue a revised draft/proposed permit and require, if applicable, another Public Notice. All comments filed will be made available for public inspection. For additional information, contact the Permitting Authority at the above address or phone number.

Petitions: A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed with (received by) the Department's Agency Clerk in the Office of General Counsel of the Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the applicant or any of the parties listed below must be filed within 14 days of receipt of this Written Notice of Intent to Issue Air Permit. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of publication of the attached Public Notice or within 14 days of receipt of this Written Notice of Intent to Issue Air Permit, whichever occurs first. Under Section 120.60(3), F.S., however, any person who asked the Permitting Authority for notice of agency action may file a petition within 14 days of receipt of that notice, regardless of the date of publication. A petitioner shall mail a copy of the petition to the applicant at the address indicated above,

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at the time of filing. A petition for administrative hearing must contain the information set forth below and must be filed (received) with the Agency Clerk in the Office of General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, Agency.Clerk@dep.state.fl.us, before the deadline. 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 (in a proceeding initiated by another party) 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 Permitting Authority'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, any email address, telephone number and any facsimile number of the petitioner; the name, address, any email address, telephone number, and any facsimile number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination; (c) A statement of when and how each petitioner received notice of the agency action or proposed decision; (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 including an explanation of how the alleged facts relate to the specific rules or statutes; and, (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the agency to take with respect to the agency's proposed action. A petition that does not dispute the material facts upon which the Permitting Authority's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Permitting Authority's final action may be different from the position taken by it in this Written Notice of Intent to Issue Air Permit. Persons whose substantial interests will be affected by any such final decision of the Permitting Authority on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation: Mediation is not available in this proceeding.

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

Objections: Finally, pursuant to 42 United States Code (U.S.C.) Section 7661d(b)(2), any person may petition the Administrator of the EPA within 60 days of the expiration of the Administrator's 45-day review period as

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established at 42 U.S.C. Section 7661d(b)(1), to object to the issuance of any Title V air operation permit. Any petition shall be based only on objections to the Permit that were raised with reasonable specificity during the 30-day public comment period provided in the Public Notice, unless the petitioner demonstrates to the Administrator of the EPA that it was impracticable to raise 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 Jacksonville, Florida.



Richard S. Rachal III, P.G.
Program Administrator
Waste and Air Resource Management Program

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Written Notice of Intent to Issue Air Permits (including the Public Notice, the Technical Evaluation and Preliminary Determination, the Statement of Basis, the Draft Air Construction Permit, and the Draft/Proposed Permit Title V Operation Permit), 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 July 2, 2014 to the persons listed below.

Mr. Thomas Sweetser, RockTenn CP, LLC tsweetser@rocktenn.com
Ms. Michelle Rundlett, RockTenn CP, LLC mrundlet@rocktenn.com
Ms. Ashley Woolley, RockTenn CP, LLC awoolley@rocktenn.com
Mr. David A. Buff, P.E. (dbuff@golder.com)
Ms. Natasha Hazziez, U.S. EPA Region 4: Hazziez.natasha@epa.gov
Ms. Barbara Friday, DEP BAR: barbara.friday@dep.state.fl.us (for posting with U.S. EPA, Region 4)

Clerk Stamp

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



(Clerk)

07/02/14
(Date)

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