Florida Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590
Phone: 904/807-3300 ♦ Fax: 904/448-4366

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

May 15, 2009

Mr. Fred J. Perrett, General Manager
Rayonier Performance Fibers LLC
Post Office Box 2002
Fernandina Beach, Florida 32035

Re: DRAFT Title V Air Operation Permit Revision No.: 0890004-022-AV
Revision to Title V Air Operation Permit No.: 0890004-020-AV
Fernandina Beach Mill

Dear Mr. Perrett:

One copy of the "DRAFT Determination" for the Title V Air Operation Permit Revision for the Fernandina Beach Mill located at Foot of Gum Street, Fernandina Beach, Nassau County, is enclosed. This letter is a courtesy to inform you the changes made to the DRAFT Permit as a result of comments received on March 25, 2009.

The permitting authority's "INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" and the "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" originally issued on March 12, 2009 is being withdrawn and replaced by the attached package.

An electronic version of the REVISED DRAFT 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/eproducts/ards/default.asp"

The "PUBLIC NOTICE OF INTENT TO ISSUE TITLE V AIR OPERATION PERMIT REVISION" 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 permit pursuant to Rule 62-110.106(11), F.A.C.

Please submit any written comments you wish to have considered concerning the permitting authority's proposed action to Christopher L. Kirts P.E., at the above letterhead address. If you have any other questions, please contact Rita Felton-Smith at (904) 807-3237.

Sincerely,

Christopher L. Kirts, P.E.

CLK:rfs

Enclosures

copy furnished to:

David A. Buff., P.E.
Barbara Friday, Bureau of Air Regulation (INTERNET E-mail Memorandum)
David Rogers, Rayonier Performance Fibers LLC
Debra Lane, Rayonier Performance Fibers LLC

I. Applicant Comments.

Comments were received from the applicant via teleconference on March 25, 2009. The comments were considered significant enough to reissue the DRAFT Title V Operation Permit Revision. Listed below is each comment followed by the Department response and proposed permit change if applicable.

Comment #1:

Appendix CAM-

Page 5, Condition 15.a. Please clarify the term "semi-annual" within the condition. Does this mean semi-annual on a calendar year? Or semi-annual from the effective date of the permit issuance?

Response. The language in Condition 5 was intended to specify that a Title V facility becomes subject to the monitoring requirements of Appendix CAM once a final Title V permit containing an Appendix CAM is issued. Rule 62-213.440(1)(b)3.a., F.A.C., which is referenced in Condition 15.a., states that the semi-annual monitoring report requires submission at least every 6 months. In response to this comment and the request received via email on April 28, 2009, the Department has added the following language to Condition 15.a. to define "semi-annually" for the Fernandina Beach Mill.

Semi-annually shall mean, for the purposes of this condition, that a monitoring report shall be submitted to the Department (postmarked) no later than the thirty-first day in the month of July for the monitoring period of January – June and the thirty-first day in month of January for the monitoring period of July – December.

Comment #2:

Appendix CAM–

Page 7- In the table describing the No. 6 Power Boiler, it is stated that the maximum heat capacity of the boiler of 525 MMBtu/hr (24-hour average) is when the recovery boiler is out of service. Please remove the statement, "when the recovery boiler is out of service". This statement is not in Condition G.1. of the draft Title V Permit Revision No. 0890004-022-AV.

Emissions Unit	E.U. Description
022	No. 6 Power Boiler – Bubbling Fluidized Bed: • 450 MMBTU/hr (12-month rolling average), which generates a nominal steam production of 286,000 lb/hr @ 900 psig and 875 °F • 525 MMBTU/hr (24-hour average), which generates maximum steam production of 330,000 lb/hr when recovery boiler out of service

Response. The stated language is taken from the submitted CAM Plan received on December 18, 2008. The referenced condition, Condition G.1. of the draft Title V Permit Revision, is based on the condition language in Construction Permit Nos. 0890004-018-AC and 0890004-021-AC issued for the boiler. Although it also appears that the operation of the boiler in this capacity was mentioned in the submitted application for Construction Permit No. 0890004-018-AC, received on September 12, 2005, the facility is correct in that the restriction does not appear in the referenced construction permits themselves. Therefore, the Department has removed the language as requested.

Emissions Unit	E.U. Description
022	No. 6 Power Boiler – Bubbling Fluidized Bed: • 450 MMBTU/hr (12-month rolling average), which generates a nominal steam production of 286,000 lb/hr @ 900 psig and 875 °F • 525 MMBTU/hr (24-hour average), which generates maximum steam production of 330,000 lb/hr

Comment #3:

Appendix CAM–

Page 7- In the table describing the No. 6 Power Boiler, it is requested that the authorized fuels be listed without the permitted restrictions. This type of information should be provided in the appropriate conditions of the permit rather than in the description.

Permitted Fuels:	• Biomass, consisting of green bark, knots, chips, fines and landscape waste. • Tire derived fuel (TDF). • No. 6 fuel oil, with a maximum sulfur content of 2.5%, by weight, during startup, shutdown, or as a temporary alternate fuel during solid fuel feed upsets. • Facility-generated on-specification used oil, with a maximum sulfur content of 2.5%, by weight, blended with the No. 6 fuel oil prior to firing. • No. 2 fuel oil for startup. • Spent sulfite liquor with a maximum sulfur content of 5.5%, by weight, for startup, shutdown, or as a temporary alternate fuel during solid fuel feed upsets

Response. The Department has revised the table as requested.

Permitted Fuels:	• Biomass, consisting of green bark, knots, chips, fines and landscape waste. • Tire derived fuel (TDF). • No. 6 fuel oil. • Facility-generated on-specification used oil blended with the No. 6 fuel oil. • No. 2 fuel oil. • Spent sulfite liquor.

Comment #4:

Appendix CAM–

Page 8 – In the section III. Indicator Range portion of the table for Indicator 2, please include the same statement that is included in the section IV.f. Averaging Period of the table on Page 9 of Appendix CAM, "for CAM purposes, the averaging period is a running three-hour average".

Response: The Department is in agreement with having the same language in both of the referenced sections of the table. However, it is now recognized that the language contains an error with regards to the averaging time. The averaging time for CAM purposes should be one hour instead of three-hours. Although establishing CAM requirements is completed on a site-specific basis, an hourly averaging time is consistent with other CAM Appendices issued by the Department for other Title V facilities with similar emissions units and control devices. The hourly averaging time is used in order to provide the facility a sufficient reaction time to implement corrective actions in order to reduce the potential exceedance of the emission standards.

The Department has included the following language in the referenced sections of the table on both Page 8 and 9 of Appendix CAM:

"For CAM purposes, the averaging period is a running one-hour average."

Comment #5:

Draft Title V Permit Revision No. 0890004-022-AV

Condition Facility-Wide Condition No. 12. Please remove this condition as it pertains to the submittal of summary reports of the work performed and remaining under the HCE Project authorized by Construction Permit No. 0890004-021-AV.

Response: Because this is a time-specific requirement specified within Construction Permit No. 0890004-021-AC that will become obsolete by its nature, the Department is in agreement and has removed the condition from the Title V permit.

Comment #6:

Draft Title V Permit Revision No. 0890004-022-AV

Page 26, Emissions Unit Brief Description. Please include the CEMS for NO_x, CO and O_2 in the description.

Response: The description has been revised as follows to include the CEMS for these pollutants and oxygen:

Monitors: A continuous opacity monitoring system (COMS); a fuel flow monitor; continuous monitoring of ESP total power (CAM); exhaust flow rate monitor; a continuous emissions monitoring system (CEMS) for SO2 emissions, a CEMS for NOx emissions, a CEMS for CO emissions, and a CEMS for oxygen.

Comment #7:

Draft Title V Permit Revision No. 0890004-022-AV

Page 27, Conditions G.2.c., and G.2.f. Please remove, "or as a temporary alternate fuel during solid fuel feed upsets" language. The mill would like the freedom to fire fossil fuel in the boiler when needed operationally; be it start-up, shutdown, malfunction, or any other reason. Since the mill is required to meet the emission limits all of the time (which do not flex with fuel mix), the mill would rather not have a burdensome record-keeping requirement as to why the fuel is being fired. The mill is already required to track fuels fired in the boiler. It preferred not to also have to match this tracking with reason codes.

Response: The stated language is taken directly from Construction Permit Nos. 0890004-018-AC and 0890004-021-AC. As expressed to the District by the Division, the permitting authority for these construction permits, these scenarios are the proposed methods of operation provided by the mill during the application process. These methods were also proposed as reasonable assurances that the mill would not exceed the SO_2 and NO_x emission caps taken by the mill to avoid PSD review. The condition language as it appears in the draft Title V permit and in the referenced construction permits states that the boiler "may" be fired with the listed fuels. As such, it appears that the language includes the flexibility sought by the mill. However, even with the implied fuel firing flexibility, the emission limitations and standards established in the permit remain applicable. No change is being made to Conditions G.2.c. and G.2.f. of the referenced Draft Title V Permit as a result of the comment.

Comment #8:

Draft Title V Permit Revision No. 0890004-022-AV

Page 29, Condition G.6.b. Please remove, "or as a temporary alternate fuel during solid fuel feed upsets" language.

Response: The Department has removed the permitting note as requested.

Comment #9:

Draft Title V Permit Revision No. 0890004-022-AV

Page 30, Condition G.9.b. Please confirm the method of compliance. EPA Method 9 ?

Response: Condition G.9.b. is based on Rule 62-296.410(2)(b)1., F.A.C., which states the following:

Visible emissions shall not exceed 30 percent opacity except that a density of 40 percent opacity is permissible for not more than two minutes in any one hour.

Rule 62-296.410(3)(a), F.A.C., establishes the applicable test method as DEP Method 9 as incorporated in Chapter 62-297, F.A.C. Condition G.26., which is based on Rule 62-297.401(9)(c), F.A.C., specifies how a DEP Method 9 test is to be conducted. As stated in the response to Comment #10, subsequent to the initial compliance test, compliance shall be demonstrated by use of the COMS. Based on the submitted comment, Condition G.9.b. of the referenced Draft Title V Permit is changed as follows:

G.9. Visible Emissions:

b. As determined by COMS data as specified in Condition G.25., visible emissions shall not exceed 30 percent opacity except that a density of 40 percent opacity is permissible for not more than two minutes in any one hour.

Comment #10:

Draft Title V Permit Revision No. 0890004-022-AV

Page 36, Condition G.25.d. Is this visible emissions test an initial test only? Or is this a routine compliance test?

Response: After confirming with the Division, the permitting authority for the underlying Construction Permit Nos. 0890004-018-AC and 0890004-021-AC, paragraph d. of this condition establishes the timeframe in which the initial compliance testing is to be conducted and that continuous compliance shall be demonstrated by COMS. Because the mill has demonstrated initial compliance, Condition G.25. is re-written as follows:

G.25. Visible Emissions:

a. For the Visible Emissions standard in Condition G.9.a., continuous compliance shall be demonstrated by COMS.

   [40 CFR 60.11; and, 40 CFR 60.46(b)(3); Construction Permit No. 0890004-018-AC; Construction Permit No. 0890004-021-AC]

b. For the Visible Emissions standard in Condition G.9.b., continuous compliance shall be demonstrated by COMS[1].

c. Test procedures shall meet all applicable requirements of Chapter 62-297, F.A.C.

[1]Subsequent to the initial demonstration of compliance, the method of compliance (COMS) for the NSPS visible emissions standard in Condition G.9.a. shall also satisfy the method of compliance for the SIP visible emissions limit in Condition G.9.b.

   [Rules 62-296.410(3)(a) & (c), F.A.C.; Rule 62-297.310(7)(a)4., F.A.C.; Construction Permit No. 0890004-018-AC; Construction Permit No. 0890004-021-AC]

Comment #11:

Draft Title V Permit Revision No. 0890004-022-AV

Page 37, Condition G.27.a. The mill would prefer to demonstrate compliance with this condition by providing the fuel oil supplier's certification analysis instead of having to analyze a representative sample of the blended fuel oil following each fuel delivery.

Response: The stated language is taken directly from Construction Permit Nos. 0890004-018-AC and 0890004-021-AC. As expressed to the District by the Division, the permitting authority for these construction permits, this requirement was agreed to by the mill during the application process for these permits. Condition A.12. of Permit No. 0890004-018-AC and Condition A.10. of Permit No. 0890004-021-AC both state that the sulfur content of the as-fired No. 6 fuel oil and the SSL are to be determined by lab analysis. The requirement in Condition G.27.a. of the Draft Title V Permit that the as-fired fuel sulfur content, percent by weight, for liquid fuels shall be determined by analyzing a representative sample of the blended fuel oil following each fuel delivery is based on Conditions A.37. in Permit No. 0890004-018-AC and A.32. in Permit No. 0890004-021-AC. No change is being made to Condition G.27.a. of the referenced Draft Title V Permit as a result of the comment.

However Conditions G. 10. and G.11. of the referenced Draft Title V Permit are being revised based on the language in Condition A.12. of Permit No. 0890004-018-AC and Condition A.10. of Permit No. 0890004-021-AC as follows:

G.10. Fuel Oil Sulfur Content. As determined by lab analysis, the sulfur content of the as-fired No. 6 fuel oil shall not exceed 2.5 percent, by weight.

[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0890004-018-AC; Construction Permit No. 0890004-021-AC]

G.11. Spent Sulfite Liquor Sulfur Content. As determined by lab analysis, the sulfur content of the spent sulfite liquor shall not exceed 5.5 percent, by weight.

[Rules 62-4.070(3) and 62-210.200(PTE), F.A.C.; Construction Permit No. 0890004-018-AC; Construction Permit No. 0890004-021-AC]

Comment #12:

Draft Title V Permit Revision No. 0890004-022-AV

Page 38, Condition G.28.(4). The mill typically fires solid fuel during steady-state operation, but uses diesel fuel during startup conditions. Please confirm that the span value is to be set using the predominate fuel fired during steady-state operations.

Response: In accordance with 60.45(c), for affected facilities burning fossil fuel the span value for a continuous monitoring system measuring sulfur oxides or NO_X shall be determined either according to sections 2.1.1 and 2.1.2 in Appendix A of 40 CFR 75 or 60.45(c)(3)(i).

If the span value is being determined using the requirements in 60.45(c)(3)(i), it would depend upon the type of fossil fuel being fired by the affected facility (i.e. gas, liquid, solid, or a combination of such fuels) during normal operation.

In an EPA Determination dated 07/09/1975, EPA states that tires are not characterized as a fossil fuel in accordance with the definition in 60.41 of 40 CFR 60 Subpart D because even though tires are manufactured from a petroleum derivative, they are not manufactured for the purpose of providing useful heat.

As such, it appears that the requirements of 60.45(c)(5), which subjects the span value of all CEMS to the Administrator's approval, would be applicable to the No. 6 Power Boiler if fossil fuel and nonfossil fuel (spent sulfite liquor, tire derived fuel and/ or biomass) are burned simultaneously in the boiler.

Comment #13:

Draft Title V Permit Revision No. 0890004-022-AV

Page 41, Condition G.31. Please remove, "or as a temporary alternate fuel during solid fuel feed upsets" language.

Response: The Department has removed the permitting note as requested.

Comment #14:

Draft Title V Permit Revision No. 0890004-022-AV

Page 43, Condition G.33.b. Please clarify this requirement.

Response: This condition requires notification to the Northeast District Office within one day of a determination that a CEMS or COMS indicates non-compliance with the standards and limitations applicable to the No. 6 Power Boiler.

Comment #14:

Statement of Basis- The last sentence of the first paragraph on the second page makes reference to two of the three existing power boilers. These power boilers were shutdown on May 26, 2007. The sentence should refer to the No. 6 Power Boiler instead.

Response: Based upon the comment, the Department has changed the language as requested. The last sentence of the referenced paragraph reads as follows:

"The collected knots and tailings are pressed for use as fuel in the No. 6 Power Boiler."

Additional changes made to the draft permit:

The Department has revised Conditions G.4., G.5., G.6., G.7., and G.8. to clearly identify the compliance method as reflected in the language in the underlying Permit Nos. 0890004-018-AC and 0890004-021-AC.

G.4. Particulate Matter (PM) Emissions (As determined by EPA Method Compliance Testing stated in Conditions G.19. and G.20.):

G.5. Sulfur Dioxide (SO_2) Emissions (As determined by CEMS data):

G.6. Nitrogen Oxides (NO_x) Emissions (As determined by CEMS data):

G.7. Carbon Monoxide (CO) Emissions (As determined by CEMS data):

G.8. Volatile Organic Compounds (VOC) Emissions (As determined by EPA Method Compliance Testing stated in Condition G.24.):

Florida Department of Environmental Protection

Northeast District
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Charlie Crist
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Secretary

In the Matter of an
Application for Permit by:

Rayonier Performance Fibers LLC
Post Office Box 2002
Fernandina Beach, Florida 32035

DRAFT Title V Air Operation Permit Revision No.:
0890004-022-AV

Fernandina Beach Mill
Nassau County

_____/

INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision (copies of the DRAFT Title V Air Operation Permit Revision attached) for the Title V source detailed in the application(s) specified above for the reasons stated below. The permitting authority is withdrawing the previous DRAFT Title V Operation Permit Revision originally issued on March 12, 2009, and replacing it with this package.

The applicant, Mr. Fred J. Perrett, General Manager, applied on January 4, 2008 to the permitting authority for a Title V Air Operation Permit Revision for the Fernandina Beach Mill located at Foot of Gum Street, Fernandina Beach, Nassau County.

This permit revision is being issued for the purpose of 1) incorporating the terms and conditions of Construction Permit 0890004-021-AC that pertain to the No. 6 Power Boiler, 2) Remove Power Boiler Nos. 1, 2, and 3 from the permit as they were shutdown on May 26, 2007, 3) include an unregulated emissions unit for the laboratory testing that emits methyl chloride at a rate greater than 1000 pounds per year, and 4) remove the provisions of 40 CFR 63 Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters from the Title V permit as the Court of Appeals for the District of Columbia Circuit issued a mandate in Natural Resources Defense Council v. EPA, vacating and remanding the rule on July 30, 2007.

The permitting authority has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-4, 62-210, 62-212 and 62-213. This source is not exempt from Title V permitting procedures. The permitting

authority has determined that a Title V Air Operation Permit Revision is required to continue operations at the described facility.

The permitting authority intends to issue the Title V Air Operation Permit Revision based on the belief that reasonable assurances have been provided to indicate that the operation of the source will not adversely impact air quality, and the source will comply with all appropriate provisions of Chapters 62-4, 62-204, 62-210, 62-212, 62-213, 62-256, 62-257, 62-281, 62-296, and 62-297, F.A.C.

Pursuant to Sections 403.815 and 403.087, F.S., and Rules 62-110.106 and 62-210.350(3), F.A.C., you (the applicant) are required to publish at your own expense the enclosed "PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION." The 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. For the purpose of these rules, "publication in a newspaper of general circulation in the area affected" 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. If you are uncertain that a newspaper meets these requirements, please contact the permitting authority at the address or telephone number listed below. The applicant shall provide proof of publication to the Florida Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256 (Telephone: 904/807-3300; Fax: 904/448-4363)], 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 may result in the denial of the permit pursuant to Rule 62-110.106(11), F.A.C.

The permitting authority will issue the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the attached DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The permitting authority will accept written comments concerning the proposed Title V Air Operation Permit Revision issuance action for a period of 30 (thirty) days from the date of publication of the "PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION." Written comments should be provided to the permitting authority office. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this DRAFT Title V Air Operation Permit Revision, the permitting authority shall issue a Revised DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice.

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 (received) in the Office

of General Counsel of the Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/ 245-2242; Fax: 850/ 245-2303). Petitions filed by the permit's applicant or any of the parties listed below must be filed within 14 (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 14 (fourteen) days of publication of the public notice or within 14 (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 permitting authority for notice of agency action may file a petition within 14 (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 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, 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 each 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, as well as the rules and statutes which entitle the petitioner to relief;

(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 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation will not be available in this proceeding.

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 Title V permit. Any petition shall be based only on objections to the Title V permit 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 Title V 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.

Executed in Jacksonville, Florida.

Florida Department of Environmental Protection

Christopher L. Kirts, P.E.
District Air Program Administrator

Cc: David A. Buff., P.E.
Barbara Friday, Bureau of Air Regulation (INTERNET E-mail Memorandum)
David Rogers, Rayonier Performance Fibers LLC
Debra Lane, Rayonier Performance Fibers LLC

PUBLIC NOTICE OF INTENT TO ISSUE A TITLE V AIR OPERATION PERMIT REVISION

Florida Department of Environmental Protection

DRAFT Title V Operation Permit Revision No.: 0890004-022-AV
Nassau County

The Florida Department of Environmental Protection (permitting authority) gives notice of its intent to issue a Title V Air Operation Permit Revision to Rayonier Performance Fibers LLC, for the Fernandina Beach Mill located at Foot of Gum Street, Fernandina Beach, Nassau County.

The applicant's contact information is: Mr. Fred J. Perrett, General Manager, Rayonier Performance Fibers Post Office Box 2002, Fernandina Beach, Florida 32035.

This Title V Operation Permit Revision is being issued for the purpose of 1) incorporating the terms and conditions of Construction Permit 0890004-021-AC that pertain to the No. 6 Power Boiler, 2) Remove Power Boiler Nos. 1, 2, and 3 from the permit as they were shutdown on May 26, 2007, 3) include an unregulated emissions unit for the laboratory testing that emits methyl chloride at a rate greater than 1000 pounds per year, and 4) remove the provisions of 40 CFR 63 Subpart DDDDD - National Emission Standards for Hazardous Air Pollutants for Industrial/Commercial/Institutional Boilers and Process Heaters from the Title V permit as the Court of Appeals for the District of Columbia Circuit issued a mandate in Natural Resources Defense Council v. EPA, vacating and remanding the rule on July 30, 2007.

The permitting authority will issue the PROPOSED Title V Air Operation Permit Revision and subsequent FINAL Title V Air Operation Permit Revision, in accordance with the conditions of the DRAFT Title V Air Operation Permit Revision unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Permitting Authority will accept written comments concerning the DRAFT Title V Air Operation Permit Revision for a period of thirty (30) days from the date of publication of this Public Notice. Written comments must be post-marked and all facsimile comments must be received by the close of business (5:00 pm), on or before the end of this 30-day period, by the Permitting Authority at Florida Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256 or facsimile (904) 448-4363. 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 (http://faw.dos.state.fl.us/) and in a newspaper of general circulation in the area affected by the permitting action. For additional information, contact the Permitting Authority at the above address or phone number. If written comments or comments received at a public meeting result in a significant change to the DRAFT Title V Air Operation Permit Revision, the Permitting Authority shall issue a Revised

DRAFT Title V Air Operation Permit Revision and require, if applicable, another Public Notice. All comments filed will be made available for public inspection.

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, Florida Statutes (F.S.). The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Florida Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000 (Telephone: 850/ 245-2242; Fax: 850/ 245-2303). Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 (fourteen) days of publication of the public notice or within 14 (fourteen) days of receipt of the notice of intent, 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 (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 applicable 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, Florida Administrative Code (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 and telephone number of the petitioner; 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 petitioner's substantial rights will be affected by the agency determination;

(c) A statement of how and when the 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 state;

(e) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle petitioner to relief;

(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 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 notice of intent. Persons whose substantial interests will be affected by any such final decision of the permitting authority on the application(s) have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available for this proceeding.

In addition to the above, 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 Title V permit. Any petition shall be based only on objections to the Title V permit 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 Title V 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.

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:

Permitting Authority:
Florida Department of Environmental Protection
Northeast District Office
7825 Baymeadows Way
Suite B-200
Jacksonville, FL 32256
Telephone: (904) 807-3300
Fax: (904) 448-4363

The complete project file includes the DRAFT Title V Air Operation Permit Revision, the application, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact Christopher L. Kirts, P.E. at the above address, or call 904-807-3300 for additional information.