

- (f) The specific facts that would justify a variance or waiver for the petitioner,
- (g) The reason by 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 the 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.

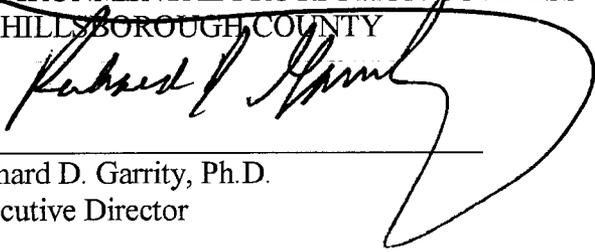
Persons subject to regulation pursuant to any federally delegated or approved air program should be aware that Florida is specifically not authorized to issue variances or waivers from any requirements of any such federally delegated or approved program. The requirements of the program remain fully enforceable by the Administrator of 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.

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 EPC that are relevant to the permit decision. Interested persons may contact Diana M. Lee, P.E., at the above address or call (813) 627-2600, for additional information.

Any party to this order has the right to seek judicial review of it under Section 120.68 of the Florida Statutes, by filing a notice of appeal under rule 9.110 of the Florida rules of Appellate Procedure with the EPC's Legal Office at 3629 Queen Palm Dr., Tampa, Florida 33619 and with the clerk of the Department of Environmental Protection in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Tampa, Florida

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

  
\_\_\_\_\_  
Richard D. Garrity, Ph.D.  
Executive Director

New NGC, Inc. dba National Gypsum Co.  
Charlotte, NC 28211

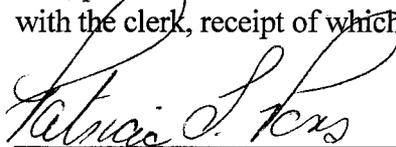
Page 5 of 5

cc: Florida Department of Environmental Protection (via email)  
Omana A. Taylor, P.E. – ETC, Inc. (via email)

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on 9/12/13 to the listed persons.

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



Clerk



Date



**COMMISSION**  
Kevin Beckner      Lesley "Les" Miller, Jr.  
Victor D. Crist     Sandra L. Murman  
Ken Hagan          Mark Sharpe  
Al Higginbotham

**DIVISION DIRECTORS**  
Legal & Admin.      Richard Tschantz, Esq.  
Air Management     Jerry Campbell, P.E.  
Waste Management   Hooshang Boostani, P.E.  
Water Management   Sam Elrabi, P.E.  
Wetlands Management   Scott Emery, Ph.D.

**EXECUTIVE DIRECTOR**  
Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION OF  
HILLSBOROUGH COUNTY, as Delegated by

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF PERMIT

John Corsi  
Vice President, Manufacturing  
National Gypsum Co. dba New NGC, Inc.  
2001 Rexford Road  
Charlotte, NC 28211

Re: Hillsborough County - AP

Dear Mr. Corsi:

Enclosed is Permit Number 0571242-012-AC to increase the potential and allowable particulate matter emissions from the Kiln. This permit also changes the status of the facility from a Synthetic non-Title V source to a Title V source, issued pursuant to Section 403.087, Florida Statutes.

Any party to this order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the EPC in the Legal Department at 3629 Queen Palm Drive, Tampa, Florida 33619; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the clerk of the EPC.

Executed in Tampa, Florida.

Sincerely,

**DRAFT**

Richard D. Garrity, Ph.D.  
Executive Director

*An agency with values of environmental stewardship, integrity, honesty and a culture of fairness and cooperation*

Roger P. Stewart Center  
3629 Queen Palm Drive, Tampa, FL 33619 • (813) 627-2600 • [www.epchc.org](http://www.epchc.org)

*An Affirmative Action/Equal Opportunity Employer*



RDG/LAW/law

National Gypsum Co.  
Charlotte, NC 28211

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cc: Florida Department of Environmental Protection – via email  
Omana Korah P.E. – Environmental Technologies Group, Inc.

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on \_\_\_\_\_ to the listed persons.

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

**DRAFT**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date

PERMITTEE:  
New NGC, Inc.

PERMIT/CERTIFICATION No.: 0571242-012-AC  
PROJECT: Kiln Modification – Major Source Status

SPECIFIC CONDITIONS:

ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

**DRAFT**

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Richard D. Garrity, Ph.D.  
Executive Director