



Florida Department of Environmental Protection

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Division of Air Resource Management Overview of the Air Construction Permit Application Process

This document is intended as a general overview of the air construction permit application process. Because the process is complex and timeframes for public participation are complicated, please contact us if you have specific questions about a specific project.

When is an application required for a proposed new facility?

An Air Construction Permit Application is required for most proposed facilities that will emit air pollution.

What does the Department evaluate in reviewing an application?

The Department must determine if the applicant has provided reasonable assurance that the project will not discharge, emit, or cause pollution in contravention of Department standards or rules.

What are the timeframes for the Department's review process?

- Upon receipt of an application, the Department has 30 days to determine if an application is complete.
- If an application is not complete, the Department sends a request for additional information to the applicant.
- The Department has 30 days to review response(s) to request(s) for additional information.
- Once the application is complete, the Department has 90 days from receipt of the information that made it complete to reach preliminary decision to issue or deny the application.

When is there opportunity for public participation in the process?

- You can always contact us via the below contact information and we are happy to answer any questions you have about a pending application.
- Once the Department reaches a preliminary decision, a notice of the decision is published in newspaper. The notice includes project and process details as well as Department contact information and:
 - there is a public comment period and
 - there is a 14 day timeframe for filing legal challenges
- *If you have questions about the starting and ending of these timeframes, please contact us*

Division of Air Resource Management Air Construction Permit Application Contacts

The Department posts information related to applications for bioenergy projects submitted to the Tallahassee office as soon as possible at the following link. For more information about specific projects and the lead staff reviewing each application pending in the Tallahassee office, see the link below:

<http://www.dep.state.fl.us/air/emission/bioenergy.htm>

For general questions regarding air regulations and bioenergy projects, please contact:

Alvaro Linero at 850/488-0114 or alvaro.linero@dep.state.fl.us

To request a direct notification when agency decisions are made on applications pending in the Tallahassee office, please contact:

**Elizabeth Walker at elizabeth.walker@dep.state.fl.us or
Sylvia Livingston at sylvia.livingston@dep.state.fl.us**

To request direct notification when applications are submitted in your area, please see the following webpage:

<http://pass.dep.state.fl.us/DepPub/welcome.do/>

How does the Department address comments or challenges from the public?

- If there are no legal challenges, the Department evaluates and addresses comments in writing as part of its final agency decision
- If there is a legal challenge, an administrative hearing is scheduled before an administrative law judge with the Division of Administrative Hearings (DOAH) to weigh the facts of the case
- For questions regarding the hearing or legal process, please contact the Department's Office of General Counsel at 850/245-2242