

# The Clewiston News

Published Weekly

Clewiston, Florida

## AFFIDAVIT OF PUBLICATION

State of Florida

County of Hendry

Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a Public Notice in the matter of Intent to Issue Air Construction Permit

\_\_\_\_\_ in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of October 24, 2001

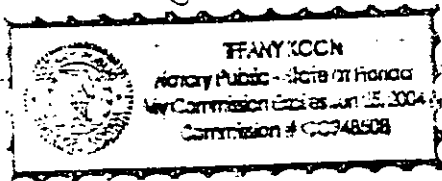
Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 24 day of Oct 2001

Siffany Koon

Notary Public



*cc: J. J. ...  
D. K. ... SD*

**PUBLIC NOTICE OF INTENT TO  
ISSUE AIR CONSTRUCTION PERMIT**  
STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
DEP File No. 0510015-008-AC  
Southern Gardens Citrus Processing Corporation  
Hendry County

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Southern Gardens Citrus Processing Corporation for its existing citrus office processing facility located at 755 CR 833, Clewiston, Hendry County. The applicant's mailing address is: Post Office Box 130, Clewiston, Florida 33440. The permit is to authorize the installation of a used fryer from another citrus facility solely as a backup to the existing peel dryer. The proposed peel dryer will essentially be identical to the existing dryer with the identical capacities of the existing peel dryer. The proposed peel dryer will be connected to the existing waste heat evaporator and will operate solely as a backup to the existing peel dryer. Due to the physical limitations associated with the existing waste heat evaporator, both dryers cannot be operated simultaneously. The proposed peel dryer will be vented through the existing waste heat evaporator and stack, which is controlled by a wet scrubber referenced above. The applicant did not seek any relaxation in currently enforceable conditions in its other existing emissions units. There will be no actual emission increases due to this project.

The Department will issue the final permit with the attached condition unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions.

The Department will accept written comments concerning the proposed permit issuance action for a period of fourteen (14) days from the date of publication of this Public Notice of Intent to Issue Air Construction Permit. Written comments should be provided to the Department's Bureau of Air Regulation at 2600 Blair Stone Road, Mail Station #5505, Tallahassee, FL 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in the proposed agency action, the Department shall revise the proposed permit and require, if applicable, another Public Notice.

The Department will issue the permit with the attached conditions unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.), before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available in this proceeding. A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative proceeding (hearing) under Section 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 Department at 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant or any of the parties listed below must be filed within 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 fourteen days of publication of the public notice or within 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 Department for notice of agency action may file a petition within 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 Section 120.569 and 120.57 F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervenor 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 Department'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'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 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, 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; and (g) A statement of the relief sought by the petitioner, stating 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 Department'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 Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Departments on the application have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

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:

Dept. of Environmental Protection  
Bureau of Air Regulation  
Suite 4, 111 S. Magnolia Drive  
Tallahassee, Florida 32301  
Telephone: 850/488-0114  
Fax: 850/922-6979  
Dept. of Environmental Protection  
South District  
2295 Victoria Avenue, Suite 364W  
Fort Myers, Florida 33901  
Telephone: 941/332-6975


The complete project file includes the application, technical evaluation, draft permit, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administrator, Title V Section, or the Department's reviewing engineer for this project, Edward J. Svec, Engineer IV, at the Bureau of Air Regulation in Tallahassee, Florida, or call 850/488-0114, for additional information. Written comments directed to the Department's reviewing engineer should be sent to the following mailing address: Dept. of Environmental Protection, Bureau of Air Regulation, Mail Station #5505, Tallahassee, Florida 32399-2400. 235481 - CH 10/24/01

Florida Department of  
Environmental Protection

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**Memorandum**

TO: File 0510015-008-AC

FROM: Edward Svec 

DATE: October 19, 2001

SUBJECT: Public Notice

Yesterday I received a copy of the proof of publication from the South District. The newspaper notice had the incorrect project number. I called Mr. Derek Pridgen of Southern Gardens Citrus this morning and informed him of the newspaper's error. He agreed to have the public notice republished.

RECEIVED

OCT 18 2001

D.E.P. - South District



October 17, 2001

Department of Environmental Protection  
Attn: David M. Knowles, P.E.  
P.O. Box 2549  
Fort Myers, FL 33902-2549

Dear Mr. Knowles

Enclosed you will find our Affidavit of Publication for the Public Notice of Intent that was published in the Clewiston News Paper, on October 17, 2001, it was in regards to our Air Construction Permit.

If any questions should arise I can be contacted at (863) 902-4109.

Thank You,

A handwritten signature in cursive script that reads "Olga Rodriguez".

Olga Rodriguez  
Environmental Resource

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State of Florida  
County of Hendry

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\_\_\_\_\_ in the \_\_\_\_\_ court, was published in said newspaper in the issue(s) of October 17, 2001

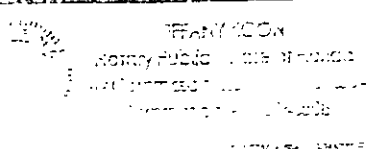
Affiant further says that the said Clewiston News is a newspaper published at Clewiston, in said Hendry County, continuously published in said Hendry County, Florida, each week, and has been entered as periodicals matter at the post office in Clewiston, in said Hendry County, Florida, for a period of one year next preceding the first publication says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Debra Miller

Sworn to and subscribed before me this 17 day of October, 2001

Liffany Koon

Notary Public



Dept. of Environmental Protection  
South District  
2295 Victoria Avenue, Suite 346W  
Fort Myers, Florida 33901  
Telephone: 941/332-6975

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Fax: 850/922-6979