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APR 19 2004

BUREAU OF AIR REGULATION

**SOUTHERN
GARDENS
CITRUS**

April 15, 2004

Mr. Ed Svec
Department of Environmental Protection
Division of Air Resources Management
MS5500 2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

Please find enclosed an original copy of the affidavit of publication. The public notice with intent to issue air construction permit was posted on the Clewiston News Paper on April 1, 2004.

If you have any questions regarding this matter, you may contact me at (863) 902-4109.

Sincerely,



Eneyda Rios
Environmental Resource
Southern Gardens Citrus Processing Corporation

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The Clewiston News

Published Weekly Clewiston, Florida

BUREAU OF AIR REGULATION

AFFIDAVIT OF PUBLICATION

State of Florida
County of Hendry

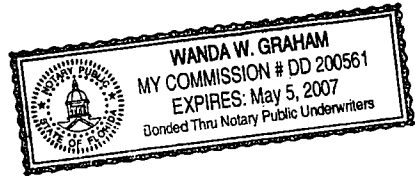
Before the undersigned authority, personally appeared Debra Miller, who on oath says she is the Editor of the Clewiston News, a weekly newspaper published at Clewiston in Hendry County, Florida, that the attached copy of advertisement being a Notice in the matter of Intent to Issue Air Construction Permit Southern Landers Citrus Processing Corporation Ad# 456659 in the court, was published in said newspaper in the issue(s) of April 1, 2004

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 (signature)
Debra Miller

Sworn to and subscribed before me this 1st day of April, 2004

Wanda W. Graham (signature)
Wanda W. Graham Notary Public



PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0510015-014-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 juice 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 construct a new pellet mill and simultaneously operate all four existing boilers and two pellet coolers. The proposed project is not subject to the requirements of Prevention of Significant Deterioration.

The Department will issue the final permit with the attached conditions 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 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 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 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 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, 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 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 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 Department 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: 239/332-6975

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 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.