



# SCRIPPS TREASURE COAST NEWSPAPERS

The Stuart News  
The Port St. Lucie News

1939 S. Federal Highway, Stuart, FL 34994

## AFFIDAVIT OF PUBLICATION

STATE OF FLORIDA

COUNTY OF MARTIN; COUNTY OF ST. LUCIE

Before the undersigned authority personally appeared, S. Darlene Mailing, who on oath says that she is Classified Inside Sales Manager of the Stuart News and the Port St. Lucie News, a daily newspaper published at Stuart in Martin County, Florida; that the attached copy of advertisement was published in the Stuart/Port St. Lucie News in the following issues below. Affiant further says that the said Stuart/Port St. Lucie News is a newspaper published in Stuart in said Martin County, Florida, with offices and paid circulation in Martin County and St. Lucie County, Florida, and that said newspapers have heretofore been continuously published in said Martin County, Florida, daily and distributed in Martin and St. Lucie County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that she has neither paid or 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. The Stuart News has been entered as second class matter at the Post Offices in Stuart, Martin County, Florida and Ft. Pierce, St. Lucie County, Florida and has been for a period of one year next preceding the first publication of the attached copy of advertisement.

<u>Customer</u>	<u>Ad Number</u>	<u>Pub Date</u>	<u>Copyline</u>	<u>PO #</u>
LOUIS DREYFUS CITRUS I	616544	5/11/2004	DEP AIR PERMIT	

# RECEIVED

MAY 18 2004

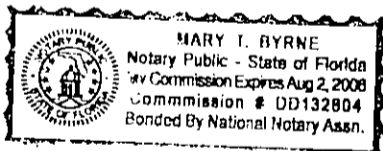
BUREAU OF AIR REGULATION

Subscribed and sworn to me before this date:

May 11, 2004

*S. Darlene Mailing*

*Mary T Byrne*  
Notary Public



### PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

DEP File No. 0850002-006-AC  
Louis Dreyfus Citrus, Inc. Martin County  
The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Louis Dreyfus Citrus, Inc. for its existing citrus juice processing facility located at 19100 Southwest Warfield Boulevard, Indiantown, Martin County. The applicant's mailing address is 19100 Southwest Warfield Boulevard, Indiantown, Florida 34956. The permit is to replace the existing 30,000 pounds per hour peeler (Emissions Unit 1.D.-004) with a new peeler capable of drying 60,000 pounds per hour of wet peel; install a second 27 tons per hour pellet cooler; and, the replace the operating hour limitations on the peeler dryers and pellet coolers with a cap on total fruit processing. 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 issue the 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 14 (fourteen) days from the date of publication of "Public Notice of Intent to Issue Air Construction Permit". Written comments should be provided to the Air Permitting Section of the Department's Southeast District Office, 400 North Congress Avenue, Suite 200, West Palm Beach, Florida 33401. 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 F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

Mediation is not available for this action. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department, 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 other persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes, must be filed within fourteen days of publication of the public notice of intent, whichever occurs first. Under section 120.60(3), 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. The 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 of the Florida Statutes, 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 of the Florida Administrative Code.

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 of the Florida Administrative Code.

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 the notice of intent. Persons whose substantial interests will be affected by any such final decision of the Department 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:

Department of Environmental Protection  
Bureau of Air Regulation  
111 South Magnolia Drive, Suite 4  
Tallahassee, Florida 32301  
Telephone: 850/488-0114 Fax: 850/922-6979  
Department of Environmental Protection  
Southeast District Office  
400 North Congress Avenue  
West Palm Beach, Florida 33416-5425  
Telephone: 561/681-6774

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.  
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