

YOUR AD APPEARED IN:

THE WEST ORANGE TIMES

DATE: MAR. 29, 2001

**PUBLIC NOTICE OF INTENT
TO ISSUE AIR CONSTRUCTION
PERMIT MODIFICATION**

STATE OF FLORIDA

**DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

DEP File No. 0950053-007-AC

**Louis Dreyfus Citrus, Inc
Modification of Permit
No. 0950053-005-AC**

Orange 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 355 Ninth Street, Winter Garden, Orange County. The modification is to provide for a revision to the emission limits for VOC from the two existing citrus peel dryers number 6 and 7, and a revision to the pressed peel throughout limitation on the dryers. The applicant's mailing address is: PO Box 770399, Winter Garden, Florida 34777-0399. This modification will not result in an increase in emissions of air pollutants from the facility.

The Department will issue the final permit modification with its 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 the Public Notice of Intent to Issue Air Construction Permit Modification. 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 modification and require, if applicable, another Public Notice.

The Department will issue the final permit modification with its 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 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 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 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) of the Florida Statutes 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), 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. 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 and 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 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.

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, 8:00AM to 5:00PM, Monday through Friday, except legal holidays, at:

Dept. of Environmental Protection Bureau of Air Regulation
111 S. Magnolia Drive, Suite 4, Tallahassee, Florida 32301
Telephone: 850/488-0114, Fax: 850/922-6979

Dept. of Environmental Protection Central District
3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767
Telephone: 407/894-7555

Air Program Section
Orange County Environmental Protection Department
800 Mercy Drive, Suite 4, Orlando, Florida 32808
Telephone: 407/836-1400

The complete project file includes the application, technical evaluations, draft permit modification, and the information submitted by the responsible official, exclusive of confidential records under Section 403.111, F.S. Interested persons may contact the Administration, New Source Review Section, or the Department's reviewing engineer for this project, Joseph Kahn, P.E., 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.

RECEIVED

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BUREAU OF AIR REGULATION

**Louis Dreyfus Citrus**Louis Dreyfus Citrus Inc.
355 S. 9th St
34787-3651 Winter Garden FL
U.S.ATelephone (1 407) 656 1000
Fax (1 407) 656 4333

FAX TRANSMITTAL

To: <i>Al Linder</i>	From: <i>Paul Ballentine</i>
Company:	Date: <i>4/5/01</i>
Fax:	Pages: <i>including this page</i>
RE:	Cc:

Hand copy to follow

via Federal Express

Patty - Informed Joe on 4/17

we assume we have hard copy by now.

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Insert Order Number 31006265

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