

Citrosuco North America Inc.

December 24, 2002

Department of Environmental Protection
Bureau of Air Regulation
2600 Blair Stone Road
Mail Station #5505
Tallahassee, FL. 32399-2400

RECEIVED
DEC 26 2002
BUREAU OF AIR REGULATION

Re: Proof of publication – DEP File # 1050001-006-AC

Dear Sirs,

Please find enclosed the Proof of Publication as required by our permit application.

Should you have questions regarding this notification please contact me at my office or by cell phone, (863)-696-7400 ext. 251 and (863) 528-4749 respectively.

Best Regards,



Ken Miller
Safety and Compliance Director
Citrosuco North America, Inc.

Fischer
Group

AFFIDAVIT OF PUBLICATION

News Chief

Published Daily

STATE OF FLORIDA
COUNTY OF POLK

Before the undersigned personally appeared Jacqueline Unger-Poole who on oath says that she is Classified Manager of the News Chief, a newspaper published at Winter Haven, in Polk County, Florida; that the attached copy of advertisement Public Notice of Intent to Issue Air Construction Permit in the matter of Citrusuco North America, Inc. in the Circuit Court, was published in said newspaper in the issue of December 20th, 2002.

Affiant further says that the News Chief is a newspaper published at Winter Haven, in said Polk County, Florida, and that said newspaper has heretofore been continuously published in said Polk County, Florida, daily, and has been entered as second class matter at the post office in Winter Haven, in said Polk County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and affiant further says that he 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 said newspaper.

Signed [Signature] Sworn to and subscribed before me this 20th day of December, A.D. 2002 by Jacqueline Unger-Poole who is personally known to me or who has produced () as identification.

[Signature] Notary Public

Lynda Wilkinson My Commission CD123680 Expires July 22, 2006

My Commission Expires: _____

PUBLIC NOTICE OF INTENT TO ISSUE AIR CONSTRUCTION PERMIT

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION DEP File No. 1050001-006-AC Citrusuco North America, Inc. Polk County

The Department of Environmental Protection (Department) gives notice of its intent to issue: air construction permit to Citrusuco North America, Inc. for its existing citrus juice processing facility located at 5937 Highway 60, East Lake Wales, Polk County. The applicant's mailing address is: P.O. Box 3950, Lake Wales, Florida 33898-3950. The permit will impose a limit on the total annual boxes of citrus fruit processed at the facility. This limit will replace the current limit on the total wet citrus peel input to the citrus peel dryers, allowing for a higher moisture content of the peel input into the dryers.

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 Statute (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. Petition 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 of the 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, any, which shall be the address for service purposes during the course of the proceeding; 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 petitioner 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 Tampa, Florida 33619-8218 Telephone: 850/488-0114 Fax: 850/922-6979 Dept. of Environmental Protection Southwest District 3804 Coconut Palm Drive Tallahassee, Florida 32301 Tampa, Florida 33619-8218 Telephone: 813/744-6100

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.

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