

February 17, 1984

Mr. Edward T. Huck
Bureau of Air Quality Management
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32301

DER
FEB 22 1984
BAQM

Dear Mr. Huck:

Attached is a copy of the Affidavit of Publication for the Notice of Proposed Agency Action and Hearing that was published in The Ledger on February 16, 1984.

I have retained the original in my file.

Very truly yours,



H. W. Long, Jr.
Manager
Environmental Control

HWL/jm
Attachment

cc: Mr. D. Williams (DER, Tampa)
Mr. W. Williams (DOAH, Tallahassee)
Mr. E. P. de la Parte, Jr. (Tampa)

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No.

STATE OF FLORIDA - 1
COUNTY OF POLK - 1

Before the undersigned authority personally appeared Walter
Garnis, who on oath says that he is Controller of The Ledger, a daily
newspaper published at Lakeland in Polk County, Florida, that the
attached copy of advertisement, being a

Notice

in the matter of

DEC Notice

in the

Court, was published in said newspaper in the issues of

March 23, 1984

Affiant further says that said The Ledger is a newspaper
published at Lakeland, in said Polk County, Florida, and that the
said newspaper has heretofore been continuously published in
said Polk County, Florida, daily, and has been entered as second
class matter at the postoffice in Lakeland, 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
the said newspaper.

Signed Walter Garnis
Controller

Sworn to and subscribed before me this 27th

day of March A.D. 1984

Attach Notice Here

**OPPORTUNITY FOR PUBLIC COMMENT
AND NOTICE OF CANCELLATION
OF PUBLIC HEARING**
On the 16th of February, 1984, the
DEPARTMENT OF ENVIRONMENTAL
REGULATION gave notice of entry
and to an agreement with AGNICO
CHEMICAL COMPANY, to allow the
issue of a permit to construct a wet
piled sludge handling and mixing
facility at its South Pierce Chemical
complex in Polk County. At that
time, notice was given of a formal
administrative proceeding to com-
pense on March 1-4, 1984, the hearing
on the permit and cancellation
of the formal administrative
proceeding. The public hearing is
also cancelled. Members of the pub-
lic may, however, submit written
comments to the Department on the
proposed permit until April 22, 1984.
The application, technical evalua-
tion and the DEPARTMENT's proposed
permit are available for public in-
spection during normal business
hours from 8:00 a.m. to 5:00 p.m.,
Monday through Friday, except
legal holidays at the following local
office:
This notice shall not be construed
as reopening the time period for
requesting formal administrative
proceedings which expired on
March 1, 1984.
Department of Environmental
Regulation
Bureau of Air Quality Management
3600 State Road 604
Twin Towers Office Building
Tallahassee, Florida 32301
Department of Environmental
Regulation
Southwest District 7601
Highway 301 N.
Tampa, Florida 33610
C-90 - 3-27-1984

AFFIDAVIT OF PUBLICATION

THE LEDGER

Lakeland, Polk County, Florida

Case No

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COUNTY OF POLK)

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....February 16, 1984

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said newspaper has heretofore been continuously published in
said Polk County, Florida, daily, and has been entered as second
class matter at the postoffice in Lakeland, 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
the said newspaper.

Signed

Controller

Sworn to and subscribed before me this 17th

day of February A.D. 19. 84

NOTICE OF PROPOSED AGENCY ACTION AND HEARING

The Department of Environmental Regulation gives notice of proposed agency action on whether to grant a permit to Agico Chemical Company to construct a well drilled sulfate storage and mixing facility at its South Pierce Chemical Complex in Polk County. As part of a pending administrative proceedings (DOAH Case 132768), the Department has entered into a stipulation with Agico in which the Department agrees to withdraw its objections to the permit upon Agico's acceptance of certain permit conditions.

An administrative hearing under Section 120.57(1), Florida Statutes, is presently scheduled to commence at 10:00 a.m. or 2:00 p.m. at the Apalachicola Parkway, Tallahassee, Florida, on March 8, 1984, to determine whether or not a permit should be issued for the above-described facility. The hearing process is designed to for the Department's final action may be different from the position taken by the stipulation. Therefore, persons not already participating in the pending administrative proceedings and whose substantial interest may be affected by either a denial or approval of the permit may wish to intervene in the current proceedings or request an administrative proceeding under Section 120.57, F.S., before the intervention may be filed, pursuant to Model Rule 201.207, Florida Administrative Code, with the Division of Administrative Hearings, Customs Building, 2000 Apalachicola Parkway, Tallahassee, Florida 32304, at least five days before the first hearing. If an administrative proceeding is requested, a petition conforming to Model Rule 201.204, F.A.C., must be received by the Department's Office of General Counsel, 2400 Stateline Road, Tallahassee, Florida 32304 within 14 days after publication of this notice. Failure to file petition within this time period shall constitute a waiver of any right such person may have to request a hearing under Section 120.57, F.S.

In addition to the named administrative proceedings under Section 120.57(1), F.S., a public meeting to receive comment on the proposed facility is scheduled for the week of March 19, 1984 in Lakeland, Florida. Further information on specific dates and location will be published at a later date or can be obtained at the below address.

The application, individual evaluation, and the Department's proposed Agency Action and the stipulation are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at the following locations:
D.A.R. Bureau of Air Quality Management
2400 Stateline Road, Tallahassee, FL 32304
D.A.R. Southwest District
1224 Highway 201 North, Tampa, FL 33613
6844 - 2-16-84