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THE PALM BEACH POST

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West Palm Beach, Palm Beach County, Florida

PROOF OF PUBLICATION

STATE OF FLORIDA COUNTY OF PALM BEACH

Before the undersigned authority personally appeared R. Van Esselstyn who on oath says that he is **Classified Advertising Director, Operations/Inside Sales** of The Palm Beach Post, a daily and Sunday newspaper published at West Palm Beach in Palm Beach County, Florida, Stuart in Martin County, Florida, Port St. Lucie in St. Lucie County, Florida and Okeechobee in Okeechobee County, Florida; that the attached copy of advertising, being a Notice in the matter of Intent to Issue Air Permit in the --- Court, published in said newspaper in the issues of February 9, 2000.

Affiant further says that the said The Post is a newspaper published at West Palm Beach, in said Palm Beach County, Florida, Stuart, in said Martin County, Florida, Port St. Lucie in said St. Lucie County, Florida and Okeechobee in said Okeechobee County, Florida, and that the said newspaper has heretofore been continuously published in said Palm Beach County, Florida, daily and Sunday and has been entered as second class mail matter at the post office in West Palm Beach, in said Palm Beach County, Florida, Stuart, in said Martin County, Florida, Port St. Lucie in said St. Lucie County, Florida and Okeechobee in said Okeechobee 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/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.

R. Van Esselstyn

Sworn to and subscribed before this 27 day of December,
A.D. 2000

[Signature]

Personally known XX or Produced Identification _____
Type of Identification Produced _____



...wants the Health Department to take with respect to the action or proposed action addressed in this Public Notice.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Health Department's final action may be different from the position taken by it in this Public Notice. Persons whose substantial interests will be affected by any such final decision of the Health 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 at the Health Department's office during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays. The complete project file includes the Draft Permit, the application, and the information submitted by the Authorized Representative, exclusive of confidential records, under Section 403.111, F.S. Interested persons may contact the Air Permit Supervisor for the Health Department, at the address or phone number listed above for additional information.

PUB: The Palm Beach Post
February 9, 2000

NO. 683931
PALM BEACH COUNTY
HEALTH DEPARTMENT
PUBLIC NOTICE

INTENT TO ISSUE:
AIR POLLUTION
CONSTRUCTION PERMIT
Draft Permit No.
777-5036-005-AO
Mullinix Construction
Co., Inc.

Palm Beach County, Florida
Permitting Authority: Air Permit Supervisor: Darrel Graziani, PE; Air Pollution Control Section; Palm Beach County Health Department; P.O. Box 29 (901 Evernia Street); West Palm Beach, FL 33402-0029; Phone: (561) 355-3136.

Authorized Representative: Billy Mullinix, President, Mullinix Construction Co., Inc.; 5937 Soutel Drive, Jacksonville, FL 32219.

The Palm Beach County Health Department (Health Department) gives notice of its intent to issue an Air Pollution Operation Permit to Mullinix Construction Co., Inc. to operate a Portable Concrete and Asphalt Crushing Plant located at 2.5 miles north of State Road 80, 0.75 miles west of L-8 Canal, near Loxahatchee in Palm Beach County, Florida. The Health Department's and the Authorized Representative's name and address are listed above.

The Health Department will issue the Final Permit in accordance with the conditions of the proposed Draft Permit unless a response received in accordance with the following procedures results in a different decision or significant change of terms or conditions. The Health 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. Mediation under Section 120.573, F.S. will not be available for this proposed action.

A person whose substantial interests are affected by the proposed permitting decision may petition for an administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Health Department's office at the address listed above. Petitions must be filed within 14 days of publication of this Public Notice. A petitioner must mail a copy of the petition to the applicant's Authorized Representative at the address listed above, at the time of filing. The failure of any person to file a petition within the applicable 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 28-5.207 of the Florida Administrative Code.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Draft Permit File Number, and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Health Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Health Department's action or proposed action; (d) A statement of the material facts disputed by the petitioner, if any; (e) A statement of the facts that the petitioner contends warrant reversal or modification of the Health Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Health Department's action or proposed action; and, (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner