

SEP 07 2000

BUREAU OF AIR REGULATION

LEGAL ADVERTISEMENT

**PUBLIC NOTICE OF INTENT  
TO ISSUE  
AIR CONSTRUCTION PERMIT  
STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
Draft Permit No. 7775112-001-AC  
Samsula Recycling, Inc.**

The Department of Environmental Protection (Department) gives notice of its intent to issue an air construction permit to Samsula Recycling, Inc. for a diesel engine powered relocatable concrete, asphalt, and construction debris crushing facility. The permittee plans to operate the facility at construction and industrial sites throughout Florida. The facility is a minor source of air pollution. It is subject to New Source Performance Standards, 40 CFR 60, Subpart OOO. It is not subject to the Prevention of Significant Deterioration (PSD) regulations, Rule 62-212.400, Florida Administrative Code (F.A.C.). A Best Available Control Technology determination was not required for this facility. The applicant's name and address is: Samsula Recycling, Inc., 363 State Road 415, New Smyrna Beach, Florida 32158.

The facility has been reviewed for potential operation in all counties of Florida. The facility will emit fugitive particulate matter from the crusher operation and the products of combustion from the diesel fuel firing. Control of process unconfined fugitive particulate matter emissions shall be accomplished by wetting the material using water spray bars as needed at unloading, at the crusher entrance, and at conveyor transfer points; and, non-process unconfined fugitive particulate matter emissions shall be controlled using watering and/or application of some dust suppressant(s) on the haul roads, work yards and stockpiles. Because of the low emissions estimates and limited time of operation at any one site, the crusher will not cause or contribute to any violation of an ambient air quality standard or increment.

The Department will issue the Final permit, in accordance with the conditions of the 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 Department will accept written comments concerning the proposed Draft permit issuance action for a period of 14 (fourteen) days from the date of publication of this Notice. Written comments should be provided to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Mail Station #5505, Tallahassee, Florida 32399-2400. Any written comments filed shall be made available for public inspection. If written comments received result in a significant change in this Draft permit, the Department shall issue a revised Draft permit and require, if applicable, another Public Notice.

The Department will issue the Final permit with the conditions of the Draft permit unless a timely petition for an administrative hearing is filed pursuant to Sections 120.569 and 120.57, Florida Statutes (F.S.). Mediation is not available for this action. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's 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 Office of General Counsel of the Department, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions 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. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any per-

State of Florida,  
County of Volusia:

Before the undersigned authority personally appeared  
Maggie Rollins

who, on oath says that he is.....  
Classified Sales Manager

of The News-Journal, a daily and Sunday newspaper, published at Daytona Beach in Volusia County, Florida; that the attached copy of advertisement, being a.....

Public Notice

Of Intent to Issue Air Construction Permit  
in the matter of.....

in the.....Court, was published

in said newspaper in the issues.....

August 31, 2000

Affiant further says that The News-Journal is a newspaper published at Daytona Beach, in said Volusia County, Florida, and that the said newspaper has heretofore been continuously published in said Volusia County, Florida, each day and Sunday and has been entered as second-class mail matter at the post office in Daytona Beach, in said Volusia 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.

*Maggie Rollins*

Sworn to and subscribed before me

this 31st day of August

A.D. 19 2000

*Anita Marie Saunders*



ANITA MARIE SAUNDERS  
Notary Public, State of Florida  
My Comm. Exp. Aug. 30, 2003  
Comm. No. CC 867646

LEGAL ADVERTISEMENT

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AIR CONSTRUCTION PERMIT STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION Draft Permit No. 7775112-001-AC Samsula Recycling, Inc.

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and address is: Samsula Recycling, Inc., 369 State Road 415, New Smyrna Beach, Florida 32168.

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A person whose substantial interests are affected by the Department's 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 Office of General Counsel of the Department, 8900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida, 32399-3000, telephone: 850/488-9370, fax: 850/487-4938. Petitions 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. A petitioner must mail a copy of the petition to the applicant at the address indicated above, at the time of filing. The failure of any per-

son 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 28-5.207, F.A.C.

A petition must contain the following information: (a) The name, address, and telephone number of each petitioner; the applicant's name and address, the Permit File Numbers and the county in which the project is proposed; (b) A statement of how and when each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the 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 Department's action or proposed action; (f) A statement identifying the rules or statutes that the petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take with respect to the Department's action or proposed action addressed in this notice of intent.

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 of intent. 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.

Copies of the proposed air construction permit and the technical evaluation 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: Florida Dept. of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Telephone: 407/894-7555.

The complete project file, which includes the application, technical evaluation, Draft air construction permit, and the information submitted by the applicant, exclusive of confidential records under Section 403.111, F.S., is available in the office of the permitting authority in Tallahassee. Interested persons may contact William Leffler, P.E., project engineer, at 111 South Magnolia Drive, Suite 4, Tallahassee, Florida 32301, or call 850/921-9522, for additional information. Legal L41612, August 31, 2000 11.

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SEP 07 2000

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Air Construction Permit

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ANITA MARIE SAUNDERS Notary Public, State of Florida My Comm. Exp. Aug. 30, 2005 Comm. No. CC 867640