

THE TAMPA TRIBUNE

Published Daily

Tampa, Hillsborough County, Florida

State of Florida }
County of Hillsborough }

Before the undersigned authority personally appeared R. Putney, who on oath says that he is Accounting Manager of The Tampa Tribune, a daily newspaper published at Tampa in Hillsborough County, Florida; that the attached copy of advertisement being a

LEGAL NOTICE PENINSULA

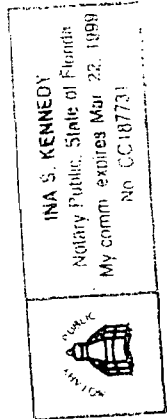
in the matter of

STATE OF FLORIDA

was published in said newspaper in the issues of

MARCH 30, 1995

Affiant further says that the said The Tampa Tribune is a newspaper published at Tampa in said Hillsborough County, Florida, and that the said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each day and has been entered as second class mail matter at the post office in Tampa, in said Hillsborough 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.



Handwritten signature of R. Putney

Sworn to and subscribed before me, this 30 day of MARCH, A.D. 1995

Personally Known or Produced Identification
Type of Identification Produced

(SEAL) INA Kennedy

The application 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: Department of Environmental Protection, Bureau of Air Regulation, 1715 S. Magnolia Park Courtyard, MS 5505, Tallahassee, Florida 32301. Department of Environmental Protection, Southwest District, 8407 Laurel Fair Circle, Tampa, Florida 33619. Environmental Protection Commission of Hillsborough County, 1900 Ninth Avenue, Tampa, Florida 33605. Any person may send written comments on the proposed action to Mr. Al Linero at the Department's Tallahassee address. All comments received within 14 days of the publication of this notice will be considered in the Department's final determination. 2241 3/30/95

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF INTENT TO ISSUE PERMIT AC 29-256368. The Department of Environmental Protection gives notice of its intent to issue a construction permit to Independence Excavating, Inc., 730 Roosevelt Plaza, Tampa, Florida 33605, for a 150 tons/hour secondary asphaltic concrete crushing unit equipped with a 320 H.P. diesel engine and a 270 H.P. diesel generator set, located at 730 Roosevelt Plaza, Tampa Port Authority, Tampa, Hillsborough County, Florida. A determination of Best Available Control Technology (BACT) was not required. The Department is issuing this intent to issue for the reasons stated in the Technical Evaluation and Preliminary Determination. A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 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 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within fourteen (14) days of publication of this notice. Petitioners shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S. The Petition shall contain the following information: (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department 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 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 Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, 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 decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

CERTIFIED MAIL

In the Matter of an
Application for Permit by:

DEP File No. AC 29-256368
Hillsborough County

Mr. Vic DiGeranimo
Independence Excavating
730 Roosevelt Plaza
Tampa Port Authority
Tampa, Florida 33605

INTENT TO ISSUE

The Department of Environmental Protection gives notice of its intent to issue a permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated in the attached Technical Evaluation and Preliminary Determination.

The applicant, Independence Excavating, Inc., submitted a complete application on December 13, 1994, to the Department of Environmental Protection for an after-the-fact construction permit for a portable 150 tons/hour secondary asphaltic concrete crushing unit powered by a 320 H.P. diesel engine along with a 270 H.P. diesel engine generator set, located at 730 Roosevelt Plaza, Tampa Port Authority, Tampa, Hillsborough County, Florida.

The Department has permitting jurisdiction under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 62-212 and 62-4. The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

Pursuant to Section 403.815, F.S., and Rule 62-103.150, F.A.C., you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. The applicant shall provide proof of publication to the Department's Bureau of Air Regulation, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.