

**STATE OF FLORIDA
FLORIDA DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
PUBLIC NOTICE OF PROPOSED
AGENCY ACTION
NOTICE OF INTENT TO ISSUE**

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT TO FLORIDA TRANSFORMER, INC. TO OPERATE A USED OIL PROCESSING FACILITY LOCATED AT 4509 STATE HIGHWAY 83 NORTH, DEFUNIAK SPRINGS, FLORIDA 32433, HAVING ASSIGNED FACILITY I.D. NUMBER FLR 000 168 203.

The draft permit prepared in accordance with the provisions of Chapters 62-4, 62-160, 62-701, 62-710, 62-730, and 62-762, of the Florida Administrative Code (F.A.C.), contains the conditions for permit number 0311571-HO-001. The permit is intended to be issued to allow Florida Transformer, Inc., to operate a Used Oil Processing Facility at 4509 State Highway 83 North, DeFuniak Springs, Florida.

Copies of the permit application and the this draft permit 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 Department of Environmental Protection, Pensacola District Office, 160 W. Government St., Suite 104, Pensacola, Florida 32502-5740, (850) 595-8300 and at 2600 Blair Stone Road, Mail Station #4580, Tallahassee, Florida 32399-2400, (850) 245-8781. Electronic copies of the application and draft permit can be accessed in the Department's OCULUS data system located <http://dwmcdms.dep.state.fl.us/Oculus/servlet/login>

A person whose substantial interests are affected by the above proposed agency action may petition for an administrative determination (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 Department's Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station #35, Tallahassee, Florida 32399-3000. Petitions filed by the permit applicant and any of the parties listed below must be filed within fourteen (14) days of receipt of this Intent. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen (14) days of publication of this notice of intent or receipt of the written notice, whichever occurs first. 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 this 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 (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, 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, 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; and

(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 all material facts disputed by petitioner, or a statement that there are no disputed facts; (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 the 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.

A petition that does not dispute the material facts on 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 have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation is not available in this proceeding.

1tc: October 11, 2012 235R