

# Daily Record

PROOF OF PUBLICATION

Received

DEC 13 2012

BSHW

(Published Daily Except Saturday and Sunday)

Jacksonville, Duval County, Florida

STATE OF FLORIDA, }  
COUNTY OF DUVAL, } SS:

Before the undersigned authority personally appeared \_\_\_\_\_, who is the Publisher of FINANCIAL NEWS & (except Saturday and Sunday) newspaper published at Jacksonville, Florida; that the attached copy of advertisement, being a

State of Florida Department of Environmental Protection

Proposed Agency Action Notice of Intent

in the matter of FLR 000 119 784

in the \_\_\_\_\_ Court, of Duval

in said newspaper in the issues of December 5, 2012

Affiant further says that the said FINANCIAL NEWS & is published at Jacksonville, in said Duval County, Florida, and that it has been continuously published in said Duval County, Florida (except Saturday and Sunday) and has been entered as periodicals matter at the post office at Jacksonville, Florida, for a period of one year next preceding the date of filing of this notice of intent; and affiant further says that affiant has promised any person, firm or corporation any discount, rebate or other consideration for the purpose of securing this advertisement for publication in said

Published

Sworn to and subscribed before me this day \_\_\_\_\_

ANGELA CAMPBELL  
Notary Public, State of Florida  
My Comm. exp. April. 10, 2013  
Comm. No. DD 858339

*Angela Campbell*  
Notary Signature

Angela Campbell  
Notary Public  
DD858339

seal

James F. Bailey, Jr. personally known to me

## 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 CLIFF BERRY, INC. FACILITY TO OPERATE A USED OIL PROCESSING FACILITY LOCATED AT 1518 TALLEYRAND AVENUE, JACKSONVILLE, FLORIDA 32206, HAVING ASSIGNED FACILITY I.D. NUMBER FLR 000 119 784.

The draft permit prepared in accordance with the provisions of Chapters 62-4, 62-160, 62-701, 62-710, 62-730, 62-740 and 62-762, of the Florida Administrative Code (F.A.C.), contains the conditions for permit numbers 249482-HO-003. The permit is intended to be issued to allow Cliff Berry, Inc. to operate a Used Oil Processing Facility at 1518 Talleyrand Avenue, Jacksonville, Florida 32206.

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, Northeast District Office, 7777 Baymeadows Way West, Suite 100, Jacksonville, Florida 32256, (904) 256-1700 and at 2600 Blair Stone Road, Mail Station #4560, 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://dwmedms.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.

Dec. 5

00(12-11192)



FINANCIAL NEWS &

# Daily Record

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(Published Daily Except Saturday and Sunday)  
Jacksonville, Duval County, Florida

STATE OF FLORIDA, }  
COUNTY OF DUVAL, } SS:

STATE OF FLORIDA  
FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
PUBLIC NOTICE OF PROPOSED  
AGENCY ACTION  
NOTICE OF INTENT TO  
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of the post  
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Before the undersigned authority personally appeared James F. Bailey, Jr., who on oath says that he is the Publisher of FINANCIAL NEWS and DAILY RECORD, a daily (except Saturday and Sunday) newspaper published at Jacksonville, in Duval County, Florida; that the attached copy of advertisement, being a

State of Florida Department of Environmental Protection Public Notice of

Proposed Agency Action Notice of Intent to Issue

in the matter of FLR 000 119 784

in the \_\_\_\_\_ Court, of Duval County, Florida, was published  
in said newspaper in the issues of December 5, 2012

Affiant further says that the said FINANCIAL NEWS and DAILY RECORD is a newspaper at Jacksonville, in said Duval County, Florida, and that the said newspaper has heretofore been continuously published in said Duval County, Florida, each day (except Saturday and Sunday) and has been entered as periodicals matter at the post office in Jacksonville, in said Duval 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 said newspaper.

Publisher

Sworn to and subscribed before me this day of December 5, 2012

ANGELA CAMPBELL  
Notary Public, State of Florida  
My Comm. exp. April. 10, 2013  
Comm. No. DD 858339

*Angela Campbell*  
Notary Signature

Angela Campbell  
Notary Public  
DD858339

seal

James F. Bailey, Jr. personally known to me

RECEIVED

RCRA

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Hazardous Waste Regulation