

Intent to Modify

Black Book

RCRA PERMITTING -- ROUTING SLIP

Facility/Item: Safety Klean - Boynton

Pats No: HC50 - 151555

Date Document Received: _____

Date Action Required: _____

Action Is: Urgent

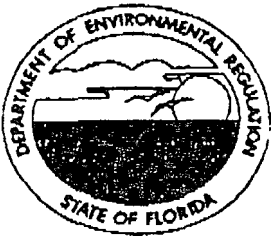
 Routine

TO	Name	SIGNATURE	DATE
<input checked="" type="checkbox"/>	JOHN GRIFFIN	<u>GG</u>	<u>6-24-91</u>
<input type="checkbox"/>	DIANE HUNT		
<input checked="" type="checkbox"/>	SATISH KASTURY	<u>SK</u>	
<input type="checkbox"/>	SHELTON GRAVES		
<input type="checkbox"/>	RABIN PRUSTY		
<input checked="" type="checkbox"/>	DOUG OUTLAW	<u>DO</u>	<u>6/20/91</u>
<input type="checkbox"/>	MERLIN RUSSELL		
<input type="checkbox"/>	CINDY SMITH		
<input type="checkbox"/>	LORRAINE CLARK		
<input type="checkbox"/>	JANET ASHWOOD		
<input checked="" type="checkbox"/>	BILL NEIMES	<u>BN</u>	<u>6/21/91</u>
<input type="checkbox"/>			
<input type="checkbox"/>			
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REQUIRED ACTION & COMMENT:

RETURN TO: Doug Outlaw FOR FILING !

☒ LOGGED IN



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Fax: 407/433-2666

Carol M. Browner, Secretary

SATISH
GOOD COPY + I HAVE
DOUG COPIES ll

FAX TRANSMITTAL LETTER

DATE: 6/5/91

TO:

NAME: DOUG OUTLAW

AGENCY: DER / TALLAHASSEE

FAX TELEPHONE NUMBER: 904/922-4939

NUMBER OF PAGES (INCLUDING THIS PAGE) 9 11

FROM:

NAME: KNOX MCKEE

AGENCY: DER / WEST PALM BEACH

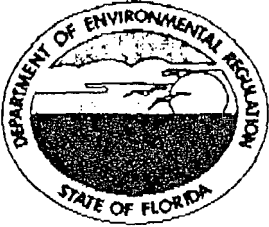
TRANSMITTAL ON A HITACHI HIFAX #35; NUMBER: 407/433-2666.

IF ANY OF THE PAGES ARE NOT CLEARLY RECEIVED, PLEASE CALL 407/433-2650.

SENDERS NAME: KNOX MCKEE

COMMENTS: PLEASE ACKNOWLEDGE RECEIPT

* NOTE: TRANSMITTAL OF 6/4/91
WAS GARBLED AND REQUIRED
ANOTHER STAB.



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Carol M. Browner, Secretary

Fax: 407/433-2666

Palm Beach County

HW - Safety-Kleen Corp., Boynton Facility

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Scott E. Fore
Vice President
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

Dear Mr. Fore:

RE: File Number HC 50-151555 - Safety-Kleen Corp., Boynton Facility - Permit Modification

The request to modify the hazardous waste operating permit has been evaluated. This Department hereby gives notice of its Intent to Modify and requests the publication of notice for the above referenced permit modification. Pursuant to Section 403.815, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rule 17-103.150, you are required to provide public notice at your expense.

Please have the enclosed Notice of Proposed Agency Action, designated for newspaper publication, published one time only in the legal advertisement section of a newspaper of general circulation in the county where the activity is proposed. The notice must be published as soon as possible, but no later than thirty (30) days of receipt of this letter.

In addition to publication, the enclosed radio announcement shall be broadcast one time by a radio station that covers the same area within thirty (30) days of receipt of this letter. Please have the radio station submit a letter to the Department which verifies the date the notice was announced. Some stations have been providing this service as part of their public service announcement requirement.

In accordance with F.A.C. Rule 17-103.150, you must provide proof of publication to the Department within seven (7) days of publication. Please have the newspaper prepare an affidavit of publication and submit it to this office. Further action on your permit modification will be taken following public notice and the waiting period specified in the notice.

If there are any questions regarding this matter contact Mr. Knox McKee at this office, telephone 407/433-2650.

Sincerely,

J. Scott Benyon
Deputy Assistant Secretary

JSB:rkx/43

Enclosure

cc: Palm Beach County Public Health Unit
Satish Kastury, DER/Tallahassee
James Scarbrough/EPA Region IV, Florida RCRA Activities, Atlanta

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

In the Matter of a
Request for Permit Modification:

Mr. Scott E. Fore
Regional Environmental Engineer
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60123

/ DER File No. HC 50-151555
/ Palm Beach County
/
/
/

INTENT TO MODIFY

The Department of Environmental Regulation hereby gives notice of its Intent to Modify and requests the publication of notice for the above referenced permit. This modification only applies to specific condition 8.(c). of the permit. The modification permits the facility to operate under its construction permit for a 180 day interim period commencing the first day of facility operation with the first day being no later than September 10, 1991. No further extension to the 180 day interim period will be granted by the Department. The interim period may commence only after the permittee has submitted the engineering certification of construction and following the Department's inspection of the newly constructed facility for compliance with permit conditions and applicable state regulations.

The Department is taking this action under the authority of Section 403.722, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Chapters 17-4 and 17-730, which allow issuance of permits (including permit modifications) to facilities that treat, store, or dispose of hazardous wastes. The modification of this permit is based on the applicant's demonstration that this facility is in compliance with the technical and procedural requirements established in F.A.C. Chapter 17-730 and the appropriate Sections of 40 CFR Parts 260 through 266, which were adopted by reference in F.A.C. Chapter 17-730. This demonstration was made in the context of the information package which was submitted on May 23, 1991.

Pursuant to Sections 403.815 and 403.722, F.S., and F.A.C. Rule 17-730.220(6), you are required to publish at your expense, notice of the Department's Intent to Modify a hazardous waste construction permit.

Mr. Scott E. Fore
Safety-Kleen Corporation

/ DER File No. HC 50-151555
/ Palm Beach County

The notice must be published one time only in the legal advertisement section of a major local newspaper of general circulation and broadcast over a local radio station within thirty (30) days from receipt of this letter. Proof of publication and broadcast must be provided to the department within seven (7) days of publication of the notice.

Failure to publish or provide proof of publication and broadcast within the allotted time may result in the denial of the permit modification.

The department shall modify the permit with the attached conditions unless an appropriate petition is filed for a hearing pursuant to the provisions of Section 120.57, F.S. At a formal hearing under 120.57(1), F.S., all parties shall have an opportunity to present evidence and argument on all issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, to file exceptions to any order or hearing officer's recommended order, and to be represented by counsel. At an informal hearing under 120.57(2), F.S., the department will provide affected persons or parties an opportunity to represent evidence or a written statement in opposition to the agency's action.

Petitions for hearing must comply with the requirements of F.A.C. Rules 17-103.155 and 28-5.201 (copies enclosed) and be filed with the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions by the permit applicant must be filed within forty-five (45) days of receipt of this letter. Petitions filed by other parties, or requests for public meetings by persons, must be filed within forty-five (45) days of publication or broadcast of the public notice. Petitions or requests for meetings which are not filed in accordance with the above provisions are subject to dismissal.

DONE AND ENTERED this _____ day of _____, 1991 in West Palm Beach, Florida.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

J. Scott Benyon
Deputy Assistant Secretary
1900 South Congress Ave., Suite A
West Palm Beach, FL 33406

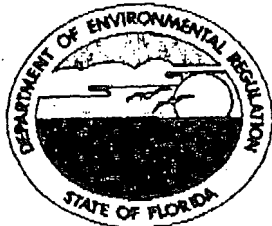
JSB:rk:rh/43

Copies furnished to:

cc: Palm Beach County Public Health Unit
Satish Kastury, DER/Tallahassee
James Scarbrough/EPA Region IV, Florida RCRA Activities, Atlanta

This is to certify that this NOTICE OF INTENT TO MODIFY was mailed before the close of business on the date indicated on the return receipt request form.

Signature _____



Florida Department of Environmental Regulation

Southeast District • 1900 S. Congress Ave., Suite A • West Palm Beach, Florida 33406

Lawton Chiles, Governor

Telephone: 407/433-2650

Carol M. Browner, Secretary

Fax: 407/433-2666

PERMITTEE:

Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120
Attn: Scott E. Fore,
Vice President

I.D. NUMBER: FLD984167791

PERMIT/CERTIFICATION NUMBER: HC 50-151555

DATE OF ISSUE: May 11, 1989 (Date Input)

EXPIRATION DATE: May 11, 1994

COUNTY: Dade County

LATITUDE/LONGITUDE: 26°32'22"N/80°04'55"W

SECTION/TOWNSHIP/RANGE:

PROJECT: Hazardous Waste Storage Facility

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 17-4, and in conformance with all existing regulations of the Florida Department of Environmental Regulation. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TO CONSTRUCT: A Hazardous Waste Storage Facility consisting of a container storage area and an above-ground storage tank.

The container storage area will be equipped with the following features: impervious floors with slopes toward spill containment areas, fire suppression system and controlled access (inside fenced area with locked gate). The capacity of the container storage area will be 6912 gallons (432 16-gallon containers, or the equivalent). The hazardous waste to be stored in the containers is as follows:

Dumpster Sediment	D001, D006, D008
Spent Immersion Cleaner	F002, F004
Dry Cleaning Wastes	F002
Paint Wastes	F003, F005, D001, D006, D007, D008

The capacity of the above-ground storage tank is 15,000 gallons and the waste to be stored in the tank is waste mineral spirits (D001, D008). The tank will be constructed with secondary containment/leak detection system.

IN ACCORDANCE WITH: Application DER Form 17-30.401(2) dated June 28, 1988 and with additional information submitted September 29, 1988, November 1, 1988, November 30, 1988, December 12, 1988 and April 13, 1989 and Public Notice dated March 20, 1989.

LOCATED AT: Safety-Kleen Corporation, Lot 46B, Quantum Industrial Park, Boynton Beach, Florida.

SUBJECT TO: General Conditions 1-16 and Specific Conditions 1-10.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984167791
PERMIT/CERTIFICATION NUMBER: HC 50-151555
DATE OF ISSUE: May 11, 1989 (Permit Modified)
EXPIRATION DATE: May 11, 1994

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.

2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.

3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.

4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.

5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.

6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- (a) Have access to and copy any records that must be kept under conditions of the permit;
- (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984167791
PERMIT/CERTIFICATION NUMBER: HC 50-151555
DATE OF ISSUE: May 11, 1989 (Permit Modified)
EXPIRATION DATE: May 11, 1994

GENERAL CONDITIONS Cont'd:

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.
11. This permit is transferable only upon Department approval in accordance with Rule 17-4.120 and 17-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation) required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report, or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used;
 6. the results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.
16. In the case of an underground injection control permit, the following permit conditions also shall apply:
 - (a) All reports or information required by the Department shall be certified as being true, accurate and complete.
 - (b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
 - (c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.
 1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984167791
PERMIT/CERTIFICATION NUMBER: HC 50-151555
DATE OF ISSUE: May 11, 1989 (Permit Modified)
EXPIRATION DATE: May 11, 1994

GENERAL CONDITIONS Cont'd:

16. The following conditions also shall apply to a hazardous waste facility permit.

(a) The following reports shall be submitted to the Department:

1. Manifest discrepancy report. If a significant discrepancy in a manifest is discovered, the permittee shall attempt to rectify the discrepancy. If not resolved within 15 days after the waste is received, the permittee shall immediately submit a letter report, including a copy of the manifest, to the Department.
2. Unmanifested waste report. The permittee shall submit an unmanifested waste report to the Department within 15 days of receipt of unmanifested waste.
3. Annual report. An annual report covering facility activities during the previous calendar year shall be submitted pursuant to Chapter 17-30, F.A.C.

(b) Notification of any noncompliance which may endanger health or the environment, including the release of any hazardous waste that may endanger public drinking water supplies or the occurrence of a fire or explosion from the facility which could threaten the environment or human health outside the facility, shall be reported verbally to the Department within 24 hours, and a written report shall be provided within 5 days. The verbal report shall include the name, address, I.D. number, and telephone number of the facility, its owner or operator, the name and quantity of materials involved, the extent of any injuries, an assessment of actual or potential hazards, and the estimated quantity and disposition of recovered material. The written submission shall contain:

1. A description and cause of the noncompliance.
2. If not corrected, the expected time of correction, and the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance.

(c) Reports of compliance or noncompliance with, or any progress reports on, requirements in any compliance schedule shall be submitted no later than 14 days after each schedule date.

(d) All reports or information required by the Department by a hazardous waste permittee shall be signed by a person authorized to sign a permit application.

PERMITTEE:
Safety-Kleen Corporation
777 Big Timber Road
Elgin, IL 60120

I.D. NUMBER: FLD984167791
PERMIT/CERTIFICATION NUMBER: HC 50-151555
DATE OF ISSUE: May 11, 1989 (Permit Modified)
EXPIRATION DATE: May 11, 1994

SPECIFIC CONDITIONS:

1. This permit authorizes construction only of the facility described in the application. The Department shall be notified and prior approval shall be obtained of any changes or revisions made during construction.
 2. The permittee shall retain the engineer of record for the inspection of the construction of the project. Upon completion, the engineer shall inspect for conformity to the permit application and additional information submitted and shall so certify to the Department. Such certification is to be submitted within 30 days after completion.
 3. The permittee, in accordance with 40 CFR 264.192(b), shall provide a professional engineer registered in the State of Florida to monitor and/or visually inspect the tank installation in order to identify the presence of any of the following items:
 - (a) weld breaks
 - (b) punctures
 - (c) scrapes in the protective coatings
 - (d) cracks
 - (e) corrosion
 - (f) other structural damage or inadequate construction/installation
- All discrepancies must be remedied before the tank system is placed in use.
4. Upon completion of construction of the tank, the permittee shall perform a tightness test using hydrostatic pressure by preloading the tank with water before hazardous waste storage.
 5. At a minimum, the permittee shall equip the facility with the equipment specified in the application, as required by 40 CFR 264.32.
 6. The completed construction of the container storage shall be in compliance with 40 CFR 264.175 and 40 CFR 264.176.
 7. The completed construction of the above-ground tank system shall be in compliance with 40 CFR 264.193 and 40 CFR 264.198.
 8. The permittee may not commence storage of hazardous waste at the facility until:
 - (a) The permittee has submitted the engineering certification of construction in compliance with the permit application;
 - (b) The Department has inspected the newly constructed facility and finds it in compliance with the conditions of the permit, and other applicable state regulations;
 - (c) The permittee may, however, as per FAC Rule 17-730.250(3), store hazardous waste at the facility pending review and approval of the operating permit application. Storage of hazardous waste may commence only after compliance with Specific Condition 8.(a) and 8.(b), above, has been satisfied and continue for a 180 day interim period. The 180 day interim period will commence the first day of facility operation with the first day being no later than September 10, 1991. No further extension to 180 day interim period will be granted by the Department.
 9. The permittee shall submit an application for an Operation Permit at least 90 days prior to expiration of this permit.
 10. The Department may modify the conditions in this permit upon written request of the permittee in accordance with FAC Rule 17-730.290(1).

Issued this ____ day of _____ 1991

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

J. Scott Benyon
Deputy Assistant Secretary

NEWSPAPER ANNOUNCEMENT

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action on Permit Modification

The Department gives notice of its Intent to Modify the hazardous waste construction permit of Safety-Kleen Corporation, Boynton Facility, Palm Beach County. This modification permits the facility to operate under its construction permit for a 180 day interim period. This modification will alter the terms of the existing construction permit to reflect that the interim period will commence only after the permittee has submitted the engineering certification of construction and following the Department's inspection of the newly constructed facility for compliance with permit conditions and applicable state regulations.

Persons 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, Florida Statutes (F.S.). The petition must conform to the requirements of Florida Administrative Code (F.A.C.), Chapters 17-103 and 28-5, and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within forty-five (45) days of publication of this notice. Failure to file a request for hearing within this time period constitutes a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S.

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 preliminary statement. Therefore, persons who may support the proposed agency action may wish to intervene in the proceeding. A petition for intervention must be filed pursuant to F.A.C., Model Rule 28-5.207, at least five (5) days before the final hearing and may be filed with the hearing officer if one has been assigned at the Division of Administrative Hearings, Department of Administration, 2009 Apalachee Parkway, Tallahassee, Florida 32399-2400. If no hearing officer has been assigned, the petition is to be filed with the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Failure to petition to intervene within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S.

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 the Department's Southeast Florida District Office, 1900 South Congress Ave., West Palm Beach, Florida 33406.

In addition to the above hearing procedure persons wishing to comment on any aspect of this action are required to submit their comments, in writing, to the Department's Southeast District Office, within forty-five (45) days of publication of this notice.

RADIO ANNOUNCEMENT

State of Florida
Department of Environmental Regulation
Notice of Proposed Agency Action on Permit Modification

The Department gives notice of its Intent to Modify the hazardous waste construction permit of Safety-Kleen Corporation permitting its Boynton Beach, Florida facility to operate under the construction permit for a 180 day interim period. The operation of the facility during the interim period will be in compliance with state regulations.

Persons whose substantial interests are affected by the Department's proposed permit modification decision may petition for an administrative hearing in accordance with section 120.57, Florida Statutes. 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 preliminary statement. Therefore, persons who support the proposed agency action may also wish to intervene in the proceeding.

For more information concerning the applicable requirements of the petitioning process and the necessary time frames for filing, please contact the Southeast Florida District Office at (407) 433-2650. 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 the Southeast Florida District Office, 1900 South Congress Ave., West Palm Beach, FL 33406.