

	IN THE CIRCUIT COURT FOR BREVARD COUNTY, FLORIDA
	File No.
IN RE: STATE OF FLORIDA FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PUBLIC NOTICE OF PROPOSED AGENCY ACTION	

AFFIDAVIT OF PUBLICATION

COMES NOW Affiant, SUSAN BENJAMIN, and states:

Affiant is an owner of Trader Jake's newspaper with knowledge of the publication of the Notice of Intent to Issue a Permit to Cliff Berry Inc. to Operate a Used Oil Processing Facility in the above-styled cause.

Affiant further says that the said publication is a newspaper published at Melbourne, in said Brevard County, Florida, and that the said newspaper has heretofore been continuously published in said Brevard County, Florida, each week, for a period of 1 year next preceding the first publication of the attached copy of advertisement: and Affiant further says that she 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.

The Notice of Intent to Issue a Permit to Cliff Berry Inc. to Operate a Used Oil Processing Facility in the above-styled cause, a true and correct copy of which is attached hereto as "Exhibit 1," was published for one (1) week, specifically, on the week beginning February 9, 2018.

LEGAL NOTICES

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. to Operate a Used Oil Processing Facility located at Cliff Berry Inc., Canaveral Facility, 5855 Industrial Drive, Cocoa, Florida, 32729, having assigned Facility I.D. Number FLR 000 119 792. 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 Operating Permit Number(s) 249477-003-HO. The permit is intended to be issued to allow Cliff Berry Inc. to operate a Used Oil Processing Facility at 5855 Industrial Drive, Cocoa, Florida 32729.

Copies of the application and the 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, Orlando District Office, Suite 232, 3319 Maguire Parkway, Orlando, Florida 32803, (407)894-7555, and at Division of Waste Management, Permitting and Compliance Assistance Program, 2600 Blair Stone Road, 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 at <http://depdms.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 (or a request for mediation, as discussed below) 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; (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.

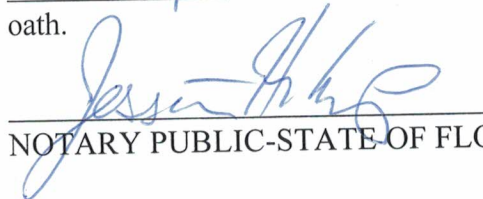
A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301, F.A.C. Because the administrative hearing process is designed 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.

All of the matters set forth are true and correct. I understand that the penalty for making a false statement under oath includes fines and/or imprisonment.


SUSAN BENJAMIN

STATE OF FLORIDA
COUNTY OF BREVARD

SWORN TO OR SUBSCRIBED before me, on the 12 day of February, 2017, the undersigned, by Susan Benjamin who was sworn or took an oath.


NOTARY PUBLIC-STATE OF FLORIDA

