



# Florida Department of Environmental Protection

Northwest District  
160 Governmental Center  
Pensacola, Florida 32502-5794

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

November 19, 2007

Sent Via Email To:  
greg.evers@myfloridahouse.gov

Honorable Greg Evers  
State House of Representatives  
5224 Willing Street  
Milton, Florida 32570

Dear Representative Evers:

The purpose of this letter is to notify you that the Department plans to send out a Notice of Intent to Issue a Permit to operate a Class I and Class III Landfill in Santa Rosa County, Florida. The applicant, Santa Rosa County Board of County Commissioners, intends to operate this facility known as *Central Landfill Class I, Class III, Air Curtain Incinerator, and Asbestos Facility* (WACS No. 12300). The facility is located at 6337 Da Lisa Road, Milton, Santa Rosa County, Florida 32583. Citizens within your District may express an interest in this permitting action.

A copy of the Notice is enclosed for your information. The Department requires the applicant to publish this notice in a newspaper of general circulation, which allows for a 14-day period for objectors to submit a petition requesting a hearing. In the event the Department does not receive a petition for hearing within the allowable period, we will issue the proposed permit for the facility. A copy of this file is available for public inspection during normal business hours at our District Office at the letterhead address.

I hope you find this information helpful. If you have any questions, please contact Michael S. Kennedy, by phone at (850) 595-8360, extension 1247 or by e-mail at [mike.kennedy@dep.state.fl.us](mailto:mike.kennedy@dep.state.fl.us).

Sincerely,

W. Richard Fancher  
District Director

WRF: bsm

Enclosure: Notice of Intent to Issue Permit

cc: Lee Martin, Solid Waste Management, Tallahassee, [lee.martin@dep.state.fl.us](mailto:lee.martin@dep.state.fl.us)  
Jerrel Anderson, Santa Rosa County, [jerrela@co.santa-rosa.fl.us](mailto:jerrela@co.santa-rosa.fl.us)  
Julian Cooley, Santa Rosa County, [julianc@co.santa-rosa.fl.us](mailto:julianc@co.santa-rosa.fl.us)

File: Central Landfill Class I, Class III, Air Curtain Incinerator, and Asbestos Facility,  
Santa Rosa County, WACS # 12300

## NOTICE OF INTENT TO ISSUE

### THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Sent Via Email To:

[jerrela@co.santa-rosa.fl.us](mailto:jerrela@co.santa-rosa.fl.us)

In the matter of an  
Application for Permit by:

DEP File No. 1534-008-SO  
DEP File No. 1534-009-SC  
Santa Rosa County

Mr. Jerrel Anderson, P.E.  
Environmental Manager  
Santa Rosa County  
6065 Old Bagdad Highway  
Milton, Florida 32583

#### INTENT TO ISSUE

The Applicant, Santa Rosa County Board of County Commissioners, applied on October 18, 2006, to the Department of Environmental Protection, for a permit to operate a Facility having both a Class I landfill and a Class III Landfill. The facility known as "Central Landfill Class I, Class III, Air Curtain Incinerator, and Asbestos Facility" (WACS No.: 12300) is located on 6337 Da Lisa Road, Milton, Santa Rosa County, Florida.

The Department has permitting jurisdiction under Chapter 403 of the Florida Statutes and Chapter 62-701, Florida Administrative Code, (F.A.C.). The Department has determined that Class I and Class III facility permits are required for the proposed work.

The Applicant has complied with the requirements of Chapter 62-701, F.A.C. and the application has been determined complete. The Department hereby intends to issue the permit.

#### NOTICE OF RIGHTS

Pursuant to Section 403.815, F.S., you are required to publish at your own expense the enclosed Notice of Proposed Agency Action. 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. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the Department at the address or telephone number listed below. You must provide proof of publication to the Department at the address listed below as soon as practical after publication.

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed agency action may petition for an administrative proceeding (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 Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by other persons must be filed within 14 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.A.C., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The 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 the appropriate 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 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 or will be 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 the

ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of the specific 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 the petitioner, stating precisely the action the 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.

Any party to this order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000, and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within thirty days after this order is filed with the clerk of the Department.

Executed in Pensacola, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

A handwritten signature in black ink, appearing to read "Michael S. Kennedy", is written over a horizontal line.

Michael S. Kennedy, P.G.  
Program Administrator  
Waste Management Program

160 Governmental Center  
Pensacola, Florida 32502-5794  
(850) 595-8360

FILED, on this date, under Section 120.52(7),  
Florida Statutes, with the designated Department  
Clerk, receipt of which is hereby acknowledged.



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(Clerk)

November 19, 2007

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(Date)

cc: Lee Martin, Solid Waste Management, Tallahassee, lee.martin@dep.state.fl.us

File: Central Landfill Class I, Class III, Air Curtain Incinerator, and Asbestos Facility,  
Santa Rosa County, WACS No.: 12300