

Orlando Sentinel

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State of Florida } S.S.
COUNTY OF ORANGE

Before the undersigned authority personally appeared Rachael Washington, who on oath says that he/she is the Legal Advertising Representative of Orlando Sentinel, a daily newspaper published at Orlando in Orange County, Florida; that the attached copy of advertisement, being a STATE OF FLORIDA in the matter of SC49-0199726-004, SC49-0199726-005 in the Orange Court, was published in said newspaper in the issue; of 02/27/07

Affiant further says that the said Orlando Sentinel is a newspaper published at Orlando in said Orange County, Florida, and that the said newspaper has heretofore been continuously published in said Orange County, Florida, each Week Day and has been entered as second-class mail matter at the post office in Orlando in said Orange 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/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 foregoing instrument was acknowledged before me this 1 day of March, 20 07, by Rachael Washington, who is personally known to me and who did take an oath.

(SEAL)



STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION NOTICE OF PROPOSED AGENCY ACTION

The Department of Environmental Protection gives notice of its intent to issue a construction and operation permit to Omni Waste of Osceola County, LLC, Shawn McGash, 1501 Omni Way, St. Cloud, FL 34473, to construct and operate the Oak Hammock Disposal Phases 2 & 3, Class 1, in Osceola County, FL. The landfill is located approximately 6.5 miles south of Holopaw, on the west side of U. S. Highway 441, in eastern Osceola County, FL.

The Department has assigned File Numbers SC49-0199726-004 & SC49-0199726-005 to the project and has considered the effects of this landfill on ground water and surface water.

The Department's file on this matter 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 of Environmental Protection, Central District Office, 3319 Maguire Boulevard, Suite 232, Orlando, FL 32803, Telephone 407/893-3328.

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 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, Marjory Stoneman Douglas Building, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. 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 14 days of publication of this notice or receipt of the written notice, whichever occurs first.

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 one 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 of the Florida Statutes 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 of the Florida Administrative Code.

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 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 fact which the petitioner contends warrants 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 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, required by rule 28.106.205 of the Florida Administrative Code, Page 1 of 2.

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 the notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition. I become a party to the proceeding in accordance with the requirements set forth above.

In accordance with Section 120.573, F.S., the Department advises that mediation is not available in this case as an alternative to filing a petition for an administrative determination. COR228522 2/27/2007