

Sold waste
MANATEE COUNTY
GOVERNMENT
Public Works Department

September 22, 1992

John M. Ruddell, Director
Division of Waste Management
Florida Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, Florida 32399-2400


Re: Intent to Grant Variance from Yard Waste Rule
Legal Notice and Advertisement

Dear Mr. Ruddell:

Attached please find affidavit of publication regarding the above referenced matter.

Should further action be required at this time, please contact this office at Extension 5428.

Sincerely,


Richard A. Wilford,
Director of Public Works

/gbp

Enclosure - 1

cc w/attach:

K. Jackson-Sims, Acting County Administrator
H. H. Rice, Jr., County Attorney
M. P. Barnebey, Sr. Assistant County Attorney
J. N. Steinsnyder, Assistant County Attorney
C. Hunsicker, Assistant Director
D. T. Gray, Deputy Director of Operations

RECEIVED
SEP 28 1992

DIVISION OF
WASTE MANAGEMENT

ADMINISTRATION • 4501 - 66th Street West, Bradenton, Florida 34210 • (813) 792-8811 • FAX (813) 795-3490



The Bradenton Herald

102 MANATEE AVE. WEST, P.O. BOX 921
BRADENTON, FLORIDA 34206
TELEPHONE (813) 748-0411

PUBLISHED DAILY
BRADENTON, MANATEE COUNTY, FLORIDA

STATE OF FLORIDA COUNTY OF MANATEE:

Before the undersigned authority personally appeared Jill Rockefeller, who on oath says that she is the Legal Advertising Clerk and the official representative of the Publisher of The Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida, with the express, limited authority to execute this affidavit for the purpose of establishing proof of publication of the public or legal notice and advertisement in the form attached hereto; that the attached copy of advertisement, being a legal advertisement in the matter of

State of Florida Dept.

in the Court,

was published in said newspaper in the issues of

9/15/92

Affiant further says that the said The Bradenton Herald is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said Bradenton, Manatee County, Florida, each day and has been entered as second class mail matter at the post office in Bradenton, in said Manatee County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement; and the 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.

Jill L. Rockefeller

Sworn to and subscribed before me this

16th day of Sept.

A.D. 19 92

[Signature]
(SEAL) Notary Public

Notary Public, State of Florida at Large
My Commission Expires April 1, 1994

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

The Department of Environmental Regulation gives Notice of its intent to grant a variance pursuant to Section 403.201, Florida Statutes (F.S.), to Manatee County for the Lena Road Class I landfill. The variance is from Section 403.708(15)(c), F.S., which prohibits disposal of yard trash in lined landfills after January 1, 1992.

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 Division of Waste Management, Solid Waste Section, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400.

Persons whose substantial interests are affected by the above proposed agency action have a right, pursuant to Section 120.57, F.S., to petition for an administrative determination (hearing) on the proposed action. The petition must contain the information set forth below and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. A copy of the Petition must also be mailed at the time of filing to the applicant at the address indicated. Failure to file a petition within 14 days constitutes a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, F.S.

The Petition shall 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 the material facts disputed by Petitioner, if any;
- (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 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.

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 Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel of the Department at the above address. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, Florida Administrative Code.
9/15/92

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PUBLIC WORKS
RECYCLING

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 Put your address in the "RETURN TO" Space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for additional services.

1. Show to whom delivered, date, and address. (Extra charge) 2. Restricted Delivery (Extra charge)

3. Article Addressed to: RICHARD A. WILFORD, DIRECTOR MANATEE CO. PUBLIC WORKS DEPT 4410 66TH ST W BRADENTON FL 34210	4. Article Number P 230 524 028
	Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input checked="" type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail <input type="checkbox"/> Return Receipt for Merchandise
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Address X	8. Addressee's Address (ONLY if requested and fee paid)
6. Signature - Agent X <i>Charlene Hoffmeister</i>	
7. Date of Delivery <i>4/15/94</i>	

PS Form 3811, Mar. 1988 * U.S.G.P.O. 1988-212-865 DOMESTIC RETURN RECEIPT

P 230 524 028



Receipt for Certified Mail

No Insurance Coverage Provided
 Do not use for International Mail
 (See Reverse)

Sent to	
Street and No.	
P.O., State and ZIP Code	
Postage	\$
Certified Fee	
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to Whom & Date Delivered	
Return Receipt Showing to Whom, Date, and Addressee's Address	
TOTAL Postage & Fees	\$
Postmark or Date <i>4/15</i>	

PS Form 3800, June 1991

SENDER: Complete items 1, 2, 3 and 4.
 Put your address in the "RETURN TO" space on the reverse side. Failure to do this will prevent this card from being returned to you. The return receipt fee will provide you the name of the person delivered to and the date of delivery. For additional fees the following services are available. Consult postmaster for fees and check box(es) for service(s) requested.

1. Show to whom, date and address of delivery.
 2. Restricted Delivery.

3. Article Addressed to: PATRICIA M. GLASS, CHAIRMAN BD OF CO COMMISSIONERS, MANATEE CO 1112 MANATEE AVE. WEST BRADENTON FL 34205	
4. Type of Service: <input type="checkbox"/> Registered <input type="checkbox"/> Insured <input type="checkbox"/> Certified <input type="checkbox"/> COD <input type="checkbox"/> Express Mail	Article Number P 062 921 862
Always obtain signature of addressee or agent and DATE DELIVERED.	
5. Signature - Addressee X	
6. Signature - Agent X <i>DeRose</i>	
7. Date of Delivery <i>4/2/92</i>	
8. Addressee's Address (ONLY if requested and fee paid)	

PS Form 3811, July 1983 447-845

DOMESTIC RETURN RECEIPT