
**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF INTENT TO ISSUE**

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP OR DEPARTMENT) GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT UNDER SECTION 403.722, FLORIDA STATUTES (F.S.), AND CHAPTERS 62-4, 62-701, 62-710 AND 62-730 OF THE FLORIDA ADMINISTRATIVE CODE (F.A.C.) TO Cliff Berry, Inc. This permit relates to the facility located at 5128 Saint Paul Street, Tampa, Hillsborough County, Florida, having assigned facility ID number FLR 000 013 888, and is issued as part of DEP's Used Oil and Solid Waste management programs.

The draft Permit contains the conditions for Permit(s) 76517-011-HO & 76517-012-SO. The Used Oil & Material Processing Permit is intended to be issued to allow Cliff Berry Inc., to continue storage and transportation of used oil and hazardous waste at the Cliff Berry - Tampa Facility located in Tampa, Florida.

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 DEP Southwest District Office, 13501 Telecom Parkway North, Temple Terrace, Florida 33637, (813) 470-5700, and at Permitting & Compliance Assistance Program, Division of Waste Management, Bob Martinez Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, (850) 245-8935. Electronic copies of the application and supplemental information can be accessed in the Department's OCULUS data system located at: [https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=2.503268.1\]&\[profile=Permitting_Authorization\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=2.503268.1]&[profile=Permitting_Authorization]).

The Department will issue the Permit unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until subsequent order of the Department. Because the administrative hearing process is designed to formulate final agency action, the subsequent order may modify or take a different position than this action.

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing 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, if there are none, the petition must so indicate; (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.

The petition must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant must be filed within 14 days of receipt of this written notice. Petitions filed by any other persons must be filed within 14 days of publication of this notice or receipt of the written notice, whichever occurs first. The failure 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.

Public participation is solicited without regard to race, color, religion, sex, pregnancy, national origin, age, handicap or marital status. Persons who require special accommodations under the Americans with Disabilities Act (ADA) or persons who require translation services (free of charge) are asked to contact Stacie Taylor at 850-245-2118 or LEP@FloridaDEP.gov. If you have a hearing or speech impairment, please contact the agency using the Florida Relay Service, 800-955-8771 (TDD) or 800-955-8770 (voice).

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to submit comments or file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the expiration of the deadline proposed to be extended. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation is not available in this proceeding.

April 19, 2024

24-01224H