

# The Courier

Published Thursday  
Plant City, Hillsborough County, Florida

STATE OF FLORIDA  
COUNTY OF HILLSBOROUGH

Before the undersigned authority personally appeared Carla Rockwell who on oath says that she is publisher of THE COURIER, a weekly newspaper published at Plant City, in Hillsborough County, Florida; that the attached copy of advertisement, being a legal in the matter of

*VS. Filter*

in the Court, was published in said newspaper in the issues of

*January 22, 2004*

Affiant further says that the said THE COURIER is a newspaper published at Plant City, in said Hillsborough County, Florida, and that said newspaper has heretofore been continuously published in said Hillsborough County, Florida, each Thursday and has been entered as second class mail matter at the post office at Plant City, in said Hillsborough County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement, and affiant further says that she has been 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.

Sworn to and subscribed before me  
this *28<sup>th</sup>* day of *January*  
A. D. *2004*

*Carla Rockwell*  
Notary Public  
Carla Rockwell  
Publisher

DEBORAH HUNZEKER  
Notary Public, State of Florida  
My Comm. Expires October 12, 2004  
Comm. No. CC974596

STATE OF FLORIDA  
ENVIRONMENTAL PROTECTION  
PUBLIC NOTICE OF  
PROPOSED AGENCY ACTION

THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION GIVES NOTICE OF ITS INTENT TO ISSUE A PERMIT TO UTILIZE RECOVERY SERVICES (MID-ATLANTIC, INC. TO OPERATE A USED OIL PROCESSING FACILITY AT 145 SOUTH ALEXANDER CITY, FLORIDA 33503, HAVING ASSIGNED FACILITY ID NUMBER FLD 065 690 611.

The draft permit, prepared in accordance with the provisions of Chapters 52-701 and 52-710, Florida Administrative Code (F.A.C.), contains the conditions for permit number 0030676-HO-002. The permit is intended to be issued to allow used oil to be accepted and treated at the US Filter Recovery Services (Mid-Atlantic, Inc.) site at Plant City, Florida.

Copy of the application and the draft permit are available for public inspection during normal business hours, 8:30 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at Florida Department of Environmental Protection, Southwest District Office, 8604 Coconut Palm Drive, Tampa, Florida 33619-1152. Telephone: (813)774-6100 and at Twin Towers Office Building, Division of Waste Management, Bureau of Solid & Hazardous Waste, 2600 Blair Stone Road, Tallahassee, Florida 32309-2400. Telephone: (909) 245-8706.

A person whose substantial interests are affected by the 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 notice. Petitions filed by any persons other than those entitled to written notice under section 120.569(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 indicat-

ed above at the time of filing. The failure of any person to file a petition within this time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Section 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 petitioner 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 petitioner has 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;
  - (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 who are not permitted to file a petition will be at-

heard 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.

Excerpted in Tallahassee, Florida

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Michael N. Sola, Director  
Division of Waste Management  
Tallahassee, Florida  
(909) 245-8706

CERTIFICATE OF SERVICE

The undersigned duly designated agency clerk hereby certifies that this notice was mailed and all copies were mailed before the close of business on January 14, 2004.

Kim Thornbury  
Date: 1-14-04

146, pursuant to 120.569(1), Florida Statutes, with the designated Department Clerk, record of which is hereby acknowledged.  
Kim Thornbury  
Date: 1-14-04  
1/22/2004