

**Williams, Elizabeth**

87081

C III

**From:** Henninger, Sheree [SHenning@wm.com]  
**Sent:** Tuesday, January 15, 2008 12:43 PM  
**To:** Williams, Elizabeth  
**Subject:** RE: Public Notice for Vista Landfill /Proof of notice  
**Attachments:** Publish Notice of Intent.pdf

Please see the attached for the Proof of Notice. The Notice was published on December 28, 2007. Please let me know if I need to submit to other staff.

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**From:** Williams, Elizabeth [mailto:Elizabeth.Williams@dep.state.fl.us]  
**Sent:** Wednesday, December 19, 2007 7:13 AM  
**To:** Henninger, Sheree  
**Subject:** Public Notice for Vista Landfill

Sheree:  
It is the last two pages of the word document. (By the way, we have Office 2007).  
Elizabeth

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

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**From:** Henninger, Sheree [mailto:SHenning@wm.com]  
**Sent:** Tuesday, December 18, 2007 5:50 PM  
**To:** Williams, Elizabeth  
**Subject:**

Any chance you can send the 2 page Notice contained in the attached file as a word document? I want to email a word file to the Orlando Sentinel to publish as they will not use a pdf file.

Sheree Henninger  
WMIF District Engineer  
255 W. Keene Road  
Apopka, Florida 32703

Office 407/886-2920  
Fax 407/889-8043  
Cell 407/902-1469

# Orlando Sentinel

Published Daily

State of Florida } S.S.  
COUNTY OF ORANGE

Before the undersigned authority personally appeared Beverly C. Simmons, 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 Public Notice in the matter of SC48-0165969-014 and SO48-0165969-015 in the Orange Court, was published in said newspaper in the issue; of 12/28/07

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 2 day of January, 2008, by Beverly C. Simmons, who is personally known to me and who did take an oath.

(SEAL)

Order# 586623

STATE OF FLORIDA  
DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
NOTICE OF INTENT TO ISSUE  
PERMIT FOR MODIFIED PROJECT

The Department of Environmental Protection gives notice of its intent to issue a permit modification to Visto Landfill, LLC/Alec Pittman, 3415 North 40th St., Tampa, FL 33603. The proposed work involves a modification to the existing permit to include the construction and operation of a liner and leachate collection system for the currently permitted Visto Landfill, Class III. The landfill is located at 242 West Keene Rd., Apopka, Sections 28, Township 21, Southern Range 38 East, in Orange County, FL.

The Department has assigned File Nos. SO48-0165969-014 and SO48-0165969-015 to the project and intends to issue the permit as a modification to the existing Permit No. SO48-0163959-013 which expires on April 18, 2011.

The Department will issue the permit modification unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57 of the Florida Statutes 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 permitting decision may petition for an administrative proceeding (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 by the clerk) 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 fourteen days of receipt of this written notice. 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 fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first.

Under section 120.60(3) of the Florida Statutes, however, any person who has 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 of the Florida Statutes. 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 name, address, and telephone number of the petitioner's representative, if any; the Department permit identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department's action;
- (c) A statement of how each petitioner's substantial interests are affected by the

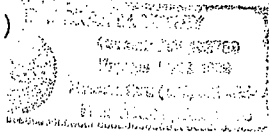
- Department action:
- (d) A statement of all disputed issues or matter of fact; if there are none, the petition must so indicate;
  - (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
  - (f) A concise statement of the ultimate facts believed as well as the rules and provisions which entitle the

...ation any discount, rebate, commission  
fund for the purpose of securing this advertisement for  
ation in the said newspaper.

*Beverly C. Simmons*

...going instrument was acknowledge before me this 2  
of January, 2008, by Beverly C. Simmons, who is  
tally known to me and who did take an oath.

*[Signature]*



586623

under section 120.60(3) of the Florida Statutes, however, any person who has 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 120.549 and 120.57 of the Florida Statutes. 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 28.104.205 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 name, address, and telephone number of the petitioner's representative, if any; the Department permit identification number and the county in which the subject matter of activity is located;  
(b) A statement of how and when each petitioner received notice of the Department action;  
(c) A statement of how each petitioner's substantial interests are affected by the

Department action.  
(d) A statement of all disputed issues of material fact; if there are none, the petition must so indicate.  
(e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action.  
(f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief, and  
(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

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 28.104.301.

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 under section 120.573 of the Florida Statutes is not available for this proceeding. The application is available for public inspection during normal business hours, 9:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays at the Department of Environmental Protection, 3319 W. Alcazar Blvd., Suite 232, Orlando, FL 32803, telephone 407/893-3328.

Documents in this matter can also be accessed through the OCULUS electronic document management system at [www.dep.state.fl.us](http://www.dep.state.fl.us). Once at the DEP home page, click on "Programs" then click on "Waste Management" and then click on "OCULUS".

Login as netuser and password: netuser. Click the login button. Under Catalog select Solid Waste and under Profile select Permittals. Authorizations: Enter 8708 in the Facility ID field and hit the tab button. Click the Search button.