



Volusia County
FLORIDA
Public Works Department
Solid Waste Division

June 21, 2013

ENV-13-123

Mr. Tom Lubozynski, P.E.
Waste Administrator
Florida Department of Environmental Protection
Central District, 3319 Maguire Boulevard, Suite 232
Orlando, FL 32803-3767

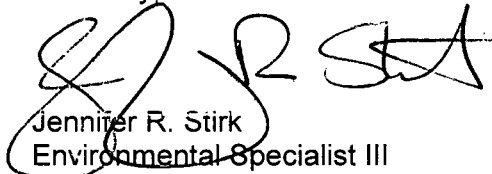
RE: "Notice of Proposed Agency Action" Proof of Publication
File No. 0078767-030-SO-01
Tomoka Farms Road Landfill Class I Operations

Dear Mr. Lubozynski:

Enclosed please find the "Notice of Proposed Agency Action" published in the legal advertisement section of The News-Journal on June 10, 2013 and a copy of a certified letter confirming the publication.

If you have any questions or need additional information regarding this matter please contact me at 386-947-2952 or jstirk@volusia.org.

Sincerely,



Jennifer R. Stirk
Environmental Specialist III

Enclosures

CC: File

RECEIVED
JUN 24 2013
DEP Central Dist.

THE NEWS-JOURNAL

Published Daily and Sunday
Daytona Beach, Volusia County, Florida

State of Florida,
County of Volusia

Before the undersigned authority personally appeared

Cynthia Maley

who, on oath says that she is

LEGAL COORDINATOR

of The News-Journal, a daily and Sunday newspaper,
published at Daytona Beach in Volusia County, Florida; the
attached copy of advertisement, being a
.....

NOTICE OF PROPOSED AGENCY ACTION

L 2014268

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

JUNE 10, 2013

Affiant further says that The News-Journal is a newspaper
published at Daytona Beach, in said Volusia County, Florida,
and that the said newspaper has heretofore been continuously
published in said Volusia County, Florida, each day and
Sunday and has been entered as second-class mail matter at
the post office in Daytona Beach, in said Volusia 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 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

[Signature]

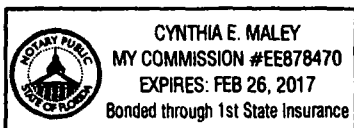
Sworn to and subscribed before me

This 10TH of JUNE

A.D. 2013

[Signature]

49D



STATE OF FLORIDA
DEPARTMENT OF
ENVIRONMENTAL PROTECTION
NOTICE OF

PROPOSED AGENCY ACTION

The Department of Environmental Protection gives Notice of its
intent to issue an operation permit to Volusia County Solid
Waste Division / Leonard Marion, 3151 East New York Ave.,
DeLand, Florida 32724, to continue operations and subsequent
closure of the Tomoka Farms Road Landfill - North Cell, Class I
disposal area in Volusia County, FL. The facility is located at
1990 Tomoka Farms Road, Port Orange, in Section 9, Township
16S, Range 32E, in Volusia County, Florida. The Department has
assigned File Number 0078767-030-SO-01 to the project and
considered the effects of this landfill on groundwater.

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 407/897-4100.

To view Documents in the Department's electronic filing system
called Oculus:

Go to website: http://dwrmed.ms.dep.state.fl.us/Oculus/servlet/login

Log in using the PUBLIC OCULUS LOGIN Button

Under Catalog - Highlight Solid Waste

Under Search by - Make Sure Profile is selected

Under Profile- Highlight Permitting Authorization

For Facility-Site ID - Enter 27540

For Document Date - Select the "Greater Than" Symbol (>) and
enter 12-27-2012

Click on the Search Button

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 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, 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 facts which the 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 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, as required by Rule 28-106.301 of the Florida
Administrative Code.

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.

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

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.
L2014268. June 10, 2013. It*

RECEIVED

JUN 24 2013

DEP Central Dist.