



**MANATEE COUNTY
GOVERNMENT**
Public Works Department

CERTIFIED MAIL

October 11, 1994

Ms. Mary Jean Yon, Administrator
Solid Waste Section
Florida Department of Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Notice of Intent to Renew Variance
File No. SWV 91-7/Manatee County

Dear Ms. Yon:

As requested, enclosed please find a copy of proof of publication regarding the above noted Variance printed in the Bradenton Herald on September 30, 1994.

If you require further information regarding this matter, please contact this office.

Sincerely,

David F. Rothfuss
Interim Director *for*

DFR/gbp

cc: Jeffrey N. Steinsnyder, Sr. Assistant County Attorney
Daniel T. Gray, Utilities Operations Manager
Gus A. DiFonzo, Solid Waste Manager

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EA. SOLID WASTE

ADMINISTRATION • 4410 - 66th Street West, Bradenton, Florida 34210 • (813) 792-8811 • FAX (813) 795-3490





Bradenton Herald

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

Bradenton Herald
Published Daily
Bradenton, Manatee, Florida

**STATE OF FLORIDA
COUNTY OF MANATEE:**

Before the undersigned authority personally appeared Jill Headings, who on oath says that she is Legal Advertising Representative of the Bradenton Herald, a daily newspaper published at Bradenton in Manatee County, Florida; that the attached copy of the advertisement, being a Legal Advertisement in the matter of

Notice of Proposed Agency

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

9/30/94

Affiant further says that the said publication is a newspaper published at Bradenton, in said Manatee County, Florida, and that the said newspaper has heretofore been continuously published in said 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 1 year next preceding the first publication of the attached copy of advertisement; and 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 Headings
(Signature of Affiant)

Sworn to and subscribed before me this

5 day of October, 1994

Donna Marie Saalfeld
SEAL & Notary Public

Official Seal
DONNA MARIE SAALFELD
Notary Public, State of Florida
My comm. expires Sept. 29, 1996
Comm. No. CC232211

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**PUBLIC WORKS
RECYCLING**

Personally Known _____ or Produced Identification _____
Type of Identification Produced _____

**State of Florida
Department of
Environmental Protection
Notice of Proposed
Agency Action**

The Department of Environmental Protection gives notice of its intent to grant a variance renewal 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(14)(c), F.S., which prohibits disposal of yard trash in lined landfills after January 1, 1992. This variance will expire no later than November 1, 1994.

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 the 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 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.
9/30/94