

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STONE CONTAINER CORPORATION
(f/k/a SEMINOLE KRAFT CORPORATION),

Petitioner,

vs.

OGC CASE NO. 95-2169

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION,

Respondent.

**ORDER GRANTING REQUEST FOR EXTENSION
OF TIME TO FILE PETITION FOR HEARING**

This cause has come before the Florida Department of Environmental Protection (Department) on receipt of a request made by Petitioner STONE CONTAINER CORPORATION under rule 62-103.070 of the Florida Administrative Code to grant an extension of time to file a petition for an administrative hearing on Application No. AC16-222359 {PSD-FL-198(A)}. See Exhibit 1.

Counsel for Petitioner has discussed this request with counsel for the Respondent State of Florida Department of Environmental Protection, which has no objection to it. Therefore,

IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until November 13, 1995, to file a petition in this matter. Filing shall be complete on receipt by the Office

of General Counsel, Department of Environmental Protection,
3900 Commonwealth Boulevard, Tallahassee, Florida
32399-3000.

DONE AND ORDERED on this 29th day of September, 1995 in
Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



KENNETH J. PLANTE
General Counsel

Douglas Building
3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (904) 488-9314

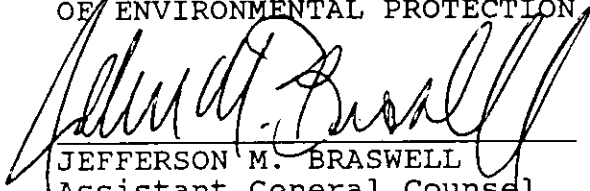
CERTIFICATE OF SERVICE

I CERTIFY that a true copy of the foregoing was mailed
to:

Scott Shirley, Esquire
OERTEL, HOFFMAN, FERNANDEZ & COLE, P.A.
Post Office Box 6507
Tallahassee, Florida 32314-6507

on this 5th day of ~~September~~ ^{October}, 1995.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



JEFFERSON M. BRASWELL
Assistant General Counsel
Florida Bar No. 800996

3900 Commonwealth Boulevard
Tallahassee, FL 32399-3000
Telephone: (904) 488-9730

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STONE CONTAINER CORPORATION
(formerly Seminole Kraft Corporation),

Petitioner,

v.

OGC CASE NO. 95-2169
APPLICATION NO. AC16-222359
PSD-FL-198(A)

DEPARTMENT OF ENVIRONMENTAL
PROTECTION,

Respondent.

**MOTION FOR EXTENSION OF TIME TO FILE
PETITION FOR FORMAL ADMINISTRATIVE PROCEEDING**

STONE CONTAINER CORPORATION, formerly Seminole Kraft Corporation ("Stone"), pursuant to Rule 62-103.070, FAC, hereby requests an extension of time to file a petition for administrative proceeding on Modification Application No. AC16-222359, and as grounds therefor states:

1. Stone is the owner and operator of a recycled paper-making facility located in Duval County, Florida.
2. Stone has applied for a modification to its construction permit in order to allow more flexible operation of three natural gas/oil-fired boilers which produce steam for use in the papermaking process. The Department has assigned File No. AC16-222359 to this modification application.
3. On August 29, 1995, the Department of Environmental Protection issued a Notice of Permit Issuance providing notice of its intent to issue the requested modification to the construction permit, together with the draft modified construction permit itself. See, attached.

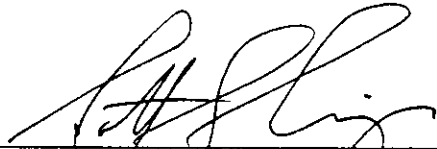
4. Stone disagrees with the specific wording of several of the proposed modified specific conditions to the construction permit. Stone has been in contact with Department staff in this regard and has submitted requested changes to these proposed modified specific conditions. Stone believes this dispute can be resolved through negotiation. However, as the last day on which to file a petition for formal administrative proceedings is September 12, 1995, Stone requires additional time in which to complete negotiations. An extension of sixty (60) days, up to and including November 12, 1995, should be sufficient.

5. The undersigned counsel unsuccessfully attempted to contact Jeff Braswell, Assistant General Counsel with the Department, and is currently unable to represent the Department's position concerning this request.

WHEREFORE, Stone Corporation respectfully requests that the Department of Environmental Protection enter an Order extending the time to file a Petition for Formal Administrative Proceeding up to and including November 12, 1995.

Respectfully submitted,

OERTEL, HOFFMAN, FERNANDEZ & COLE,
P.A.
Post Office Box 6507
Tallahassee, FL 32314-6507
(904) 877-0099

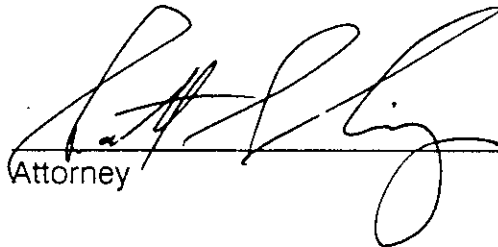


SCOTT SHIRLEY
Florida Bar ID #547158

Attorneys for STONE CONTAINER CORPORATION

CERTIFICATE OF SERVICE

I hereby certify that the original and one copy have been filed by **hand delivery** with the Office of General Counsel, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399; and a true copy of the foregoing has been furnished by **hand delivery** to Jeff Braswell, Office of General Counsel, Department of Environmental Protection, 2600 Blair Stone Road, Tallahassee, Florida 32399, this **8th** day of **September, 1995**.



Attorney

SS:cjb/1003-23.ext