

3/11/91

STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL REGULATION

CONTAINER CORPORATION OF AMERICA,

Petitioner,

vs.

OGC CASE NO. 90-1805  
90-1806

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION,

Respondents.

\_\_\_\_\_ /

FINAL ORDER

On November 28, 1990, the State of Florida Department of Environmental Regulation ("Department") received a petition requesting an administrative hearing from Petitioner, Container Corporation of America. The petition challenged the Department's decision to deny Permit Nos. AC45-181406 and 181407 to Container Corporation of America, to construct a new batch digester system and a new brown stock washer system at their existing facility in Nassau County.

On February 21, 1991, after receiving a Notice of Dismissal the assigned Hearing Officer issued an Order which closed the Division of Administrative Hearings file and relinquished jurisdiction back to the Department. (Exhibit 1) There being no further matters to consider,

IT IS ORDERED:

The petition is hereby dismissed and the Department's action on application Nos. AC45-181406 and 181407 is now final.

Any party to this Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Order is filed with the clerk of the Department.

DONE AND ORDERED this 8 day of March, 1991, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION



CAROL M. BROWNER  
Secretary

Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
Telephone: (904) 488-4805

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

3-11-91  
Date

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS FEB 26 1991

RECEIVED

CONTAINER CORPORATION OF AMERICA,  
Petitioner,  
vs.  
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION,  
Respondent.


Dept. of Environmental Reg.  
Office of General Counsel

CASE NOS. 90-7841  
90-7842

CLOSING ORDER

These causes came before the undersigned on Petitioner's Notice of Dismissal. Upon consideration thereof, the hearing scheduled for March 21 and 22, 1991, is cancelled and the Division of Administrative Hearings files are closed.

DONE and ORDERED this 22<sup>nd</sup> day of February, 1991, at Tallahassee, Florida.

  
DIANE K. KIESLING, Hearing Officer  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-1550  
(904) 488-9675

Copies furnished to: Filed with the Clerk of the Division of Administrative Hearings this 22<sup>nd</sup> day of February, 1991.

Terry Cole  
Attorney at Law  
Oertel, Hoffman, Fernandez & Cole, P.A.  
Post Office Box 6507  
Tallahassee, FL 32314-6507

William H. Congdon  
Assistant General Counsel  
Department of Environmental Regulation  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400

Case Nos. 90-7841, 90-7842

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail to:

Terry Cole, Esq.  
Oertel, Hoffman, Fernandez,  
and Cole, P.A.  
P O Box 6507  
Tallahassee FL 32314-6507

by U.S. Mail on this 11<sup>th</sup> day of March, 1991.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL REGULATION

*for* Carl A. Fortman  
WILLIAM H. CONGDON  
Assistant General Counsel

2600 Blair Stone Road  
Tallahassee, FL 32399-2400  
Telephone: (904) 488-9730

Department of Environmental Regulation  
**Routing and Transmittal Slip**

To: (Name, Office, Location)

1. *Clair Smyth*
2. *Room 306 F*
- 3.
4. *Bruce ~~REV~~ 3-14-91*

Remarks:

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MAR 12 1991  
DER-BAQM

From:

*Jus-ogc*

Date

*3/11/91*

Phone

*8-9730*