

Kim - Copy J.R. ✓  
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**STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

**U.S. AGRI-CHEMICALS, INCORPORATED,**

**Petitioner,**

vs.

**OGC CASE NO. 97-0031  
DOAH CASE NO. 97-4542**

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,**

**RECEIVED**

OCT 27 1998

**Respondent.**

BUREAU OF  
AIR REGULATION

**ORDER CLOSING FILE**

On September 18, 1997, the Florida Department of Environmental Protection (Department) received a petition for administrative hearing from Petitioner, U.S. Agri-Chemicals, Incorporated. The petition challenged the Department's Intent to Issue Amended Air Construction Permit No. AC53-260190 to U.S. Agri-Chemicals, Incorporated, to construct a Prilled Monoammonium Phosphate plant, in Polk County.

On October 12, 1998, after receiving a Motion to Relinquish Jurisdiction, the assigned administrative law judge issued an order closing the file of the Division of Administrative Hearings and relinquishing jurisdiction back to the Department. See Exhibit 1. There being no further matters to consider,

**IT IS ORDERED:**


The petition having been withdrawn, the Department's file in this matter is closed.

Any party to this order has the right to seek judicial review of the order under section 120.68 of the Florida Statutes by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, 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.

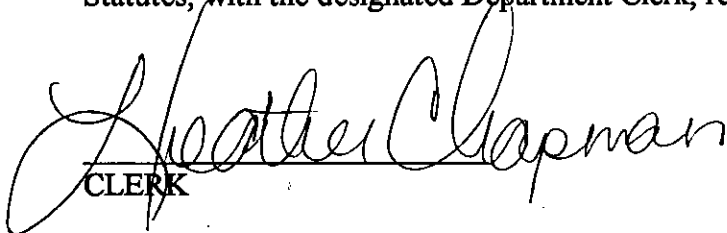
DONE AND ORDERED this 22 day of October, 1998, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
F. PERRY ODOM  
General Counsel

Douglas Building  
3900 Commonwealth Boulevard  
Mail Station 35  
Tallahassee, Florida 32399-3000  
Telephone: (850) 488-9314

FILING AND ACKNOWLEDGMENT FILED, on this date, pursuant to S.120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

  
\_\_\_\_\_  
CLERK

10/27/98  
DATE

**CERTIFICATE OF SERVICE**

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

Lawrence N. Curtin, Esq.  
HOLLAND & KNIGHT  
Post Office Drawer 810  
Tallahassee, FL 32302-0810

on this 27<sup>th</sup> day of October, 1998.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



W. DOUGLAS BEASON  
Assistant General Counsel

3900 Commonwealth Boulevard  
Mail Station 35  
Tallahassee, Florida 32399-3000  
Telephone: (850) 488-9314

STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

U.S. AGRI-CHEMICALS, INCORPORATED, )  
Petitioner, )  
vs. )  
DEPARTMENT OF ENVIRONMENTAL )  
PROTECTION, )  
Respondent. )

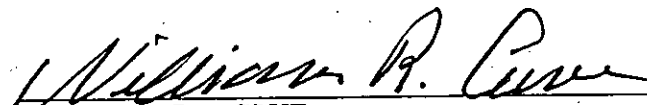
Case No. 97-4542

ORDER CLOSING FILE AND  
RELINQUISHING JURISDICTION

Upon consideration of the Motion to Relinquish Jurisdiction,  
it is

ORDERED that the hearing scheduled for November 17, 1998, is  
cancelled, the file of the Division of Administrative Hearings,  
is closed, and jurisdiction is relinquished to Respondent for  
appropriate action.

DONE AND ORDERED this 12<sup>th</sup> day of October, 1998, in  
Tallahassee, Leon County, Florida.

  
WILLIAM R. CAVE  
Administrative Law Judge  
Division of Administrative Hearings  
The DeSoto Building  
1230 Apalachee Parkway  
Tallahassee, Florida 32399-3060  
(850) 488-9675 SUNCOM 278-9675  
Fax Filing (850) 921-6847

Filed with the Clerk of the  
Division of Administrative Hearings  
this 12<sup>th</sup> day of October, 1998.