DEPARTMENT OF ENVIRONMENTAL PROTECTI STATE OF FLORIDA

GEORGIA-PACIFIC CORPORATION. Palatka Operations,

Petitioner.

GP Air Construction Permit Project No.: 1070005-035-AC/PSD-FL-367 Recovery Boiler Modification

DEPARTMENT OF ENVIRONMENTAL PROTECTION, STATE OF FLORIDA

Respondent.
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### SECOND FOR EXTENSION OF TIME

Petitioner, GEORGIA-PACIFIC CORPORATION ("GP"), pursuant to Rule 62-110.106(4), Fla. Admin. Code, hereby requests an additional thirty-day extension of time within which to file a petition seeking a formal administrative proceeding and within which to publish a Notice of Intent to Issue a construction permit in the above-styled matter concerning the agency action proposed by Respondent, the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION. This request is in response to the letter providing notice of intent to issue a permit, dated March 30, 2006, and is timely filed. In support of this request, Petitioner states:

- GP has a number of issues in the permit which it needs to discuss and attempt to 1. resolve with the Department.
- 2. The issues of concern in the proposed permit have been provided verbally to the Department. Subsequently, a letter with the issues of concern raised by the proposed permit was provided to the Department. Follow-up discussions have also occurred.

4. The issues with the proposed construction permit were not be resolved in time for construction during the annual mill outage scheduled to begin May 7. (GP and the Department are discussing a much smaller interim maintenance project to replace a minimum number of tubes while the unit is down, which GP believes does not require permitting.) The issues involving the proposed construction permit will remain regardless of the routine maintenance issue.

5. GP consulted with the Department, Trina Vielhauer, who indicated the Department would not object to an additional thirty-day extension.

WHEREFORE, Petitioner respectfully requests that the Department enter an Order allowing until June 12, 2006 to file a petition seeking a formal administrative proceeding or to publish a Notice of Intent to Issue Construction Permit in the above-styled matter. Should the Motion not be granted, GP requests that this Motion be treated as a Petition for Formal Administrative Proceedings.

Respectfully submitted this 11th day of May 2006.

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct of the foregoing has been furnished via Electronic Transmission this 11<sup>th</sup> day of May 2006, to:

Pat Comer
Jack Chisholm
Department of Environmental Protection
3900 Commonwealth Boulevard
Tallahassee, Florida 32399-3000

Trina Vielhauer Division of Air Resource Management 2600 Blair Stone Road MS 5500 Tallahassee, Florida 32399-2400

Terry Cole

Fla. Bar No. 133550

Oertel, Fernandez, Cole & Bryant, P.A.

P.O. Box 1110

Tallahassee, Florida 32302

(850) 521-0700

(850) 521-0720 Facsimile

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## STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

GEORGIA-PACIFIC CORPORATION, PALATKA OPERATIONS,

Petitioner.

V.

OGC No. 06-0921 DEP Permit No. 107005-035-AC

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 (FDEP) upon receipt of a request made by Petitioner, Georgia-Pacific Corporation, to grant an extension of time to file a petition for an administrative hearing to allow time to discuss with FDEP several specific permit conditions for its facility in Palatka, Florida. Because the request shows good cause for the extension of time.

#### IT IS ORDERED:

The request for an extension of time to file a petition for administrative proceeding is granted. Petitioner shall have until May 11, 2006, to file a petition in this matter. Filing shall be complete upon receipt by the Office of General Counsel, Department of Environmental Protection, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

DONE AND ORDERED on this Q

day of April, 2006, in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

JACK CHISOLM, Deputy General Counsel

2900 Commonwealth Boulevard - MS 35

Tallahassee, Florida 32399-3000 850-245-2242 facsimile 850-245-2302

### **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via U.S. Mail this day of April, 2006, to:

Terry Cole Oertel, Fernandez, Cole & Bryant PO Box 1110 Tallahassee Florida 32302

8502452302

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

PATRICIA E. COMER, Assistant General Counsel

3900 Commonwealth Boulevard - MS 35

Tallahassee, Florida 32399-3000 850-245-2288 facsimile 850-245-2302

with a courtesy copy via facsimile to:

Trina L. Vielhauer, Chief Bureau of Air Regulation Division of Air Resource Management

and to

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Christopher L. Kirts, District Air Program Administrator North East District

facsimile: 904-448-4363

facsimile: 850-921-9533