



Jeb Bush  
Governor

# Department of Environmental Protection

Northwest District  
160 Governmental Center  
Pensacola, Florida 32502-5794

Colleen Castille  
Secretary

July 20, 2006

Sent via e-mail to:  
[harry.dail@ipaper.com](mailto:harry.dail@ipaper.com)

Mr. Harry Dail  
International Paper  
Post Office Box 87  
Cantonment, Florida, 32533-0078

Dear Mr. Dail:

Thank you for your timely compliance with the terms of the Consent Order. Enclosed are copies of the executed Consent Order and Closing Order for OGC File No. 06-1180-17-HW, closing our case concerning International Paper. The Department has received your payment of the assessed civil penalties and Department costs.

If you have any questions regarding this Closing Order or the RCRA program, please contact Melissa Woehle at 850/595-8360, extension 1251 or via email: [melissa.woehle@dep.state.fl.us](mailto:melissa.woehle@dep.state.fl.us).

Sincerely,

Michael S. Kennedy, P.G.  
Program Administrator  
Waste Management

MSK:mw

cc: FDEP Office of Counsel General  
Encl: Consent Order  
Closing Order



Fund." Payment shall be sent to the Department of Environmental Protection, Director of District Management, Northwest District, 160 Governmental Center, Pensacola, Florida 32502-5794, within 30 days of your signing this letter.

By signing this letter you are accepting the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

If you do not sign and return this letter to the Department at the District address within 14 days of receipt, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,



Michael S. Kennedy, P.G.  
Program Administrator  
Waste Management

**FOR THE RESPONDENTS:**

I, Ch 2 W (CHRISTOPHER READ) on behalf of INTERNATIONAL PAPER, HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.

By: Ch 2 W

Date: 6/27/2006

**FOR DEPARTMENT USE ONLY**

DONE AND ENTERED this 19th day of July, 2006.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Michael S. Kennedy, P.G.  
Program Administrator  
Waste Management

International Paper Company  
OGC #06-1180-17-HW  
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FILED, on this date, pursuant to §120.52, Florida Statutes,  
with the designated Department Clerk, receipt of which  
is hereby acknowledged.

Lynne Rotenberg  
Clerk

July 19, 2006  
Date

Encl: Warning Letter w/ Inspection Report  
cc: FDEP Office of General Counsel

### NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (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 Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

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 subject Consent Order 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 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, 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 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.