

MANATEE COUNTY

OFFICE OF THE COUNTY ATTORNEY

June 30, 1992

Dan Thompson, Esq.
Office of General Counsel
Department of Environmental Regulation
2600 Blair Stone Road
Tallahassee, FL 32399

H. Hamilton Rice, Jr., County Attorney
Tedd N. Williams, Chief Assistant County Attorney
Paul G. Bangel, Assistant County Attorney
Mark P. Barnebey, Senior Assistant County Attorney
Joseph G. Jarret, Assistant County Attorney/Claims Manager
Patricia McVoy, Senior Assistant County Attorney
Mitchell O. Palmer, Senior Assistant County Attorney
Jeffrey N. Steinsnyder, Assistant County Attorney

BY FEDERAL EXPRESS

RE: **Renewed Motion for Reconsideration or, in the
Alternative, a Further Extension of Time**

Dear Dan:

Attached please find our Renewed Motion for Reconsideration or, in the Alternative, a Further Extension of Time. At our meeting on June 29, 1992, it was suggested by Chris McGuire, Assistant General Counsel, that we ask for a further extension of time so that the Department might review the new information we provided them at that meeting.

Manatee County hopes that with this new information, the Department will reconsider its position and grant Manatee County its variance from the Solid Waste Management Act and that the filing of a petition for an administrative hearing would not be necessary.

If I can be of any further assistance, please do not hesitate to contact me.

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Sincerely,

Jeffrey N. Steinsnyder
JEFFREY N. STEINSNYDER
Assistant County Attorney

JNS:rm
Attachments

cc: Board of County Commissioners
H. Hamilton Rice, Jr., County Attorney
Gus A. DiFonzo, Solid Waste Division Manager
John M. Ruddell, Director, Division of Waste Management,
Department of Environmental Regulation
Mary Jean Yon, Division of Waste Management, Department
of Environmental Regulation
Chris McGuire, Esq., Office of General Counsel, Department
of Environmental Regulation

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STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

IN THE MATTER OF A)	
REQUEST FOR VARIANCE BY:)	
PATRICIA M. GLASS, CHAIRMAN,)	
BOARD OF COUNTY COMMISSIONERS)	OGC CASE NO. 92-0830
MANATEE COUNTY)	File No. SWV 91-7
P. O. BOX 1000)	Manatee County
BRADENTON, FLORIDA 34206)	
)	

RENEWED MOTION FOR RECONSIDERATION OR, IN THE
ALTERNATIVE, A FURTHER EXTENSION OF TIME

COMES NOW, MANATEE COUNTY, by and through its undersigned attorney, and petitions the Secretary of the Department of Environmental Regulation to reconsider the Department's Final Order in this case or, in the alternative, grant MANATEE COUNTY, a further extension of time beyond July 2, 1992, to file a petition for a Section 120.57(1), Florida Statutes, hearing pursuant to Rule 17-103.070, Florida Administrative Code, and as grounds for said action, MANATEE COUNTY, states the following:

1. MANATEE COUNTY received the Department's Final Order on April 22, 1992.

2. The County Attorney filed its first Motion for Reconsideration or, in the Alternative, an Extension of Time on May 5, 1992.

3. The request was granted on June 3, 1992, by the Department until July 2, 1992.

4. On June 29, 1992, representatives of MANATEE COUNTY and representatives of the Department met to discuss new information referenced in Paragraph 3 of MANATEE COUNTY's first request for an extension of time.

5. Given the short time frame between this meeting and the July 2, 1992, deadline for filing a petition, **MANATEE COUNTY** requests that a further extension be granted to enable the Department to have adequate time to consider this new information prior to the filing of a petition for administrative hearing.

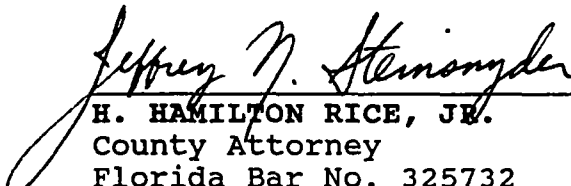
6. Neither the Department nor **MANATEE COUNTY** will be best served by the initiation of a Section 120.57(1), Florida Statutes, proceeding.

7. **MANATEE COUNTY** is willing to pay any reasonable application fees necessary to obtain this reconsideration of its application.

8. At this time there is no opposing party in this proposed application for variance proceeding.

WHEREFORE, MANATEE COUNTY requests that a further extension of time be granted so that the Department has adequate time to consider the additional information in support of **MANATEE COUNTY'S** variance provided on June 29, 1992. This extension will allow **MANATEE COUNTY** to delay the filing of a petition for a hearing pursuant to Section 120.57(1), Florida Statutes, until after the Department has completed its review of this new information.

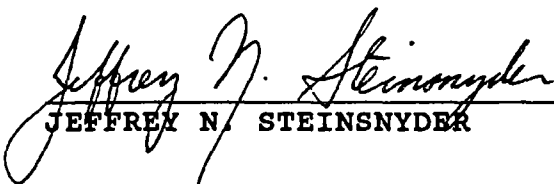
Respectfully submitted,



H. HAMILTON RICE, JR.
County Attorney
Florida Bar No. 325732
JEFFREY N. STEINSNYDER
Assistant County Attorney
Florida Bar No. 614210
P. O. Box 1000
Bradenton, FL 34206
(813) 745-3750

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the original and one copy of the foregoing has been furnished, by Federal Express, to Daniel Thompson, Esq. and Chris McGuire, Esq., Office of General Counsel, Department of Environmental Regulation, 2600 Blair Stone Road, Tallahassee, FL 32399, this 30th day of June, 1992.



JEFFREY N. STEINSNYDER