

[THIS ORDER IS TO BE USED WHEN A PROPERTY OWNER HAS NOT RESPONDED TO THE "NOTICE OF INTENT TO ISSUE ORDER REQUIRING ACCESS TO PROPERTY" FOR REMEDIATION ACTIVITIES. DO NOT ATTACH CORRESPONDENCE OR SITE ACCESS AGREEMENTS FROM THE PERSON RESPONSIBLE FOR SITE REHABILITATION ("PRSR"). PLEASE NOTE THAT "ACCESS PROPERTY" REFERS TO THE PROPERTY TO WHICH ACCESS IS NEEDED, AND "PRSR'S PROPERTY" REFERS TO THE PROPERTY CURRENTLY OR FORMERLY OWNED AND/OR OPERATED BY THE PRSR.]

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

IN RE: *[Insert name of PRSR's Property]*

IN THE OFFICE OF THE
[DISTRICT]

OGC FILE NO. *[X]*

FINAL ORDER

TO: *[insert name(s) and address(es) of Access Property owners or name and address of registered agent if corporation]*

CERTIFIED MAIL NO. *[X]*

BY THE DEPARTMENT:

On *[insert date]*, the Florida Department of Environmental Protection ("Department") issued a Notice of Intent to Issue Order Requiring Access to Property to *[insert name(s) of Access Property owner(s)]*, pursuant to the authority of Sections 403.061(8) and 376.303(4), Florida Statutes. A copy of the ("Notice") is attached and incorporated herein as **Exhibit A**. *[Insert name(s) of Access Property owner(s)]* received the Notice on *[insert date]*. A copy of the certified return receipt is attached and incorporated herein as **Exhibit B**.

The Notice informed *[insert name(s) of Access Property owner(s)]* that unless a formal request for hearing was filed with the Department within 21 days of receipt, the

Proposed Orders for Access contained therein would become final. No responsive pleading or request for hearing was made within 21 days of receipt of the Notice.

The Proposed Orders for Access (**Exhibit A**) contain the following directions to the *[insert name(s) of Access Property owner(s)]*:

[Insert all of the Access Provisions in "Proposed Orders for Access" Section of the Notice of Intent to Issue Order Requiring Access to Property exactly as they appear in the Notice.]

Having considered the Notice of Intent to Issue Order Requiring Access to Property and the failure of the *[insert name(s) of Access Property owner(s)]* to timely file a responsive pleading to request a hearing, it is, therefore,

ORDERED by the State of Florida Department of Environmental Protection that the Proposed Orders for Access in the Notice of Intent to Issue Order Requiring Access to Property be approved and adopted herein in toto as a Final Order of the Department.

[Insert name(s) of Access Property owner(s)] shall comply with the Orders for Access adopted herein. The specified timeframes for allowing access shall commence on the effective date of this Final Order.

Any Party to this Final Order has the right to seek judicial review of the Final Order pursuant to Section 120.68, Florida Statutes, by filing 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, 3900 Commonwealth Blvd., MS-35, Tallahassee, Florida 32399-3000; and by filing a copy of the Notice of Appeal 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 ENTERED this _____ day of _____, 20____, in _____,
Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

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*[Insert District Director's signature
and District Address]*

FILING AND ACKNOWLEDGMENT

**FILED on this date pursuant to §120.52, Florida Statutes, with the designated
Department Clerk, receipt of which is hereby Acknowledged.**

Clerk

Date

cc: Lea Crandall, Agency Clerk Lea.crandall@dep.state.fl.us
[Insert name of PRSR primary contact]
[Insert name of consulting firm contact if applicable]