

12-11-03

FILED

STATE OF FLORIDA
DEPARTMENT OF HEALTH

DEPARTMENT OF HEALTH
Deputy Clerk

DEPUTY CLERK Deano Ol

DATE 12-29-03

At

Plastic Tubing Industries,
Inc.,

Petitioner,

vs.

Department of Health,
Bureau of Onsite Sewage
Programs,
Respondent.

03-1527

CAS-CWS

Case no.: 03-0326

Rendition no.: DOH-03-1594

-FORM 38

FILED
DEC 31 11:07
TALLAHASSEE

FINAL ORDER

A recommended order having been received, this matter is before Department of Health for the entry of a final order. At issue is the scope of the Department's approval of an alternative septic tank drainfield system manufactured by the Petitioner.

The Administrative Law Judge recommends approval of the Petitioner's 9-pipe bundle "Multi-Pipe Rockless Drainfield System" such that one linear foot of the 9-pipe system is equivalent to three square feet of mineral aggregate. The recommended order of December 11, 2003 is incorporated by reference. The findings, conclusions, and recommendation set forth in the recommended order are adopted.

Based on the foregoing, the Petitioner's 9-pipe bundle "Multi-Pipe Rockless Drainfield System" is approved as recommended.

DONE and ORDERED this 26th day of December 2003,
in Tallahassee, Leon County, Florida.

JOHN O. AGWUNOBI, M.D., M.B.A.
Secretary, Department of Health

By: Bonita J. Sorensen
Bonita J. Sorensen, M.D., M.B.A.
Deputy State Health Officer

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. A REVIEW PROCEEDING IS GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. A REVIEW PROCEEDING IS INITIATED BY FILING A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF HEALTH AND A COPY ACCOMPANIED BY THE FILING FEE WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES OR THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF THE FILING DATE OF THIS FINAL ORDER.

Copy furnished to:

Richard McNeilis, Esquire
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Office of General Counsel
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Gerald Briggs, Bureau Chief
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Hon. Charles Stampelos
Administrative Law Judge
Division of Administrative Hearings
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060

Julie Gallagher, Esquire
Greenberg Traurig, PA
Post Office Drawer 1838
Tallahassee, Florida 32302-1838

FALR

CERTIFICATE OF SERVICE

I certify that a copy of the foregoing FINAL ORDER has been served by ordinary mail via the United States Postal Service, inter-office mail, or by hand delivery to each of the above-named persons this 29th day of

December 2003.



R. Samuel Power
Agency Clerk
Department of Health
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Tallahassee, Florida 32399-1703
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