



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

VIA ELECTRONIC MAIL

In the Matter of an
Application for Permit by:

Permittee:

Florida Keys Aqueduct Authority
Thomas G. Walker, P.E., Manager of Engineering
1100 Kennedy Drive
Key West, Florida 33041-1239
twalker@fkaa.com

Permit Number: 295404-025-DWC/MR

Issued: April 24, 2014

Expires: April 14, 2016

Project: Cudjoe Key Wastewater Collection System
(Gravity Sewer and Low Pressure) (Dryline)
(Modification)

Connected to: Cudjoe Key WWTP

County: Monroe

NOTICE OF PERMIT ISSUANCE

Enclosed is Permit Number 295404-025-DWC/MR to modify a **dryline** sewage collection/transmission system pursuant to Chapter 403, Florida Statutes (FS) and Florida Administrative Code (F.A.C.) Rules 62-4 and 62-604. Although the Department intends to issue a construction permit for the project, the Department has the authority to require it to be a **dryline** until the serving domestic wastewater treatment plant is constructed and certified complete. The wastewater facility serving this project must provide reasonable assurance that adequate treatment and disposal is available.

The Department's proposed agency action shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes, within 14 days of receipt of notice. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the persons listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under Section 120.60(3), Florida Statutes, must be filed within 14 days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first. Under Section 120.60(3), Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within 14 days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within 14 days of receipt of notice shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any; the Department permit 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 Department action;
- (c) A statement of how each petitioner's substantial interests is affected by the Department action;
- (d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A concise statement of the ultimate facts alleged, as well as the rules and statutes which entitle the petitioner to relief; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that 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 such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

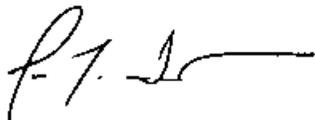
Mediation under Section 120.573, Florida Statutes, is not available for this proceeding.

This permit action is final and effective on the date filed with the clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this permit will not be effective until further order of the Department.

Any party to the permit has the right to seek judicial review of the permit action under Section 120.68, Florida Statutes, by the filing of a notice of appeal under Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, with the clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when this permit action is filed with the clerk of the Department.

Executed in Fort Myers, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed before the close of business on **April 24, 2014**, to the listed persons.

FILING AND ACKNOWLEDGMENT

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



April 24, 2014

Clerk

Date

JMI/OJO/MAC/se

Copies provided to:

David Mathews, P.E., dmathews@mathewsconsultinginc.com
Mr. Banks Prevatt, DTP President, bgprevatt@aol.com
Lee Rohe, DTP Attorney, lrrlaw@bellsouth.net
Silverman Law, psilver@silverlawgroup.com
Diana Davis, dianadavis918@bellsouth.net
Caron Balkany, balkany@aol.com
John Rich, beobear@hotmail.com
Mara Burger, mara.burger@dep.state.fl.us
Doug Beason, FDEP, OGC, doug.beason1@dep.state.fl.us
Gus Rios, FDEP, Marathon, gus.rios@dep.state.fl.us



**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

South District Office
Post Office Box 2549
Fort Myers, Florida 33902-2549

RICK SCOTT
GOVERNOR

CARLOS LOPEZ-CANTERA
LT. GOVERNOR

HERSCHEL T. VINYARD JR.
SECRETARY

In the Matter of an
Application for Permit by:

Permittee:

Florida Keys Aqueduct Authority
Thomas G. Walker, P.E., Manager of Engineering
1100 Kennedy Drive
Key West, Florida 33041-1239
twalker@fkaa.com

Permit Number: 295404-025-DWC/MR

Issued: April 24, 2014

Expires: April 14, 2016

Project: Cudjoe Key Wastewater Collection System
(Gravity Sewer and Low Pressure)(Modification)

Connected to: Cudjoe Key WWTP

County: Monroe

This permit modification is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Chapters 62-4 and 62-604, Florida Administrative Code (F.A.C).

The above named permittee is hereby authorized to construct the facilities shown on the application and other documents on file with the Department and made a part hereof and specifically described as follows:

DESCRIPTION OF PROJECT: The construction of 58,825 LF of 8" PVC (SDR 26) gravity sanitary sewer, 222 sanitary manholes, 20 neighborhood grinder pump stations, 63 residential E/One simplex grinder pump stations, 11 E/One duplex grinder pump stations for commercial areas, 22,815 LF of 2" DR 11 HDPE force main, 8,615 LF of 3" DR11 HDPE force main, 1,488 LF of 4" DR11 HDPE force main, 1,298 LF of 6" DR11 HDPE force main, and 2,316 LF of 8" DR11 HDPE force main. This project will modify Permit Number 295404-008-DWC/CM issued on April 14, 2011, per application materials received April 3, 2014 with additional information received April 15, 2014. All other conditions of the original permit remain unchanged. See permit conditions number 6.

LOCATION OF PROJECT: Section 29-33, Township 66S, Range 28E in Cudjoe Key, Monroe County, Florida.

IN ACCORDANCE WITH: The limitations, requirements and other conditions set forth in this permit.

PERMIT CONDITIONS:

1. This permit is subject to the general conditions of Rule 62-4.160, F.A.C., as applicable. This rule is available at the Department's Internet site at:
<http://www.dep.state.fl.us/water/wastewater/rules.htm#domestic> [62-4.160, 5-1-03].
2. Upon completion of construction of the collection/transmission system project, and before placing the facilities into operation for any purpose other than testing for leaks or testing equipment operation, the permittee shall submit to the Department's South District Office at P.O. Box 2549, Fort Myers, FL 33902-2549 (by mail) or 2295 Victoria Avenue, Suite 364, Fort Myers, FL 33901 (by other delivery service) Form 62-604.300(8)(b), Request for Approval to Place a Domestic Wastewater Collection/Transmission System into Operation. This form is available at the Department's Internet site at: <http://www.dep.state.fl.us/water/wastewater/forms.htm> [62-604.700(2), 11-6-03].
3. The new or modified collection/transmission facilities shall not be placed into service until the Department clears the project for use [62-604.700(3), 11-6-03].

4. Permit revisions shall only be made in accordance with Rule 62-4.050(4)(s), F.A.C. Request for revisions shall be made to the Department in writing and shall include the appropriate fee. Revisions not covered under Rule 62-4.050(4)(s), F.A.C., shall require a new permit [62-604.600(8), 11-6-03].
5. Abnormal events shall be reported to the Department's South District Office in accordance with Rule 62-604.550, F.A.C. For unauthorized spills of wastewater in excess of 1000 gallons per incident, or where information indicates that public health or the environment may be endangered, oral reports shall be provided to the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519 as soon as practical, but no later than 24 hours from the time the permittee or other designee becomes aware of the circumstances. Unauthorized releases or spills less than 1000 gallons per incident are to be reported orally to the Department's South District Office at phone number (239)-332-6975 within 24 hours from the time the permittee, or other designee becomes aware of the circumstances [62-604.550, 11-6-03].
6. The design and construction of the wastewater collection/transmission system shall be in accordance with provisions of Florida Administrative Code (F.A.C.) with particular attention to the applicable requirements of the manuals regarding alternative wastewater collection systems incorporated by reference by F.A.C. Rules 62-604.300(1), 62-604.300(5)(b), (c) and (j).
7. This permit is for CONSTRUCTION ONLY of the collection/transmission system project. This permit does not authorize the connection of this collection/transmission system project to the designated wastewater treatment plant. This permit shall not be construed to infer that the clearance necessary for connection shall be granted. Any such clearance shall be granted only when reasonable assurance is given that adequate treatment and disposal is available.
8. The design and construction of the wastewater collection/transmission system shall be in accordance with provisions of F.A.C. Rule 62-604.400.
9. The low pressure system is to be designed with an alarm system which activates in cases of malfunction. The alarm will be telemetered to a facility that is manned 24 hours a day. If such a facility is not available, the alarm is designed to be telemetered to utility offices during normal working hours and to the home of the responsible person(s) in charge of the low pressure system during off-duty hours. If an alternate alarm system is used, documentation showing it will provide an equivalent level of reliability and public health protection will be furnished to this office.

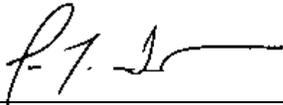
SPECIFIC PERMIT CONDITIONS:

1. All new wastewater collection/transmission systems and modifications of existing systems shall be located at least 100 feet from a public drinking water supply well.
2. Except as provided in Section 62-604. 400 (3), F.A.C., sewer pipes and force mains should cross under water mains.
3. For sewer crossings, all crossings shall be arranged so that the sewer pipe joints are equidistant as far as possible from the water main joints. At crossings, all vacuum sewer joints must maintain a minimum distance of 3 feet from water main joints. All gravity or pressure type sanitary sewers and wastewater force main joints shall maintain a minimum distance of 6 feet from water main joints.
4. Except as provided under 62-604 400 (3), F.A.C. all sewers and force mains shall be laid at least 10 feet horizontally (outside to outside) from a water main and 3 feet minimum (outside to outside) from a reclaimed water pipe permitted under Part III of Chapter 62-610. F.A.C.

5. A vertical separation of at least 18 inches must be maintained when a sewer pipe crosses a water main, except as provided under Section 62-604.400(3), F.A.C.
6. When any existing asbestos cement (AC) pipes are replaced under this permit, the permittee shall do so in accordance with the applicable rules of Federal Asbestos Regulation and Florida DEP requirements. For specific requirements applicable to AC pipes, the permittee should contact the Air and Waste Management section managers prior to commencing any such activities at (239) 344-5600. Please be aware that a notification is required to be submitted to the Department for a regulated project.
7. The Operation and maintenance of the collection system shall be in accordance with the requirements of section 62-604.500 F.A.C.
8. The inspection, operation and maintenance of the low pressure system after the system is approved for operation shall be the responsibility of the central entity in accordance with the requirements of section 62-604.300(5)(j).F.A.C.

Executed in Fort Myers, Florida

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Jon M. Iglehart
Director of
District Management

Date Signed: April 24, 2014