

GRU

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re:

Request of Exemption

FINAL ORDER

On August 24, 1981, the Gainesville Regional Utilities on behalf of the City of Gainesville filed a request for an exemption from the permitting requirements of Chapter 17-4, Florida Administrative Code (F.A.C.), for water distribution mains and sewage collection laterals of ten (10) inches or less in size in accordance with Section 403.1815, Florida Statutes (F.S.).

FINDINGS OF FACT

1. The applicant is the Gainesville Regional Utilities (GRU).
2. The City of Gainesville is a municipality eligible for the exemption.
3. The Department, on November 13, 1981, sent a letter of intent to grant the exemption request subject to the following conditions:
 - a. GRU shall comply with Chapter 120, F.S. requirements including timely processing of applications, and defend its actions at administrative hearings and/or legal procedures.
 - b. GRU shall approve any lift stations that are part of the sewerage systems connecting to the City's system.
 - c. GRU shall maintain adequate records, submit monthly reports indicating the number and location of connections to the City's system, and also submit a yearly updated map of the City's water distribution and sewage collection system.
4. A notice of the intent to grant the exemption was published in the Gainesville Sun on December 14, 1981.
5. No petition for a hearing pursuant to Section 120.57, Florida Statutes, was received.

6. The applicant has demonstrated pursuant to Section 403.1815, Florida Statutes, that adequate administrative and engineering capability is available to comply with the requirement stated in that Section.

CONCLUSIONS OF LAW

1. The processing of the request for exemption and the issuance of this Final Order are governed by the provisions of Chapter 120, Florida Statutes.
2. The installation of sewage collection laterals and water distribution mains is subject to the regulatory jurisdiction of the department under Chapter 403, Florida Statutes.
3. Chapter 17-4, Florida Administrative Code, contains permitting requirements for sewage collection laterals and water distribution mains. Design criteria are contained in Chapter 17-6, F.A.C. and Chapter 17-22, F.A.C.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that:

1. Gainesville Regional Utilities (GRU) be granted the exemption for water distribution mains and sewage collection laterals of ten (10) inches or less.
2. The exemption shall be subject to, but shall not necessarily be limited to the following conditions:

GRU shall process all applications for the construction of water mains and sewage collection laterals and connection of such facilities to GRU's central system within the times provided in Section 120.60, Florida Statutes, and shall provide the applicant an opportunity for a hearing in respect to the application before any denial of the application shall become final.


GRU shall also approve any lift stations that are part of the sewerage systems connecting to the City's system.

GRU shall maintain adequate records, submit monthly reports indicating the number and location of connections to the City's water and sewage system, and also submit a yearly updated map of the City's water distribution and sewage collection system.

Should you object to this order, including any and all of the conditions contained herein, you may file an appropriate petition for administrative hearing. This petition must be filed within fourteen (14) days of the receipt of this order. Further, the petition must conform to the requirements of Section 28-5.201, Florida Administrative Code. The petition must be filed with the Office of General Counsel, Department of Environmental Regulation, Twin Towers Office Building, 2600 Blair Stone Road, Tallahassee, Florida 32301. If no petition is filed within the prescribed time, you will be deemed to have accepted this order and waived your right to request an administrative hearing on this matter. Acceptance of the order constitutes notice and agreement that the department will periodically review this order for compliance, including site inspections where applicable, and may initiate enforcement action for violation of the conditions and requirements thereof.

DONE AND ORDERED THIS 11 DAY OF March, 1982..

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION


G. DOUG DUTTON
Subdistrict Manager

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to §120.52 (9), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Ed Staff 3/11/82
Clerk Date