

absolute

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

In Re: City of Tallahassee)
 Leon County)
)
 Request for Exemption)
_____)

FINAL ORDER

On May 5, 1982, the City of Tallahassee requested authorization to independently regulate sewage collection and water distribution laterals of ten (10) inches or less in accordance with Section 403.1815, Florida Statutes.

FINDINGS OF FACT

1. The applicant is the City of Tallahassee.
2. The City of Tallahassee is a municipality eligible for the exemption.
3. By letter dated July 23, 1982, the Northwest District Manager, Robert V. Kriegel, gave notice of the Department's intent to allow the City to independently regulate the construction of water distribution and sewage collection laterals of ten inches or less in size which are connected to any water or sewage system owned by the City. The notice concluded that:
 - A. The City has the legal authority, technical criteria and the personnel staffing to independently regulate these systems.
 - B. The City has been primarily responsible for conducting the evaluatory review of permit applications since mid-1978 for these and other systems.
 - C. The City has agreed to submit a monthly listing of all general permits and will submit updated system maps annually.

4. A notice of the intent to grant the exemption was published in the Tallahassee Democrat on July 31, 1982.

5. No petition for a hearing pursuant to Section 120.57, Florida Statutes, was received.

CONCLUSIONS OF LAW

1. The proceeding is governed by the provisions of Chapter 120, Florida Statutes.

2. The installation of the sewage collection and water distribution laterals is subject to the regulatory jurisdiction of the Department under Chapter 403, Florida Statutes.

3. Rule 17-4, Florida Administrative Code, contains the permitting requirements for sewage collection and water distribution laterals.

ORDER

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

1. The City of Tallahassee be granted the exemption for water distribution and sewage collection laterals of ten (10) inches or less.

2. The exemption shall be subject to the following conditions:

A. A monthly listing shall be provided the Department's Tallahassee Branch Office of all projects handled pursuant to this order. This listing shall include the name, number of connections and estimated flows. A yearly up-to-date system map shall also be provided to the Branch Office.

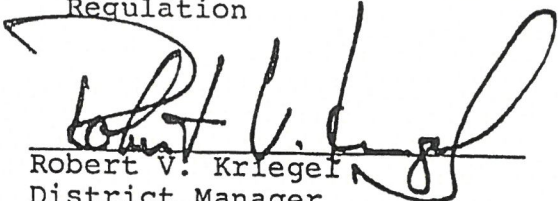
B. The City and the Branch Office shall establish acceptable format for the submission of reports, and establish mutually acceptable procedures for handling projects subject to this order prior to implementation.

C. This exemption will not relieve the applicant from complying with all applicable rules and regulations of the Department, specifically including, but not limited to, those contained in Rules 17-4.51, 17-4.52, 17-4.53, 17-4.54, 17-4.62 and 17-4.63, Florida Administrative Code.

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 those enforcement actions deemed appropriate for any violation of the conditions and requirements contained herein and/or any violations of any rules or requirements of the Department.

DONE AND ENTERED this 13th day of Sept,
1982.

State of Florida
Department of Environmental
Regulation


Robert V. Krieger
District Manager