

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

Kick
This is final order
on 10" permits
for Tampa

In Re:

Request for Exemption

FINAL ORDER

On October 28, 1980, the City of Tampa filed a request for an exemption from the permitting requirements of Chapter 17-4 Florida Administrative Code for sewage collection 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 Tampa.
2. The City of Tampa is a municipality eligible for the exemption.
3. The Department, on April 22, 1981, sent a letter of intent to grant the exemption request subject to the following conditions:
 - a. A monthly listing shall be provided the Southwest District and the HCEPC of exempt projects. This listing shall include the name, number of connections, and estimated flows.
 - b. A copy of the engineer's certification and "as-built" engineering plans shall be provided HCEPC prior to utilization.
 - c. A yearly up-to-date system map shall be provided the Southwest District and HCEPC.
 - d. This exemption shall not apply to projects that will remain private property.
 - e. This exemption will not relieve the applicant from complying with the permitting requests of other provisions of the rules and regulations.
4. A notice of the intent to grant the exemption was published in the Tampa Times on April 29, 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 requirements.

CONCLUSIONS OF LAW

1. The proceeding is governed by the provisions of Section 120 Florida Statutes.
2. The installation of the sewage collection laterals are subject to the regulatory jurisdiction of the Department under Chapter 403

Florida Statutes.

3. Chapter 17-4, Florida Administrative Code, contains the permitting requirements for sewage collection laterals.

ORDER

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

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

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

A monthly listing shall be provided the Southwest District and the HCEPC of exempt projects. This listing shall include the name, number of connections, and estimated flows.

A copy of the engineer's certification and "as-built" engineering plans shall be provided HCEPC prior to utilization.

A yearly up-to-date system map shall be provided the Southwest District and HCEPC.

This exemption shall not apply to projects that will remain private property.

This exemption will not relieve the applicant from complying with the permitting requests of other provisions of the rules and regulations. 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 22ND day of May, 1981.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL REGULATION

W. K. Hennessey
W. K. Hennessey
District Manager