

**FLORIDA DEPARTMENT OF
Environmental Protection**

Ron DeSantis
Governor

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

NOTICE OF ACCEPTANCE TO USE A GENERAL PERMIT

For:
Construction of Water Main Extensions for PWSs

09/15/2023

Permittee:

YORAM IZHAKMANAGERFESTIVAL REAL ESTATE LLC696 NE 125TH STREET, Miami FL
33161Sent by E-mail: CCOLLINS@URBNDESIGNGROUP.COM

Permit Number: 0126515-242
Issue Date: 09/15/2023
Expiration Date: 09/14/2028
County: BROWARD
Project Name: FESTIVAL MARKETPLACE
Water Supplier Name: BCWWS 2A
Water Supplier ID: 4060163

Dear Khaleah Evelyn:

On 09/13/2023, the Department received your Notice of Intent to Use the General Permit for Construction of Water Main Extensions for PWSs, under the provisions of Rules 62-4.530 and 62-555.405, Florida Administrative Code (F.A.C.). The Department does not object to the use of a General Permit for the activity described. Your general permit number is listed above; please refer to this number in all correspondence or inquiries regarding this permit. The activity covered under this general permit must conform to the description contained in your notice and any supplemental information. Any deviation will subject the Permittee to enforcement action and possible penalties.

Proposed Project Description and its Purpose: 257 LF OF 8-inch DIP WATER MAIN 85 LF OF 6-inch DIP WATER MAIN ONE (1) FIRE HYDRANT Three (3) Sample Points

Project Location: 2900 W SAMPLE ROAD POMPANO BEACH, FL

Permit Remarks: PROPOSED ONE-STORY 5,411 SF SERVICE STATION.

DRC

Any activities performed under this general permit are subject to the general conditions required in Rule 62-4.540, F.A.C. and the general conditions applicable to this general permit in Rule 62-555.405, F.A.C.; copies of which are provided as attachments to this document. You should become familiar with the General Conditions and any sampling and/or reporting requirements for which you may be responsible. This General Permit does not relieve you, the permittee, from the responsibility for obtaining any other permits required by the Department or any federal, state or local agency.

Upon completion of construction of the project and before placing into operation for any purpose other than testing for leakage, disinfection or testing equipment operations, you are required to obtain a clearance from the Department per the attached requirements.

Copies of satisfactory bacteriological analysis taken within sixty (60) days of completion of construction shall be submitted to the Department. Samples shall be taken from locations within the distribution system or water main extension to be cleared, in accordance with Rules 62-555.315(6), 62-555.330, and 62-555.340, F.A.C. and American Water Works Association (AWWA) Standard C 651-92, as follows:

Description of Sampling Points: Project will include three (3) sample point locations.

Each location shall be sampled on two consecutive days, with sample points, chlorine residual readings, and presence or absence of total coliform clearly indicated on the report. A sketch or description of all bacteriological sampling locations must also be provided.

CLEARANCE REQUIREMENTS

To review clearance requirements and submit clearance documentation, please visit the ESSA electronic portal at: https://prodenv.dep.state.fl.us/DepEssa/coreenginestart?name=dwrp_pwc&Create=new.

If you have any questions or comments regarding coverage under the General Permit, please contact Angel Morales by e-mail at Angel.Morales@FloridaDEP.gov.

NOTICE OF RIGHTS

This action is final and effective on the date filed with the Clerk of the Department unless a petition for an administrative hearing is timely filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. On the filing of a timely and sufficient petition, this action will not be final and effective until further order of the Department. Because the administrative hearing process is designed to formulate final agency action, the hearing process may result in a modification of the agency action or even denial of the application.

Petition for Administrative Hearing

A person whose substantial interests are affected by the Department's action may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. Pursuant to Rules 28-106.201 and 28-106.301, F.A.C., a petition for an administrative hearing must contain the following information:

1. The name and address of each agency affected and each agency's file or identification number, if known;
2. The name, address, and telephone number of the petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests are or will be affected by the agency determination;
3. A statement of when and how the petitioner received notice of the agency decision;
4. A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

5. A concise statement of the ultimate facts alleged, including the specific facts that the petitioner contends warrant reversal or modification of the agency's proposed action;
6. A statement of the specific rules or statutes that the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
7. A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wishes the agency to take with respect to the agency's proposed action.

The petition 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, or via electronic correspondence at Agency_Clerk@dep.state.fl.us. Also, a copy of the petition shall be mailed to the applicant at the address indicated above at the time of filing.

Time Period for Filing a Petition

In accordance with Rule 62-110.106(3), F.A.C., petitions for an administrative hearing by the applicant and persons entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than the applicant, and other than those entitled to written notice under Section 120.60(3), F.S., must be filed within 14 days of receipt of the written notice, whichever occurs first. The failure to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. 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, F.A.C.

Extension of Time

Under Rule 62-110.106(4), F.A.C., a person whose substantial interests are affected by the Department's action may also request an extension of time to file a petition for an administrative hearing. The Department may, for good cause shown, grant the request for an extension of time. Requests for extension of time must be filed with the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, or via electronic correspondence at Agency_Clerk@dep.state.fl.us, before the deadline for filing a petition for an administrative hearing. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

Mediation

Mediation is not available in this proceeding.

FLAWAC Review

The applicant, or any party within the meaning of Section 373.114(1)(a) or 373.4275, F.S., may also seek appellate review of this order before the Land and Water Adjudicatory Commission under Section 373.114(1) or 373.4275, F.S. Requests for review before the Land and Water Adjudicatory Commission must be filed with the Secretary of the Commission and served on the Department within 20 days from the date when this order is filed with the Clerk of the Department.

Judicial Review

Once this decision becomes final, any party to this action has the right to seek judicial review pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Florida Rules of Appellate Procedure 9.110 and 9.190 with the Clerk of the Department in the Office of General Counsel (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 must be filed within 30 days from the date this action is filed with the Clerk of the Department.

EXECUTION AND CLERKING

Executed in Tallahassee, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Enclosures:

All supporting documentation provided by the applicant can be found here:

<https://prodenv.dep.state.fl.us/DepNexus/public/electronic-documents/0126515-242/permit>

This link will not be available immediately. These documents will be available no later than 3 days from the date of issuance of this permit.

Attachments:

1. General Conditions for All General Permits, Rule 62-4.540, F.A.C., effective date 8/31/1988
2. Requirements for this General Permit, Construction of Water Main Extensions for Public Water Systems, Rule 62-555.405, F.A.C., effective date 8/28/2003
3. Certification of Construction Completion and Clearance for Public Water System Components, Rule 62-555.345, F.A.C., effective date 8/28/2003
4. Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components into Operation, Form 62-555.900(9), F.A.C., effective date 8/28/2003
5. Drinking Water Microbial Sample Collection & Laboratory Reporting format, Form 62-550.730 Reporting Format effective 01/1995, Revised 02/2010

CERTIFICATE OF SERVICE

Enterprise Self-Service Authorization System (ESSA) hereby certifies that this document and all attachments were sent on the filing date below to the following listed persons:

Khaleah Evelyn
ALICIA DUNNE
Angel Morales

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to Section 120.52, F. S.

ESSA
Clerk

09/15/2023
Date