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2 **BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION**

3 IN RE: Application for Certificates)
4 to provide Water and Wastewater)
5 Service in Clay County by Point)
Water and Sewer, Inc.)

DOCKET NO. 961321-WS ✓
Date Submitted for
Filing: May 23, 1997

ORIGINAL
FILE COPY

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7 **PREHEARING REBUTTAL TESTIMONY OF JOHN YONGE**
8 **ON BEHALF OF POINT WATER AND SEWER, INC.**

9 Q. Please state your name and address for the record.

10 A. My name is John Yonge

11 Q. What is your position?

12 A. I am the President of Point Water and Sewer, Inc. (hereinafter referred to as
13 "PWS").

14 Q. Have you had difficulties collecting monies for services provided to the Point
15 Townhomes in the past?

16 A. Yes. As you know, on December 22, 1994, the Point Townhomes requested that
17 my father James Yonge, undertake operation of the subject facility and bill them
18 for services. That transfer of operation did not take place until March 1, 1995.
19 On September 7, 1995, PWS came into existence and undertook the responsibility
20 of operating the subject plant. PWS was the assignee of all rights and interest of
21 IGR, Inc. At that time we were unaware that the utility was subject to being
22 certificated by the Public Service Commission, which was brought to our
23 attention in the summer of 1996. We subsequently invoiced the Point

24 DOCUMENT NUMBER-DATE

05230 MAY 27 96

FPSC-RECORDS/REPORTING

1 Townhomes for what PWS felt was the reasonable amount of \$3,000.00 per
2 month to operate the facility with respect to the 19 residential townhomes which
3 constitutes the Point Property Owners Association, Inc. (hereinafter referred to as
4 the "PPOA"). The PPOA adamantly refused to make payments and refused to
5 pay any amount, even an amount that it itself claimed was reasonable. The
6 PPOA's refusal to pay any monies placed the utility in financial hardship which
7 was remedied only by the filing of a lawsuit against the PPOA to recover monies
8 for eighteen months of services. The utility waited eighteen months for the PPOA
9 to be cooperative and pay a reasonable amount for the services that it requested
10 and were provided. The Court found our position to be reasonable and required
11 the PPOA to contribute a percentage of the expenses of the plant, pending a
12 determination by the Public Service Commission. Before and throughout the
13 legal process, the PWS maintained the position that it had no hesitation to
14 continue providing quality water and wastewater services, but found it unfair and
15 inexcusable that the PPOA could continue to demand water and wastewater
16 services without the reasonable payment for same. In essence, the PPOA, wanted
17 their water and wastewater treatment for free and the PPOA had eighteen months
18 to show their good faith but failed to do so. After the temporary injunction was
19 entered, the PPOA was required to pay 83% of reasonable actual costs incurred by
20 the utility. These payments were to be made within twenty (20) days of the
21 invoice issued by the utility. In fact, on various occasions, the PPOA steadfastly
22 refused to make payments within time, or to make payments at all. On at least
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1 one occasion it was necessary to go back before the Court and have the Court
2 instruct the PPOA that they were in violation of the Court Order and compel them
3 to pay. Thereafter, dissatisfied with the Court, the PPOA then proceeded to
4 complain to the Public Service Commission that they were being treated unfairly.

5 Q. Does the PPOA have a history of dissatisfaction?

6 A. Yes. As has been shown, the PPOA became dissatisfied with NOH, Inc.'s
7 operation of the facility in the 1980's and overtook full operation on or about
8 1988. When the EPA fine was imposed in 1993 because of the PPOA's negligent
9 operation of the facility, the PPOA, rather than taking responsibility for its
10 mistake, attempted to place the blame on my father, James Yonge, and later
11 demanded that he undertake operation of the facility. After he undertook
12 operation, the PPOA became dissatisfied with the Court when it advised them that
13 it was inequitable to ask for and receive services and not pay for them. Not happy
14 with the Court, the PPOA went to the PSC and asked it to intervene and transfer
15 the Court action to the PSC. At the PSC hearing on May 6, 1996, Mark
16 Easterling, the PPOA representative at the PSC hearing, not satisfied with the
17 PSC's rate calculations, which he felt were excessive, requested the PSC to have
18 the Court order remain in effect pending a final outcome, a position the PSC
19 rejected. Not satisfied with the PSC, the PPOA went to Clay County and the Clay
20 County Utility Authority and sought to force them to tie in to the facility, which
21 they declined to do. Thereafter, the PPOA threatened to appeal the PSC rate
22 Order and sue Clay County and the Clay County Utility Authority for failing to
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1 comply with the PPOA's demand to tie-in. Regrettably, the PPOA has refused to
2 act reasonably or responsibly at every turn.

3 Q. Why was the staff assisted rate case filed?

4 A. Because it was hoped that by having an independent third party set the rates, the
5 PPOA would become more cooperative. Regrettably, in light of the PPOA's
6 recent conduct, that has not been the case.

7 Q. Are you familiar with an invoice submitted by the PWS for insurance in the
8 amount of \$13,571.00?

9 A. Yes. In 1996, we had sought, through a reputable insurance brokerage firm in
10 Jacksonville, whose membership includes allegedly one of the members of the
11 PPOA, to solicit an insurance bid with regard to environmental impact coverage
12 and liability insurance regarding the operation of the facility. The PPOA had
13 never acquired this type of coverage and we thought it would be prudent to
14 acquire it. The broker reported to us that after substantial effort, it was only able
15 to locate one insurance policy with a premium in the amount of \$13,571.00.
16 Keeping in mind that PWS had to pay 17% of all expenses incurred under the
17 Court Order, there was no benefit for us to incur unnecessary or unreasonable
18 expenses. Upon receiving this broker's bid, we contacted the PPOA, through its
19 counsel on December 13, 1996 and asked its assistance in soliciting insurance
20 bids. A true and correct copy of our counsel's letter dated December 13, 1996, is
21 attached hereto as Exhibit "JY-1". The PPOA never responded to that request for
22 assistance with regard to acquiring a bid or offered any. We subsequently
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1 invoiced them and further advised them that if they would like to, we would be
2 willing to finance the premium over a year. Rather than cooperate in solving a
3 challenge, the PPOA went to the PSC and accused us of high handed tactics.

4 Q. Have you ever received any complaints regarding the quality of service of PWS?

5 A. Not in the first eighteen months of operation. After we had to go to Court and the
6 PSC application was filed, the PPOA attempted to generate minor complaints. In
7 addition, with respect to the lawsuit filed by PWS last year to collect monies for
8 past due services, Lori Easterling, the former President of the PPOA, and one of
9 the three current board members and the present treasurer, testified on November
10 6, 1996, that she had had no problems with service at the Plant. A true and correct
11 of the excerpt of her deposition is attached hereto as "JY-2" and is incorporated
12 herein by reference.

13 Q. Please tell us whether or not Ms. Easterling ever discussed with you the PPOA's
14 satisfaction with the quality of the service provided by PWS.

15 A. Yes. She told me at her deposition (See page 27) that no one else at the PPOA
16 had ever complained to her about the water not being clean or the system not
17 being operated correctly. She further indicated that if she had received such a
18 complaint, that she would have brought it to the attention of myself or Ed
19 McCormack, the operator. She indicated further at her deposition (See page 27)
20 that the only time that she had ever attempted to talk to myself or Mr.
21 McCormack about the system was when an alarm went off at the Plant and she
22 called Mr. McCormack and he resolved it to her satisfaction. She further
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1 indicated that there was nothing about the Plant or its operation that she found
2 unsatisfactory (See page 28 of her deposition).

3 Q. At any time did Lori Easterling, a member of the board of directors and the former
4 President of the PPOA, indicate to you that the PPOA would be willing to pay the
5 reasonable and fair fees set by the Public Service Commission?

6 A. Yes. In her deposition on November 6, 1996, she testified that the PPOA would
7 pay whatever was reasonable and fair as set by the PSC. (See page 18 of
8 deposition). Apparently, now, the PPOA does not view the PSC as fair and
9 reasonable.

10 Q. Please tell us whether or not Ms. Easterling ever indicated to you that she wanted
11 to have anyone else operate the facility.

12 A. No. She indicated at her deposition on Page 20 that she was not asking for anyone
13 else to operate the facility at this time.

14 Q. Prior to the application for certification being filed on about November 6, 1996,
15 did you ever receive any complaint from any homeowner or the Whitney's Marine
16 with regard to the operation of the PSC facility?

17 A. No.

18 Q. Have you ever received a complaint from your other customer, Whitney's Marine?

19 A. No. We have an excellent relationship with Whitney's Marina.

20 Q. Have you investigated whether the PWS plant is required to provide fire-flow
21 service?

1 A. Yes. I was recently advised by Chip Earls, Lieutenant Fire Inspector, of the Clay
2 County Public Safety Department, that the utility is not required to provide such a
3 service. As you know, the property at no time during the past 17 years has had a
4 fire hydrant.

5 Q. What is the status of the DEP wastewater operating permit for the utility?

6 A. We applied for a permit on November 25, 1996, after learning the PPOA could
7 not transfer its previously issued permit to us because it had it "rescinded." This
8 recision required PWS to have to do a whole new application and engineering
9 report. No one objected to our permit application during the protest time.
10 Thereafter, we were advised by the DEP that they would not issue the Final
11 Permit until such time as the PSC had approved the certification. A true and
12 correct copy of the DEP's letter dated April 1, 1997 and the draft permit are
13 enclosed as Exhibits "JY-3" and "JY-4". We were notified by Kathleen Johnson,
14 counsel for the PSC on May 20, 1997, that she had notified the DEP, that there
15 was no PSC statutory basis to prevent the issuance of the Final Permit at this time.
16 We know of no other precondition to the issuance of the Final Permit.

17 Q. Are you familiar with a July 18, 1996 letter from the Florida DEP regarding their
18 July 1996, sanitation survey?

19 A. Yes. I recently became aware of that letter and was advised by Ms. Lynal
20 DeFalco of the FDEP that it had not been responded to by PWS. I was somewhat
21 surprised to hear about that since our operator, Edward McCormack stays in
22 regular contact with the FDEP, including, Ms. DeFalco. I knew, for example, that
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1 Ms. DeFalco had been out to the property on November, 1996. PWS was under
2 the impression that it had fully responded to all requests for information from the
3 FDEP. A review of the letter and accompanying green card and receipt reflects it
4 may have been sent to the wrong address. We could not identify the signature on
5 the green card. I met with Ms. DeFalco on May 12, 1996, and she advised me
6 that PWS would need to submit a Cross-Connection Policy and install certain
7 backflow devices.

8 Q. Have you submitted a Cross-Connection Policy?

9 A. Yes. On May 19, 1997, we faxed to Ms. DeFalco a proposed Cross-Connection
10 Policy for her review. We met on May 21, 1997, and she appeared satisfied with
11 our Cross-Connection Policy.

12 Q. Have you installed the requested backflow devices?

13 A. Yes. We have been working since May 12, 1997 to install the backflow devices
14 and they have been installed as of May 23, 1997. When I met with Ms. DeFalco
15 at the facility on May 21, 1997, she indicated we needed to check if we may need
16 a backflow device on the irrigation system.

17 Q. Are you aware of any other alleged deficiencies with respect to the operation of
18 the facility?

19 A. No.

20 Q. Has the PPOA represented to the Court and you that it is ready, willing and able
21 to pay whatever reasonable charges are approved by the PSC for the period of
22 March 1, 1995 to the present date and on an continuing basis thereafter?

1 A. Yes. In an Affidavit filed by Stephen Glenn with the Circuit Court of Clay
2 County on or about October 14, 1996, Mr. Glenn made the following statement in
3 paragraph 7 of his Affidavit:

4 The PPOA stands ready, willing, and able to pay to plaintiff
5 whatever reasonable charges and rates are approved by the PSC
6 for the period from March 1, 1995 to the present date and on a
continuing basis thereafter.

7 A true and correct copy of the Affidavit is attached hereto as Exhibit "JY-5" and
8 incorporated herein by reference. It is interesting to note at no point in the
9 Affidavit did Mr. Glenn complain about the service of PWS or the environment.
10 At that time, his only issue was the amount of money to be paid to the PWS. All
11 other issues have been created since that date.

12 Q. Do you have any reason to believe that the PWS facility poses any substantive
13 threat to the environment?

14 A. No.

15 Q. Does the facility pose any threat to the eel grass?

16 A. No. The DEP during the past year awarded a permit to Whitney's Marina to
17 substantially expand its dockage. The PPOA consented to this expansion in
18 writing. In considering the environmental impact to aquatic vegetation, such as
19 eel grass, the DEP concluded that there was none. The outline pipe for the
20 effluent runs through and discharges at the end of the current dock. A true and
21 correct copy of the DEP's conclusions is attached hereto as Exhibit "JY-6".

22 Q. Please identify Exhibit "JY-7"?

1 A. Exhibit "JY-7" is a true and correct copy of PWS' application for an original
2 certificate.

3 Q. Please identify Exhibit "JY-8".

4 A. Exhibit "JY-8" is a true and correct copy of Ms. Brady's letter dated December 5,
5 1996.

6 Q. Please identify Exhibit "JY-9".

7 A. Exhibit "JY-9" is a true and correct copy of PWS' written response to Ms. Brady
8 dated January 28, 1997.

9 Q. Does this complete your testimony in this matter?

10 A. Yes, but I will answer any other questions.

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LAW OFFICES
COX & REYNOLDS
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS
SAVINGS OF AMERICA BUILDING, 10TH FLOOR
4875 NORTH FEDERAL HIGHWAY
FORT LAUDERDALE, FLORIDA 33308

TELEPHONE (954) 491-5220
TELECOPIER (954) 491-0702

December 13, 1996

Via Facsimile: (904) 633-9561
and regular U.S. Mail

J. Michael Lindell, Esquire
Hayes & Lindell, P.A.
Suite 620, Blackstone Building
233 East Bay Street
Jacksonville, FL 32202

RE: James E. Yonge and
The Point Property Owners Association, Inc.

Dear Michael:

This will acknowledge receipt of your letter dated December 12, 1996 and the two enclosed checks. Thank you.

In addition, we received a copy of an insurance policy that underinsured the plant for \$35,000.00 and appears to only provide limited coverage vis-à-vis operations.

Please find enclosed a memo from Jim Clary regarding insurance coverage. We will specifically need environmental impairment liability insurance, which will be expensive.

Please have the PPOA's insurance agent review and provide us with his insights or any additional bids.

Very truly yours,



DOUGLAS H. REYNOLDS

DHR:pdI

cc: PWS

EXHIBIT JY-1

1 IN THE CIRCUIT COURT, FOURTH
2 JUDICIAL CIRCUIT, IN AND FOR
3 CLAY COUNTY, FLORIDA.

4 CASE NO.: 96-1954
5 DIVISION: B

6 POINT WATER AND SEWER, INC.,
7 a Florida corporation,

8 Plaintiff,

9 vs.

10 THE POINT PROPERTY OWNERS
11 ASSOCIATION, INC., a Florida
12 corporation,

13 Defendant.
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16 STATE OF FLORIDA)

17 COUNTY OF CLAY)
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20 The deposition of LORIE EASTERLING was taken
21 pursuant to Notice of Taking Deposition, on behalf
22 of the Defendants herein, at 2233 Park Avenue,
23 Suite 304, Jacksonville, Duval County, Florida, on
24 Wednesday, November 6, 1996, commencing at 11:35
25 a.m. and ending at 12:20 p.m., before Renee
Plaisance, RPR, a Notary Public in and for the
State of Florida at Large.

EXHIBIT JY-2

ORIGINAL

1 Q Now, since March of 1995, has there been
2 anything dissatisfactory about the water facility
3 or the services being provided by the water
4 facility to the homeowners?

5 A No.

6 Q Has anybody complained to you that they
7 don't think their water is not clean or proper or
8 the system's not being operated correctly?

9 A No.

10 Q And if you got such a complaint, what
11 would you do; what would be the process or the
12 usual board procedure if they received a complaint
13 of that type?

14 A We would probably attempt to call John
15 Yonge or his operator.

16 Q Have you ever done that to your
17 knowledge?

18 A I believe the alarm was going off one
19 time and I believe we had to call Mr. McCormick.

20 Q Did he resolve it?

21 A Yes.

22 Q To your satisfaction?

23 A Yes.

24 Q Is there anything about the plant's
25 facility or operation as of today that is

1 unsatisfactory to you as a homeowner?

2 A No.

3 Q When did you first have information or
4 knowledge or did the board have knowledge that PSC
5 might be an appropriate regulatory body for this
6 facility?

7 MR. LINDELL: If you know.

8 THE WITNESS: I honestly don't
9 recall.

10 BY MR. REYNOLDS:

11 Q Was it this year?

12 A Probably this year.

13 Q Do you know how you became of aware of
14 that?

15 A No, I don't.

16 Q Did you make any independent inquiry of
17 your own?

18 A I didn't.

19 Q Have you personally had any
20 communications with anyone at the PSC?

21 A No.

22 Q To your knowledge, has your husband?

23 A He wrote a letter recently, but --

24 Q Did you see the letter before it went
25 out?

1 Q And as you indicated earlier, the quality
2 of the water in terms of you understand its use,
3 and you use it I assume it regularly, is
4 satisfactory to you; is that correct?

5 A Yes.

6 Q Other than the issue regarding the
7 electric use increase, is there anything else that
8 you find to be dissatisfactory about the use of the
9 facility?

10 A No.

11 Q No further questions at this time. Thank
12 you very much.

13 MR. LINDELL: Thank you. We'll
14 waive.

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C E R T I F I C A T E

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, Renee Plaisance, Registered Professional Reporter, certify that I was authorized to and did stenographically report the deposition of LORIE EASTERLING; that a review of the transcript was not requested; and that the transcript is a true and complete record of my stenographic notes.

I further certify that I am not a relative, employee, or counsel of any of the parties, nor am I a relative or employee of any of the parties' attorney or counsel connected with the action, nor am I financially interested in the action.

Dated this 14th day of November, A.D.,
1996.



Renee Plaisance, RPR


C E R T I F A T E O F O A T H

STATE OF FLORIDA)

COUNTY OF DUVAL)

I, the undersigned authority, certify
that LORIE EASTERLING personally appeared before me
and was duly sworn.

WITNESS my hand and official seal this
14th day of November, 1996.



Renee Plaisance, RPR

RENEE B. PLAISANCE
Notary Public, State of Florida
My Comm. expires April 27, 1999
Comm. No. CC 456447



Department of Environmental Protection

Lawton Chiles
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Virginia B. Wetherell
Secretary

April 1, 1997

Mr. John Yonge, President
Point Water and Sewer, Inc.
4753 Raggedy Point Road
Orange Park, Florida 32073

RE: Clay County - Domestic Wastewater
The Point Townhomes WWTF - FL0042871

This is in reference to your application for wastewater permit for the above referenced project. The Department has received no comments on the draft permit, therefore the final permit will be issued after the applicant has satisfied the certification requirements of the State of Florida Public Service Commission (PSC). The final permit cannot be issued until PSC requirements have been met.

If you have any questions concerning this matter, do not hesitate to contact Jon Dinges at (904) 448-4330, extension 361.

Sincerely,

David J. Bolam, P.E.
Domestic Wastewater Section

cc: James M. Lucas, P.E.
Douglas H. Reynolds
Patricia Brady, PSC

EXHIBIT JY-3



Department of Environmental Protection

Lawton Chiles
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Virginia B. Wetherell
Secretary

CERTIFIED MAIL -- RETURN RECEIPT

In the Matter of an
Application for Permit by:

Mr. John Yonge
Point Water and Sewer, Inc.
4753 Raggedy Point Road
Orange Park, FL 32073

DRAFT
DEP File No. 297836

Clay County

NOTICE OF DRAFT PERMIT

The Department of Environmental Protection gives notice of its preparation of a draft permit (copy attached) for the proposed project as detailed in the application specified above, for the reasons stated below.

The applicant, Point Water and Sewer, Inc., applied on November 25, 1996 to the Department of Environmental Protection for a permit to operate an existing 0.015 mgd annual average daily flow (AADF) permitted capacity extended aeration wastewater treatment plant (WWTP) with the disinfected effluent dechlorinated and discharged to the St. Johns River. WWTP residuals are stabilized in an aerobic digester prior to hauling to a land application site.

The Department has permitting jurisdiction under 62-4, 62-302, 62-600, 62-601, 62-620, 62-650, and 62-699 Florida Administrative Code. The project is not exempt from permitting procedures. The Department has determined that a wastewater permit is required for the proposed work.

The Department intends to issue the permit with the attached conditions unless as a result of public comment appropriate changes are made.

Any interested person may submit written comments on the Department's draft permit or may submit a written request for a public meeting to David J. Bolam, P.E., Domestic Wastewater Permitting Supervisor, Florida Department of Environmental Protection, 7825 Baymeadows Way, Suite 200B, Jacksonville 32256-7590 in accordance with Rule 62-620.555, F.A.C. The comments or request for a public meeting must contain the information set forth below and must be received in the Northeast District. Comments from the permit applicant and the persons listed below must be received within 30 days of receipt of this intent. Failure to submit comments or request a public meeting within this time period shall constitute a waiver of any right such person may have to

submit comments or request a public meeting under Rule 62-620.555, F.A.C.

The comments or request for a public meeting shall contain the following information:

(a) The commenter's name, address, and telephone number, the applicant's name and address, the Department Permit File Number and the county in which the project is proposed;

(b) A statement of how and when notice of the Department's action or proposed action was received;

(c) A statement of the facts the Department should consider in making the final decision;

(d) A statement of which rules or statutes require reversal or modification of the Department's action or proposed action; and

(e) If desired, a request that a public meeting be scheduled including a statement of the nature of the issues proposed to be raised at the meeting.

If a public meeting is scheduled the public comment period is extended until the close of the public meeting. However, the Department may not always grant a request for a public meeting. Therefore, written comments should be submitted within 30 days of publication of this notice even if a public meeting is requested.

If a public meeting is held any person may submit oral or written statements and data at the public meeting on the Department's proposed action. As a result of significant public comment the Department's final action may be different from the position taken by it in this draft permit.

Executed in Jacksonville, Florida.

DPH
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

for *Michael J. Sitzummons*
Jerry M. Owen, P.E.
Water Facilities Administrator

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF DRAFT PERMIT and all copies were mailed by certified mail before the close of business on February 14, 1997 to the listed persons.

Copies furnished to:

James M. Lucas, P.E.
Douglas H. Reynolds

FILING AND ACKNOWLEDGEMENT

FILED on this date, pursuant to §120.52, Florida
Statutes, with the designated Department Clerk,
[Signature] at which is hereby acknowledged.

Clerk

Date



Department of Environmental Protection

Lawton Chiles
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Virginia B. Wetherell
Secretary

STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:

Point Water and Sewer, Inc.

RESPONSIBLE AUTHORITY:

Mr. John Yonge, President
4753 Raggedy Point Road
Orange Park, FL 32073

PERMIT NUMBER:

ISSUANCE DATE:

EXPIRATION DATE:

FACILITY LD. NO.:

APPLICATION NO.:

FL0042871

DRAFT

DRAFT

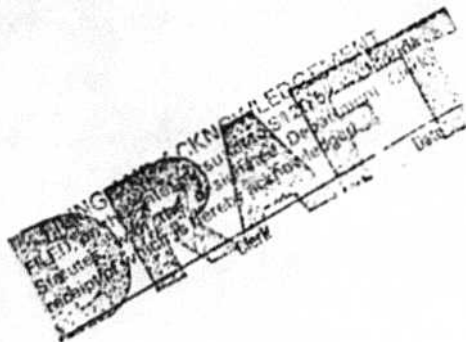
FL0042871 (3110P00304)

297836

FACILITY:

The Point Townhomes WWTF
U. S. Highway 17, Fleming Island
Orange Park, FL 32073
Clay County

Latitude: 30° 08' 48" N Longitude: 81° 42' 00" W



This permit is issued under the provisions of Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. The above named permittee is hereby authorized to operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TREATMENT FACILITIES:

An existing 0.015 mgd annual average daily flow (AADF) permitted capacity extended aeration wastewater treatment plant (WWTP) consisting of a 17,765 gallon aeration tank, a 2,880 gallon secondary clarifier, a 1,463 gallon chlorine contact chamber, and dechlorination. WWTP residuals are stabilized in an aerobic digester prior to hauling to a land application site.

EFFLUENT DISPOSAL:

Surface Water Discharge: An existing 0.015 mgd AADF permitted discharge to St. Johns River (Class III fresh waters) at Discharge Location (D001). The point of discharge is located approximately at latitude 30° 08' 48" N, longitude 81° 42' 00" W.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Pages 1 through 15 of this permit.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

PERMITTEE: Point Water and Sewer, Inc.
 FACILITY: The Point Townhomes WWTF
 U.S. 17, Fleming Island
 Orange Park, FL 32073

PERMIT NUMBER: FL0042871
 ISSUANCE DATE: DRAFT
 EXPIRATION DATE: DRAFT
 APPLICATION NO.: 297836

2. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I. A. 1. and as described below:

Monitoring Location Site Number	Description of Monitoring Location
EFA-1	Post-Disinfection
EFD-1	Final Effluent

3. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of effluent sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of effluent each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. No more than 10 percent of the samples collected (the 90th percentile value) during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. Note: To report the 90th percentile value, list the fecal coliform values obtained during the month in ascending order. Report the value of the sample that corresponds to the 90th percentile (multiply the number of samples by 0.9). For example, for 30 samples, report the corresponding fecal coliform number for the 27th value of ascending order. [62-600.440(4)(c), 6-8-93]
4. A minimum of 0.5 mg/L total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. [62-600.440(4)(b), 6-8-93]
5. In order to calculate the unionized ammonia value, the final treated effluent must be sampled for total ammonia nitrogen and temperature and pH of the effluent at the time of sample collection. The unionized ammonia value shall be calculated based on the total ammonia nitrogen, temperature, and pH.

B. Other Limitations and Monitoring and Reporting Requirements

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below:

			Limitations	Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	0.015	5 Days/Week	Elapsed time meters on pumps	INF-1	See Cond. I.B.3, 4
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Report	-	Monthly	Grab	INF-1	See Cond. I.B.3
Total Suspended Solids	mg/L	Report	-	Monthly	Grab	INF-1	See Cond. I.B.3

2. Samples shall be taken at the monitoring site locations listed in Permit Condition I. B. 1 and as described below:

Monitoring Location Site Number	Description of Monitoring Location
INF-1	Influent prior to biological treatment

PERMITTEE: Point Water and Sewer, Inc.
FACILITY: The Point Townhomes WWTF
U.S. 17, Fleming Island
Orange Park, FL 32073

PERMIT NUMBER: FL0042871
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EXPIRATION DATE: DRAFT
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submit the completed DMR form(s) to the Department by the twenty-eighth (28th) of the month following the month of operation at the address specified below:

Florida Department of Environmental Protection
Wastewater Facilities Regulation Section, Mail Station 3551
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

[62-620.610(18), 11-29-94][62-601.300(1),(2), and (3), 5-31-93]

8. Unless specified otherwise in this permit, all reports and notifications required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Northeast District Office at the address specified below:

Florida Department of Environmental Protection
Northeast District Office
Florida Dept. of Environmental Protection 7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Phone Number - (904) 448-4330

FAX Number - (904) 448-4366 All FAX copies shall be followed by original copies.

II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is land application.
2. Land application of residuals shall be in accordance with the conditions of this permit and the requirements of Chapter 62-640, F.A.C. [62-640, 3-1-91]
3. The domestic wastewater residuals for this facility are classified as Class C.
4. The wastewater treatment facility permittee shall be responsible for proper handling, use, and disposal of its residuals and will be held responsible for any disposal violations that occur unless the permittee can demonstrate that it has delivered residuals that meet the chemical criteria and appropriate stabilization requirements of this permit and that the disposer (e.g. hauler, contractor, or disposal/land application site owner) has legally agreed in writing to accept responsibility for proper disposal. [62-640.300(3), 3-1-91]
5. The permittee shall sample and analyze the residuals at least once every 12 months. All samples shall be representative and shall be taken after final treatment of the residuals but before use or disposal. Sampling and analysis shall be in accordance with the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, 1989. The following parameters shall be sampled and analyzed:

Parameter	Maximum Concentration	Maximum Cumulative Loading
Total Nitrogen	(Report only) % dry weight	Not applicable



Department of Environmental Protection

Lawton Chiles
Governor

Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32256-7590

Virginia B. Wetherell
Secretary

STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

PERMITTEE:

Point Water and Sewer, Inc.

RESPONSIBLE AUTHORITY:

Mr. John Yonge, President
4753 Raggedy Point Road
Orange Park, FL 32073

PERMIT NUMBER:

FL0042871

ISSUANCE DATE:

DRAFT

EXPIRATION DATE:

DRAFT

FACILITY LD. NO.:

FL0042871 (3110P00304)

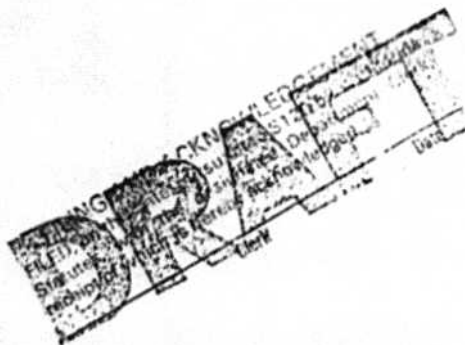
APPLICATION NO.:

297836

FACILITY:

The Point Townhomes WWTF
U. S. Highway 17, Fleming Island
Orange Park, FL 32073
Clay County

Latitude: 30° 08' 48" N Longitude: 81° 42' 00" W



This permit is issued under the provisions of Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. The above named permittee is hereby authorized to operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

TREATMENT FACILITIES:

An existing 0.015 mgd annual average daily flow (AADF) permitted capacity extended aeration wastewater treatment plant (WWTP) consisting of a 17,765 gallon aeration tank, a 2,880 gallon secondary clarifier, a 1,463 gallon chlorine contact chamber, and dechlorination. WWTP residuals are stabilized in an aerobic digester prior to hauling to a land application site.

EFFLUENT DISPOSAL:

Surface Water Discharge: An existing 0.015 mgd AADF permitted discharge to St. Johns River (Class III fresh waters) at Discharge Location (D001). The point of discharge is located approximately at latitude 30° 08' 48" N, longitude 81° 42' 00" W.

IN ACCORDANCE WITH: The limitations, monitoring requirements and other conditions as set forth in Pages 1 through 15 of this permit.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

PERMITTEE: Point Water and Sewer, Inc.
 FACILITY: The Point Townhomes WWTF
 U.S. 17, Fleming Island
 Orange Park, FL 32073

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 ISSUANCE DATE: DRAFT
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I. RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

A. Surface Water Discharges

- During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to discharge effluent from Outfall D001 to the St. Johns River. Such discharge shall be limited and monitored by the permittee as specified below:

Parameter	Units	Max/Min	Effluent Limitations				Monitoring Requirements			
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Maximum	20.0	25.0	40.0	60.0	Monthly	Grab	EFD-1	
Total Suspended Solids	mg/L	Maximum	20.0	30.0	45.0	60.0	Monthly	Grab	EFD-1	
pH	std. units	Range	-	-	-	6.0 to 8.5	5 Days/Week	Meter or Instrument	EFD-1	
Fecal Coliform Bacteria	See Permit Condition LA.3.						Monthly	Grab	EFD-1	
Total Residual Chlorine (For Disinfection)	mg/L	Minimum	-	-	-	0.5	5 Days/Week	Meter or Instrument	EFA-1	See Cond. LA.4
Total Residual Chlorine (For Dechlorination)	mg/L	Maximum	-	-	-	0.01	Monthly	Meter or Instrument	EFD-1	
Nitrogen, Total as N	mg/L as N	Report	-	-	-	-	Quarterly	Grab	EFD-1	
Nitrogen, Organic, Total as N	mg/L as N	Report	-	-	-	-	Quarterly	Grab	EFD-1	
NO2+NO3, Total 1 DET. as N	mg/L as N	Report	-	-	-	-	Quarterly	Grab	EFD-1	
Ammonia, Total as N	mg/L as N	Report	-	-	-	-	Quarterly	Grab	EFD-1	
Ammonia, Unionized as N	mg/L as N	Report	-	-	-	-	Quarterly	Calculation	EFD-1	See Cond. LA.5
Phosphorus, Total as P	mg/L as P	Report	-	-	-	-	Quarterly	Grab	EFD-1	
Phosphorus in Total Orthophosphate as P	mg/L as P	Report	-	-	-	-	Quarterly	Grab	EFD-1	
Temperature, Water	deg C	Report	-	-	-	-	Quarterly	Meter or Instrument	EFD-1	

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2. Effluent samples shall be taken at the monitoring site locations listed in Permit Condition I. A. 1. and as described below:

Monitoring Location Site Number	Description of Monitoring Location
EFA-1	Post-Disinfection
EFD-1	Final Effluent

3. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of effluent sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of effluent each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. No more than 10 percent of the samples collected (the 90th percentile value) during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. Note: To report the 90th percentile value, list the fecal coliform values obtained during the month in ascending order. Report the value of the sample that corresponds to the 90th percentile (multiply the number of samples by 0.9). For example, for 30 samples, report the corresponding fecal coliform number for the 27th value of ascending order. [62-600.440(4)(c), 6-8-93]
4. A minimum of 0.5 mg/L total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. [62-600.440(4)(b), 6-8-93]
5. In order to calculate the unionized ammonia value, the final treated effluent must be sampled for total ammonia nitrogen and temperature and pH of the effluent at the time of sample collection. The unionized ammonia value shall be calculated based on the total ammonia nitrogen, temperature, and pH.

B. Other Limitations and Monitoring and Reporting Requirements

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below:

			Limitations	Monitoring Requirements			
Parameter	Units	Max/Min	Annual Average	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow	mgd	Maximum	0.015	5 Days/Week	Elapsed time meters on pumps	INF-1	See Cond. I.B.3, 4
Carbonaceous Biochemical Oxygen Demand (5 day)	mg/L	Report	-	Monthly	Grab	INF-1	See Cond. I.B.3
Total Suspended Solids	mg/L	Report	-	Monthly	Grab	INF-1	See Cond. I.B.3

2. Samples shall be taken at the monitoring site locations listed in Permit Condition I. B. 1 and as described below:

Monitoring Location Site Number	Description of Monitoring Location
INF-1	Influent prior to biological treatment

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3. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4), 5-31-93]
4. Elapsed time meters on pumps shall be utilized to measure flow and calibrated at least annually. [62-601.200(17) and .500(6), 5-31-93]
5. The approved analytical methods and corresponding required MDL (method detection limit) and PQL (practical quantification limit) for parameters monitored at outfall D001 are (note: if multiple methods are approved for a given parameter, they are all listed with corresponding MDLs/PQLs separated by a " / " if different):

PARAMETER	ANALYTICAL METHOD	MDL (units)	PQL (units)
CBOD ₅	405.1	0.2 (mg/L)	1.0 (mg/L)
TSS	160.2	4.0 (mg/L)	4.0 (mg/L)
pH	150.1	0.1 (s.u.)	0.1 (s.u.)
Fecal Coliform	600/8-78-017	1 (no/100 mL)	2 (no/100 mL)
Total Residual Chlorine (for disinfection)	330.1 or 330.2 or 330.4 or 330.5	10.0 / 1000.0 / 100.0 / 200.0 (µg/L)	10.0 / 1000.0 / 100.0 / 200.0 (µg/L)
Total Residual Chlorine (after dechlorination)	330.1	10.0 (µg/L)	10.0 (µg/L)

The MDLs and PQLs listed above shall constitute the minimum reporting levels for the life of the permit. The Department shall not accept results for which the laboratory's MDLs or PQLs are greater than those listed above. Unless otherwise specified, sample results shall be reported as follows:

- a) Results greater than or equal to the PQL shall be reported as the measured quantity.
- b) Results less than the PQL and greater than or equal to the MDL shall be reported as the PQL value followed by the lab code "m" and the value of the MDL in parentheses. These values shall be deemed equal to the MDL when necessary to calculate an average for that parameter and when determining compliance with permit limits.
- c) Results less than the MDL shall be reported as the MDL followed by the lab code "u". A value of one half the MDL or half the effluent limit, whichever is lower, shall be used for that sample when necessary to calculate an average for that parameter. Values less than the MDL are considered to demonstrate compliance with an effluent limit or monitoring requirement.

[62-4.246, 6-13-96]

6. The permittee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. [62-601.500(5), 5-31-93]
7. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department on a monthly basis Discharge Monitoring Report(s) (DMR), Form 62-620.910(10), as attached to this permit. The permittee shall make copies of the attached DMR form(s) and shall

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submit the completed DMR form(s) to the Department by the twenty-eighth (28th) of the month following the month of operation at the address specified below:

Florida Department of Environmental Protection
Wastewater Facilities Regulation Section, Mail Station 3551
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

[62-620.610(18), 11-29-94][62-601.300(1),(2), and (3), 5-31-93]

8. Unless specified otherwise in this permit, all reports and notifications required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, the Department's Northeast District Office at the address specified below:

Florida Department of Environmental Protection
Northeast District Office
Florida Dept. of Environmental Protection 7825 Baymeadows Way, Suite 200B
Jacksonville, Florida 32256-7590

Phone Number - (904) 448-4330

FAX Number - (904) 448-4366 All FAX copies shall be followed by original copies.

II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is land application.
2. Land application of residuals shall be in accordance with the conditions of this permit and the requirements of Chapter 62-640, F.A.C. [62-640, 3-1-91]
3. The domestic wastewater residuals for this facility are classified as Class C.
4. The wastewater treatment facility permittee shall be responsible for proper handling, use, and disposal of its residuals and will be held responsible for any disposal violations that occur unless the permittee can demonstrate that it has delivered residuals that meet the chemical criteria and appropriate stabilization requirements of this permit and that the disposer (e.g. hauler, contractor, or disposal/land application site owner) has legally agreed in writing to accept responsibility for proper disposal. [62-640.300(3), 3-1-91]
5. The permittee shall sample and analyze the residuals at least once every 12 months. All samples shall be representative and shall be taken after final treatment of the residuals but before use or disposal. Sampling and analysis shall be in accordance with the U.S. Environmental Protection Agency publication - POTW Sludge Sampling and Analysis Guidance Document, 1989. The following parameters shall be sampled and analyzed:

Parameter	Maximum Concentration	Maximum Cumulative Loading
Total Nitrogen	(Report only) % dry weight	Not applicable

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Total Phosphorus	(Report only) % dry weight	Not applicable
Total Potassium	(Report only) % dry weight	Not applicable
Cadmium	100 mg/kg dry weight	4.4 pounds /acre *
Copper	3000 mg/kg dry weight	125 pounds/acre
Lead	1500 mg/kg dry weight	500 pounds/acre
Nickel	500 mg/kg dry weight	125 pounds/acre
Zinc	10,000 mg/kg dry weight	250 pounds/acre
pH	(Report only) standard units	Not applicable
Total Solids	(Report only) %	Not applicable

* The annual application rate for cadmium shall not exceed 0.5 pounds/acre/year.

6. Class C residuals shall not be used on unrestricted access areas. [62-640.600(7)(b), 3-1-91]
7. Class C residuals application shall be in accordance with the Agricultural Use Plan approved by the Department for this facility. [62-640.300(1), 3-1-91]
8. The public shall be restricted from the application area for 12 months after the last application of Class C residuals. [62-640.600(7)(f), 3-1-91]
9. Root crops, and fruits and vegetables which touch the soil and which are to be consumed raw shall not be grown on the application site for 18 months after the last application of Class C residuals. [62-640.600(7)(c), 3-1-91]
10. Fruits and vegetables which do not touch the soil and which are to be consumed raw shall not be harvested from the application site for 60 days following the last application of Class C residuals. Orchard tree crops, which do not come in contact with the residuals due to the application method, are exempted. This exemption does not apply to orchard tree crops which have fallen to the ground before harvesting. [62-640.600(7)(d), 3-1-91]
11. Pasture vegetation on the application site shall not be cut or used for grazing by livestock for 30 days following the last application of Class C residuals. [62-640.600(7)(e), 3-1-91]
12. The wastewater treatment facility permittee shall apply for a minor permit revision on DEP Form 62-620.910(9) for new, modified, or expanded residuals land application sites. The facilities permit shall be revised to include the new or revised Agricultural Use Plan(s) prior to application of residuals to the new, modified, or expanded sites. Current Agricultural Use Plan(s) identify residuals landspredding on the following sites: [62-620.330, 11-29-94]

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		Site Location	
Site Name	Application Area (Acres)	City	County
Effie Peterson Site	100	Jacksonville	Duval

13. Annual residuals application rates shall not exceed the agronomic rates based on the nitrogen requirements of the site vegetation in accordance with the approved Agricultural Use Plan(s). [62-640.700(3)(d), 3-1-91]
14. Residuals shall be applied with techniques and equipment to assure uniform application over the site. [62-640.700(3)(n), 3-1-91]
15. The pH of the domestic wastewater residuals soil mixture shall be 6.5 or greater at the time domestic wastewater residuals are applied. At a minimum, testing shall be done annually. [62-640.700(3)(h), 3-1-91]
16. The permittee shall maintain records of application areas and application rates on DEP Form 62-640.900(3) and shall have these records available for inspection upon request by the Department or the appropriate Local Environmental Program. These records shall include:
 - a. Date of application of the residuals,
 - b. Location of the residuals application site,
 - c. Amount of residuals applied or delivered,
 - d. Identification of specific areas of the site where residuals were applied and acreage of that area,
 - e. Method of incorporation of residuals (if any),
 - f. Water table level at time of application, and
 - g. Concentration of nitrogen and heavy metals in the residuals, percent solids, and date of last analysis.

The permittee shall provide: annual updates to the Agricultural Use Plan(s) to reflect any changes in domestic wastewater residuals characteristics or agricultural practices; summaries of the total residuals, nitrogen, and heavy metals applied on an annual basis; and annual summaries of the cumulative metals applied. Updates to the Agricultural Use Plan(s) and annual summaries, including copies of applicable analytical laboratory reports for the wastewater residuals analysis for that period, shall be submitted to the Northeast District Office by July 1 of each year. [62-640.700(3)(e) and (p), 3-1-91]

III. GROUND WATER MONITORING REQUIREMENTS

Section III is not applicable to this facility.

IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

Section IV is not applicable to this facility.

V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a(n) operator(s) certified in accordance with Chapter 61E12-41, F.A.C. In

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accordance with Chapter 62-699, F.A.C., this facility is a Category III, Class D facility and, at a minimum, operators with appropriate certification must be on the site as follows:

A Class D or higher operator for 3 nonconsecutive visits/week for 1 1/2 hours/week. The lead operator must be a Class D operator, or higher.

[62-699, 5-20-94] [62-620.630(3), 11-29-94] [62-699.310, 5-20-92] [62-610.462, 1-9-96]

2. A certified operator shall be on call during periods the plant is unattended. Daily checks of the plant shall be performed by the permittee or his representative or agent 5 days per week. On those days when the facility is not staffed by a certified operator, the permittee shall ensure that flow, pH, and total residual chlorine (for disinfection) are monitored in accordance with Section I of this permit.
[62-699.311(1), 5-20-92]
3. The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. [62-600.405(5), 6-8-93]
4. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. [62-600.735(1), 6-8-93]
5. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility:
 - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation and a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
 - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
 - c. Records of all data, including reports and documents, used to complete the application for the permit for at least three years from the date the application was filed;
 - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;
 - e. A copy of the current permit;
 - f. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;
 - g. A copy of the facility record drawings;
 - h. Copies of the licenses of the current certified operators; and
 - i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and certification number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities; tests performed and samples taken; and major repairs made. The logs shall be

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maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed.

[62-620.350, 11-29-94][61E12-41.010(1)(e), 11-02-93]

VI. SCHEDULES

Section VI is not applicable to this facility.

VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

This facility is not required to have a pretreatment program at this time. *[62-625.500, 11-29-94]*

VIII. OTHER SPECIFIC CONDITIONS

1. If the permittee wishes to continue operation of this wastewater facility after the expiration date of this permit, the permittee shall submit an application for renewal, using Department Forms 62-620.910(1) and (2), no later than one-hundred and eighty days (180) prior to the expiration date of this permit. *[62-620.410(5), 11-26-94]*
2. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility. *[62-600.320(9), 11-29-94 and 62-302.510(5), 2-27-95][62-640.700(3)(c), 3-1-91]*
3. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. *[62-600.410(8), 6-8-93]*
4. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited. *[62-604.130(3), 5-31-93]*
5. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. *[62-604.550, 5-31-93] [62-620.610(20), 11-29-94]*
6. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):
 - a. Which may cause fire or explosion hazards; or
 - b. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or

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- c. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or
- d. Which result in treatment plant discharges having temperatures above 40°C.

[62-604.130(4), 5-31-93]

- 7. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. [62-600.410, 6-8-93]
- 8. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. [62-7.540, 12-10-85]
- 9. The permittee shall provide adequate notice to the Department of the following:
 - a. Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C. if it were directly discharging those pollutants; and
 - b. Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

Adequate notice shall include information on the quality and quantity of effluent introduced into the facility and any anticipated impact of the change on the quantity or quality of effluent or reclaimed water to be discharged from the facility.

[62-620.625(2), 11-29-94]

IX. GENERAL CONDITIONS

- 1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(!), 11-29-94]
- 2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), 11-29-94]
- 3. As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), 11-29-94]
- 4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and

PERMITTEE: Point Water and Sewer, Inc.
FACILITY: The Point Townhomes WWTF
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the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4), 11-29-94]

5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. [62-620.610(5), 11-29-94]
6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. [62-620.610(6), 11-29-94]
7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. [62-620.610(7), 11-29-94]
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. [62-620.610(8), 11-29-94]
9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to:
 - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
 - b. Have access to and copy any records that shall be kept under the conditions of this permit;
 - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
 - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.[62-620.610(9), 11-29-94]
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, Florida Administrative Code. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. [62-620.610(10), 11-29-94]

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11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. [62-620.610(11), 11-29-94]
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. [62-620.610(12), 11-29-94]
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. [62-620.610(13), 11-29-94]
14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14), 11-29-94]
15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), 11-29-94]
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, 62-620.420 or 62-620.450, F.A.C., as applicable, at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.300 for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16), 11-29-94]
17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
 - a. A description of the anticipated noncompliance;
 - b. The period of the anticipated noncompliance, including dates and times; and
 - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17), 11-29-94]
18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
 - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).

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FACILITY: The Point Townhomes WWTF
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- b. If the permittee monitors any contaminant more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
- c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
- d. Any laboratory test required by this permit for domestic wastewater facilities shall be performed by a laboratory that has been certified by the Department of Health and Rehabilitative Services (DHRS) under Chapter 10D41, F.A.C., to perform the test. On-site tests for dissolved oxygen, pH, and total chlorine residual shall be performed by a laboratory certified to test for those parameters or under the direction of an operator certified under Chapter 61E12-41, F.A.C.
- e. Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in "DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities" (DER-QA-001/92). Alternatively, sample collection may be performed by an organization who has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests.

[62-620.610(18), 11-29-94]

- 19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19), 11-29-94]
- 20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
 - a. The following shall be included as information which must be reported within 24 hours under this condition:
 - 1. Any unanticipated bypass which causes any reclaimed water or effluent to exceed any permit limitation or results in an unpermitted discharge,
 - 2. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
 - 3. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
 - 4. Any unauthorized discharge to surface or ground waters.
 - b. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report.

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[62-620.610(20), 11-29-94]

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 18. and 19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX. 20 of this permit. [62-620.610(21), 11-29-94]

22. Bypass Provisions.

- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 3. The permittee submitted notices as required under Permit Condition IX. 22. b. of this permit.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an anticipated bypass within 24 hours of learning about the bypass as required in Permit Condition IX. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Permit Condition IX. 22. a. 1. through 3. of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Permit Condition IX. 22. a. through c. of this permit.

[62-620.610(22), 11-29-94]

23. Upset Provisions

- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
 1. An upset occurred and that the permittee can identify the cause(s) of the upset;
 2. The permitted facility was at the time being properly operated;
 3. The permittee submitted notice of the upset as required in Permit Condition IX. 20. of this permit; and

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4. The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
- c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.

[62-620.610(23), 11-29-94]

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

DRAFT

M. Owen, P.E.
Facilities Administrator

DATE: _____

**STATEMENT OF BASIS
FOR
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
DOMESTIC WASTEWATER FACILITY PERMIT**

PERMIT NUMBER: FL0042871

FACILITY NAME: The Point Townhomes WWTF

FACILITY LOCATION: Orange Park, Clay County

NAME OF PERMITTEE: Point Water and Sewer, Inc.

PERMIT WRITER: Jon Dinges

1. EFFLUENT DISPOSAL AND REUSE LOCATION(S):

Surface Water Discharge:
Outfall D001

The facility discharges to St. Johns River (Class III Fresh Waters).

2. DESCRIPTION OF FACILITIES:

An existing 0.015 mgd annual average daily flow (AADF) permitted capacity extended aeration wastewater treatment plant (WWTP) consisting of a 17,765 gallon aeration tank, a 2,880 gallon secondary clarifier, a 1,463 gallon chlorine contact chamber, and dechlorination. WWTP residuals are stabilized in an aerobic digester prior to hauling to a land application site.

3. BASIS FOR EFFLUENT AND RECLAIMED WATER LIMITS AND MONITORING REQUIREMENTS (INCLUDING EFFLUENT MONITORING REQUIREMENTS):

The following table provides the basis for Part I. A. provisions.

Outfall D001

Parameter	Basis	Rationale
Carbonaceous Biochemical Oxygen Demand (5 day)	Annual Average Monthly Average Weekly Average Single Sample Max.	62-600.420(1)(a) & .740(1)(b)1.a. FAC 62-620.625(5) FAC & 40 CFR 133.102(a)(4)(i) 62-620.625(5) & 40 CFR 133.102(a)(4)(i) 62-600.740(1)(b)1.d.FAC
Total Suspended Solids	Annual Average Monthly Average Weekly Average Single Sample Max.	62-600.420(1)(a) & .740(1)(b)1.a. FAC 62-600.740(1)(b)1.b. FAC 62-600.740(1)(b)1.c. FAC 62-600.740(1)(b)1.d. FAC
pH	Minimum and Maximum	62-302.530(52) FAC
Fecal Coliform	Annual Average	62-600.440(4)(c)1. FAC

Bacteria	Monthly Geo. Mean. 90th Percentile Single Sample Max.	62-600.440(4)(c)2. FAC 62-600.440(4)(c)3. FAC 62-600.440(4)(c)4. FAC
Total Residual Chlorine (For Dechlorination)	Single Sample Max.	62-660.440(2) FAC & 62-302.530(19) FAC
Total Residual Chlorine (For Disinfection)	Minimum	62-660.440(4)(b) FAC
Monitoring Frequency and Sample Type	All Parameters	62-601 FAC & 62-699 FAC and/or BPJ of permit writer
Sampling Location	All Parameters	62-601 FAC and BPJ of permit writer

The following were used as the basis of the permit limitations/conditions:

A. FAC refers to various portions of the Florida Administrative Code.

The effective dates of FAC Rule Chapters cited in the table are as follows:

<u>Chapter</u>	<u>Effective Date</u>
62-4	02-02-94
62-302	02-27-95
62-600	06-08-93
62-601	05-31-93
62-620	11-29-94
62-650	11-27-89
62-699	05-20-92

B. FS refers to various portions of the Florida Statutes

C. CFR refers to various portions of the Code of Federal Regulations, Title 40

D. BPJ refers to Best Professional Judgment

The following table provides the basis for Part I. B. provisions.

Other Limitations and Monitoring Requirements:

Parameter	Basis	Rationale
Flow	Annual Average	62-600.400(3)(b)FAC
Carbonaceous Biochemical Oxygen Demand (5 day)	Monitor & Report	62-601.300(1)FAC
Total Suspended Solids	Monitor & Report	62-601.300(1)FAC

The following were used as the basis of the permit conditions:

FAC refers to various portions of the Florida Administrative Code

The effective dates of FAC Rule Chapters cited in the table are as follows:

<u>Chapter</u>	<u>Effective Date</u>
62-601	05-31-93

4. RESIDUALS MANAGEMENT:

Class of residuals stabilization to be provided: C

Proposed method of residuals use or disposal: Land application at the Effie Peterson site in Duval county.

See the table below for the rationale for the Part II.A. residuals limits and monitoring requirements.

Parameter		Basis for Limit/Monitoring Requirement
Total Nitrogen % dry weight	Report	62-640.700(1)(b) F.A.C.
Total Phosphorus, % dry weight	Report	62-640.700(1)(b) F.A.C.
Total Potassium, % dry weight	Report	62-640.700(1)(b) F.A.C.
Cadmium, mg/kg dry weight	Maximum	62-640.700(2) F.A.C.
Cadmium, pounds/acre/yr	Maximum	62-640.700(2) F.A.C.
Copper	Maximum	62-640.700(2) F.A.C.
Lead, mg/kg dry weight	Maximum	62-640.700(2) F.A.C.
Nickel, mg/kg dry weight	Maximum	62-640.700(2) F.A.C.
Zinc, mg/kg dry weight	Maximum	62-640.700(2) F.A.C.
pH, std. units	Report	62-640.700(1)(b) F.A.C.
Total Solids, %	Report	62-640.700(1)(b) F.A.C.
Nitrogen, lb/ac/yr	Maximum	62-640.700(3)(d) F.A.C.
Cadmium, lb/ac	Cumulative Maximum	62-640.700(3)(e) or (4)(f) F.A.C.
Copper	Cumulative Maximum	62-640.700(3)(e) or (4)(f) F.A.C.
Lead, lb/ac	Cumulative Maximum	62-640.700(3)(e) or (4)(f) F.A.C.
Nickel, lb/ac	Maximum Cumulative	62-640.700(3)(e) or (4)(f) F.A.C.
Zinc, lb/ac	Cumulative Maximum	62-640.700(3)(e) or (4)(f) F.A.C.
Monitoring Frequency	All Parameters	62-640.700(1)(a) F.A.C.

The following were used as the basis of the permit conditions:

FAC refers to various portions of the Florida Administrative Code

The effective dates of FAC Rule Chapters cited in the table are as follows:

<u>Chapter</u>	<u>Effective Date</u>
62-640	8-12-1990

5. INDUSTRIAL PRETREATMENT REQUIREMENTS:

Not Applicable

6. PROPOSED SCHEDULE FOR PERMIT ISSUANCE:

Draft permit to Applicant		February 13, 1997
Proposed Public Comment Period	Beginning	February 17, 1997
Proposed Public Comment Period	Ending	March 19, 1997
Proposed permit to EPA (if necessary)		February 17, 1997
Notice of Agency Action		March 24, 1997
Proposed Effective Date of Permit		March 24, 1997

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Facilities Management Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME: Point Water and Sewer, Inc.
MAILING ADDRESS: 4753 Raggedy Point Road
Orange Park, FL 32073

PERMIT NUMBER: FL0042871
MONITORING PERIOD From:
LIMIT: Final
CLASS SIZE: Minor

To:
REPORT: Monthly
GROUP: Domestic

FACILITY: The Point Townhomes WWTF
LOCATION: U. S. Highway 17
Fleming Island
Orange Park, FL 32073
COUNTY: Clay

FACILITY ID: FL0042871
GMS ID NO.: 3110P00304
DISCHARGE POINT NUMBER: D001
PLANT SIZE/TREATMENT TYPE: IIID

WAFR SITE NO.: 8561
GMS TEST SITE NO.: 3110X10177

Parameter		Quantity or Loading	Units	Quality or Concentration			Units	No. Ex.	Frequency of Analysis	Sample Type
CBOD5	Sample Measurement									
STORET No. 80082 Y Mon. Site No. EFD-1	Permit Requirement			20.0 (An. Avg.)			mg/L		Monthly	Grab
CBOD5	Sample Measurement									
STORET No. 80082 I Mon. Site No. EFD-1	Permit Requirement			Report (Mo. Avg.)	60.0 (Max.)		mg/L		Monthly	Grab
TSS	Sample Measurement									
STORET No. 00530 Y Mon. Site No. EFD-1	Permit Requirement			20.0 (An. Avg.)			mg/L		Monthly	Grab
TSS	Sample Measurement									
STORET No. 00530 I Mon. Site No. EFD-1	Permit Requirement			Report (Mo. Avg.)	60.0 (Max.)		mg/L		Monthly	Grab
pH	Sample Measurement									
STORET No. 00406 I Mon. Site No. EFD-1	Permit Requirement			6.0 (Min.)	8.5 (Max.)		S.U.		5 Days/Week	Meter or Instrument
Fecal Coliform Bacteria	Sample Measurement									
STORET No. 31615 Y Mon. Site No. EFD-1	Permit Requirement			200 (An. Avg.)			#/100mL		Monthly	Grab

I certify under penalty of law that I have personally examined and am familiar with the information submitted herein; and based on my inquiry of those individuals immediately responsible for obtaining the information, I believe the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment.

NAME/TITLE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	SIGNATURE OF PRINCIPAL EXECUTIVE OFFICER OR AUTHORIZED AGENT	TELEPHONE NO	DATE (YY/MM/DD)

COMMENT AND EXPLANATION OF ANY VIOLATIONS (Reference all attachments here):

DISCHARGE MONITORING REPORT - PART A (Continued)

FACILITY NAME: The Point Townhomes WWTF

PERMIT NUMBER: FL0042871

DISCHARGE POINT NUMBER: D001

WAFR SITE No.: 8561

Parameter		Quantity or Loading	Units	Quality or Concentration	Units	No. Ex.	Frequency of Analysis	Sample Type
Fecal Coliform Bacteria	Sample Measurement							
STORET No. 31615 I Mon. Site No. EFD-1	Permit Requirement			Report (Mo. Geo. Mean)	800 (Max.)	#/100mL	Monthly	Grab
TRC for disinfection	Sample Measurement							
STORET No. 50060 A Mon. Site No. EFA-1	Permit Requirement			0.5 (Min.)		mg/L	5 Days/Week	Meter or Instrument
TRC for dechlorination	Sample Measurement							
STORET No. 50060 I Mon. Site No. EFD-1	Permit Requirement				0.01 (Max.)	mg/L	Monthly	Meter or Instrument
Flow	Sample Measurement							
STORET No. 50050 Y Mon. Site No. INF-1	Permit Requirement	0.015 (An. Avg.)	mgd				5 Days/Week	ETM
Flow	Sample Measurement							
STORET No. 50050 O Mon. Site No. INF-1	Permit Requirement	Report (Mo. Avg.)	mgd				5 Days/Week	ETM
CBOD5	Sample Measurement							
STORET No. 80082 G Mon. Site No. INF-1	Permit Requirement			Report (Mo. Avg.)		mg/L	Monthly	Grab
TSS	Sample Measurement							
STORET No. 00530 G Mon. Site No. INF-1	Permit Requirement			Report (Mo. Avg.)		mg/L	Monthly	Grab
	Sample Measurement							
	Permit Requirement							
	Sample Measurement							
	Permit Requirement							
	Sample Measurement							
	Permit Requirement							

DEPARTMENT OF ENVIRONMENTAL PROTECTION DISCHARGE MONITORING REPORT - PART A

When Completed mail this report to: Department of Environmental Protection, Wastewater Facilities Management Section, MS 3551, 2600 Blair Stone Road, Tallahassee, FL 32399-2400

PERMITTEE NAME: Point Water and Sewer, Inc.
MAILING ADDRESS: 4753 Raggedy Point Road
Orange Park, FL 32073

PERMIT NUMBER: FL0042871
MONITORING PERIOD From:
LIMIT: Final
CLASS SIZE: Minor

To:
REPORT: Quarterly
GROUP: Domestic

FACILITY: The Point Townhomes WWTF
LOCATION: U. S. Highway 17
Fleming Island
Orange Park, FL 32073
COUNTY: Clay

FACILITY ID: FL0042871
GMS ID NO.: 3110P00304
DISCHARGE POINT NUMBER: D001
PLANT SIZE/TREATMENT TYPE: IIID

WAFR SITE NO.: 8561
GMS TEST SITE NO.: 3110X10177

Parameter		Quantity or Loading	Units	Quality or Concentration	Units	No. Ex.	Frequency of Analysis	Sample Type
Nitrogen, Total as N	Sample Measurement							
STORET No. 00600 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Grab
Ammonia, Total as N	Sample Measurement							
STORET No. 00610 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Grab
Ammonia, Unionized as N	Sample Measurement							
STORET No. 00612 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Calculation
Organic Nitrogen, Total as N	Sample Measurement							
STORET No. 00605 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Grab
NO2 + NO3, Total 1 DET. as N	Sample Measurement							
STORET No. 00630 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Grab
Phosphorous, Total as P	Sample Measurement							
STORET No. 00663 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Grab
Phosphorous in Total Orthophosphate as P	Sample Measurement							
STORET No. 70507 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	mg/L		Quarterly	Grab
Temperature, Water (Centigrade)	Sample Measurement							
STORET No. 00010 1 Mon Site No. EFD-1	Permit Requirement			REPORT (MAX)	deg C		Quarterly	Meter or Instrument

DAILY SAMPLE RESULTS - PART B

Facility ID:

Month/Year:

Days of the Months	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
Flow (MGD)																														
Chlorine Residual after Contact																														
Chlorine Residual after Dechlorination																														
CBOD5 Influent (mg/l)																														
TSS Influent (mg/l)																														
CBOD5 Effluent (mg/l)																														
TSS Effluent (mg/l)																														
pH Effluent																														
Fecal Coliform (col/100ml)																														
Total Nitrogen (mg/l as N)																														
Total Ammonia (mg/l as N)																														
Nitrate + Nitrite (mg/L as N)																														
Unionized Ammonia (mg/L as N)																														
Organic Nitrogen (mg/L as N)																														
Total Phosphorous (mg/L as P)																														
Orthophosphate (mg/L as P)																														

Plan Staffing:

Day Shift Operator

Class

Certificate No.

Name:

Evening Shift Operator

Class

Certificate No.

Name:

Night Shift Operator

Class

Certificate No.

Name:

Lead Operator

Class

Certificate No.

Name:

Type of Effluent Disposal or Reclaimed Water Reuse:

Limited Wet Weather Discharge Activated: Yes ___ No ___ Not Applicable ___ If yes, cumulative days of wet weather discharge: _____

*Attach additional sheets necessary to list all certified operators necessary for required operations.

18-14-96

IN THE CIRCUIT COURT, FOURTH
JUDICIAL CIRCUIT, IN AND FOR
CLAY COUNTY, FLORIDA.

CASE NO. 96-1954-CA

DIVISION: B

POINT WATER AND SEWER, INC.,
a Florida corporation,

Plaintiff,

vs.

THE POINT PROPERTY OWNERS
ASSOCIATION, INC., a Florida
corporation,

Defendant.

**AFFIDAVIT OF STEVEN C. GLENN
IN SUPPORT OF DEFENDANT'S MOTION
FOR TEMPORARY INJUNCTION**

STATE OF FLORIDA

COUNTY OF DUVAL

Before me, the undersigned authority, personally appeared
STEVEN C. GLENN who first being duly sworn, deposes and says:

1. I am currently President of The Point Property Owners Association, Inc. ("PPOA") and I am currently one of the three Directors of PPOA.
2. I have authority from the Board of Directors of PPOA to file this affidavit on PPOA's behalf.
3. I have personal knowledge of the matters set forth herein.
4. I have resided at that certain townhouse development located on U.S. Highway 17 South in Orange Park, Clay County,

EXHIBIT JYS

Florida known as "The Point" ("The Point") during the period from December 15, 1983 until the present date. During that time I have been both an officer and a member of PPOA's Board of Directors during the following periods of time: 1987-88, 1990-91 and 1995-96.

5. I have read the Defendant's Motion for Temporary Injunction served herein on October 11, 1996 and the allegations of fact contained therein are true and correct to the best of my information, knowledge and belief. The only factual allegations of which I do not have personal knowledge are contained within paragraphs 20, 22, 23, 25, 26, 27, 28, 31 and 32 of the said Motion.

6. I have personally, and through counsel, requested the Public Service Commission ("PSC") to review the rates that the Plaintiff is attempting to charge PPOA for water and sewer service for the period from March 1, 1995 to date. As of the present date, PPOA has received no word from the PSC that Plaintiff has applied for a certificate of authorization or that Plaintiff has filed a tariff of reasonable rates and charges relating to the subject wastewater treatment plant for approval by the PSC.

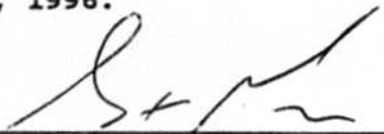
7. PPOA stands ready, willing and able to pay to Plaintiff whatever reasonable charges and rates are approved by the PSC for the period from March 1, 1995 to the present date and on a continuing basis thereafter.

8. PPOA has escrowed with its counsel for the period from March 1, 1995 to the present date, monies in the amount of \$750.00 per month for use in paying whatever charges and rates are approved

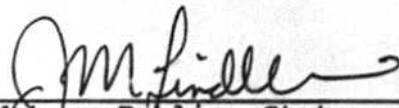
by the PSC. These amounts represent more than the net expense that PPOA was paying for water and sewer service during the twelve month period immediately preceding March 1, 1995.

9. If Plaintiff is allowed to terminate water and sewer service to PPOA and residents at The Point, the result of such action will be to deny to residents at The Point indoor plumbing resulting in a health hazard and constructively evicting the residents from their townhouse units.

DATED this 14th day of October, 1996.


STEVEN C. GLENN

Sworn to and subscribed
before me this 14 day
of October, 1996.


Notary Public, State and County
Aforesaid.

J. Michael Lindell
Printed Name of Notary Public

My Commission expires:



J. MICHAEL LINDELL
MY COMMISSION # 00472012 EXPIRES
JUNE 13, 1999
BONDED THIRTY TWO THOUSAND DOLLARS, INC.

Affiant is is not personally known to me.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing has been furnished to Douglas H. Reynolds, Esquire, Cox & Reynolds, 4875 North Federal Highway, Fort Lauderdale, Florida 33308, by telecopier and regular U.S. Mail, postage prepaid, this 14 day of October, 1996.


Attorney

.....
Item 9 Whitney's Sailcenter, Inc. (d/b/a Whitney's Marine) Recommended Consolidated Intent

DENIED ON FEBRUARY 25, 1997 AGENDA

REQUEST: Reconsideration of (1) an application for a modification of a five-year sovereignty submerged land lease to contain a total of 126,228 square feet, more or less, for the expansion of a commercial marina facility; (2) modification of an existing five-year sovereignty submerged land lease by extending the term to 25 years; and (3) authorization for the severance of 2,852 cubic yards of sovereign material.

COUNTY: Clay
Lease No. 100008312
Application No. 10-287346-9

APPLICANT: Whitney's Sailcenter, Inc.
(d/b/a Whitney's Marine)

LOCATION: Section 44, Township 04 South, Range 26 East, on the St. Johns River, Class III Waters, within the local jurisdiction of the city of Orange Park, Clay County.
Aquatic Preserve: No
Outstanding Florida Water: No

CONSIDERATION: \$34,790.86, representing: (1) \$11,154.66 as the initial lease fee computed at the base rate of \$0.1070 per square foot, discounted 30 percent because of the first-come, first-serve nature of the facility, and including the initial 25 percent surcharge payment for the additional area; and (2) \$23,636.20 as the one-time extended lease term payment calculated at 2.5 times the lease fee. The project qualifies for waiver of severance fee pursuant to section 18-21.011(3)(c), F.A.C. Sales tax will be assessed pursuant to section 212.031, F.S., if applicable. The lease fee may be adjusted based on seven percent of the rental rate pursuant to section 18-21.011, F.A.C.

STAFF REMARKS: The Board of Trustees authorized a rule amendment on September 14, 1995, to "link" the two processes of regulatory and proprietary reviews and authorizations. The rule became effective October 12, 1995. As a result of this linkage, the recommended Department of Environmental Protection (DEP) regulatory permit decision and the recommendation to the Board of Trustees on the proprietary authorization are contained in one document, the "Consolidated Notice of Intent to Issue", which is attached. The attached consolidated intent contains a recommendation for issuance of a permit under Part IV of chapter 373, F.S., and a recommendation for granting authorization to use sovereignty submerged lands under chapter 253 F.S., for the activity described therein. This recommendation is provided to the Board of Trustees pursuant to section 373.427(2), F.S. A description of the requested activity is provided in Section I, "Description of the Proposed Activity." The specific basis for recommending approval of the authorization to use sovereignty submerged lands is contained in Section III, "Background/Basis for Issuance."

Approval by the Board of Trustees is requested only for those aspects of the activity which require authorization to use sovereignty submerged lands. If the Board of Trustees approves the request to use sovereignty submerged lands and the activity also qualifies for an environmental resource permit and no challenges are successful, the Consolidated Notice of Intent will be issued and will contain general and specific conditions. In the event the Board of Trustees denies the use of sovereignty submerged lands, whether or not the activity otherwise qualifies for an environmental resource permit, the DEP will issue a "Consolidated Notice of

EXHIBIT JY-6

.....
Item 9, cont.

Denial" for both the environmental resource permit and the authorization to use sovereignty submerged lands.

The applicant is proposing to expand an existing 76-slip commercial marina facility by constructing 40 additional boat slips, thereby creating a 116-slip facility. The expansion consists of constructing (1) a 673.54 foot long x 10 foot wide floating concrete dock and a 24 foot long x 4 foot wide gangway; (2) nine 40 foot long x 4.8 foot wide floating concrete finger piers off the floating concrete dock and nine mooring pilings; and (3) eleven 30 foot long x 4 foot wide fixed wooden finger piers off an existing fixed concrete dock and eleven new mooring pilings. The applicant also proposes to remove an existing 985-square foot fixed fishing/observation pier from the existing lease area.

The existing sovereignty submerged land lease, approved by the Department of Natural Resources on June 15, 1992, authorizes the preemption of 63,655 square feet of sovereignty submerged lands. The proposed removal of the existing 985 square foot fishing/observation pier will reduce this preemption to 62,670 square feet. The proposed addition is 63,558 square feet, for a new total of 126,228 square feet. A January 2, 1997 site inspection confirmed that the existing facility is in compliance.

The lessee is also requesting approval to modify the existing five year, sovereignty submerged land lease by extending the term to 25 years because of financial conditions. Because the lessee is in compliance with the terms and conditions of the existing lease (and since the proposed extended lease is consistent with the extended lease term policy), staff recommends approval of the requested lease modification.

All of the proposed slips will be maintained on an open to the public, first-come, first-served basis and has been included as a special lease condition.

The applicant is also proposing to dredge 2,852 cubic yards of sovereign material to provide necessary water depths. The dredged material will be barged to and disposed of at an existing publicly-owned spoil disposal site controlled by the Jacksonville Port Authority. Pursuant to section 18-21.011(3)(c), F.A.C., a waiver of the dredge fees may be granted if the materials are placed on public property and used for public purposes, or if the dredged material has no economic value.

A 1978 Department of Environmental Regulation wetland resource permit required sewage pumpout. The recommendations of the Division of Marine Resources have been addressed in the environmental resource permit. There are no seagrasses or submerged aquatic vegetation within the proposed expansion area. The project was not required to be noticed.

A local government comprehensive plan has been adopted for this area pursuant to section 163.3167, F.S.; however, the Department of Community Affairs (DCA) determined that the plan is not in compliance. In accordance with the Compliance Agreement between DCA and the local government, an amendment has been adopted which brought the plan into compliance. The proposed action is consistent with the adopted plan as amended according to a letter from the Clay County Planning Department dated January 2, 1997.

(See Attachment 9, Pages 1-31)

RECOMMEND APPROVAL SUBJECT TO THE SPECIAL LEASE CONDITIONS,
AND PAYMENT OF \$34,790.86

LAW OFFICES
COX & REYNOLDS
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS
SAVINGS OF AMERICA BUILDING, 10TH FLOOR
4875 NORTH FEDERAL HIGHWAY
FORT LAUDERDALE, FLORIDA 33308

TELEPHONE (954) 491-5220
TELECOPIER (954) 491-0702

October 22, 1996

VIA FEDERAL EXPRESS

Mr. John Yonge
c/o Century 21
550 Wells Road
Suite 3
Orange Park, Florida 32072

RE: Point Water and Sewer, Inc. - PSC Application

Dear John:

Please find enclosed the original PSC Application and Water and Wastewater Tariffs for your review and execution.

You need to sign and have your signature notarized as to the two Affidavits relating to mailing full copies to the customers and governmental mail list.

You are to mail the original and twelve copies of the completed application and an original and twelve (12) copies of the proposed tariffs with \$1,500.00 payable to the Public Service Commission to:

Director, Division of Records and Reporting
Florida Public Services Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850.

Please do not hesitate to contact me should you have questions.

Very truly yours,


DOUGLAS H. REYNOLDS

DHR:pdI

Enclosure: as stated

EXHIBIT JY-7

79
31
110

**APPLICATION FOR ORIGINAL CERTIFICATE
FOR A UTILITY IN EXISTENCE AND CHARGING RATES**

(Pursuant to Section 367.045, Florida Statutes)

To: Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

The undersigned hereby makes application for original certificate(s) to operate a water X and/or wastewater X utility in CLAY County, Florida, and submits the following information:

PART I APPLICANT INFORMATION

- A) The full name (as it appears on the certificate), address and telephone number of the applicant:

POINT WATER AND SEWER, INC.
Name of utility

(904) 269-1825 () None
Phone No. Fax No.

4753 Raggedy Pt. Rd.
Office street address

Orange Park, Florida 32073
City State Zip Code

Same
Mailing address if different from street address

None
Internet address if applicable

- B) The name, address and telephone number of the person to contact concerning this application:

JOHN S. YONGE () 904-269-1825
Name Phone No.

4753 Raggedy Pt. Rd.
Street address

ORANGE PARK, Fl 32073
City State Zip Code

- C) Indicate the organizational character of the applicant:
(circle one)

Corporation

Partnership

Sole Proprietorship

Other _____

(Specify)

- D) If the applicant is a corporation, list names, titles and addresses of corporate officers, directors. (Use additional sheet if necessary).

JOHN YONGE - President

- E) If the applicant is not a corporation, list names and addresses of all persons or entities owning an interest in the organization. (Use additional sheet if necessary.)

Not applicable.

PART II SYSTEM INFORMATION

A) WATER

- (1) Exhibit A-1 - A statement describing the proposed types(s) of water service to be provided (i.e., potable, non-potable or both).
- (2) Exhibit A-2 - A schedule showing the number of customers currently being served by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully occupied.
- (3) Indicate permit numbers and dates of approval of water treatment facilities by the Department of Environmental Protection (DEP) or the agency designated by the DEP to issue permits: Most recent:
ID. No. 3110P00304
Permit No. D010-221312
Issued: April 29, 1993
Permitee: Point Property Owner's Assn.
County: Clay 2

- (4) Indicate when the water utility system was established.

1980

- (5) Exhibit A-3 - Evidence that the utility owns the land where the water facilities are located. If the utility does not own the land, a copy of the agreement which provides for the long term continuous use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative.

B) WASTEWATER

- (1) Exhibit A-2 - A schedule showing the number of customers by class and meter size, as well as the number of customers projected to be served when the requested service territory is fully occupied.
- (2) Indicate permit numbers and dates of approval of wastewater treatment facilities by the Department of Environmental Protection (DEP) or the agency designated by DEP to issue permits:

See answer to A(3) above.

- (3) Indicate when the wastewater utility system was established.

1980

- (4) Exhibit A-3 - Evidence that the utility owns the land where the wastewater facilities are located. If the utility does not own the land, a copy of the agreement which provides for the long term continuous use of the land, such as a 99-year lease. The Commission may consider a written easement or other cost-effective alternative.

PART III FINANCIAL AND TECHNICAL INFORMATION

- A) Exhibit B-1 - A statement regarding the financial and technical ability of the applicant to continue to provide service.
- B) Exhibit B-2 - A statement explaining how and why the applicant began providing water and/or wastewater service prior to obtaining a PSC certificate.

PART IV RATES AND TARIFFS

- A) Exhibit C-1 - A statement specifying on what date and under what authority the current rates and charges were established.
- B) Exhibit C-2 - The original and two copies of water and/or wastewater tariff(s) containing all rates, classifications, charges, rules and regulations. Sample tariffs are enclosed with the application package.

PART V TERRITORY DESCRIPTION AND MAPS

A) TERRITORY DESCRIPTION

Exhibit D-1 - An accurate description, using township, range and section references as specified in Rule 25-30.030(2), Florida Administrative Code, of the territory the utility is currently serving. If the water and wastewater service territories are different, provide separate descriptions.

Exhibit Not applicable If the applicant is requesting territory not serviced at the time of the application provide the following:

- (1) A statement showing the need for service in the proposed area.
- (2) A statement that, to the best of the applicant's knowledge, the provision of service in this territory will be consistent with the water and wastewater sections of the local comprehensive plan as approved by the Department of Community Affairs at the time the application is filed. Or, if not consistent, a statement demonstrating why granting the territory would be in the public interest.

B) TERRITORY MAPS

Exhibit E - One copy of an official county tax assessment map or other map showing township, range and section with a scale such as 1"=200' or 1"=400' on which the proposed territory is plotted by use of metes and bounds or quarter sections and with a defined reference point of beginning. If the water and wastewater service territories are different, provide separate maps.

C) **SYSTEM MAPS**

Exhibit F - One copy of detailed map(s) showing existing lines, facilities and the territory being served. Additionally, any requested territory not served at the time of application shall be specifically identified. Map(s) should be of sufficient scale and detail to enable correlation with a description of the territory to be served. Provide separate maps for water and wastewater systems.

PART VI NOTICE OF ACTUAL APPLICATION

A) Exhibit G - An affidavit that the notice of actual application was given in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, by regular mail to the following:

- (1) the governing body of the municipality, county, or counties in which the system or the territory proposed to be served is located;
- (2) the privately owned water and wastewater utilities that hold a certificate granted by the Public Service Commission and that are located within the county in which the utility or the territory proposed to be served is located;
- (3) if any portion of the proposed territory is within one mile of a county boundary, the utility shall notice the privately owned utilities located in the bordering counties and holding a certificate granted by the Commission;
- (4) the regional planning council;
- (5) the Office of Public Counsel;
- (6) the Public Service Commission's Director of Records and Reporting;
- (7) the appropriate regional office of the Department of Environmental Protection; and
- (8) the appropriate water management district.

Copies of the Notice and a list of entities noticed shall accompany the affidavit. **THIS MAY BE A LATE-FILED EXHIBIT**

- B) Exhibit H - An affidavit that the notice of actual application was given in accordance with Rule 25-30.030, Florida Administrative Code, by regular mail or personal delivery to each customer of the system. A copy of the notice shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.
- C) Exhibit I - Immediately upon completion of publication, an affidavit that the notice of actual application was published once in a newspaper of general circulation in the territory in accordance with Rule 25-30.030, Florida Administrative Code. A copy of the proof of publication shall accompany the affidavit. THIS MAY BE A LATE-FILED EXHIBIT.

PART VII FILING FEE

Indicate the filing fee enclosed with the application:

\$750.00 (for water) and/or \$ 750.00 (for wastewater).

Note: Pursuant to Rule 25-30.020, Florida Administrative Code, the amount of the filing fee as follows:

- (1) For applications in which the utility has the capacity to serve up to 500 ERC's, the filing fee shall be \$750.
- (2) For applications in which the utility has the capacity to serve from 501 to 2,000 ERC's the filing fee shall be \$1,500.
- (3) For applications in which the utility has the capacity to serve from 2,001 ERC's to 4,000 ERC's the filing fee shall be \$2,250.
- (4) For applications in which the utility has the capacity to serve more than 4,000 ERC's the filing fee shall be \$3,000.

EXHIBIT A-1
A STATEMENT DESCRIBING THE PROPOSED TYPE OF
WATER SERVICE TO BE PROVIDED

The utility services to be provided include potable water and wastewater. PWS would be defined as a Class C utility.

EXHIBIT A-2
SCHEDULE SHOWING THE NUMBER OF CUSTOMERS CURRENTLY BEING
SERVED BY CLASS AND METER SIZE, AS WELL AS NUMBER OF CUSTOMERS
PROJECTED TO BE SERVED WHEN THE REQUESTED SERVICE
TERRITORY IS FULLY OCCUPIED

Point Water and Sewer, Inc. (hereinafter referred to as "PWS") presently serves the Point Property Owner's Association (hereinafter referred to as the "PPOA"), who in turn invoices each of the 19 constructed units for 1/19th of the monthly billing. In addition, PWS serves an adjacent marina, Whitney's Marina, via a 2" inch valve. There are no individual meters used to measure the water usage.

The PPOA operated the facility at its own expense for the period of on or about 1988 until on or about March 1, 1995. PWS began operations on March 1, 1996 and began charging the PPOA \$3,000.00 per month and Whitney's Marina \$300.00 per month.

Theoretically, the number of customers projected to be served when the requested service territories are fully occupied would be unknown, but the Point Property contains at present a total of 34 building sites of which 19 are built upon. The adjacent marina may be enlarged. If enlargement occurs, then additional water service may be required. The marina's use of wastewater is minimal and therefore no material change is anticipated.

EXHIBIT A-3
EVIDENCE THAT THE UTILITY OWNS LAND WHERE
THE WATER FACILITIES ARE LOCATED

According to a title search done by Associated Land Title Group, Inc. for the PPOA on February 18, 1994, a copy of which is attached, the subject facility is on three parcels of land. Part of the facility is on Parcel A, which is reported to be owned by NOH, Inc., IGR, Inc., HGF, Inc., NLM, Inc., CNK, Inc., and QNK, Inc., which under information and belief have been merged into IGR, Inc.

Parcel B belongs to the PPOA and Parcel C, according to the report, belongs to Phillip D. Yonge and Karen E. Carr. PWS believes that Karen Carr's interest may be owned by James Yonge. In addition, utility easements were previously granted to allow the presence of the equipment on the three parcels. Please see the Report and diagram attached hereto and incorporated herein by reference.

Parcel C is subject to a long term (99 years) lease in favor of Whitney Sail Center, Inc.

ASSOCIATED LAND TITLE GROUP, INC.

815 PALMETTO AVENUE
GREEN COVE SPRINGS, FLORIDA 32043
[904] 284-3011
[904] 284-8184 FAX

February 18, 1994

To: The Point Property Owners Association
Attention: Lorie Easterling
324 Scenic Point Lane
Orange Park, FL 32073

RE: OWNERSHIP REPORT
File No. 150-A10336

Pursuant to your request, the Company has caused a search to be made of the Public records of Clay County, Florida, solely as revealed by records maintained at the office of the Clerk of Circuit Court and/or Commonwealth Land Title Insurance Company from October 11, 1976 through December 23, 1993 at 4:30 P.M. and said search reveals the following:

The last deed of record purports to vest title in:

PARCEL A: NOH, Inc., IGR, Inc., HGF, Inc., NML, Inc., ZNK, Inc.
and QNK, Inc. (Official Records Volume 749, page 222)

PARCEL B: The Point Property Owners Association, Inc. (Official
Records Volume 749, page 220)

PARCEL C: Phillip D. Yonge (Official Records Volume 696, page
240) and Karen E. Carr (Official Records Volume 1392, page 115)

The land covered by this Report is:

SEE EXHIBIT "A" ATTACHED HERETO
PARCELS A, B, AND C

The following unsatisfied mortgages, liens, and judgments affecting
the land covered by this Report appear of record during the period
searched:

NO SEARCH PERFORMED. THIS SECTION DELETED.

Page 2
File No. 150-A10336

TAXES:

NO SEARCH PERFORMED. THIS SECTION OMITTED.

SAID SEARCH REVEALS:

Copies of the following documents were provided for information only and do not represent the complete chain of title:

Official Records Volume 393, page 75
Official Records Volume 724, page 348
Official Records Volume 749, page 222
Official Records Volume 592, page 83
Official Records Volume 749, page 220
Official Records Volume 656, page 672
Official Records Volume 1068, page 571
Official Records Volume 1392, page 115
Official Records Volume 696, page 240
Official Records Volume 590, page 360
Official Records Volume 628, page 415
Official Records Volume 628, page 432
Official Records Volume 628, page 455
Official Records Volume 628, page 456
Official Records Volume 634, page 135
Official Records Volume 1172, page 750
Official Records Volume 1422, page 799

The foregoing report is prepared and furnished for information only, is not intended to constitute or imply an opinion, warranty, guaranty, insurance, or similar assurance as to the status of title, and no determination has been made of the authenticity of any instrument described or referred to herein. The name search for the purposes of determining applicable judgments and liens is limited to the apparent record owner(s) shown herein. No attempt has been made to determine whether the land is subject to liens or assessments which are not shown as existing liens by the public records. The Company's liability hereunder shall not exceed the cost of this Report, or \$1,000.00 whichever is less.

THIS REPORT SHALL NOT BE USED FOR THE ISSUANCE OF TITLE INSURANCE.

ASSOCIATED LAND TITLE GROUP, INC.

By: 
Authorized Officer

2/18/94
Date

EXHIBIT "A"

PARCEL "A": Parcel 34, THE POINT, being a subdivision of part of Lot 19, CREIGHTON FOREST, recorded in Plat Book 4, page 8, according to Declaration set forth in Official Records Volume 590, page 360, Amended in Official Records Volume 634, page 432.

PARCEL "B": That portion of the "Commons Area", THE POINT, being a Subdivision of part of Lot 19, CREIGHTON FOREST, recorded in Plat Book 4, page 8, according to Declaration set forth in Official Records Volume 590, page 360, Amended in Official Records Volume 634, page 432, which lies within those lands described in Official Records Volume 592, page 83.

PARCEL "C": 

A portion of Lot 19, CREIGHTON FOREST, according to plat thereof recorded in Plat Book 4, page 8, public records of Clay County, Florida, and a portion of Section 44, Township 4 South, Range 26 East, Clay County, Florida, adjacent thereto (being a portion of the lands described in Official Records Book 393, page 75, public records of Clay County, Florida) and being more particularly described as follows:

For a point of beginning, begin at a permanent reference monument which is the Northwest corner of said Lot 19, CREIGHTON FOREST, according to Plat Book 4, page 8, public records of Clay County, Florida, and referred to in Official Records Book 152, page 527 of said public records; thence run South 3 degrees 20 minutes 30 seconds West along the Easterly right of way line of U.S. Highway No. 17, 219 feet; thence run North 84 degrees 57 minutes 16 seconds East, 286 feet, more or less, to the waters of the St. Johns River and to the Easterly line of the real property conveyed by the State of Florida Board of Trustees of the Internal Improvement Trust Fund as recorded in Official Records Book 258, page 328, public records of Clay County, Florida, thence on said Easterly line run North 16 degrees 35 minutes 18 seconds West, 378 feet to the end of said Easterly line; thence run North 45 degrees 20 minutes 44 seconds West, 109.8 feet along the Northeasterly line of said real property described in Official Records Book 258, page 328; thence South 5 degrees 9 minutes 22 seconds West, 242 feet; thence South 89 degrees 58 minutes 52 seconds West, 14 feet; thence South 00 degrees 16 minutes 43 seconds East, 27 feet, more or less, to the Northeast line of said Lot 19; thence Northwesterly 80 feet, more or less, to a point which bears North 03 degrees 20 minutes 30 seconds East, 47 feet, more or less, from the point of beginning; thence South 03 degrees 20 minutes 30 seconds West 47 feet, more or less, to the Point of Beginning.

"THE MARINA"

EXHIBIT B-1
STATEMENT REGARDING THE FINANCIAL AND TECHNICAL ABILITY
OF THE APPLICANT TO CONTINUE TO PROVIDE SERVICE

Historically, because of the small size of this facility, outside operators have been utilized for the servicing of the facility. Currently, Coastal Utility Service and Edward McCormick are the principal providers of technical services. The DEP has conducted numerous inspections of the system since PWS began operations on March 1, 1995 and the system has always passed these inspections. Assuming that the PPOA pays for monthly service, PWS will have the financial ability to continue to provide service. At present, the PPOA has an outstanding obligation to PWS in excess of \$57,000.00, which would serve as the operating capital.

EXHIBIT B - 2
A STATEMENT EXPLAINING HOW AND WHY THE APPLICANT BEGAN PROVIDING
WATER AND/OR WASTE WATER SERVICE PRIOR TO OBTAINING
A PSC CERTIFICATE

The facility began operation in 1980 when the property was first developed. Since that period of time, the facility has provided water and sewer system services to the townhomes at the Point, as well as to the marina next door. On February 17, 1987, a written agreement was entered into, whereby, the PPOA agreed to pay all expenses relating to the operation of the subject facility. A true and correct copy of the February 27, 1988 Agreement is attached hereto as Exhibit B-2-A and incorporated herein by reference.

On or about 1988, the PPOA expressed its desire to operate the facility on its own inasmuch it could control costs and use voluntary labor since it was ultimately responsible for all costs. The PPOA began operating the facility in 1988 and operated the facility until March 1, 1995.

On or about 1992, during the period of time the PPOA was operating the facility, the facility was cited for violating federal environmental laws with regard to the discharge of chlorine into the St. John's River. The EPA subsequently filed an action to assess a penalty. Thereupon, the PPOA took the position that on or about March 1, 1995, that it would no longer operate the facility. It therefore requested NOH, Inc., who held the EPA permit, to begin operating the plant. NOH, Inc., which

had subsequently been merged into IGR, Inc., assigned that responsibility to PWS, which began operations on March 1, 1995. At all times, during the past sixteen years, including the operations during the PPOA period of operations, the parties were under the apparent understanding that the subject facility was exempt from regulation by the PSC.

On or about July 22, 1996, the PSC issued a letter opinion that the facility was not exempt under the small facility exemption.

EXHIBIT B-2-A
SECOND AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS, AND PROVISIONS FOR PARTY WALL
OF THE POINT

The Second Amendment to Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Provisions for Party Wall of The Point is made of this 27TH day of FEBRUARY, 1988, by James E. Yonge (as successor to the Declarant PDY Inc., a Florida Corporation individually and as Trustee under Agreement dated September 15, 1975, herein referred to as "JEY," The Point Property Owners Association, Inc., a nonprofit Florida corporation, herein referred to as the "Association," and the following lenders:

1. Duval Federal Savings and Loan Association
2. First Federal Savings and Loan Association of Jacksonville
3. First Union National Bank of Florida as successor to Atlantic National Bank of Florida
4. Barnett Bank of Jacksonville, N.A.
5. Community Saving Bank, as assignee of Tucker Brothers Inc.
6. Citicorp Savings of Florida
7. Southeast Bank, N.A.

herein referred to as "lenders."

This "subject property" shall mean and refer to that certain real property described as follows:

See Exhibit "A" attached hereto and made a part hereof

WITNESSETH:

Whereas, the Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Provisions for a Party Wall of the Point," hereinafter referred to as the "Declaration," being recorded in Official Records Volume 628, Page 432, public records, Clay County, Florida, on July 7, 1981; and

WHEREAS, in Article XIII of the said Declaration, Declarant and JEY granted to the Declarant its successors and assigns the exclusive and perpetual responsibility and right to provide water and sewer service for all users within the Townhouses and other improvements constructed on the subject property; and

WHEREAS, it has been determined and agreed that the benchmark used in said Article XIII for the rate to be charged to the Owners of the respective Units and the Association for water and sewer service is disproportionate to the costs incurred; and

WHEREAS, JEY, and the Association now desire to amend the provision of the Declaration to correct the inequities in the rates charged; and

WHEREAS, JEY and the Association have full authority to amend because more than two-thirds of the membership of the Association has given their written consent, attached hereto, to said amendment as required under Article XIV Section 4 of said Declaration, and

WHEREAS, all lenders have given their written consent, attached hereto, to said amendment, as required under Article XIV Section 4 of said Declaration, and

NOW THEREFORE, in consideration of the premises, and for other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, JEY, the Association, and the Mortgagees hereby enter into this Second Amendment to the Declaration as follows:

1. Article XIII, Section 2, shall be and is hereby deleted and henceforth shall read as follows:

The Owners of the respective Units through and with the Association shall pay for such water and sewer service. The amount paid shall be the equivalent of all of the operating, supply, maintenance, utility, testing, analysis, replacements, modifications and regulatory costs necessary for the proper and efficient operation of the water and sewer plants in compliance with all federal, state and local regulations.

This Amendment to the Declaration shall become effective upon the date and year first above written.

This Amendment and the signature pages annexed hereto, may be executed in one or more counterparts, which, when taken together, shall constitute but one and the same amendment.

This Amendment shall be binding upon and inure to the benefit of the successors and assigns of each and all of the parties hereto.

Except as amended hereby, the Declaration shall remain in full force and effect as written.

IN WITNESS WHEREOF, the undersigned have executed
this Amendment as of the date hereof.

DATE: FEBRUARY 27, 1988

The Point Property Owners
Association Inc.

By:

Kathy Matthews Glenn
Witness

Steven C. Glenn, President

Virginia H Finnigan
Witness

Kathy Matthews Glenn
Witness

James B. Finnigan
James B. Finnigan, Vice President

Virginia H Finnigan
Witness

Kathy Matthews Glenn
Witness

Robert R. Cowie
Robert R. Cowie, Secretary

Virginia H Finnigan
Witness

James E. Yonge

Spinkley Leggett
Witness

James E. Yonge
James E. Yonge, Successor
to the Declarant and as Trustee

Melinda Miller
Witness

STATE OF FLORIDA
COUNTY OF CLAY

I HEREBY ACKNOWLEDGE that on this day before me, personally appeared Steven C. Glenn, James B. Finnigan and Robert R. Cowie, Officers of The Point Property Owner's Association Inc., to me known to be the persons described in and who executed the foregoing instrument and acknowledged before me that he executed the same on behalf of said Association.

WITNESS my hand and seal this 27TH day of FEBRUARY, 1988.

David A. King

Notary Public, State of Florida
My Commission Expires:

NOTARY PUBLIC, STATE OF FLORIDA
My commission expires April 22, 1990
Bonded thru Pullman - Eacht Agency

STATE OF FLORIDA
COUNTY OF BROWARD

I HEREBY ACKNOWLEDGE that on this day before me, personally appeared James E. Yonge, Successor to the Declarant, and as Trustee, to me known to be the person described in and who executed the foregoing instrument and acknowledged before me that he executed the same on behalf of said Association.

WITNESS my hand and seal this 7TH day of MARCH, 1988.

Robert E. Long
Notary Public, State of Florida
My Commission Expires:

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXP SEPT 30, 1989
BONDED THRU GENERAL INS. UNO.



EXHIBIT A

A portion of Lot 19, Creighton Forest, according to map recorded in Plat Book 4, Page 8, of the Public Records of Clay County, Florida, being more particularly described as follows:

Commence at the Southwesterly corner of said Lot 19; thence along the Southerly line thereof, South $83^{\circ} 28' 30''$ East, 67.0 feet, to the Easterly right-of-way line of U.S. Highway No. 17, (as now established) also being the Point of Beginning; thence in a Northerly direction along said Easterly right-of-way line, and along the arc of a curve concave Westerly and having a radius of 5,829.65 feet, to the point of tangency of said curve, said curve being subtended by a chord bearing and distance of North $04^{\circ} 13' 45''$ East, 180.58 feet; thence continue along said Easterly right-of-way line of U.S. Highway No. 17 (as now established) North $03^{\circ} 20' 30''$ East, 110.40 feet to the Southerly line of those lands described and recorded in Official Records Book 489, Page 294, of said Public Records; thence North $84^{\circ} 57' 16''$ East, along last said line, 288.81 feet, to the Easterly edge of a concrete bulkhead; thence along the Easterly edge of said concrete bulkhead run the following (4) courses and distances: (1) South $15^{\circ} 16' 54''$ East, 100.46 feet; (2) South $29^{\circ} 13' 43''$ West, 12.18 feet; (3) South $04^{\circ} 44' 15''$ East, 144.24 feet; (4) South $03^{\circ} 35' 46''$ East, 101.08 feet; thence North $86^{\circ} 24' 14''$ East, 1.0 feet, to the Easterly edge of a wooden bulkhead; thence along the Easterly edge of said wooden bulkhead, South $01^{\circ} 04' 39''$ East, 3.30 feet, to the intersection with the Southerly line of said Lot 19; thence North $83^{\circ} 28' 30''$ West, along last said line, 349.45 feet, to the Point of Beginning.

EXHIBIT C-1
STATEMENT SPECIFYING ON WHAT DATE AND UNDER WHAT AUTHORITY
THE CURRENT RATES AND CHARGES WERE ESTABLISHED

The current rate and charges were established pursuant to a good faith estimate by PWS as to what it would cost to operate the facility. It was determined in March, 1995, that it would cost in excess of \$3,000.00 a month to operate the facility. Accordingly, it was determined on or about March 1, 1995 to charge the PPOA \$3,000.00 each month to operate the facility. The marina was charged \$300.00 a month for its limited water and sewage usage. A budget of actual and estimated monthly and annual expenses is attached hereto and incorporated by reference.

EXHIBIT C-2
THE ORIGINAL AND TWO COPIES OF WATER
AND/OR WASTE WATER TARIFFS CONTAINING ALL RATES,
CLASSIFICATIONS, CHARGES RULES AND REGULATIONS

See attached.

EXHIBIT C-1-A
PWS BUDGET

	<u>Monthly</u>	<u>Annual</u>
Income:		
Whitney's:	\$ 300.00	\$ 3,600.00
PPOA:	\$3,000.00	\$36,000.00
Total Income:	\$3,300.00	\$39,600.00
Expenses:		
Accounting Fees	\$ 500.00	\$ 6,000.00
Administrative:	\$ 190.00	\$ 2,280.00
Attorney's Fees:	\$ 250.00	\$ 3,000.00
Bank Charges:	\$ 12.00	\$ 144.00
Chemicals, Tests, Etc.:	\$ 396.83	\$ 4,761.90
Depreciation (Facility):	\$ 416.66	\$ 5,000.00
Depreciation (Office Equipment):	\$ 21.66	\$ 260.00
Equipment Replacement:	\$1,111.11	\$13,333.33
Insurance:	\$ 333.33	\$ 4,000.00
Interest:	\$ 796.67	\$ 9,560.04
Maintenance and Repairs:	\$ 100.00	\$ 1,200.00
Management:	\$ 800.00	\$ 9,600.00
Organizational Fees:	\$ 41.66	\$ 500.00
Payroll Taxes:	\$ 66.66	\$ 800.00
Property Taxes:	\$ 111.34	\$ 1,336.10
PSC Application Fee:	\$ 125.00	\$ 1,500.00
Regulatory Assessment Fees:	\$ 148.50	\$ 1,782.00
Rent (Office):	\$ 265.00	\$ 3,180.00
Service Tech:	\$ 550.00	\$ 6,600.00
Telephone:	\$ 70.00	\$ 840.00
<hr/>		
TOTAL EXPENSES:	\$6,509.53	\$78,114.36
<hr/>		
Net Income:	(\$3,209.53)	(\$38,514.36)
Profit Percentage:	Negative	Negative

EXHIBITS C-1-B
NOTES TO PWS 1996 BUDGET

Accounting Fees: PWS will be required to compensate an accountant to prepare financial statements, tax returns, both quarterly and annually and for monthly statements and bank reconciliations.

Administrative Charges: These charges include the following: Auto expenses (\$25.00); copies (\$20.00); miscellaneous (\$25.00); computer services (\$25.00); computer services (\$25.00); fax and postage (\$25.00); secretarial (\$50.00); and supplies (\$20.00).

Attorney's Fees: It is anticipated that a small amount (\$1,000.00) of attorney's fees will be incurred on an annual basis for the processing of certain legal and regulatory paperwork. It is estimated that legal fees of \$10,000.00 will be necessary to process the PSC application as well as addressing permit issues with the DER and/or the EPA over the next twelve months. This amount is being amortized over sixty (60) months.

Chemicals and Tests: In order to properly maintain the system and comply with state and federal regulations, it is necessary to purchase chemicals and pay for tests. The amount determined, \$619.77 per month, represents an average of the past 19 months.

Depreciation: The cost basis of the equipment is \$100,000.00 and it has been depreciated on a straight line basis over a period of twenty-one (21) years. The office equipment includes a used copier, fax machine, telephone, desk and typewriter. Appraised value is \$1,300.00.

Equipment Replacement: Anticipated replacement cost for the equipment is \$200,000.00 with replacement occurring during the next fifteen (15) years. The system is presently at least 15 years old. No one, including the PPOA has funded a replacement fund, which needs to be done.

Insurance: It will be necessary to acquire liability, peril and flood insurance. Bowditch Insurance of Jacksonville has given us an estimate of \$4,000.00 per year based on the following premium amounts: \$1,000,000.00 coverage for liability; \$2,500.00 premium; \$500.00 for flood; and \$1,000.00 for perils. Because the PPOA has not made any payments since March, 1995, insurance has not been acquired as of this date, but will be necessary to protect the interests of all concerned.

Interest: PWS has agreed to pay IGR, Inc., the sum of \$100,000.00 for the subject water and wastewater treatment plant and all underground lines, fencing and other improvements. Interest on the loan is at the rate of 9.5% per annum.

Maintenance of Repairs: Historically, the facility has required minor equipment repairs.

Management: John Yonge, the President of PWS is paid \$800.00 per month. John handles all of the administrative chores and is available 24 hours a day to deal with any operational issues. His

monthly salary is \$800.00 per month. He devotes no less than ten (10) hours per week to the operation of the facility.

Organizational Fees: This amount includes the cost of incorporating, minute book, minutes, etc. This is a one time amount which is being amortized over the first year.

Payroll Taxes: This amount includes FICA, federal unemployment and Florida unemployment taxes.

Property Taxes: The assessed ad valorem taxes for Clay County for 1995 was \$1,315.60. The taxes for 1996 is estimated to be between \$1,334.00 and \$1,359.00.

Regulatory Assessment Fees: This amount is calculated at 4.5% of the gross revenues.

Rent: PWS will be seeking to rent a small office space with a estimated monthly cost of \$265.00 per month, where the books and records will be kept.

Service Tech.: Ed McCormick and his company, Coastal Utility charges a monthly fee of \$550.00 for service. This charge is customary and reasonable in the community.

EXHIBIT D-1

**AN ACCURATE DESCRIPTION USING TOWNSHIP, RANGE
AND SECTION REFERENCES AS SPECIFIED IN RULE 25-30.030(2),
OF THE TERRITORY OF THE UTILITIES ARE CURRENTLY SERVING.
IF THE WATER AND WASTEWATER SERVICES TERRITORIES ARE DIFFERENT,
PROVIDE SEPARATE DESCRIPTIONS**

County - Clay Lat/long: 30° 08" 48" N/81 0° 42-00" W

Section/Township/Range: 44/4S/26E

THE POINT

A SUBDIVISION OF A PORTION OF LOT 19, CREIGHTON FOREST, ACCORDING TO MAP RECORDED IN PLAT BOOK 4, PAGE 2 OF THE PUBLIC RECORDS OF CLAY COUNTY, FLORIDA.

FOR: PDY INC.

SEPTEMBER 2, 1980

AMENDED: MAY 13, 1981

AMENDED: JUNE 2, 1981 TO SHOW ADDITIONAL EASEMENTS

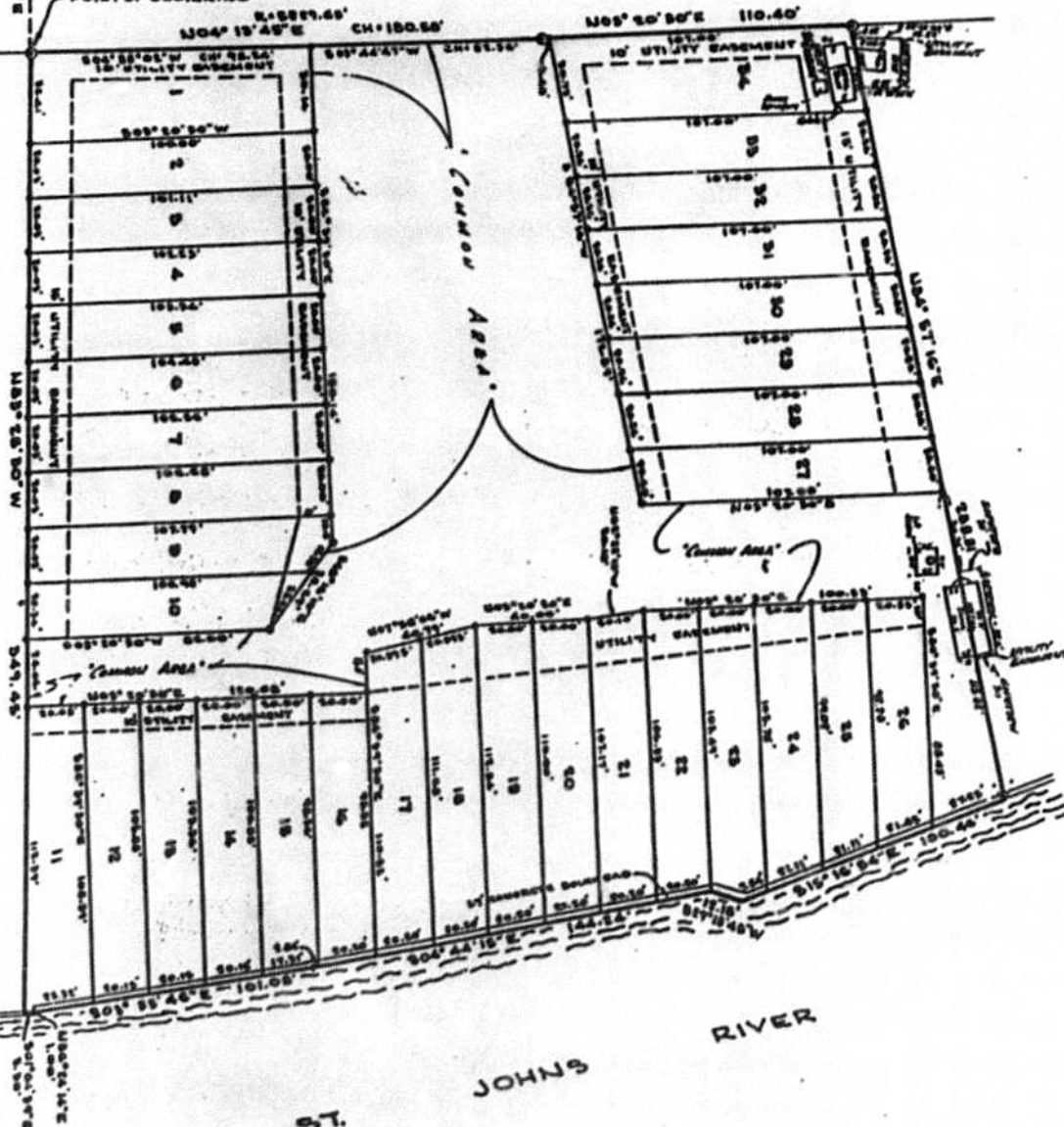
U. S. HIGHWAY N° 17

FORMER RIGHT-OF-WAY LINE

WEST LINE OF LOT 19 AS PER P.B. 4 PG. 2

POINT OF COMMENCEMENT
SWLY COR. LOT 19

POINT OF BEGINNING



LEGEND

- Denotes Iron Pin
- ⊙ Denotes Permanent Reference Monument
- Denotes Limits of Easements
- ST Denotes Waters of St. Johns River

I HEREBY CERTIFY THAT THE LANDS AS SHOWN ON THIS MAP WERE SURVEYED UNDER MY DIRECT SUPERVISION AND THAT THIS MAP IS A TRUE AND CORRECT REPRESENTATION OF THE LANDS SUBDIVIDED AND THAT ALL CORNERS AND PERMANENT REFERENCE MONUMENTS HAVE BEEN SET AS SHOWN.

REGISTERED LAND SURVEYOR - FLA. REG. NO. 2324

MCGHIN, AND ASSOCIATES, INC.
REGISTERED LAND SURVEYORS.
ORANGE PARK, FLORIDA

EXHIBIT D-1-A

EXHIBIT E



EXHIBIT F
ONE COPY OF DETAILED MAPS SHOWING EXISTING LINES, ETC.

Not in existence to the knowledge of PWS.

Inspector's Signature: Ignacio N. Nolasco Date: 7-15-96

Title: Environmental Specialist II

Approved by: _____ Date: _____
Supervisor (signature)

Plant Schematic:

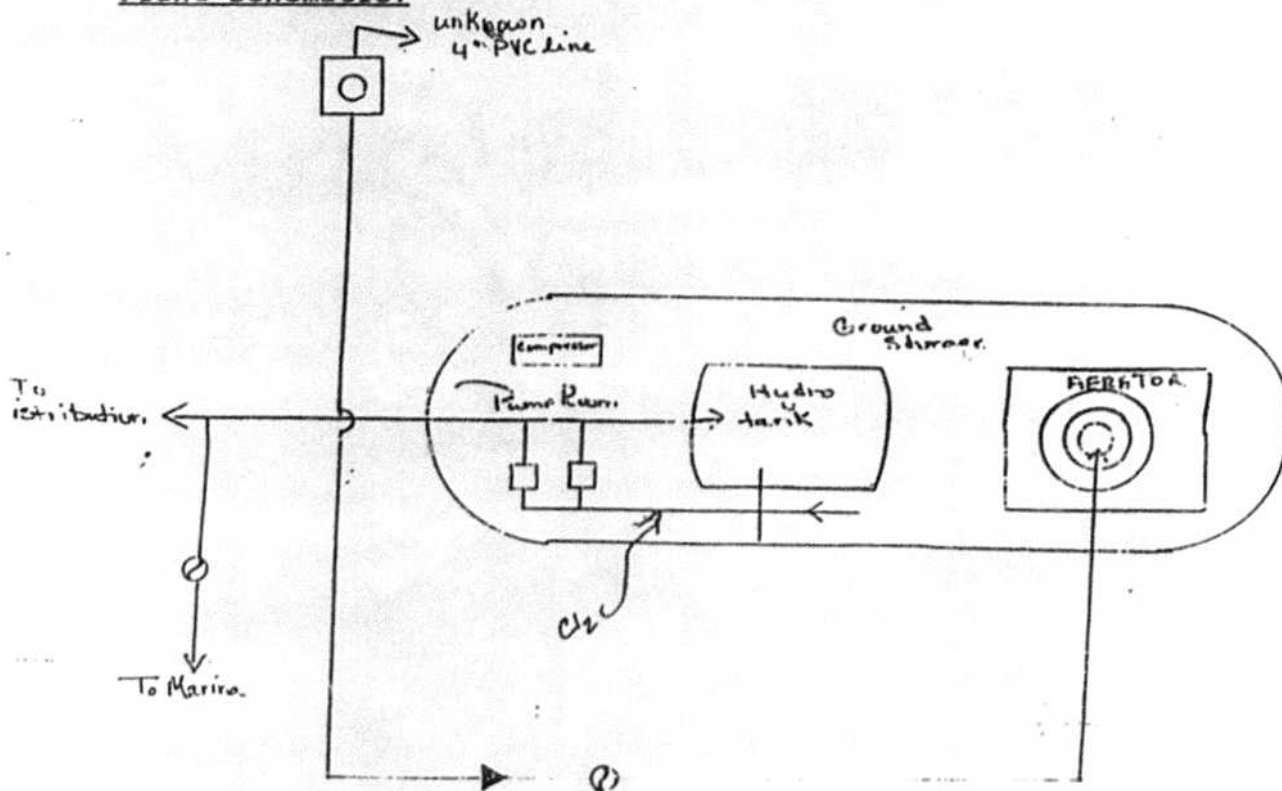


EXHIBIT G
AFFIDAVIT THAT THE NOTICE OF APPLICATION WAS GIVEN

AFFIDAVIT OF JOHN YONGE

PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who gives this Affidavit based upon his own personal knowledge and in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, hereby states that a copy of this Application and Exhibits were sent by regular mail to the following:

(1) The governing body of the municipality, county, or counties in which the system for the territory proposed to be served is located. See Exhibit G-1, which is attached hereto;

(2) The privately owned water and wastewater utilities that hold certificate granted by the Public Service Commission that are located within the county in which the utility or the territory proposed to be served is located. See Exhibit G-1, which is attached hereto;

(3) If any portion of the proposed territory is within one mile of the county boundary, the utility shall notice the privately owned utilities located in bordering counties and holding a certificate granted by the Commission:

Not applicable.

(4) The regional planning counsel council. See Exhibit G-1, which is attached hereto;

(5) The Office of Public Counsel. See Exhibit G-1, which is attached hereto;

(6) The Public Service Commission's Director of Records and Reporting. See Exhibit G-1, which is attached hereto;

(7) The appropriate regional office of the Department of Environmental Protection. See Exhibit G-1, which is attached hereto;

(8) The appropriate water management districts. See Exhibit G-1, which is attached hereto.

Said above entities with the attached mailing list were sent copies of this Application on October ____, 1996.

FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.

JOHN YONGE, President

The foregoing instrument was acknowledged before me this ____ day of October, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.

Notary Public

EXHIBIT H
AFFIDAVIT THAT THE NOTICE OF ACTUAL APPLICATION WAS GIVEN
TO EACH CUSTOMER

AFFIDAVIT OF JOHN YONGE

PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who gives this Affidavit based upon his own personal knowledge and in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, indicating that I have given notice of this application by regular mail to each customer of the system. A list of the names of the customers and their addresses are set forth below:

1. Whitney's Marina
3027 Highway 17
Orange Park, Florida 32073
2. Point Property Owner's Association
301 Scenic Point Lane
Orange Park, Florida 32073

FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.

JOHN YONGE, President

The foregoing instrument was acknowledged before me this _____ day of October, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.

Notary Public

EXHIBIT I
AFFIDAVIT THAT NOTICE OF ACTUAL APPLICATION
WAS PUBLISHED

AFFIDAVIT OF JOHN YONGE

PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who deposes and says:

1. The actual Application was published once in a newspaper of general circulation and territory in accordance with Rule 25-30.030, Florida Administrative Code, to wit: Clay Today. A copy of the Proof of Publication is attached to this Affidavit and incorporated herein by reference.

FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.

JOHN YONGE, President

The foregoing instrument was acknowledged before me this _____ day of _____, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.

Notary Public

EXHIBIT I-1

APPLICATION FOR ORIGINAL CERTIFICATE
(FOR UTILITY IN EXISTENCE AND CHARGING RATES)
SECTION 367.045, FLORIDA STATUTES

LEGAL NOTICE

Notice is hereby given on _____, pursuant to Section 367.045, Florida Statutes, of the application of Point Water and Sewer, Inc. to operate a water and wastewater utility to provide service to the following described territory in Clay County, Florida as follows:

The Point Property Owner's Assn. (including 19 developed townhomes) located on Scenic Point Drive in Clay County, Florida and the adjoining property located at 3027 Hwy 17, Orange Park, Fla 32073 (Whitney's Marina). Both of these properties are located directly off of US 17 on the southeast side of the Doctors Inlet Bridge with the St Johns River on the western boundary.

Any objections to the said application must be made in writing within (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Sumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

POINT WATER AND SEWER, INC.
4753 RAGGEDY POINT ROAD
ORANGE PARK, FLORIDA 32073

POINT WATER AND SEWER, INC.

By: _____
JOHN YONGE, PRESIDENT

Commissioners:
SUSAN F. CLARK, CHAIRMAN
J. TERRY DEASON
JULIA L. JOHNSON
DIANE K. KIESLING
JOE GARCIA



DIVISION OF WATER &
WASTEWATER
CHARLES HILL
DIRECTOR
(904) 413-6900

Public Service Commission

December 5, 1996

Mr. John S. Yonge
Point Water and Sewer, Inc.
47533 Raggedy Point Road
Orange Park, Florida 32073

Re: Docket No. 961321-WS, Application for certificate to provide water and wastewater service in Clay County by Point Water and Sewer, Inc.

Dear Mr. Yonge:

Staff has preliminarily reviewed the above referenced application and has identified the following additional documents and information needed to process the application:

1. **Corporate Identity.** According to Florida's Department of State, Division of Corporations, Point Water and Sewer, Inc.'s (PWS's) corporate registration has been involuntarily dissolved for failure to file an Annual Report. In order to receive a certificate, the utility's registration with the state must be active. You may obtain information for filing an Annual Report by calling 904/488-9000. Please provide a copy of the utility's reinstatement with the Division of Corporations as a late-filed exhibit.
2. **Corporate Officers.** According to the application, the corporation has one officer which is the President, Mr. John Yonge. Please confirm that Mr. John Yonge is the only entity with an interest in the utility. Otherwise, Rule 25-30.034(1)(c), Florida Administrative Code, requires the names and addresses of all corporate officers, directors, partners, or any other persons or entities owning an interest in the applicant's business organization.
3. **Meter Size.** Please indicate whether the Point Property Owner's Association (PPOA) is master-metered and, if so, what size meter is used.
4. **System Capacity.** Please provide a copy of the Sanitary Survey issued by the Florida Department of Environmental Protection (DEP) as a confirmation of the maximum rated capacity of the utility's water well.

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Mr. John S. Yonge
December 5, 1996
Page 2

5. **DEP Permits.** According to the Florida Department of Environmental Protection (DEP), the utility's wastewater Permit No. D010-221312 has expired. DEP is in receipt of the utility's application for a new permit. Please provide a copy of the utility's new permit as a late-filed exhibit.
6. **Proof of Ownership.** Exhibit A-3 does not appear to indicate that the utility owns the land upon which the utility facilities are located. To satisfy Rule 25-30.034(1)(e), Florida Administrative Code, please furnish a recorded warranty deed in the name of Point Water and Sewer, Inc. Attached to the deed should be a legal description and a diagram showing the location of the land being deeded with the facilities clearly plotted thereon. If you incur problems obtaining a warranty deed, please contact Ms. Kathleen Johnson in the Legal Division at 904/413-6230 to discuss possible alternatives.
7. **Financial Ability.** Exhibit B-1 is not a statement of financial ability. Since it appears that the only corporate officer is Mr. John Yonge, please furnish a recent financial statement for Mr. Yonge. The financial statement should show the ability of Mr. Yonge to provide emergency capital for the utility based on liquid assets or the ability to secure emergency capital from lenders based on the financial statement.
8. **Technical Ability.** Please provide evidence that Coastal Utility Service and/or Mr. Edward McCormick have DEP-approved licenses to operate water and wastewater facilities.
9. **Ownership History.** According to Exhibit B-2, operations of the utility was turned over to the Point Property Owners Association, Inc., (PPOA) in 1988. Please provide evidence of the assignment or transfer to the PPOA. Please provide a copy of the PPOA's position in 1995 that it no longer operated the facilities and the request that NOH, Inc., begin operating the plant. Please provide a copy of IGR, Inc.'s, assignment to PWS.
10. **Rates.** Rule 25-30.034(1)(g), Florida Administrative Code, requires the applicant to state the date and the authority under which the current rates were established. Please provide the following supplemental information to Exhibit C-1:
 - a) The approximate date PWS began charging its current rates.
 - b) The rate the PPOA charged itself when it operated the utility.

- c) Details of any meetings or copies of any correspondence PWS may have had with its customers regarding the rates prior to implementation.

Also, please describe how the utility determined that the PPOA should be charged \$3,000.00 per month and Whitney's Marina should be charged \$300.00 per month for water and wastewater service. Was the determination based on relative capacity, cost of service, or some other basis?

11. **Notice Format and Territory Map.** The territory description cited in the notice of filing is not in the correct format and may need to be renoticed. Rule 25-30.030(2), Florida Administrative Code, requires that the legal description of the territory be given in one of the following formats:

1. **Sections:** If the territory includes complete sections, the description shall only include the township, range, and section reference. If the territory includes partial sections, the description shall either identify the subsections included or excluded.
2. **Metes and bounds:** A point of beginning which is reference from either a section corner or a subsection corner, such as a quarter corner. The perimeter shall be described by traversing the proposed territory and closing at the point of beginning. The description shall include all bearings and distances necessary to provide a continuous description.

Also, Rule 25-30.030(2), Florida Administrative Code, requires that the legal description not rely on references to government lots, local streets, recorded plats or lots, tracts, or other recorded instruments.

According to Exhibit D-1 to the application, the territory that is being requested is Township 4 South, Range 26 East, Section 44. This description appears to encompass more territory than described in the notice and shown in Exhibit D-1-A. The utility's proposed territory may be that described in Exhibit "A" to the title search in Exhibit A-3 to the application. If that is the case and, if the territory described in the notice of filing is intended to describe that same territory, please provide an affidavit attesting to that fact. Attached to the affidavit should be a revised Exhibit D-1 with the correct legal description of the territory being requested in the format required by rule.

Territory Map. The affidavit, above, revising the legal description must also be accompanied with a map which showing the relationship of the proposed territory to township, range and section. Exhibit D-1-A to the application may be such a map if plotted on a map base with township, range and section. Such a map may be obtained by contacting the County Property Appraiser's Office.

12. **System Map.** The system map provided as Exhibit F is not adequate as it only shows utility plant. The system map required by Rule 25-30.034(1)(i), Florida Administrative Code, must include the water distribution lines and wastewater collection lines and treatment facilities plotted on a map of the proposed territory. Since the utility would have been required to provide systems maps to the DEP at the time of construction, you might want to contact the regional DEP water and wastewater permit divisions for permission to search their files. However, an easier solution may be to contact the engineering firm that designed the water and wastewater systems to see if they retained a copy of the system maps in their files.

13. **Government and Utility Entities Notice.** The affidavit in Exhibit G does not indicate the date that notice was given to local government and utility entities. Please provide a revised affidavit indicating the date that notice was given.

Customer Notice. The affidavit in Exhibit H does not indicate the date that notice was given to customers of the utility. Please provide a revised affidavit indicating the date that notice was given.

Publication. The affidavit attesting to publication in a local newspaper of general circulation must come from the newspaper. To date staff has not received an affidavit from Clay Today indicating the notice was published. Please ensure that Clay Today furnishes such affidavit to the Commission at the address given below.

14. **Water and Wastewater Tariffs:**

Application for Water and Wastewater Service. The terms and conditions of application must be on the application form. Please consolidate the additional information shown on Water Tariff Sheets No. 20.0 (and Wastewater Tariff Sheet No. 25) into the application form. The form should then be reduced to fit on the tariff sheets and still leave room for the Issuing Officer's name and title in the bottom right-hand corner.

Mr. John S. Yonge
December 5, 1996
Page 5

Customer's Bill. Please provide a copy of a sample customer bill on Water Tariff Sheet No. 22.0 and Wastewater Tariff Sheet No. 27.0. The bill should be reduced to fit on the tariff sheets and still leave room for the Issuing Officer's name and title in the bottom right-hand corner.

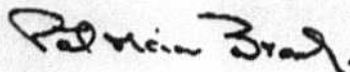
Please provide your response to information requested above the extent possible by January 30, 1997. If the utility is not yet in receipt of items which need to be furnished from other state agencies, please indicate the status of the items in your response. All responses should be provided in an original and five copies to:

The Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

Attention: Docket No. 961321-WS

If you have any questions regarding the information requested you may call either myself at 904/413-6686 or Mr. Richard Redemann at 904/413-6999. If you have any legal questions, please address the questions to Ms. Kathleen Johnson at 904/413-6230.

Sincerely,



Patricia Brady
Regulatory Analyst IV
Bureau of Policy Development
and Industry Structure

cc: Richard Redemann, Division of Water and Wastewater
Kathleen Johnson, Division of Legal Services
Division of Records and Reporting

LAW OFFICES
COX & REYNOLDS
A PARTNERSHIP OF PROFESSIONAL ASSOCIATIONS
SAVINGS OF AMERICA BUILDING, 10TH FLOOR
4675 NORTH FEDERAL HIGHWAY
FORT LAUDERDALE, FLORIDA 33308

TELEPHONE (954) 491-5220
TELECOPIER (954) 491-0702

January 28, 1997

FEDERAL EXPRESS

The Director, Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

RE: **Docket No. 96-1321-WS - Application for Certificate to Provide Water
and Wastewater Service in Clay County by Point Water & Sewer, Inc.**

Dear Public Service Commission:

We are in receipt of Patricia Brady's letter dated December 5, 1996 and wish to respond to the enumerated paragraphs outlined in her letter as follows:

1. **Corporate Identity:** Please be advised that Point Water & Sewer, Inc. (hereinafter referred to as "PWS") was involuntary dissolved as a result of inadvertently not filing an annual report. However, subsequent thereto, on or about November 15, 1996, PWS filed an annual report and paid the annual fee and is now in good standing. A copy of a print-out provided by the Florida Department of State, Division of Corporations is attached hereto as Exhibit "1" and incorporated herein by reference.
2. **Corporate Officers:** Please be advised that Mr. John Yonge is the only officer and director of PWS. Mr. Patrick Carr, has a stock ownership interest in PWS, but does not hold any position or title with the corporation other than stockholder. Mr. John Yonge and Mr. Patrick Carr each own 50% of the outstanding shares of PWS.
3. **Meter Size:** Please be advised that the Point Property Owners Association (hereinafter referred to as "PPOA") is master metered and the size of the meter is a 2" meter/2" line.
4. **System Capacity:** Please find attached hereto as Exhibit "2" a copy of the Capacity Analysis Report and the Operation and Maintenance Performance Report prepared on January 20, 1997, as a confirmation of the maximum rate of capacity of the facility.

EXHIBIT J4-9

5. **DEP Permits:** The facilities' permit number D010-221312 was "rescinded" by the PPOA without prior notice to PWS on or about March, 1996. On November 25, 1996, the PWS filed its application for a new permit. As of today, it has not received the final permit and the application is currently pending.

6. **Proof of Ownership:** You are correct that PWS does not have a warranty deed in its name granting it ownership of the subject real property. However, PWS is the assignee of the easement interest that runs with the land. A copy of the subject assignment is attached hereto as Exhibit "3" and incorporated herein by reference.

7. **Financial Ability:** Ms. Emma Pfister, PWS' accountant, is currently preparing the 1996 tax return which will include a balance sheet. It should be completed by February 15, 1997. In addition, PWS has received a letter of loan approval providing that in case it is necessary for it to secure emergency capital from lenders, that it would be entitled to borrow up to \$30,000.00 for emergency capital. A copy of the letter is attached hereto as Exhibit "4".

8. **Technical Ability:** Attached hereto as Exhibit "5" is a copy of Edward McCormick's DEP approved license to operate water and wastewater facilities.

9. **Ownership History:** On or about 1987, the PPOA took over the exclusive and sole operation of the facility. Since the PPOA was responsible for the cost of operation of the facility, as its primary user, its operation of the facility allowed it to control costs and utilize volunteer services. Although, the PPOA now claims that it was never the operator of the facility, its true role was revealed in the PPOA's President's letter to the DEP dated November 3, 1992, when she stated:

Pursuant to an agreement between the Point Property Owner's Association and Karen Yonge Carr, Jim Yonge and NOH, Inc., we are responsible for the operation of the above-mentioned wastewater treatment facility.

After the EPA sought to impose penalties for the improper operation of the facility by the PPOA, the PPOA decided to return the operation of the plant back to NOH, Inc. as set forth in Mr. Lindell's letter dated December 22, 1994. Copies of the November 3, 1992 and December 22, 1994 letters referenced above are attached hereto as Exhibit "6."

10. **Rates:** a) The original rates to be charged to the PPOA were based on a prior written contractual agreement, a copy of which was attached as an exhibit to the original PSC application for original certificate. PWS began charging its current rates on March 1, 1995. However, the PPOA refused to make any payments until such time as the PPOA sought injunctive relief from the Circuit Court of Clay County. At such time, the Court ordered that the PPOA would pay 83% of the operating and regulatory expenses incurred until such time as the

PSC had determined exactly what amount the rates should be. The PPOA consented to an Agreed Order. A copy of the Agreed Order is attached hereto as Exhibit "7" and incorporated herein by reference. Since the entry of the Agreed Order, the PPOA has failed to make timely payments and was warned by the Court on January 24, 1997, that it would be held in contempt if such inexcusable behavior continued in the future.

b) **The rate the PPOA charged itself when it operated the utility:** The PPOA paid all expenses relating to the subject facility during the period of time of its operation and in addition charged Whitney's Marina for 17% of expenses incurred. The 17% calculation was based upon an understanding between the PPOA and Whitney's that the 17% represented Whitney's respective share of the overall use of the facility. Attached hereto as Exhibit "8" is correspondence from Whitney's Marina outlining this understanding, as well as the copies of the actual invoices that the PPOA submitted to Whitney's Marina which reflect the actual practice of the PPOA. At no time during the period of time the PPOA was operating the plant and charging Whitney's Marina for its services, did it apply for a certificate of authorization from the Public Service Commission.

c) **Details of any meetings or copies of any correspondence PWS may have had with its customers regarding the rates prior to implementation:** As referenced above, PWS charged the PPOA an amount it felt was consistent with the anticipated expenses as per the written agreement. Actual expenses have exceeded anticipated expenses.

11. **Notice Format and Territory Map:** Latitude 30°08'48" N; Longitude 81°42'00" N; Sections 43 and 44, N 1/2; Township 4S; Range 26E. Attached as Exhibit "9" is a certified copy of a map obtained from the Clay County Property Appraiser's Office.

12. **System Map:** Attached hereto as Exhibit "10" is a system map from the DEP's records.

13. **Government and Utility Entities Notice:** Attached hereto as Exhibit "11" is an Affidavit indicating the date that notice was given to local government utility entities.

Customer Notice: Attached hereto as Exhibit "12" is an Affidavit indicating the date that notice was given to customers of the utility.

Publication: Attached hereto as Exhibit "13" is an Affidavit attesting to publication from Clay Today, which published the subject notice.

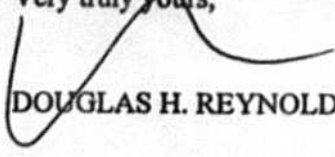
Director, Division of Records and Reporting
January 28, 1997
Page Four

14. Water and Wastewater Tariffs

Application for Water and Wastewater Service: Please find enclosed as Exhibit "14" the consolidated sheets with the information shown on Water Tariff Sheets No. 20.0 and Wastewater Tariff Sheet No. 25.

Customer's Bill: A copy of a sample customer bill on Water Tariff Sheet No. 2 and Wastewater Tariff Sheet No. 27.0 is attached hereto as composite Exhibit "15" and incorporated herein by reference.

Very truly yours,


DOUGLAS H. REYNOLDS

DHR:pdl

Enclosures

cc: Point Water & Sewer
Richard Redemann, Div. of Water and Wastewater
Kathleen Johnson, Div. of Legal Services

**RE: Docket No. 96-1321-WS- Application for Certificate to Provide Water
and Wastewater Service in Clay County by Point Water & Sewer, Inc.**

INDEX OF EXHIBITS TO JANUARY 28, 1997 LETTER TO PSC

1. Division of Corporations print-out as to PWS.
2. Capacity Analysis Report and the Operation and Maintenance Performance Report prepared on January 20, 1997 by James M. Lucas, P.E.
3. Assignment to PWS of easement.
4. Letter of loan approval.
5. Edward McCormick's Class "C" operator's license.
6. Ownership history.
7. Agreed Order Nunc Pro Tunc November 8, 1996.
8. Whitney's correspondence.
9. Map from Clay County Property Appraiser's office.
10. System map from DEP's records.
11. Amended Affidavit as to notice to government and utility entities' notice.
12. Amended Affidavit as to customer notice.
13. Clay Today Affidavit.
14. Consolidated Water Tariff Sheets, Consolidated Wastewater Tariff Sheets No.25.
15. Sample customer bill.

ATT PAULA

12/17/96 CORPORATE DETAIL RECORD SCREEN 9:19 AM
NUM: P95000069012 ST:FL ACTIVE/FL PROFIT FLD: 09/07/1995
LAST: REINSTATEMENT FLD: 12/12/1996
FEI#: APPLIED FOR
NAME : POINT WATER & SEWER, INC.
PRINCIPAL: 4753 RAGGEDY POINT RD.
ADDRESS ORANGE PARK, FL 32073
RA NAME : YONGE, JOHN
RA ADDR : 4753 RAGGEDY POINT RD.
ORANGE PARK, FL 32073 US
ANN REP : (1996) IN 12/12/96

12/17/96 OFFICER/DIRECTOR DETAIL SCREEN 9:19 AM
CORP NUMBER: P95000069012 CORP NAME: POINT WATER & SEWER, INC.
TITLE: PD NAME: YONGE, JOHN
4753 RAGGEDY POINT RD.
ORANGE PARK, FL 32073

EXHIBIT

"1"

CAPACITY ANALYSIS REPORT

THE POINT TOWNHOMES HIGHWAY 17, FLEMING ISLAND

CLAY COUNTY

DER NO. 3110PO0304

PERMIT NO. DO10-221312

EXPIRES 6/30/96

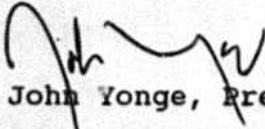
January 20, 1997

EXHIBIT

"2"

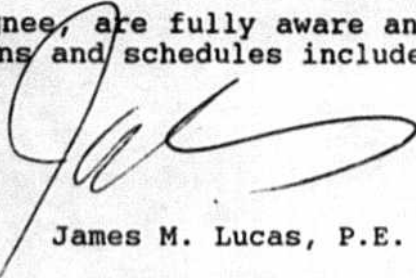
CERTIFICATIONS

Permittee:


Name: John Yonge, President
Company: Point Water and Sewer, Inc.
Address: 4753 Raggedy Point Road
City: Orange Park, Florida 32073
County: Clay
Phone No.: (904) 269-1825

We, the above signee, are fully aware and intends to comply with the recommendations and schedules included in the report.

Engineer:


Name: James M. Lucas, P.E.
Company: J. Lucas & Associates, Inc.
Address: 10475 Fortune Parkway, Suite 202
City: Jacksonville, Florida 32256
Phone: (904) 464-0090

This is to certify that the information contained in the report is true and correct to the best of our knowledge, the report was prepared in accordance with sound engineering principles, and that the recommendations and schedules were discussed with the permittee or their representative.

Chapter 1 - Introduction

The existing plant is a 0.015 mgd extended aeration steel package plant with dechlorination and discharge to the St. Johns River. The plant serves a 19 unit townhomes complex and the adjacent marina. Wastewater from the complex flows into a pumping station located adjacent to the plant before being lifted into the treatment unit's aeration tank. Flow from the aeration tank enters a clarifier where the solids are separated from the liquid. Effluent from the clarifier enters a 1460 gallon chlorine contact chamber for disinfection. The effluent leaves the plant by gravity where it flows through a dechlorination unit prior to discharge to the river for disposal.

Solids from the clarifier is returned to the treatment unit by the return sludge air lift. Excess sludge is stored in the digester or hauled off by independent contractor.

Effluent from the plant discharges via a 6-inch gravity line to the river after dechlorination.

Chapter 2 - Existing Conditions

Permitted Capacities:

The plant is presently permitted for 15,000 gallons per day. The discharge parameters are as follows:

flow:	0.015 gpd	Daily 5/wk
BOD:	20 ppm	Monthly Grab
SS:	20 ppm	Monthly Grab
pH:	6-8.5	Daily 5/wk
Chlorine Residual (contact tank)	0.5-1.0	Daily 5/wk
Residual (Outfall)	0.01	Daily 5/wk
Fecal	200/800	Monthly

Parameter	Annual	Monthly	Weekly	One time
B O D	20 ppm	30 ppm	45 ppm	60 ppm
S S	20 ppm	30 ppm	45 ppm	60 ppm

Monthly Average Daily Flows, Three-month Ave. Daily Flows, Annual Ave. Daily Flows:

The monthly operating reports were examined and the following tables were generated. The plant was constructed in the early 1980's with the construction of the townhomes. Flows have gradually increased over the years due to increases in the marina activities from an annual average of 8,000 to 10,000 gpd. Flows are reflective of the occupancy rate of the townhomes, the use of the Marina and any infiltration inflow entering the system. The past operator stated that the flows for the past few years have not changed appreciably. Table 1 shows the monthly, three month average and annual average flows for the facility for the data provided. Flows were measured by the elapsed timer on the influent pumps.

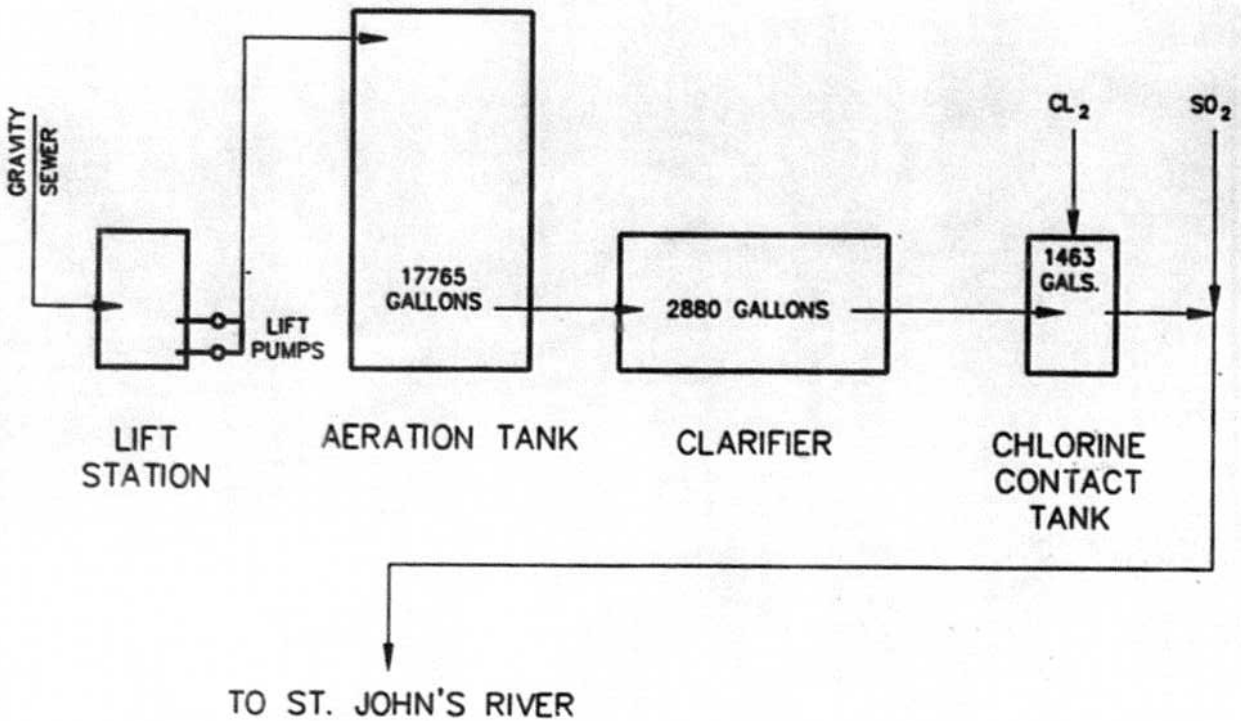
Chapter 3 - Future Conditions

The treatment plant for this facility was designed for only this facility. There are no plans to expand the facility or add additional connections to the wastewater treatment plant at this time. The plant was designed to handle 34 townhome units but as of this date, there are no plans to add the remaining units. The collection system only receives domestic waste. In fact there are plans for phaseout of this facility within the next few years depending on availability. At present, the County has no facilities to connect to economically.

Chapter 4 - Summary and Conclusions

The treatment plant is properly sized for the use intended and does not require enlarging or updating. The average flows are well within the capacity of the plant and require no expansion. There are no projections that will exceed the capacity of the existing plant within the next five years. When regional facilities are extended to this location, the plant will be eliminated.

FIGURE 1
PROCESS SCHEMATIC
POINTE TOWNHOMES WWF



J. LUCAS & ASSOCIATES, INC.
CONSULTING AND DESIGN ENGINEERS
10475 FORTUNE PARKWAY, SUITE 202
JACKSONVILLE, FLORIDA 32256
(904) 464-0090

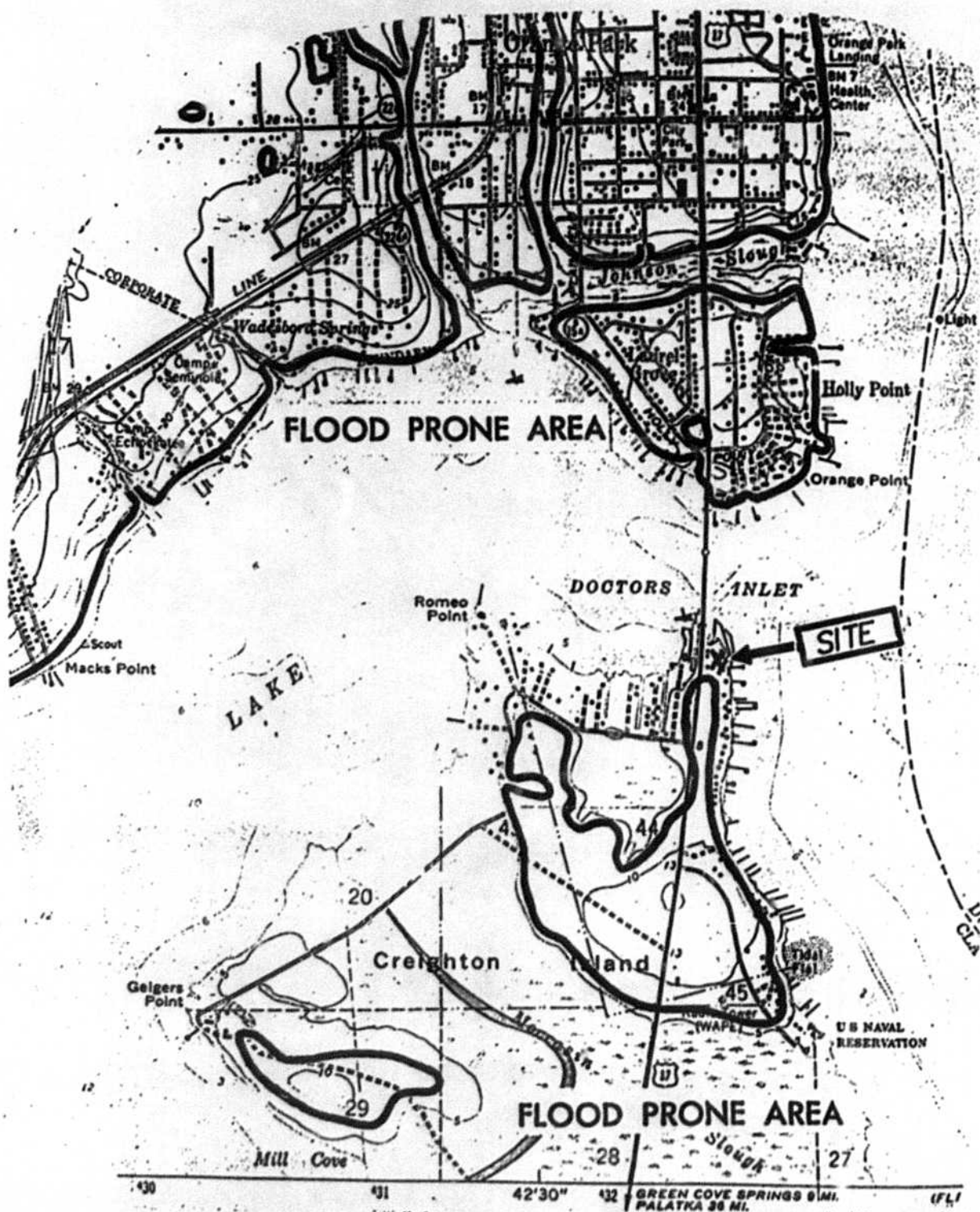


FIGURE 2
SITE PLAN/LOCATION PLAN
POINTE TOWNHOMES WWF

J. LUCAS & ASSOCIATES, INC.

CONSULTING AND DESIGN ENGINEERS

10475 FORTUNE PARKWAY, SUITE 202

JACKSONVILLE, FLORIDA 32256



THE POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

FLOW ANALYSIS

	MONTH	MGD	3 MONTH AVERAGE	PERCENT OF CAP.	ANNUAL AVERAGE	PERCENT OF CAP.	RATIO 3 MO/AN. AVE.
1993	January	0.005					
	February	0.005					
	March	0.004	0.0047	31.11			
	April	0.005	0.0047	31.11			
	May	0.007	0.0053	35.56			
	June	0.009	0.0070	46.67			
	July	0.005	0.0070	46.67			
	August	0.006	0.0067	44.44			
	September	0.006	0.0057	37.78			
	October	0.005	0.0057	37.78			
	November	0.006	0.0057	37.78			
	December	0.006	0.0057	37.78	0.0058	38.33	0.9855
1994	January	0.006	0.0060	40.00	0.0058	38.89	1.0286
	February	0.006	0.0060	40.00	0.0059	39.44	1.0141
	March	0.006	0.0060	40.00	0.0061	40.56	0.9863
	April	0.006	0.0060	40.00	0.0062	41.11	0.9730
	May	0.006	0.0060	40.00	0.0061	40.56	0.9863
	June	0.005	0.0057	37.78	0.0058	38.33	0.9855
	July	0.006	0.0057	37.78	0.0058	38.89	0.9714
	August	0.006	0.0057	37.78	0.0058	38.89	0.9714
	September	0.009	0.0070	46.67	0.0061	40.56	1.1507
	October	0.006	0.0070	46.67	0.0062	41.11	1.1351
	November	0.005	0.0067	44.44	0.0061	40.56	1.0959
	December	0.006	0.0057	37.78	0.0061	40.56	0.9315
1995	January	0.008	0.0063	42.22	0.0063	41.67	1.0133
	February	0.007	0.0070	46.67	0.0063	42.22	1.1053
	March	0.007	0.0073	48.89	0.0064	42.78	1.1429
	April	0.008	0.0073	48.89	0.0066	43.89	1.1139
	May	0.008	0.0077	51.11	0.0068	45.00	1.1358
	June	0.007	0.0077	51.11	0.0069	46.11	1.1084
	July	0.008	0.0077	51.11	0.0071	47.22	1.0824
	August	0.01	0.0083	55.56	0.0074	49.44	1.1236
	September	0.01	0.0093	62.22	0.0075	50.00	1.2444
	October	0.01	0.0100	66.67	0.0078	52.22	1.2766
	November	0.011	0.0103	68.89	0.0083	55.56	1.2400
	December	0.009	0.0100	66.67	0.0086	57.22	1.1650
1996	January	0.008	0.0093	62.22	0.0086	57.22	1.0874
	February	0.009	0.0087	57.78	0.0088	58.33	0.9905
	March	0.011	0.0093	62.22	0.0091	60.56	1.0275
	April	0.014	0.0113	75.56	0.0096	63.89	1.1826
	May		0.0125	83.33	0.0097	64.85	1.2850
	June	0.007	0.0105	70.00	0.0097	64.85	1.0794
	July	0.015	0.0110	73.33	0.0104	69.09	1.0614
	August	0.009	0.0103	68.89	0.0103	68.48	1.0059
	September	0.007	0.0103	68.89	0.0100	66.67	1.0333
	October	0.011	0.0090	60.00	0.0101	67.27	0.8919

OPERATION AND MAINTENANCE PERFORMANCE REPORT

POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

CLAY COUNTY

DER NO. 3110PO0304

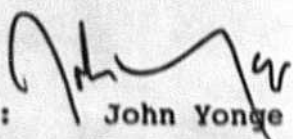
DEP PERMIT NO. DO10-221312

EXPIRES JUNE 30, 1996

January 20, 1997


CERTIFICATIONS

Permittee:


Name: John Yonge
Company: Point Water and Sewer, Inc.
Address: 4753 Raggedy Point Road
City: Orange Park, Florida 32073
County: Clay
Phone No.: (904) 269-1825

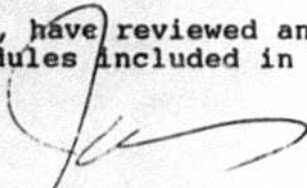
We, the above signee, have reviewed and is fully aware of the recommendations and schedules included in the report.

Operator:


Name: Mr. Ed McCormick
Company: Coastal Utility Services
Address: 9615 Shellie Road
City: Jacksonville, Florida 32257
Phone: (904) 262-4035
Certification No. C-0187

We, the above signee, have reviewed and is fully aware of the recommendations and schedules included in the report.

Engineer:


Name: James M. Lucas, P.E.
Company: J. Lucas & Associates, Inc.
Address: 10475 Fortune Parkway, Suite 202
City: Jacksonville, Florida 32256
Phone: (904) 464-0090

This is to certify that the information contained in the report is true and correct to the best of our knowledge, the report was prepared in accordance with sound engineering principles, and that the recommendations and schedules were discussed with the permittee or their representative and the lead operator and agrees that if the recommended schedules for corrective action are met, the facilities, when properly operated and maintained, will comply with all applicable statutes of the State of Florida and rules of the Department.

Chapter 1 - Introduction

The existing plant is a 0.015 mgd extended aeration steel package plant with discharge to the St. Johns River. The plant serves a 19 unit townhomes complex and the adjacent marina. Wastewater from the complex flows into the plant lift station where it is pumped to the aeration unit. Flow from the treatment unit enters a clarifier where the solids are separated from the liquid. Effluent from the clarifier enters a 1463 gallon chlorine contact chamber for disinfection. The effluent then flows through a dechlorine unit before discharging by gravity to the St. Johns River for disposal.

Solids from the clarifier is returned to the treatment unit by the return sludge air lift. Excess sludge is sent to the aerobic digester/sludge holding tank or hauled off by independent contractor. Effluent from the plant discharges via a 6-inch gravity outfall to the river.

The plant is presently permitted for 15,000 gallons per day. The discharge parameters are as follows:

flow:	0.015 gpd	Daily 5/wk
BOD:	20 ppm	Monthly Grab
SS:	20 ppm	Monthly Grab
pH:	6-8.5	Daily 5/wk
Chlorine Residual (contact tank)	0.5-1.0	Daily 5/wk
Residual (Outfall)	0.01	Daily 5/wk
Fecal	200/800	Monthly

Parameter	Annual	Monthly	Weekly	One time
B O D	20 ppm	30 ppm	45 ppm	60 ppm
S S	20 ppm	30 ppm	45 ppm	60 ppm

Monthly Average Daily Flows, Three-month Ave. Daily Flows, Annual Ave. Daily Flows are all shown in Table No. 1 and the Plant Performance Analysis is shown in Table No. 2

The monthly operating reports were examined and the following tables were generated. The plant was constructed in the early 1980's with the construction of the townhomes. Flows have fluctuated but not changed substantially since units have been occupied. Flows are reflective of the occupancy rate of the townhomes, the use of the Marina and the amount of infiltration inflow entering the system. The past operator stated that the flows for the past few years have not changed. Table 1 shows the monthly, three month average and annual average flows for the facility for the data provided. Flows were measured by the elapsed timer on the influent pumps.

Chapter 2 - Physical Conditions

At the Point Townhomes Wastewater Facility, there are numerous unit processes required for the treatment of wastewater. These components and processes used at the plant are as follows:

A. Pumping

Raw water pumping is conducted by the lift station located adjacent to the treatment plant. The plant receives flow from the station via a 4-inch force main.

B. Biological Treatment - Activated Sludge

There is one package extended aeration plant at this facility with sizes and flow ratings shown on the flow diagram.

C. Sedimentation - Final

There is a secondary clarifier.

D. Disinfection

Flow from the treatment unit is directed to the chlorination chamber. The chlorination system at present consists of solid tablet chlorine feed.

E. Dechlorination

Since this plant discharges to surface waters, there is dechlorination using a dechlorination chamber. The dechlorine solution is fed in solid form.

F. Residuals Treatment - Aerobic digestion

Treatment of residuals consists of aerobic digestion in the digester / sludge holding tank. Excess residuals are disposed of by independent

carrier to an approved disposal site.

G. Instrumentation

There is no instrumentation at this plant except for the elapsed time meters on the influent pumps.

H. Laboratory

There is no laboratory located at the plant. Operator uses portable lab equipment for in field testing and contracted laboratory for other testing.

I. Discharge

The plant discharges through a 6" outfall directly to the St. Johns River.

The field visit did not reveal evidence of hydraulic overload at this facility. The visit did reveal a plant in good condition. This observation was also made by DEP in their last visit to the plant on October 23rd. At that date, they suggested relocating the chlorine tablet basket away from the effluent discharge point to allow adequate disinfection prior to discharge. Our visit revealed that two chlorine baskets were put at the effluent launder of the clarifier prior to discharge to the chlorine contact tank. The existing tanks are in good condition due mainly to good maintenance. In general, the plant is operating well and efficiently.

The District noticed gas bubbles rising from the chlorine contact tank which would be an indication of sludge accumulation. Our visit indicated that this problem has been corrected. This in fact was caused by a leaky scum air lift located in the chlorine contact tank. The plant is equipped with a bottom air lift to remove solid material that may settle in this tank. The operator routinely checks for solids accumulation.

Chapter 3 - Treatment Efficiency

In table 2, a summary was made on the performance analysis of the plant for the last 46 month period from January 1993 thru October 1996. The discharge conditions are being met through the proper operation of this plant. The overall treatment efficiency of the plant appears adequate for discharge to the St. Johns River during this interim period until County service is available.

Examining the individual units, each unit is operating within the normal parameters for extended aeration. Under extended aeration, there must be a 15 to 24 hour detention time allowed. There is 28.4 hours detention time designed in the plant aeration zone. The clarifier was designed for a surface loading rate of 400 gallons per day per sq. ft. Based on the latest 3 month average

daily flow of .009 mgd, the aeration detention time is 47.4 hours. The surface loading rate for the clarifier based on the same three month average is 233 gallons per day per sf. Both these parameters are well within the limits of extended aeration.

The chlorine contact chamber does not show signs of short circuiting. With the chlorine being added to the effluent of the clarifier, the effluent has adequate time to mix and disinfect prior to discharge.

Chapter 4 - Performance Trends

Reviewing the operating data in Table 2, we see no change in the characteristics of the wastewater entering the plant. We see no change in the makeup of the service area and do not anticipate any modifications in the type of waste from this area. The flow records do not indicate an excessive infiltration/ inflow problem. The loadings into the plant are within the capabilities of the unit processes within the plant. The treatment facility, with proper operation and maintenance, should be capable of producing an effluent within permit limits through the life of the operation permit or until County service is available. The plant is within their limits to date.

The plant operation data does not show that there is an I/I problem at this facility. Therefore, the current I/I is within the limits of the plants ability to meet the discharge limits.

There are no plans to expand the service area beyond the development property. Therefore, there are no plans to expand the plant. This plant will be phased out when regional systems are available. There have been no bypasses of untreated wastewater from this treatment plant.

Chapter 5 - Operation and Maintenance Program

There are no record drawings of the plant. There is a generic general operation and maintenance manual at the office of the operator to be used by the operators in reference to the operation of the facilities. There is no suitable place to store written material at the site. The operation and maintenance manual is continually updated as equipment and processes are phased out and new systems are added. However, there have not been any additional systems added to this facility since startup. All equipment are basic common equipment for facilities of this size and are readily available. The operator is very familiar with the equipment at the plant and keeps the equipment bulletins at his main office.

The operators keep records on operation and maintenance in a log kept on the property. This facility has been inspected by the Florida Department of Environmental Protection in the past. All records were in order at that time. The plant is adequately staffed. All testing done is acceptable as stated in their last

State inspection.

Chapter 6 - Collection System Evaluation

Based on the flow evaluation shown in the capacity analysis report, the system does not experience an overabundance of inflow during rain events.

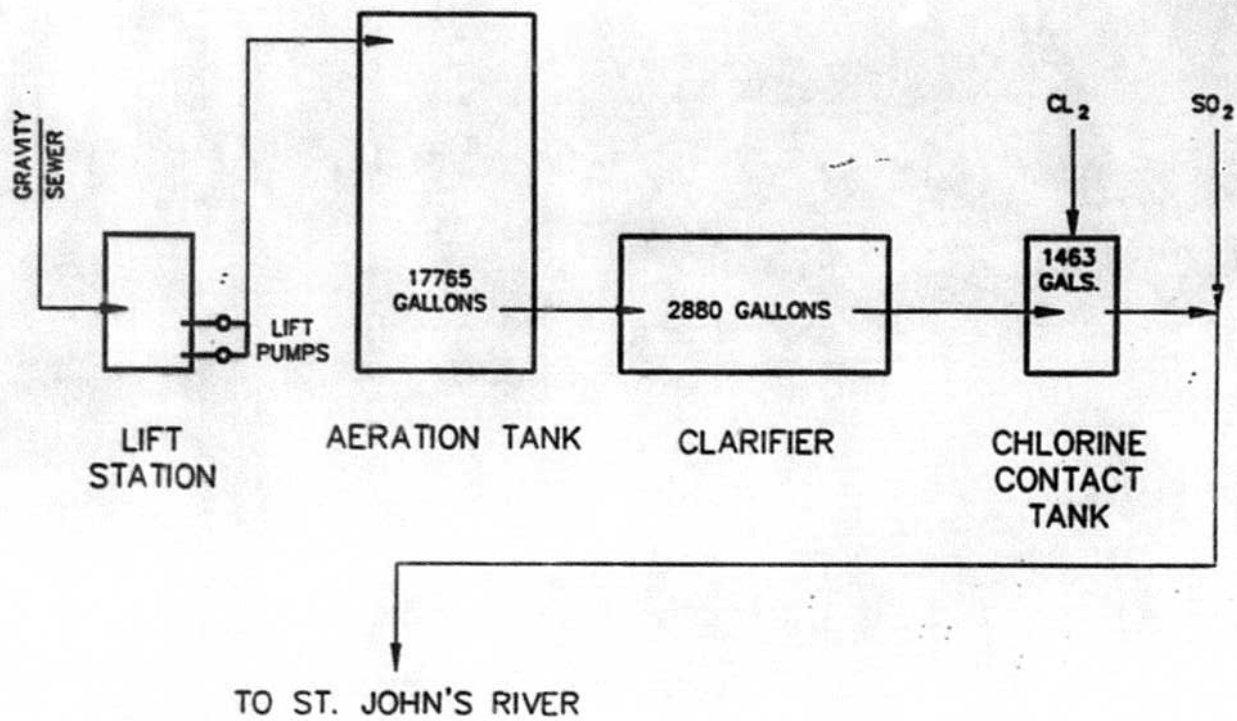
There are 19 lots and a marina tied into the plant. Estimated flow per capita is unable to determine due to the nature of the marina.

Based on interviews with the operation personnel, there are no septic sewer problems within the collection system. There are no industrial waste contributors in this system. The plant is not affected by any toxic materials discharged into the system.

Chapter 7 - Problems, Deficiencies and Corrective Actions

The treatment plant is operating well and should operate successfully throughout the permit period without any modifications.

FIGURE 1
PROCESS SCHEMATIC
POINTE TOWNHOMES WWF



J. LUCAS & ASSOCIATES, INC.
CONSULTING AND DESIGN ENGINEERS
10475 FORTUNE PARKWAY, SUITE 202
JACKSONVILLE, FLORIDA 32256
(904) 464-0090

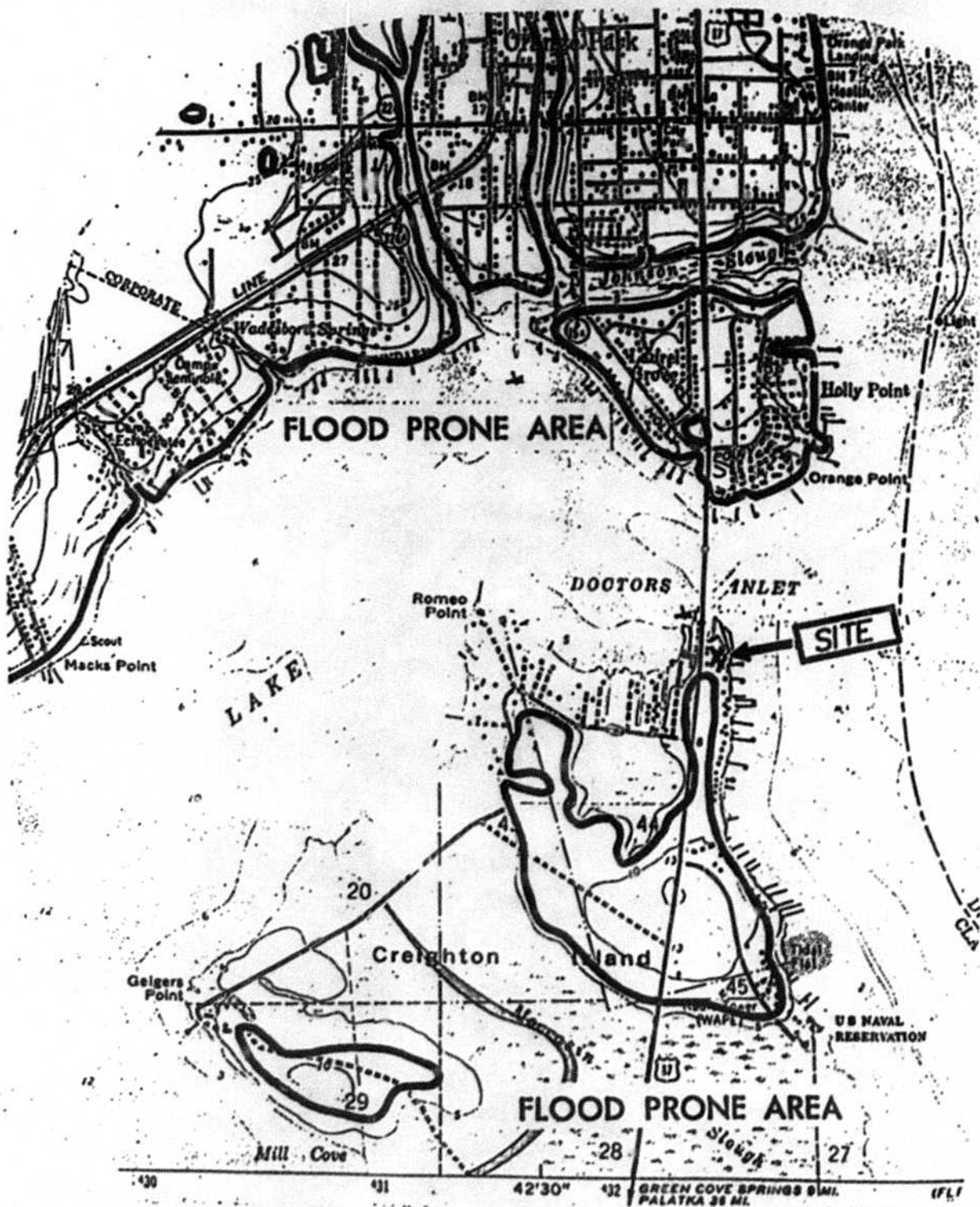


FIGURE 2
SITE PLAN/LOCATION PLAN
POINTE TOWNHOMES WWF

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CONSULTING AND DESIGN ENGINEERS

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THE POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

FLOW ANALYSIS

	MONTH	MGD	3 MONTH AVERAGE	PERCENT OF CAP.	ANNUAL AVERAGE	PERCENT OF CAP.	RATIO 3 MO/AN. AVE.
1993	January	0.005					
	February	0.005					
	March	0.004	0.0047	31.11			
	April	0.005	0.0047	31.11			
	May	0.007	0.0053	35.56			
	June	0.009	0.0070	46.67			
	July	0.005	0.0070	46.67			
	August	0.006	0.0067	44.44			
	September	0.006	0.0057	37.78			
	October	0.005	0.0057	37.78			
	November	0.006	0.0057	37.78			
	December	0.006	0.0057	37.78	0.0058	38.33	0.9855
1994	January	0.006	0.0060	40.00	0.0058	38.89	1.0286
	February	0.006	0.0060	40.00	0.0059	39.44	1.0141
	March	0.006	0.0060	40.00	0.0061	40.56	0.9863
	April	0.006	0.0060	40.00	0.0062	41.11	0.9730
	May	0.006	0.0060	40.00	0.0061	40.56	0.9863
	June	0.005	0.0057	37.78	0.0058	38.33	0.9855
	July	0.006	0.0057	37.78	0.0058	38.89	0.9714
	August	0.006	0.0057	37.78	0.0058	38.89	0.9714
	September	0.009	0.0070	46.67	0.0061	40.56	1.1507
	October	0.006	0.0070	46.67	0.0062	41.11	1.1351
	November	0.005	0.0067	44.44	0.0061	40.56	1.0959
	December	0.006	0.0057	37.78	0.0061	40.56	0.9315
1995	January	0.008	0.0063	42.22	0.0063	41.67	1.0133
	February	0.007	0.0070	46.67	0.0063	42.22	1.1053
	March	0.007	0.0073	48.89	0.0064	42.78	1.1429
	April	0.008	0.0073	48.89	0.0066	43.89	1.1139
	May	0.008	0.0077	51.11	0.0068	45.00	1.1358
	June	0.007	0.0077	51.11	0.0069	46.11	1.1084
	July	0.008	0.0077	51.11	0.0071	47.22	1.0824
	August	0.01	0.0083	55.56	0.0074	49.44	1.1236
	September	0.01	0.0093	62.22	0.0075	50.00	1.2444
	October	0.01	0.0100	66.67	0.0078	52.22	1.2766
	November	0.011	0.0103	68.89	0.0083	55.56	1.2400
	December	0.009	0.0100	66.67	0.0086	57.22	1.1650
1996	January	0.008	0.0093	62.22	0.0086	57.22	1.0874
	February	0.009	0.0087	57.78	0.0088	58.33	0.9905
	March	0.011	0.0093	62.22	0.0091	60.56	1.0275
	April	0.014	0.0113	75.56	0.0096	63.89	1.1826
	May		0.0125	83.33	0.0097	64.85	1.2850
	June	0.007	0.0105	70.00	0.0097	64.85	1.0794
	July	0.015	0.0110	73.33	0.0104	69.09	1.0614
	August	0.009	0.0103	68.89	0.0103	68.48	1.0059
	September	0.007	0.0103	68.89	0.0100	66.67	1.0333
	October	0.011	0.0090	60.00	0.0101	67.27	0.8919

THE POINT TOWNHOMES WASTEWATER TREATMENT FACILITY

PERFORMANCE ANALYSIS

		FLOW - MGD ADF	INFLUENT		EFFLUENT		pH	Chl Resid CCC	Chl Resid Out.	FECAL
			BOD	TSS	BOD	TSS				
1993	January	0.005	405	359	6.4	15	7.4	0.5	0.01	100
	February	0.005			29.4	11	7.25	0.5	0.01	100
	March	0.004	232	60	18.5	1	7.2	0.5	0.01	10
	April	0.005	145	180	1	2	7.2	1	0.01	10
	May	0.007	630	207	11.3	6	6.9	0.5	0.01	
	June	0.009	300	77	3.2	2	7	0.5	0.01	10
	July	0.005	63	3	2	1	7.4	0.1	0.01	10
	August	0.006	120	47	4.5	7	7.45	0.1	0.01	10
	September	0.006	420	457	23.5	7	7.095	0.5		10
	October	0.005	60	5	16	4	7	0.2	0.01	10
	November	0.006	145	73	3.5	1	7.15	0.8	0.01	10
	December	0.006	233	290	5.9	4	7.2	0.6	0.01	10
	Average	0.006	319	325	6.2	9.5	7.3	0.55	0.01	55
1994	January	0.006	152	92	1	1	7.1	0.5	0.01	10
	February	0.006	141	100	9.7	5	7.1	0.5	0.01	10
	March	0.006	239	370	4.1	1	7.15	1	0.01	1
	April	0.006	158	70	1.7	1	7.2	0.8	0.01	10
	May	0.006	101	367	1.8	2	7.45	0.5	0.01	
	June	0.005	169	28	10.1	1	7.15	0.5	0.01	2
	July	0.006	103	44	10.4	1	7.15	0.5	0.01	88
	August	0.006	129	126	1.3	1	6.9	0.5	0.01	4
	September	0.009	101	98	5.6	8	6.95	0.5	0.01	2
	October	0.006	340	407	3.3	1	7.35	0.7	0.01	
	November	0.005	200	306	2.6	1	7.15	0.5	0.01	
	December	0.006	109	22	4	8	7.65	0.8	0.01	1552
	Average	0.006	162	169	4.6	2.6	7.19	0.61	0.01	187
1995	January	0.008	80	70	7.2	1	7.7	0.8		1
	February	0.007	135	76	4.4	2	7.75	0.8		2
	March	0.007	55	64	2	4	7.4	0	1.4	2
	April	0.008	206	216	5	3	7.25	0.5	1	2
	May	0.008	354	544	2	4	7.4	0.5	0.8	2
	June	0.007	232	342	2	4	7.35	0.5	0.8	2
	July	0.008	199	132	2	2	7.4	0.5	1	1600
	August	0.01	156	278	2	4	7.45	0.5	0.01	2
	September	0.01	262	360	2	10	7.45	0.5	0.8	2
	October	0.01	448	656	2	7	7.5	0.5	0.8	2
	November	0.011	261	750	2	17	7.45	0.6	0.01	2
	December	0.009	263	932	2	2	7.5	0.5	0.01	2
	Average	0.009	221	368	2.9	5	7.47	0.5	0.66	135
1996	January	0.008	110	71	2	6	7.45	0.5	0.01	6
	February	0.009	157	56	2	2	7.45	0		2
	March	0.011	318	120	2	1	7.45	0	0.01	2
	April	0.014	258	216	2	1	7.45	0	0.01	2
	May									
	June	0.007	177	92	2	1	7.45	0	0.01	2
	July	0.015	183	356	2	3	7.45	0	0.01	2
	August	0.009	218	16	2	1	7.45	1	0.01	2
	September	0.007	242	284	2	1	7.45	1	0.01	2
	October	0.011	166	220	5	1	7.45	1	0.01	2
	Average	0.010	203	159	2.3	1.9	7.45	0.4	0.01	2

ATTACHMENT 2

FIELD EVALUATION OF COMPONENT OPERATIONS

POINT TOWNHOMES WASTEWATER FACILITY

PHYSICAL CONDITION

Hydraulic and Organic Overloading

1. Is there evidence of past spills at the plant or through nearby (upstream) manholes? (Discoloration of the ground or a strong smell may indicate past spills at the plant.) ☐ yes ☒ no
2. Are raw sewage pumping stations, influent lines, overflow weirs, or other structures surcharged? ☐ yes ☒ no
3. Is there flow through bypass channels? ☐ yes ☒ no
4. Are there old high water lines or are the weirs on the clarifier flooded? ☐ yes ☒ no
5. Are there overflows at alternative discharge points, channels, or other areas? ☐ yes ☒ no
6. Are there any open-ended pipes that appear to originate in a process or storage area and periodically contain flows to the ground or to surface water? (Although these pipes have been disconnected from a closed system or otherwise removed from service, they can still be connected to a discharge source.) ☐ yes ☒ no
7. Is the facility receiving excessive septage dumping from septic tanks? ☐ yes ☒ no
8. Are checks for overflows performed routinely? ☒ yes ☐ no

General Condition

1. Is there evidence of corrosion problems at the treatment plant and in the collection system? ☐ yes ☒ no
2. Do any of the units or associated equipment show signs of excessive wear? ☐ yes ☒ no

Rule Requirements

1. Does each component, system, or process meet the applicable reliability standards required by Rule 17-600.400(1)(b), F.A.C.? ☒ yes ☐ no
2. Does the facility have adequate alarm systems for power or equipment failures as recommended by standard design references?
☒ yes ☐ no *High level alarm on L.S. only*
Are they working properly? ☒ yes ☐ no

4. Is there any unusual equipment intended to correct operational problems (e.g. special pumps, floating aerators in diffused air systems, chemical feeders, temporary construction or structures, or any improvised systems)? () yes (✓) no

5. Are all components, systems, and processes expected to continue to operate properly for the permit period? (✓) yes () no

If no, explain. _____

Safety Features

1. Are proper safety precautions used for each component, system, and process? (✓) yes () no

If no, explain. _____

2. Is a written set of safety rules available to all employees? () yes (✓) no

3. Is the plant generally clean and free from open trash areas? (✓) yes () no

4. Is the plant site enclosed with a fence or otherwise designed with appropriate features that discourage the entry of animals or unauthorized persons? (✓) yes () no

5. Are wastewater pipes clearly distinguished from product pipes? () yes (✓) no

6. Are there any cross connections between a potable water supply and non-potable source? () yes (✓) no *has adequate backflow preventer*

7. Does the plant have the following recommended safety equipment?

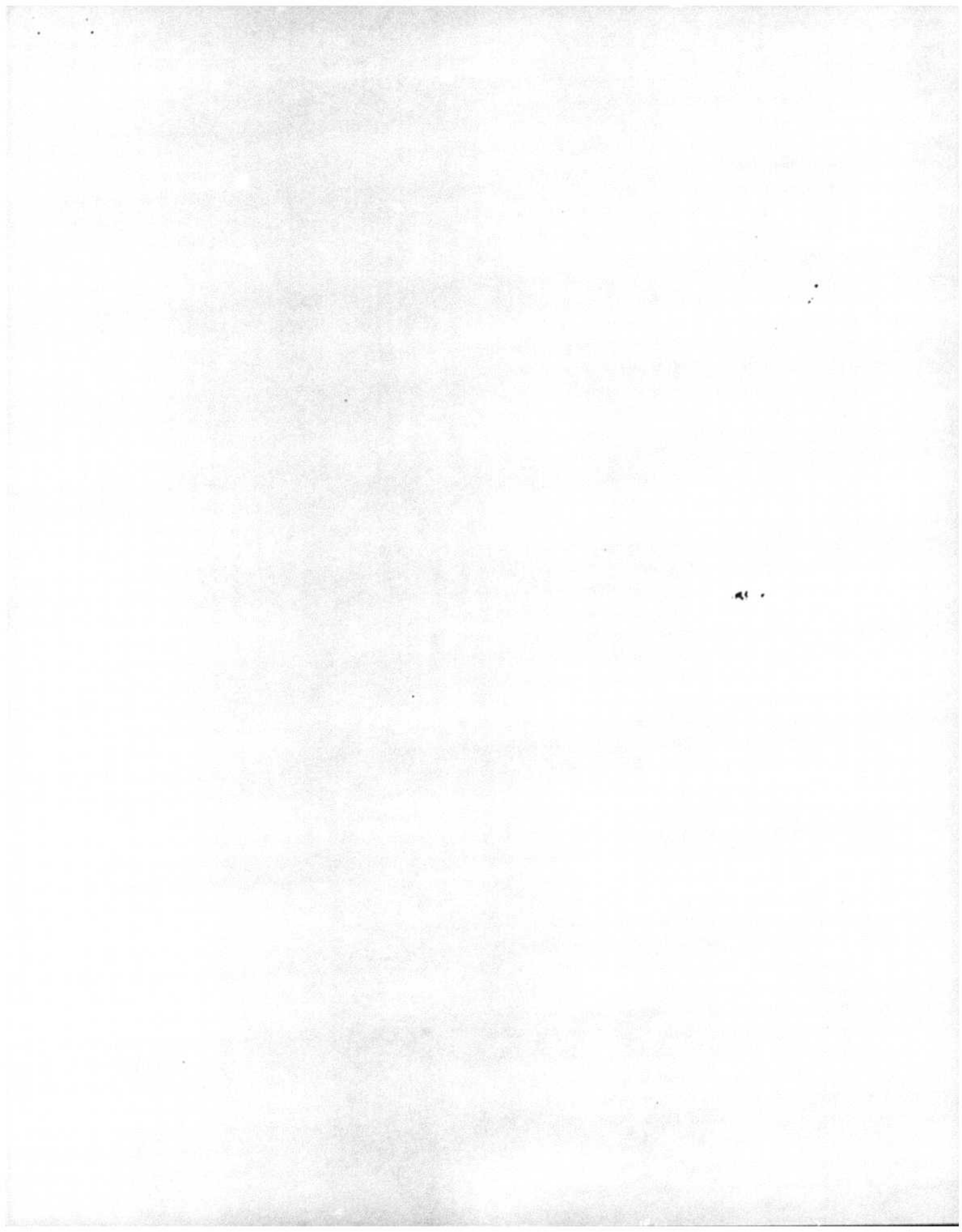
a. Portable air blower (gas motor or electric motor operated)
() yes (✓) no

b. Electric explosion-proof lantern () yes (✓) no

c. Safety harness () yes (✓) no

23. Are chemicals stored properly? (☒ yes () no
24. Are undiked oil/chemical storage tanks used at the facility?
() yes () no (☒ not applicable
25. Are chemical storage tanks designed to handle the particular chemical? () yes () no (☒ not applicable
26. Are storage bins provided with dust collectors and vents?
() yes () no (☒ not applicable
27. Are storage bins large enough to avoid continuous filling which requires the presence of an operator all the time?
() yes () no (☒ not applicable
28. Are access points for sampling dry points which can be reached safely? (☒ yes () no

3. Are analytical results consistent with the data reported in the following?
 - a. Monthly operating report (☒ yes () no
 - b. Limited wet weather discharge report () yes (☒ no
 - c. Ground water monitoring report () yes (☒ no
 - d. Reclaimed water or effluent analysis report () yes (☒ no
4. Do sampling and analyses data include the following?
 - a. Dates, times, and location of the sampling (☒ yes () no
 - b. The name of the individual performing the sampling (☒ yes () no
 - c. The analytical methods and techniques used (☒ yes () no
 - d. The results of the analyses and calibration (☒ yes () no
 - e. The dates of the analyses (☒ yes () no
 - f. The name of the person performing the analyses (☒ yes () no
 - g. The instantaneous flow at the grab sample station () yes (☒ no
5. Do monitoring records include records for all parameters that must be monitored in accordance with the permit? (☒ yes () no
6. Are flow meter calibration records available?
() yes () no *N/A ETM meters*
7. Are laboratory equipment calibration and maintenance records adequate?
(☒ yes () no
8. Are plant records adequate and do they include the following?
 - a. A copy of the Department permit (☒ yes () no
 - b. An up-to-date operation and maintenance manual (☒ yes () no
generic O&M manual
 - c. Record drawings () yes (☒ no
 - d. Schedules and dates of equipment maintenance repairs
(☒ yes () no *in log book*
 - e. Equipment suppliers manual () yes (☒ no
 - f. Equipment data cards or equal () yes (☒ no



16. If the pump station is constant speed, do sudden surges affect the operation of the treatment facility when each pump is activated?
() yes (☒) no () not applicable
17. What is the general condition of the raw wastewater pump station?
(☒) good () fair () poor
18. What are the most common problems that the operator has had with the pump station? If there are problems with the screens, use the section on screens. An occasional clog which is easily removed
from the above ground pumps.
None in last 18 mo. 2.

FLOW MEASUREMENT

1. What type of flow meter is used? ☐ propeller meter
☐ magnetic meter ☐ venturi tube ☐ flow tube
☐ positive displacement ☐ diaphragm meter ☐ weir
☐ Parshall flume ☐ rotameter ☒ other ETH on influent pumps
2. What is the design capacity of the flow measurement device?
 mgd
3. What is the present wastewater flow measured? mgd
4. Where is the flow meter located? on influent pumps
5. Are the flow measurement device and associated instruments
(totalizers, recorders, etc.) properly installed? ☒ yes ☐ no
6. Is there adequate straight length of pipe or channel before and after
the flowmeter? ☐ yes ☐ no N/A
7. Is the flow entering the flume reasonably well-distributed across the
channel and free of turbulence, boils, or other disturbances?
☐ yes ☐ no ☒ not applicable.
8. Is the flow measurement system capable of measuring the entire range
of wastewater flow? ☒ yes ☐ no
9. Are flow measurements being properly made by plant personnel?
☒ yes ☐ no
10. Are flow records properly kept? ☒ yes ☐ no
11. Are sharp drops or increases in flow records accounted for?
☐ yes ☐ no N/A
12. Does the flow chart exhibit uniform flow? ☐ yes ☐ no N/A
13. Do any plant return flows discharge upstream from the meter?
☐ yes ☒ no
14. Are float and bubble wells clean and free of grease and debris?
☐ yes ☐ no ☒ not applicable
15. Are weirs free of debris? ☐ yes ☐ no ☒ not applicable
16. Are weirs or flumes broken or cracked?
☐ yes ☐ no ☒ not applicable
17. Are weir plates corroded or damaged, not sharp edged ($\leq 1/8"$), or not
level? ☐ yes ☐ no ☒ not applicable
18. Are stilling wells clogged or broken?
☐ yes ☐ no ☒ not applicable

BIOLOGICAL TREATMENT

Activated Sludge

1. How many aeration basins are there? 1
2. What is the design capacity of each basin? 10,015 mgd
3. What is the actual flow to each basin? 0,010 mgd average
0,014 mgd peak
4. What is the flow regime? (☒ conventional) (☐ step aeration)
(☐ complete mix) (☐ pure oxygen) (☐ other) _____
5. What type of aeration equipment is used?
(☒ diffused air) (☐ mechanical aerators) (☐ other) _____
6. What are the dimensions of each aeration basin? 12' Ø x 21' long.
7. What is the color of the activated sludge? (☐ black) (☐ dark brown)
(☐ light brown) (☒ other) medium brown
8. What is the odor of the activated sludge? (☐ septic) (☒ earthy)
(☐ none) (☐ other) _____
9. What characteristics most accurately describe the foam?
(☒ light, crisp) (☐ thick, dark) (☐ heavy, white) (☐ other) _____
10. Are the tank contents mixed thoroughly? (☒ yes) (☐ no)
11. Are there excessive air leaks in the compressed air piping?
(☐ yes) (☒ no) (☐ not applicable)
12. Is the dissolved oxygen level in the aeration tank low (<1.0 mg/l)?
(☐ yes) (☒ no)
13. Does mixing appear excessive? (☐ yes) (☒ no)
14. Does air rise in clumps? (☐ yes) (☒ no)
15. Do there appear to be dead spots in the aeration basin?
(☐ yes) (☒ no)
If yes, at what location? _____
16. What is the depth of the sand and grit layer? ± 1" feet
17. What is the active capacity of the aeration basin?
2,375 cubic feet
18. Is the process operating in its design mode? (☒ yes) (☐ no)
If no, explain. _____

19. Are the return activated sludge pumps operating? (☒) yes () no
If no, what is the reason? _____
20. Are there flow measurement devices for the return activated sludge and waste activated sludge systems? () yes (☒) no
21. Does the aeration basin have a foam control system? () yes (☒) no
22. If multiple basins are operating, is the flow distributed equally?
() yes () no (☒) not applicable
How is it distributed? _____
23. Are the characteristics of the basin contents different in the various units? () yes () no (☒) not applicable
24. How is the system operated? () manually () semi-automatically
(☒) automatically () computer-controlled () other _____
25. What is the frequency of routine inspections for proper operation?
260 /day
26. What is the frequency of maintenance inspections by plant personnel?
260 /year
27. What is the general condition of the activated sludge facilities?
(☒) good () fair () poor
28. What are the most common problems that the operator has had with the activated sludge system? none in last 18 mos.

SEDIMENTATION

Final

- How many final sedimentation basins are there? 1
- What is the design capacity of each basin? .015 mgd average
.030 mgd peak
- What is the actual flow to each basin? .010 mgd average
.020 mgd peak
- What are the dimensions of the basins? 7' ϕ x 12' Deep
- Is chemical addition used to improve settling? ☐ yes ☒ no
If yes, what chemical(s) are added? _____
- Is there an excessive accumulation of scum, grease foam, or floating residuals in the clarifier? ☐ yes ☒ no
- Are there excessive gas bubbles on the surface of the clarifier?
☐ yes ☒ no
- Is there scum overflow, lack of adequate scum disposal, or is the scum pit full? ☐ yes ☒ no
- Does the tank surface indicate improper residuals withdrawal (i.e., excessive floating solids, gas, etc.)? ☐ yes ☒ no
- What volume of residuals is pumped? 15,000 gpd total
15,000 gpd RAS 150 gpd WAS
- What is the solids concentration of the residuals? $\pm 1.5\%$
- Are there settleable solids in the effluent? ☐ yes ☒ no
- How are residuals pumped? ☐ manually ☒ automatically
- How often do residuals pumps run? _____ number of times each day
How long do residuals pumps run? _____ number of minutes each time
- Does the residuals collection system show any signs of mechanical failure? ☐ yes ☒ no
As L.H. pump operator divers RAS to waste.
- Is there excessive residuals on the bottom of the basin (i.e., inadequate residuals removal)? ☐ yes ☒ no
- Is there excessive solids build-up in the center well of the clarifier? ☐ yes ☒ no
- What is the depth of the sand and grit layer? $\pm 1'$ feet

DISINFECTION

Chlorination

1. How many chlorine contact basins are there? 1
2. What is the design capacity of each basin? .015 mgd average
.030 mgd peak hourly flow
3. What is the actual flow to each basin? .010 mgd average
.020 mgd peak hourly flow
4. What are the dimensions of the basins? 195.5' x 6'
5. What is the detention time of each contact basin at peak hourly flow?
56 minutes
6. What chlorine dosage is applied? 10 mg/l (solid tablets)
7. What is the normal level of chlorine residual in the basin effluent?
.5-1 mg/l
8. Are disinfection standards being met? ☒ yes () no
9. What type of chlorination system is being used? () chlorine cylinders () on-site sodium hypochlorite generation () sodium hypochlorite solution () calcium hypochlorite solution
Solid Chlorine Tablets.
10. What is the design capacity of the chlorination system?
 lbs/day
What is the maximum capacity of the chlorination system?
 lbs/day
11. What is the configuration of the chlorine contact basin? () round
☒ rectangular () other
12. Is the contact basin adequately baffled to minimize short-circuiting?
☒ yes () no
13. How is chlorine introduced into the wastewater entering the contact basin? () perforated diffusers () injector with single entry point
☒ other? Tablet basins at surface
14. Are mechanical mixing provisions incorporated in the chlorine contact basins design? () yes ☒ no
15. Is there an adequate reserve supply of chlorine? ☒ yes () no
How many days of supply is maintained? 30 + 45 days
16. Are there high temperatures in the chlorination rooms?
() yes ☒ no

RESIDUALS TREATMENT

Aerobic Stabilization

1. How many aerobic digesters are there? 1
2. What is the design influent flow to each digester?
15 gallons/day average
3. What is the actual influent flow to each digester?
As needed gallons/day average
4. What are the dimensions of each unit? 1463 gal.
5. How many units are presently operating? 1
6. What type of residuals are treated in the aerobic digester?
(☒) waste activated () primary () primary and waste activated
() other _____
7. How often are residuals applied to the digester? As needed/day
8. What is the total duration of influent pumping? .5 hours/day
9. How are influent residuals pumped? (☒) manually () automatically
10. What is the solids concentration in the influent residuals? ±1.5 %
11. What is the solids concentration in the aerobic digesters? ±2 %
12. What type of aeration equipment is used? (☒) diffused air
() mechanical mixers () combination () other _____
13. If diffused aeration is used, do air diffusers require frequent cleaning? () yes (☒) no () not applicable
14. What type of aerobic digesters are used? (☒) open () closed
15. What type of aeration is provided? (☒) conventional () pure oxygen
16. What is the residuals retention time? ±45 days
17. What is the volatile suspend solids (VSS) loading?
_____ lb VSS/cu ft/day
18. What type of feed system is used? () continuous (☒) batch
19. What is the solids concentration of the residuals following settling?
3 %
20. How much waste residuals are pumped? As needed gallons/day

42. Does the unit show signs of short circuiting and/or overloads?
() yes (✓) no
43. Does the method of stabilization comply with either the Process to Further Reduce Pathogens (PFRP) or the Process to Significantly Reduce Pathogens (PSRP) as described in Title 40 Code of Federal Regulation's Part 257? () yes () no

If yes, which one? () PFRP () PSRP

If no, explain. _____

44. What is the frequency of routine inspections for proper operation?
260 /day
45. What is the frequency of maintenance inspections by plant personnel?
260 /year
46. What is the general condition of the aerobic digesters?
(✓) good () fair () poor
47. What are the most common problems that the operator has had with the aerobic digesters? _____

DISPOSAL SYSTEMS

Outfalls

1. How many outfalls are there? 1
2. What type of receiving waters does the outfall(s) discharge to?
☐ ocean ☐ estuary ☐ lake ☒ river ☐ other _____
3. What is the design capacity of each outfall?
.015 mgd average .030 mgd peak
4. What is the present discharge at each outfall?
.010 mgd average .020 mgd peak
5. What are the diameter and length of each outfall? 6" PVC, 800'±
6. Are the outfall diffusers functioning properly?
☐ yes ☐ no ☒ not applicable
7. Is the outfall(s) operating so that the discharge limitations specified in the permit are consistently met? ☒ yes ☐ no
8. How does the effluent flow in the outfall? ☒ gravity ☐ pressure
 If the flow is by gravity and if the outfall(s) extends into the receiving waters, is a manhole provided at the shore end of the outfall? ☐ yes ☒ no ☐ not applicable
9. Is adequate corrosion control provided (i.e., pipe coatings, cathodic protection, etc.)? ☒ yes ☐ no
10. For outfalls subject to tidal or high water backup, are flap valves or automatically closing gates functioning properly?
☐ yes ☐ no ☒ not applicable
11. Does the outfall(s) exhibit signs of scour or undercutting?
☐ yes ☒ no
12. Is the outfall(s) adequately protected from floodwaters, tides, and other hazards so as to reasonably ensure structural stability and prevent stoppage? ☒ yes ☐ no
13. Can effluent samples be obtained at a point after the final treatment process and before discharge to or mixing with the receiving waters?
☒ yes ☐ no
14. Are outfall and diffuser pipes routinely inspected for breakage and corrosion? ☒ yes ☐ no
15. What is the frequency of maintenance inspections by plant personnel?
260 /year

16. What is the general condition of the outfall facilities?
(☒) good () fair () poor

17. What are the most common problems that the operator has had with the plant outfall(s)? none

ASSIGNMENT

Know all men by these present, that IGR, Inc., a corporation (IGR) (successor to NOH, Inc. by merger) does for good and valuable consideration the receipt and sufficiency of which is acknowledged assign set over and transfer to Point Water & Sewer, Inc., a corporation (PWS) all of the rights, powers, duties and responsibilities of IGR, Inc. as Successor Declarant as defined and set forth in the Amended and Restated Declarations of Covenants, Conditions, Restrictions and Provisions for Party Wall of the Point, dated May 19, 1981 and recorded in ORB 628, page 432 public records of Clay County, Florida and amended by Second Amendment to Amended and Restated Declaration of Covenants, Conditions, Restrictions and Provisions for Party Wall of the Point, dated February 27, 1988 and recorded in ORB 1172, page 750 public records of Clay County, Florida and from this day forward PWS by the delivery and acceptance of this assignment shall be the Declarant as described in the above documents with all of the powers, authority, duty and responsibility thereunto appertaining and forever releasing IGR therefrom.

In witness whereof this assignment has been executed this 12th day of September, 1995 (*effective date*)

IGR, Inc.

BY: 

President

Acceptance

Point Water & Sewer, Inc., a corporation, hereby accepts this assignment and shall be the Successor Declarant.

Dated September 12, 1995 (*effective date*)

Point Water & Sewer, Inc.

BY: 

President



EXHIBIT

" 3 "

(CONDITIONAL SALES CONTRACT)

This Agreement, made the 12th day of September 1995

under the laws of the state of Florida
Belmont Point Water & Sewer, Inc., a corporation
located in the City of Miami, Florida, hereinafter called the "City"

Florida 32073
 "no record business address is (if none, write "none") 4753 Raggedy Point Road, Orange Park,
 and whose residence address is N/A
 and IGR, Inc. (successor to NOH, Inc., a corporation, herein called the Secured Party
 whose address is 1256 Seminole Drive, Ft. Lauderdale, FL 33304

The Deebart Party hereby agrees to sell and hereby sells, and the Deebart hereby agrees to buy and hereby buys upon the terms stated below the property described in the schedule hereto (hereinafter called the collateral), which collateral the Deebart represents will be used primarily

is the agreed price of \$ 100,000.00 which Debtor agrees to pay to the Creditor. Payee as follows:

☐ as payment of a loan or other indebtedness

☐ as payment of a debt or other obligation

☐ as payment of a debt or other obligation

☒ in full settlement of the debt or other obligation

together with interest shall be made by the Creditor on or before the date hereof, the Creditor hereby acknowledges and agrees that the balance of \$ 100,000.00 is in full settlement of the debt or other obligation of Debtor to Creditor.

As security for the said indebtedness and also to secure any other indebtedness of Debtor to Creditor, Debtor hereby grants, conveys, transfers, assigns, releases, waives, and agrees to release, waive, and defend the right of Creditor to the following:

000,000.00

DEBTOR WARRANTS, COVENANTS AND AGREES AS FOLLOWS:

[illegible][illegible]

insured, as additional security for a lender's interest. The insured Party all over which may become payable under such insurance, including return premiums and benefits, shall be deposited with the Party, and the Party shall have the right to cancel and assign such insurance and to assign the benefit of such insurance to the lender. The insured Party shall not be liable for the cost of such insurance, but the insured Party shall be liable for the cost of such insurance upon failure of the lender to do so. (Emphasis added.)

Secured Party at all reasonable times.
To have the collection, as Debtor's own cost and expense, in good repair and condition and available for inspection, by
written list, furnished by the Debtor of the obligations hereunder, the Secured Party shall retain and the Debtor shall
immediately notify the Secured Party in writing of any change in or discontinuance of Debtor's place or places of
business and/or residence.
That if the collection is to be attached to real estate, a description of the real estate and of Debtor's place or places of
business and/or residence.

THE PARTIES FURTHER AGREE

[illegible]

Notice to either party shall be in writing and shall be delivered personally or by mail addressed to the party at the address last known to the other party. If the party is a corporation, notice shall be delivered to the president, chief executive officer, or other officer or agent of the party. If the party is an individual, notice shall be delivered to the individual. The following shall constitute a delivery by mail: (a) a copy of the agreement shall be placed in a sealed envelope addressed to the party at the address last known to the other party; (b) the envelope shall be placed in the United States mail; and (c) a copy of the agreement shall be retained by the party for a period of 90 days after the date of mailing. Delivery by mail shall be deemed to have occurred on the date of mailing. Delivery by other means shall be deemed to have occurred on the date of delivery. The undersigned on my notice when due

Under the terms of the agreement, the Contractor shall be responsible for the performance of the work and for the payment of the Contractor's taxes and other obligations. The Contractor shall be responsible for the payment of the Contractor's taxes and other obligations. The Contractor shall be responsible for the payment of the Contractor's taxes and other obligations.

[illegible]

and the Debtor shall default in the performance of any of the provisions of this agreement or the Debtor's part to be performed by the Debtor may perform same for the Debtor's account and any monies so received shall be chargeable to the Debtor and added to the indebtedness aforesaid hereby.

The Debtor Party hereby authorized to file a financing statement.

WITNESSETH THAT THE FOREGOING IS THE TRUE AND CORRECT AGREEMENT OF THE PARTIES HERETO.

IN WITNESS WHEREOF, the Debtor Party has hereunto set its hand and seal this _____ day of _____, 19____.

Debtor Party

The terms, warranties and agreements herein contained shall bind and inure to the benefit of the respective parties hereto and their respective legal representatives, successors and assigns.

The gender and number used in this agreement are used as a reference term only and shall apply with the same effect whether the parties are of the masculine or feminine gender, corporate or other form, and the singular shall likewise include the plural.

This agreement may not be changed orally.

In Witness Whereof, the Parties have respectively signed and sealed these presents the day and year first above written.

Point Water & Sewer, Inc.

BY: 

President

IGR, Inc.

BY: 

President

SCHEDULE OF PROPERTY SOLD

Describe items of collateral and the address where each item will be located, if property is to be affixed to real estate describe the real estate and state the name and address of the owner of record thereof.

Items

Location, etc.

The water treatment plant and the sewer treatment plant and all easements, lines, pipes, equipment and machinery comprising and being a part of said plants located at the Point and serving the Point Townhouses as described in the Amended and Restated Declaration of Covenants recorded in ORB 628, page 432 public records of Clay County, Florida as amended by Second Amendment to Amended and Restated Declaration of Covenants recorded in ORB 1172, page 750 public records of Clay county, Florida as located at the Point Townhouses as shown on the attached survey.

The Point Townhouses
Orange Park, Florida at
the St. Johns River &
U.S. Highway #17

(See attached map)

The chief place of business of the Debtor, if other than stated in this agreement, is:

Security Agreement

(CONDITIONAL SALES CONTRACT)

DATED,



January 28, 1997

Public Service Commission
Tallahassee, Florida

Re: Point Water and Sewer, Inc.

Gentlemen:

I am writing to advise that Regent Bank has made available to Point Water and Sewer, Inc. a revolving line of credit in the amount of \$30,000.

If there are any questions or if any additional information is needed, please do not hesitate to contact us.

Sincerely,

Cyril S. Spiro
Chairman and President

EXHIBIT

" 4 "

AC# 4301590

STATE OF FLORIDA
Department of Business and Professional Regulation
WATER/WASTE WATER TREATMENT

DATE	BATCH NUMBER	LICENSE NBR
12/17/1996	96902781	WW -0000187

The CLASS C DOMESTIC WASTEWATER TREATMENT PLANT OPER.
Named below IS LICENSED
Under the provisions of Chapter 468 FS.
Expiration date: FEB 28, 1999

MCCORMACK, EDWARD J.
9603 SCHELLIE ROAD
JACKSONVILLE

FL 32257



LAWTON CHILES
GOVERNOR

DISPLAY AS REQUIRED BY LAW

RICHARD T. FARRELL
SECRETARY

EXHIBIT

"5"

POINT PROPERTY OWNERS ASSOC.
LORIE A. EASTERLING, PRESIDENT
324 SCENIC POINT LANE
ORANGE PARK, FLORIDA 32073

NOVEMBER 3, 1992

MR. CHARLES G. HOURIET, P.E.
DOMESTIC WASTE SECTION
DEPARTMENT OF ENVIRONMENTAL REGULATION
NORTHEAST DISTRICT
7825 BAYMEADOWS WAY SUITE B 200
JACKSONVILLE, FLORIDA 32256-7577

RE: THE POINT TOWNHOMES
DER PERMIT NO. D010-139088
PERMIT RENEWAL

DEAR MR. HOURIET:

PURSUANT TO AN AGREEMENT BETWEEN THE POINT PROPERTY OWNERS ASSOCIATION AND KAREN YONGE CARR, JIM YONGE AND NOH INC. WE ARE RESPONSIBLE FOR THE OPERATION OF THE ABOVE MENTIONED WASTEWATER TREATMENT PLANT.

AFTER RECEIVING YOUR RENEWAL APPLICATION, THE YONGES SENT US A COPY OF THE PAPERWORK (AFTER A LENGTHY DELAY, IT WAS RECEIVED BY US AROUND OCTOBER 18, 1992). IN FULFILLING OUR RESPONSIBILITY OF OPERATING THE PLANT, WE CONTRACTED AN ENGINEER AND PROCEEDED TO HAVE THE APPLICATION PROCESS COMPLETED.

WHEN THE ENGINEER, WHO WAS ALREADY WORKING UNDER A TIME CONSTRAINT, COMPLETED THE APPLICATION, I CONTACTED MS. YONGE CARR AND TOLD HER WE NEEDED HER SIGNATURE AS OWNER OF THE PLANT. AFTER SEVERAL MESSAGES AND RETURN CALLS SHE ASKED ME TO CALL JIM YONGE AND TELL HIM WHAT THIS WAS ABOUT. I DID AS SHE REQUESTED AND HE SAID TO GIVE HER A COPY OF THE APPLICATION AND LET HER LOOK IT OVER. I CALLED HER AND SHE WAS UNCOOPERATIVE AS TO US GETTING TOGETHER TO LOOK THIS OVER. I TOLD HER WE WERE UNDER A NOVEMBER 5 DEADLINE. SHE SAID SHE WOULD CALL ME BACK. THIS WAS ON FRIDAY, OCTOBER 30. I CALLED HER AGAIN ON SATURDAY AND THERE WAS NO ANSWER. I FEEL THAT AT THIS TIME IT IS BEST TO JUST SEND YOU THE COMPLETED RENEWAL APPLICATION WITHOUT HER SIGNATURE AND LET YOU DEAL WITH THE YONGES.

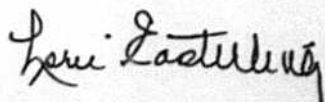
EXHIBIT

"6"

IF YOU DO CONTACT THEM, YOU MIGHT BE TOLD THAT THEY DEEDED THE PLANT TO THE PROPERTY OWNERS ASSOCIATION A NUMBER OF YEARS AGO. THIS IS NOT TRUE. THEY TRIED AND THE PROPERTY OWNERS ASSOCIATION REFUSED THE DEED. IF THEY THINK ABOUT THIS, I AM SURE THEIR MEMORY WOULD BE REFRESHED BY THE FACT THAT JIM YONGE HAS IN THE PAST FEW YEARS TRIED TO SELL THE PLANT, IN FACT HE WAS IN SERIOUS NEGOTIATIONS WITH TOM RYAN, OUR PLANT OPERATOR, FOR QUITE A WHILE.

THANK YOU FOR YOUR HELP. IF THERE ARE ANY QUESTIONS FOR THE PROPERTY OWNERS ASSOCIATION FEEL FREE TO CALL ME AT 904 269 2154.

SINCERELY,



LORIE A. EASTERLING
PRESIDENT
POINT PROPERTY OWNERS ASSOCIATION

PPOADER

Hayes & Lindell, P.A.

ATTORNEYS AND COUNSELORS AT LAW
SUITE 620, BLACKSTONE BUILDING
233 EAST BAY STREET
JACKSONVILLE, FLORIDA 32202

J. MICHAEL LINDELL
BOARD CERTIFIED
CIVIL TRIAL LAWYER

DENNIS E. HAYES
ADMITTED TO FLORIDA
AND GEORGIA BARS

December 22, 1994

TELEPHONE
(904) 353-8000
TELECOPIER
(904) 633-8861

Mr. James E. Yonge
1256 Seminole Drive
Ft. Lauderdale, Florida 33304

RE: The Point - Obligation of James E. Yonge
 to Provide Water and Sewer Service

Dear Mr. Yonge:

As you well know, Article XIII of the Amended and Restated Declaration of Covenants, Conditions, Restrictions and Provisions for Party Wall of The Point dated May 19, 1981 (the "Amended Restrictions") impose upon the Declarant, its successors and assigns, the "exclusive and perpetual responsibility and right to provide water and sewer service for all users within the Townhouses" at The Point. As reflected by your execution of the Second Amendment to Amended and Restated Declaration of Covenants, Conditions, Restrictions, and Provisions for Party Wall of The Point dated February 27, 1988 (the "Second Amended Restrictions"), you are the successor to the original Declarant for The Point.

The purpose of this letter is to notify you that effective January 1, 1995 all correspondence and bills pertaining to the providing of water and sewer service to residents of The Point shall be directed to you for handling and initial payment. Pursuant to Article XIII, Section 2, of the Second Amended Restrictions, The Point Property Owners Association ("PPOA") will reimburse you for all necessary and ordinary expenses incurred by you in the provision of water and sewer service to the residents. It is suggested that you submit itemized billing to PPOA on a monthly or quarterly basis for all sums reasonably paid by you in performing your responsibilities under the Amended Restrictions and Second Amended Restrictions.


By copy of this letter I am notifying the State and Federal agencies that have jurisdiction over the water and sewer plants in question and the independent operator of the plants of the need to direct all future correspondence and billing to your attention.

Mr. James Yonge
December 22, 1994
Page 2

Since you are the owner of the package plant in question and since you have the exclusive and perpetual responsibility to provide water and sewer service, the PPOA feels that it is only proper that you should have the responsibility for contracting with necessary independent operators and paying all necessary expenses in the initial instance subject to reimbursement by the Association.

If you have any questions, you or your counsel may feel free to call the undersigned.

Sincerely yours,


J. Michael Lindell

JML:dg

cc: Point Property Owners Association, Inc.
Douglas H. Reynolds, Esquire
Tom Ryan (via Certified Mail)

James H. Scarbrough, Director (via Certified Mail)
Water Management Divisions
United States Environmental Protection Agency
Region IV
345 Courtland Street, N.E.
Atlanta, GA 30365

Blanca R. Rodriguez (via Certified Mail)
Environmental Administrator
Potable Water Section
Florida Department of Environmental Protection
Northeast District
7825 Baymeadows Way, Suite B200
Jacksonville, Florida 32258-7577

12-6-96

IN THE CIRCUIT COURT, FOURTH JUDICIAL
CIRCUIT, IN AND FOR CLAY COUNTY,
FLORIDA

CASE NO.: 96-1954-CA
DIVISION: B

POINT WATER AND SEWER, INC.,
a Florida corporation,

Plaintiff,

vs.

THE POINT PROPERTY OWNERS
ASSOCIATION, INC., a Florida
corporation,

Defendant.

**AGREED ORDER ON DEFENDANT'S
MOTION FOR CLARIFICATION OF, OR AMENDMENT
TO, TEMPORARY INJUNCTION**

THIS MATTER came to be heard on Defendant's Motion for Clarification of, or Amendment to, Temporary Injunction, and the parties having agreed to the entry of this Order, and the Court being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Court's Temporary Injunction entered on November 8, 1996 shall be amended by this Order which shall be effective nunc pro tunc to November 8, 1996.
2. Plaintiff is directed to continue to provide to Defendant water and sewer service in accordance with the Amended and Restated Declaration of Covenants,

EXHIBIT

" 7 "

Conditions, Restrictions and Provisions for Party Wall of the Point until further order of Court.

3. In lieu of bond, Defendant shall pay for the service provided by Plaintiff by paying 83% of the actual cost to Plaintiff of (a) the service technician; (b) chemical tests and reasonable maintenance charges; (c) taxes and regulatory expenses; and (d) necessary insurance premiums until further Order of Court. For the period from March, 1995 through October, 1996, Defendant shall pay to Plaintiff c/o Plaintiff's counsel by no later than Friday, December 13, 1996, the amount of \$23,770.03.

4. In lieu of bond, for months beginning November, 1996 and thereafter, Defendant shall pay eighty-three percent (83%) of all expenses referenced in paragraph 3 above, within twenty (20) days of receipt of invoice for same. Payment shall be made payable to Plaintiff and mailed to: 4753 Raggedy Point Drive, Orange Park, Florida 32073.

5. Upon request, Plaintiff shall within twenty (20) days furnish Defendant with all back-up documentation, invoices and canceled checks supporting any of the charges invoiced to Defendant.

6. The terms of this Order are without prejudice to either party. Either party may seek an adjustment in the amounts paid or ordered herein at the conclusion of this action or after receipt of a ruling by the Public Service Commission as to any rates to be charged. Nothing herein shall be interpreted to infringe upon the jurisdiction of the Public Service Commission to set utility rates in this State. Furthermore, nothing herein shall be deemed an admission by either party as to: (a) the reasonableness of the charges, amounts or percentages set forth above; (b) what items should be considered reasonable business

expenses; or (c) the rates that should be imposed by the Public Service Commission.

SO ORDERED this ____ day of December, 1996, at Green Cove Springs, Clay County,
Florida.

ORDER ENTERED

DEC. 6 - 1996

/S/ ROBERT M. FOSTER

ROBERT M. FOSTER, Circuit Judge

Copies Furnished: ..

Douglas H. Reynolds, Esquire
Attorney for Plaintiff
4875 N. Federal Highway, Tenth Floor
Fort Lauderdale, FL 33308

J. Michael Lindell, Esquire
Hayes & Lindell, P.A.
Attorney for Defendant
620 Blackstone Building
233 East Bay Street
Jacksonville, FL 32202

11/22/96

Whitney's Marine Water and Sewer Use

The majority of our water use is for washing boats, and secondarily, filling boat water tanks. This water does not enter into the sewer system at all. As the sewer system is the major cost associated with the water/sewer bill, it was agreed several years ago that Whitney's should pay less of the total bill than the water intake as measured by the meter.

My contention at the time was that well over half of our water use was washdown water. The remainder of our water use goes into 4 toilets, one urinal, and two showers, as well as landscaping and general water use. (There are no bath tubs, washing machines, or dishwashers which are high sewer use.) Additionally, anyone familiar with our marina knows that the bathhouse facility is lightly used. Boat owners average 8 showers per day and the associated toilet use (slightly higher on weekends) in addition to the daily toilet use of 10 employees 5 days per week. Store customers account for some toilet use.

The board of the PPOA proposed that Whitney's would pay 70% of their percentage of the water use to compensate for the lack of sewer use. In the spirit of being a good neighbor, I compromised and agreed to the 70%. Our billings were received and paid accordingly.

At the time I considered installing a second pump on our well and supplying washdown water separately from the existing system. Or installing a sewage meter. These are still viable options.

In reviewing the attached billings for 26 months, please note that we were billed based on the total of the community electric bill, which included street lights, pool and rec room electric and the pool pump.

In summary, using the 70% allocation our usage is about 17% of the total. If we adjusted for the electric billing in some way, it is probably more like 15%.

C. Whitney

EXHIBIT

" 8 "

THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FL 32073

Whitney's Marine Center
3027 Highway 17
Orange Park, FL 32073

November 4, 1992

RE: Water and Sewer Invoice
August 1 - September 30, 1992

DUE UPON RECEIPT

Whitney's Meter

9/30/92 - 3,093,400
7/1/92 - 2,793,900

Total 299,500

Whitney's use - 22 %

Costs

Enviro-Systems (\$300/month)
Maintenance, Supplies & Testing
Electric

\$ 900.00
1,611.60
1,153.77

Total

\$ 3,665.37

22% of \$ 3,665.37 = \$ 806.38

70% of \$ 806.38 = \$ 564.47

AMOUNT DUE THIS INVOICE.....\$ 564.47

Thank You,

F. C. Kasper

Frank Kasper
Sec./Treas.
264-1789

Pa
2/18/93
CK
24074

THE POINT PROPERTY OWNERS ASSOCIATION
381 SCENIC POINT LANE
ORANGE PARK, FL 32073

Whitney's Marine Center
3027 Highway 17
Orange Park, FL 32073

January 18, 1993

RE: Water and Sewer Invoice
October 1 - December 31, 1992
PLUS DELINQUENT BILL DATED 11/4/92

DUE UPON RECEIPT

Whitney's Meter

1/1/93 - 3,204,500
9/30/92 - 3,093,400

Total 111,100

Whitney's use - 20.55 @

Costs

Enviro-Systems (\$300/month)
Maintenance, Supplies & Testing
Electric
Permit Engineering
DER Permit

Total

Main Meter

1,382,330
841,570

540,650

\$ 900.00
2,288.93
1,102.85
1,200.00
1,000.00

\$ 6,491.78

*14 hrs.
for permit*

22.55 @ of \$ 6,491.78 = \$ 1,463.90
70% of \$ 1,463.90 = \$ 1,024.73

PAST DUE FROM BILL DATED 11/4/92 \$ 566.47

AMOUNT DUE THIS INVOICE.....\$ 1,592.20

YOU ARE REQUIRED TO PAY ON RECEIPT. "THE POINT" MUST PAY ITS BILLS ON RECEIPT, NOT THREE OR MORE MONTHS IN ARREARS. OUR LIMITED BUDGET CANNOT ABSORB YOUR DELINQUENCY. PLEASE PAY THE TOTAL NOW AND ON RECEIPT IN THE FUTURE.

Thank You,

Frank Kasper
Sec./Treas.
264-1789

*pd 2/26/93
ck # 24174*

THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FL 32073

Whitney's Marine Center
3027 Highway 17
Orange Park, FL 32073

April 9, 1993

RE: Water and Sewer Invoice
Jan. 1 - Mar. 31, 1993

DUE UPON RECEIPT

Whitney's Meter

3/31/93 - 3,366,600
1/1/93 - 3,204,600

Total 162,100

Whitney's use - 31.49 %

Costs

Enviro-Systems (\$300/month)
Maintenance, Supplies & Testing
Electric

Total

Main Meter

1,897,030
1,382,220

514,810

\$ 900.00
2,790.58
288.20

\$ 4,675.78

31.49% of \$ 4,675.78 = \$ 1,472.40
70% of \$ 1,472.40 = \$ 1,030.68

AMOUNT DUE THIS INVOICE..... \$ 1,030.68

Thank You,

Frank Kasper
Sec./Treas.
264-1789

pd 5/4/93
24655

THE POINT PROPERTY OWNERS ASSOCIATION
301 SCENIC POINT LANE
ORANGE PARK, FLORIDA 32073

Whitney's Marine Center
3027 Highway 17
Orange Park, Florida 32073

October 13, 1993

RE: Water and Sewer Invoice
April 1, 1993 - September 30, 1993

DUE UPON RECEIPT

Whitney's Meter

10/01/93 3,740.700
03/31/93 3,355.600

Total Used 374,100

Main Meter

3,290,820
1,097,030

1,393,790

Whitney's Use 26.84%

Costs.

Enviro-Systems (@300 per month)
Maintenance, supply & testing
Southeast Environmental Labs
Electric

\$ 1,000.00
1,979.09
300.00
2,333.50

TOTAL

\$ 6,432.59

26.84% OF \$ 6,432.59 = \$ 1,726.81
70% OF \$1,726.81 = \$ 1,208.86

AMOUNT DUE THIS INVOICE..... \$ 1,208.86

Thank you.


Pete Petersen
Sec/Treas.
264-3011

*Pd 10/27/93
amt 25572*

POINT PROPERTY OWNERS ASSOCIATION, INC.

301 Scenio Point Lane
Orange Park, Florida 32073

February 4, 1994

Whitney's Marine Center
3027 Highway 17 South
Orange park, Florida 32073

RE: Water & Sewer Invoice
October 1, 1993 to
January 10, 1994

DUE UPON RECEIPT

WHITNEY'S METER

01/10/94 3,945,000
10/01/93 3,740,700
TOTAL USED 204,300

MAIN METER

4,391,200
3,290,820
1,100,380

Whitney's Use 18.56%

COSTS:

Enviro-Systems (\$300.00 per month)	900.00
Annual VDC Analysis	300.00
Annual Nitrate/Nitrite Analysis	157.50
Maintenance, supplies	636.50
Electric	<u>1,124.96</u>
	3,196.96

18.56% of \$3,196.96 = \$593.36

70% of \$593.36 = \$415.35

Amount due this invoice \$415.35

Thank you.

Sincerely,


Pete Petersen

POINT PROPERTY OWNERS ASSOCIATION, INC.

301 Scenic Point Lane

Orange Park, Florida 32073

October 10, 1994

Whitney's Marine Center
3027 Highway 17 South
Orange Park, Florida 32073

RE: Water & Sewer Invoice
January 10, 1994 to
October 10, 1994

DUE UPON RECEIPT

WHITNEY'S METER

10/10/94	4,567,300
01/10/94	<u>3,945,000</u>
	622,300

MAIN METER

6,614,200
<u>4,391,200</u>
2,223,000

WHITNEY'S USE 20X

COSTS:

ENVIRO SYSTEMS (\$300.00/MONTH)
TESTING
SLUDGE REMOVAL 06/10/94
MAINTENANCE AND SUPPLIES
ELECTRIC

\$ 2,700.00
1,835.00
1,375.00
2,853.44
<u>3,456.78</u>
\$12,220.22

20X OF \$12,220.22 = \$ 3,421.66

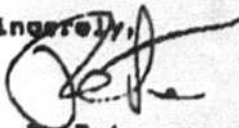
70X OF \$ 3,421.66 = \$ 2,395.16

AMOUNT DUE THIS INVOICE

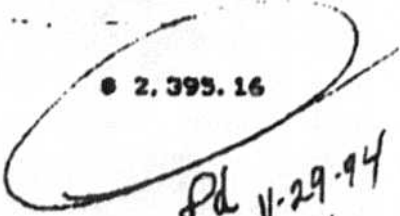
\$ 2,395.16

Thank you.

Sincerely,

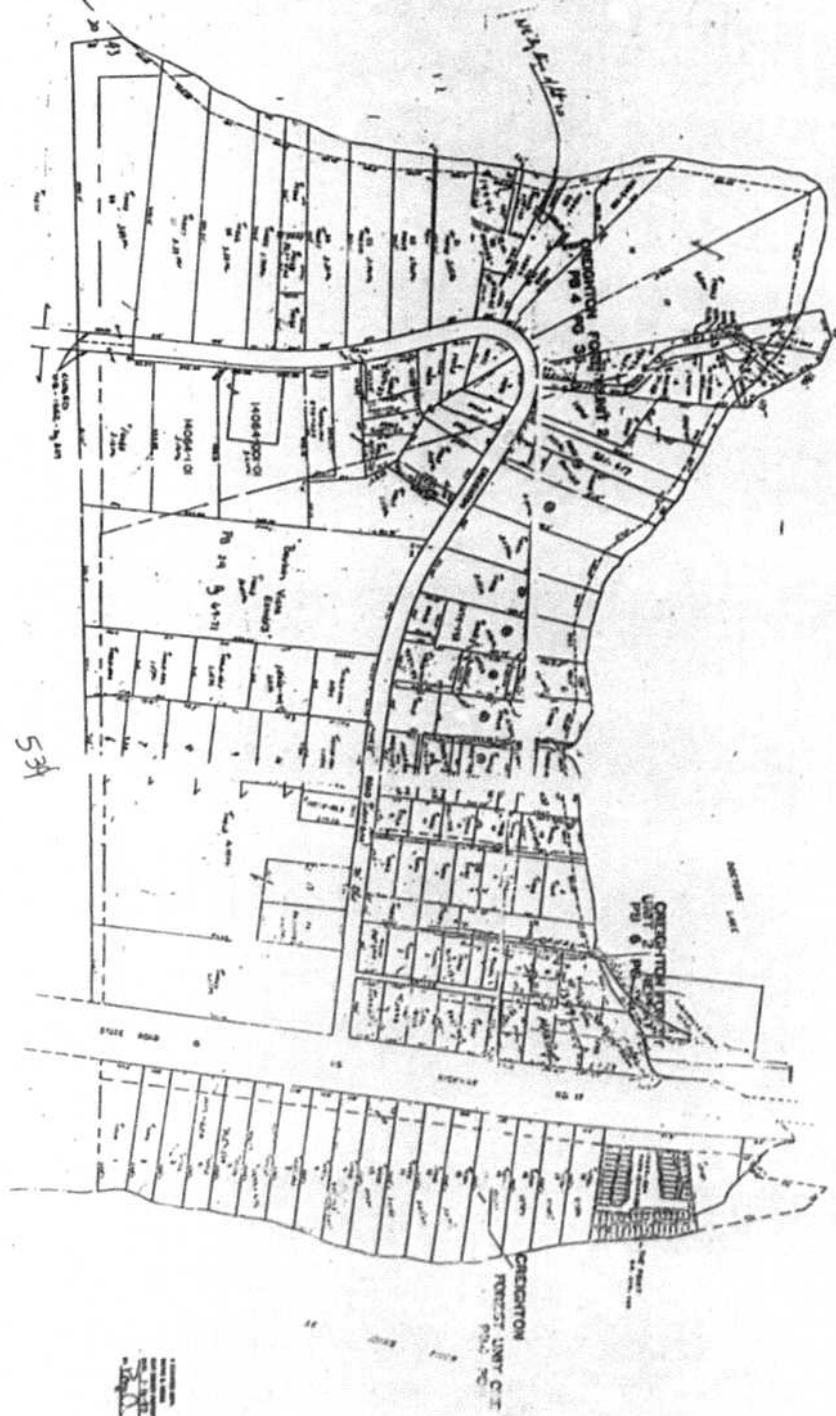

C. D. Petersen
Treasurer

CDP/dmc


Pd 11-29-94
CKH
26485

SCALE
1" = 100'
1" = 100'

K/31



SE

K/32

CLAY COUNTY, FLORIDA	
SECTION 36, T4S, R10E	SW 1/4
DATE: 10/1/1981	BY: K/31



EXHIBIT
"9"

WELL PUMP
 VERTICALLY MOUNTED TYPE 4-LO
 40 STAGE TURBINE
 2 G.P.M. @ 55' T.D.H.
 11 P. 230/3/60
 300 R.P.M.
 0 FT. SETTING

3" COLUMN
 4" CASING
 DATUM
 ELEV.

4" ARTESIAN WELL
 500 FT. ± DEPTH

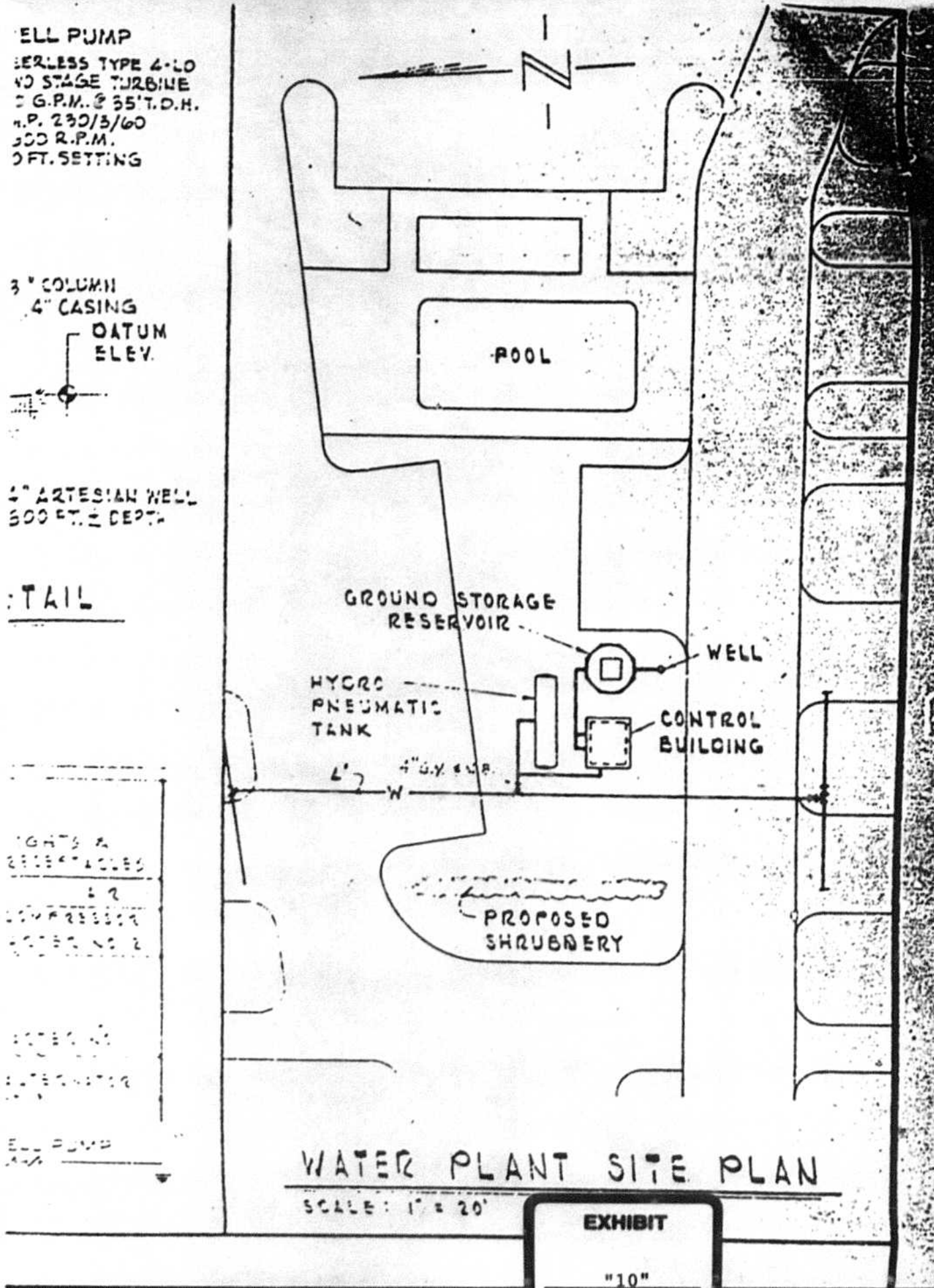
TAIL

LIGHTS &
 TELEPHONES

2
 COMPRESSOR
 MOTOR NO. 2

1000
 1000
 1000

WELL PUMP
 11 P.



WATER PLANT SITE PLAN

SCALE: 1" = 20'

EXHIBIT

"10"

6

WASTEWATER PLANT SITE PLAN

SCALE: 1" = 40'

S.P.V.C.
EFFLUENT
MAIN

PROPOSED
250' LG. PIER

WASTEWATER
PLANT

LIFT
STATION

WATER AND WASTEWATER PLANTS

THE POINT

CLAY COUNTY

FLORIDA

ALAN W. POTTER
CONSULTING ENGINEER
JACKSONVILLE, FLORIDA

1

OF

ONE

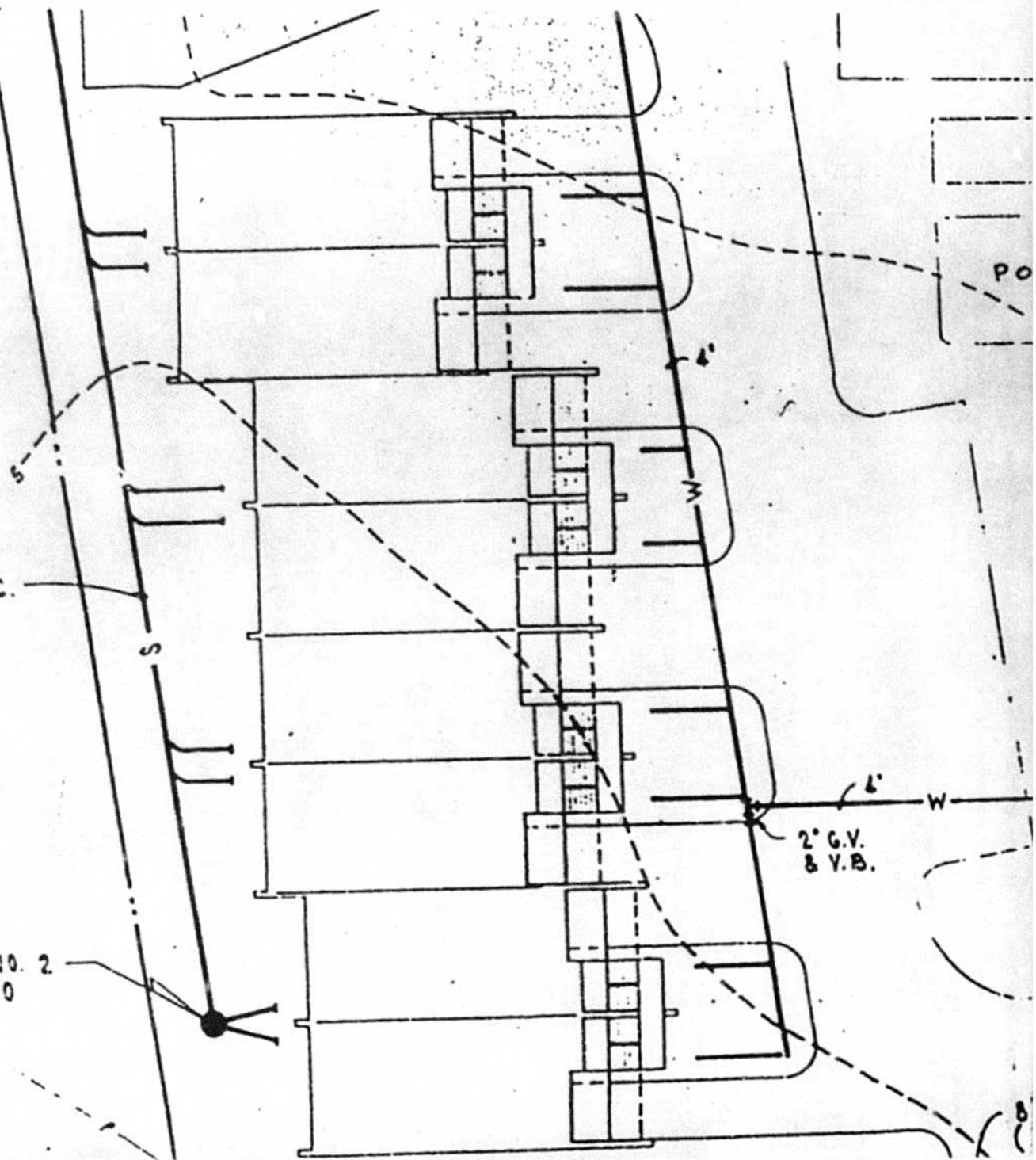
Alan W. Potter
OCTOBER 10, 1979

DESIGNED DRAWN CHECKED DATE

TEMP. LIFT STATION
MANHOLE NO. 1
TOP EL. 6.80
INV. EL. (-) 0.58 (SOUTH)
INV. EL. 1.15 (WEST)
BOTT. EL. (-) 5.58

170' - 8" V.C.
@ 0.50%

MANHOLE NO. 2
TOP EL. 6.00
INV. 2.00



MENHOLE NO. 2
TOP EL. 6.00
INV. 2.00

8 V.B.

8" WATER
(FUTURE)

FUTURE
WATER

6" x 3" R.O.
3" PLUG V.A. &
3" COUPLING
3" WATER MET
3" PLUG V.A. &
6" x 3" R.O.
8" WATER MAIN

U.S. HIGHWAY NO. 17

STATE ROAD NO. 15

4' G.V.
& V.B.

MANHOLE NO. 4
TOP EL. 600
IN. 2.00

3' PLUG VAL
& V.B.

6' x 3'
REQ.

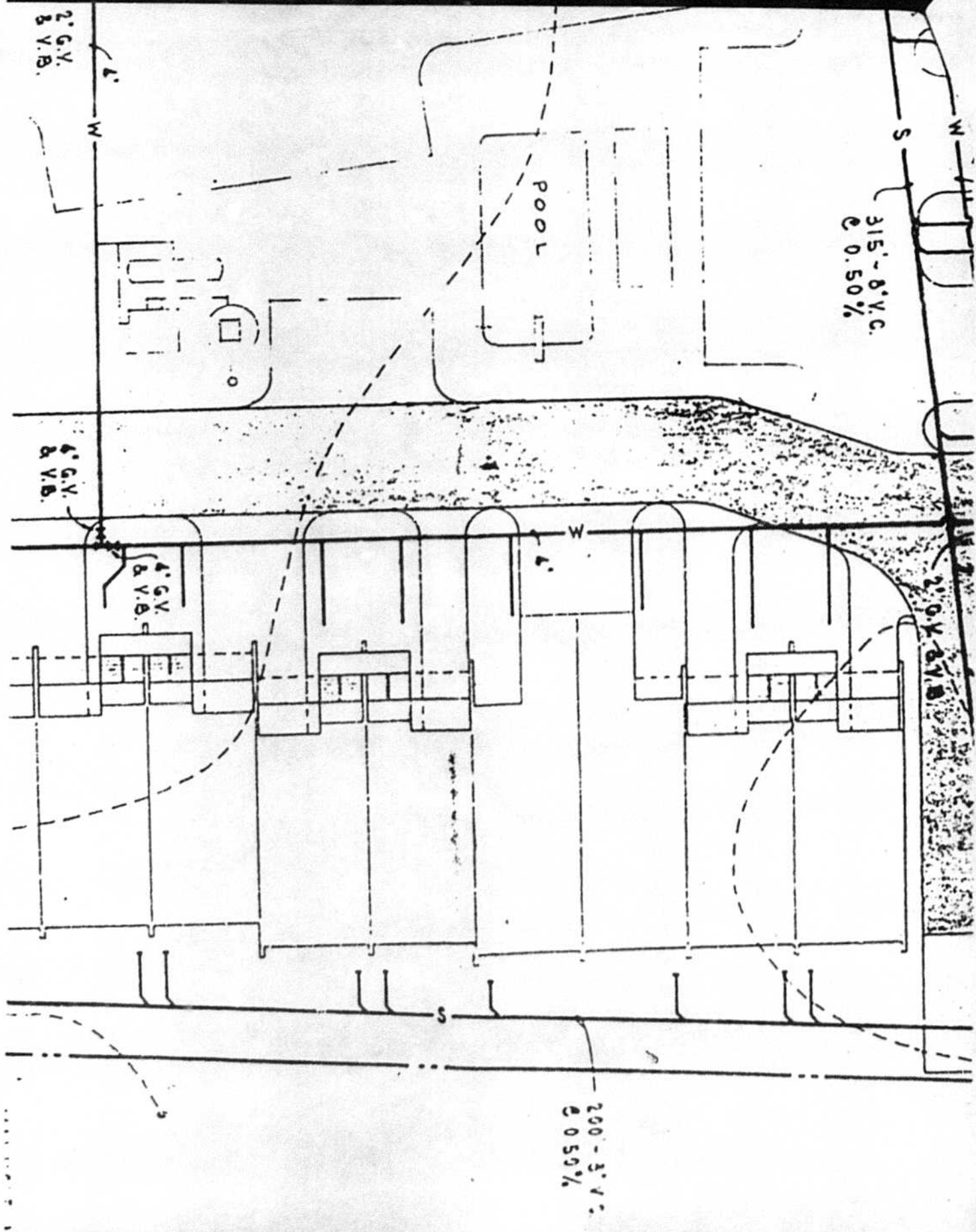
0.
VA. & VA. BOX
ING
R METER
VA. & VA. BOX
REQ.

AIN

DC

P L A N

SCALE: 1" = 20'



315'-8' V.C.
@ 0.50%

POOL

200'-3' V.C.
@ 0.50%

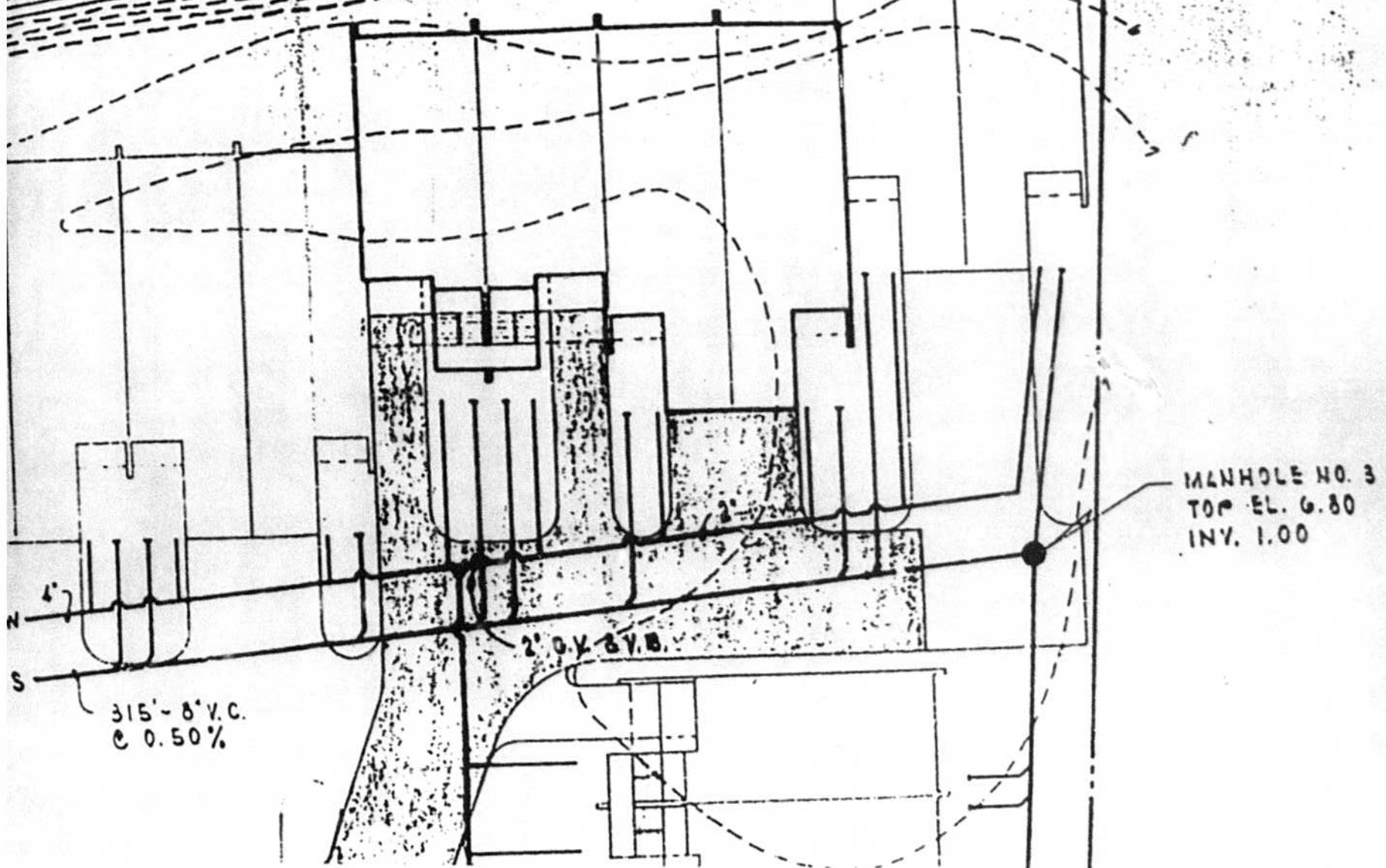
2' G.V.
8' V.B.

4' G.V.
8' V.B.

4' G.V.
8' V.B.

2' G.V. 8' V.B.

EXISTING 1.7' CONCRETE BULKHEAD



MANHOLE NO. 3
TOP EL. 6.80
INV. 1.00

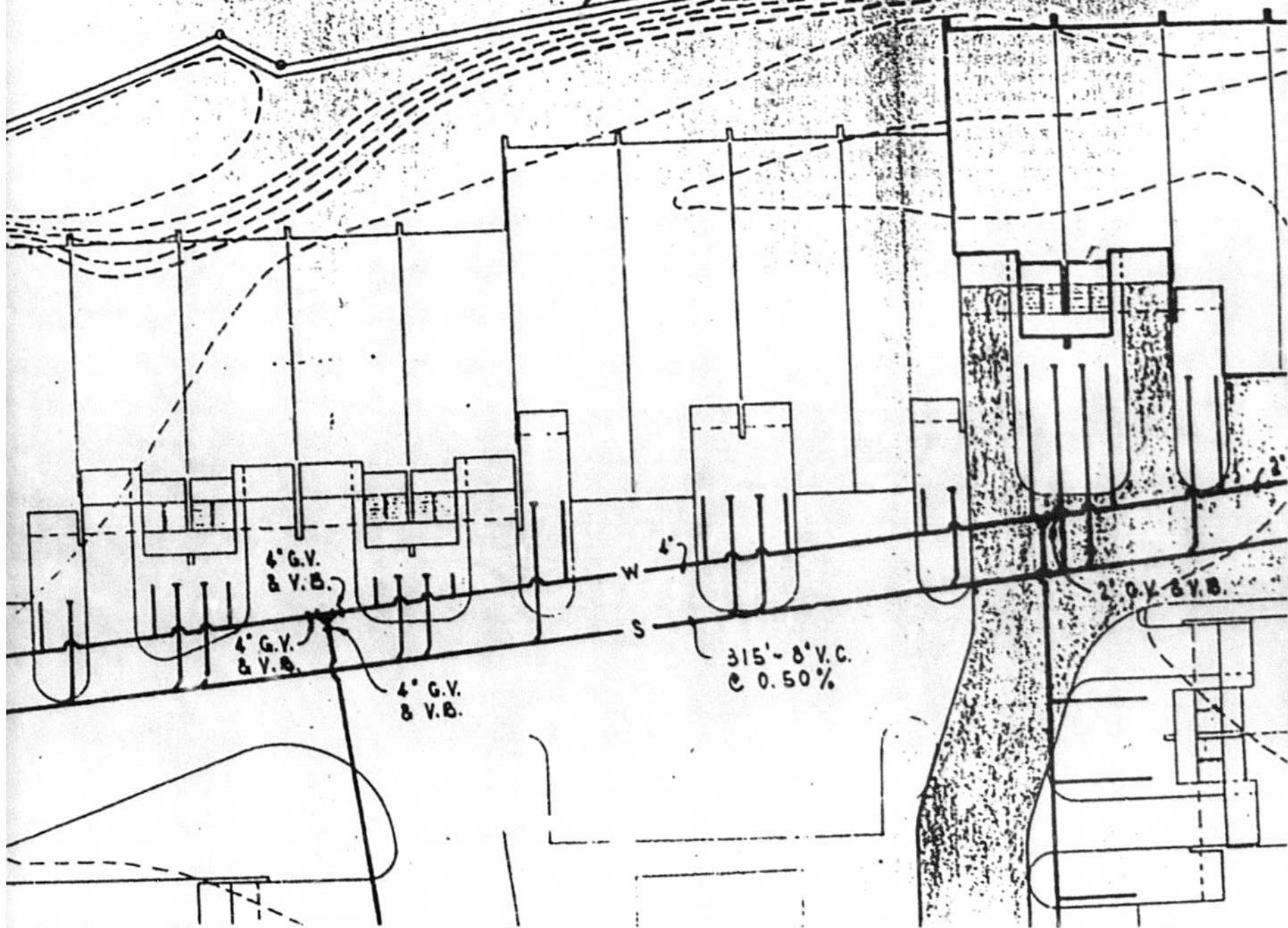
315'-8" V.C.
@ 0.50%

2' O.V. 8" V.B.

JOHNS

12.1

EXISTING 17' CONCRETE BULKHEAD



AMENDED EXHIBIT G
AMENDED AFFIDAVIT THAT THE NOTICE OF APPLICATION WAS GIVEN

AMENDED AFFIDAVIT OF JOHN YONGE

PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who gives this Affidavit based upon his own personal knowledge and in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, hereby states that a copy of this Application and Exhibits were sent by regular mail to the following:

(1) The governing body of the municipality, county, or counties in which the system for the territory proposed to be served is located. See Exhibit G-1, which is attached hereto;

(2) The privately owned water and wastewater utilities that hold certificate granted by the Public Service Commission that are located within the county in which the utility or the territory proposed to be served is located. See Exhibit G-1, which is attached hereto;

(3) If any portion of the proposed territory is within one mile of the county boundary, the utility shall notice the privately owned utilities located in bordering counties and holding a certificate granted by the Commission:

Not applicable.

(4) The regional planning counsel council. See Exhibit G-1, which is attached hereto;

(5) The Office of Public Counsel. See Exhibit G-1, which is attached hereto;

(6) The Public Service Commission's Director of Records and Reporting. See Exhibit G-1, which is attached hereto;

EXHIBIT

"11"

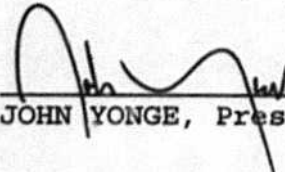
(7) The appropriate regional office of the Department of Environmental Protection. See Exhibit G-1, which is attached hereto;

(8) The appropriate water management districts. See Exhibit G-1, which is attached hereto.

Said above entities with the attached mailing list were sent copies of the Application on October 25, 1996.

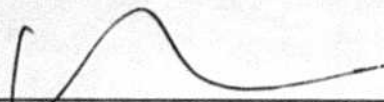
FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.



JOHN YONGE, President

29th The foregoing instrument was acknowledged before me this day of December, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.



Notary Public



DOUGLAS H REYNOLDS
My Commission CC421975
Expires Nov. 20, 1998
Bonded by HAI
800-422-1555

EXHIBIT G-1
All Local Government Officials

Clerk, Board of County Commissioners, Clay County
P.O. Box 698
Green Cove Springs, FL 32043-0698

Mayor, City of Green Cove Springs
229 Walnut Street
Green Cove Springs, FL 32043-3439 FAX: (904) 284-9105

Mayor, City of Keystone Heights
P.O. Box 420
Keystone Heights, FL 32656-0420 FAX: (904) 473-5101

Mayor, City of Orange Park
2042 Park Avenue
Orange Park, FL 32073-5522

Mayor, Town of Penney Farms
P.O. Box 607
Penney Farms, FL 32079-0607 Phone: (904) 529-9078

List of Water and Wastewater Utilities in Clay County

<u>Utility Name</u>	<u>Manager</u>
Duval Utility Company (WS0060) P.O. Box 23249 Jacksonville, FL 32241-3249	James E. McCormack (904) 260-7041
Southern States Utilities, Inc. (WU473) 1000 Color Place Apopka, FL 32703-7753	Brian P. Armstrong (407) 880-0058

Governmental Agencies

DEP Northeast District
7825 Baymeadows Way, Suite 200B
Jacksonville, FL 32256-7577

N.E. Florida Regional Planning Council
8649 Baypine Road, Suite 110
Jacksonville, FL 32216

St. Johns River Wtr. Management District
P.O. Box 1429
Palatka, FL 32178-1429

State Officials

State of Florida Public Counsel
c/o The House of Representatives
The Capitol
Tallahassee, FL 32399-1300

Division of Records and Reporting
Florida Public Service Commission
2540 Sumard Oak Boulevard
Tallahassee, FL 32399-0850

AMENDED EXHIBIT H
AMENDED AFFIDAVIT THAT THE NOTICE OF ACTUAL APPLICATION
WAS GIVEN TO EACH CUSTOMER

AMENDED AFFIDAVIT OF JOHN YONGE

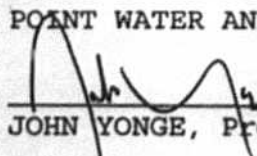
PERSONALLY APPEARED BEFORE ME the undersigned officer, duly authorized to administer oaths, JOHN YONGE, President of Point Water and Sewer, Inc., who gives this Affidavit based upon his own personal knowledge and in accordance with Section 367.045(1)(a), Florida Statutes, and Rule 25-30.030, Florida Administrative Code, indicating that I have given notice of this application by regular mail to each customer of the system. A list of the names of the customers and their addresses are set forth below:

1. Whitney's Marina
3027 Highway 17
Orange Park, Florida 32073
2. Point Property Owner's Association
301 Scenic Point Lane
Orange Park, Florida 32073

Said Applications were mailed on October 25, 1996.

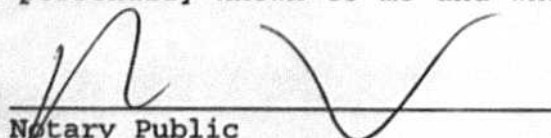
FURTHER AFFIANT SAYETH NOT.

POINT WATER AND SEWER, INC.



JOHN YONGE, President

29th The foregoing instrument was acknowledged before me this day of December, 1996, by JOHN YONGE, President of Point Water and Sewer, Inc., who is personally known to me and who did not take an oath.



Notary Public

EXHIBIT

"12"



DOUGLAS H REYNOLDS
My Commission CC421975
Expires Nov. 20, 1998
Bonded by HAI
800-422-1656

PUBLISHER AFFIDAVIT CLAY TODAY

Published 2 Days a Week
Orange Park, Florida

STATE OF FLORIDA
COUNTY OF CLAY:

Before the undersigned authority personally appeared Charlotte Linville, who on oath says that she is the controller of the "Clay Today" a newspaper published 2 days a week at Orange Park in Clay County, Florida; that the attached copy of advertisement being _____

a _____

in the matter of LEGAL NOTICE

POINT WATER AND SEWER, Inc.

LEGAL NO. 5306 CT

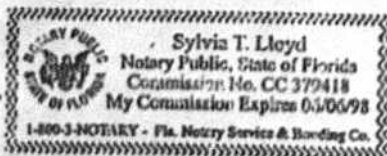
was published in said newspaper in the issues October 30, 1996

Affiant further says that said "Clay Today" is a newspaper published at Orange Park, in said Clay County, Florida, and that the said newspaper has heretofore been continuously published in said Clay County, Florida, 2 days a week, and has been entered as Periodical material matter at the post office in Orange Park, in said Clay County, Florida, for period of one year next proceeding the first publication of the attached copy of advertisement; and affiant further says that she has neither paid nor promised any person, firm or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

Charlotte Linville

Sworn to me and subscribed
before me this 30th day of October A.D. 1996

Sylvia T. Lloyd
NOTARY PUBLIC, STATE OF FLORIDA



1564 Kingsley Avenue • Orange Park, Florida 32073
Telephone (904) 264-3200 • FAX (904) 269-6958

LEGAL NOTICE

Notice is hereby given on October 25, 1996, pursuant to Section 367.045, Florida Statutes, of the application of Point Water and Sewer, Inc. to operate a water and wastewater utility to provide service to the following described territory in Clay County, Florida as follows:

The Point Property Owner's Assn. (including 19 developed townhomes) located on Scenic Point Drive in Clay County, Florida and the adjoining property located at 3027 Hy. 17, Orange Park, FL 32073 (Whitney's Marina). Both of these properties are located directly off of US 17 on the Southeast side of the Doctors Inlet Bridge with the St. Johns River on the western boundary.

Any objections to the said application must be made in writing within (30) days from this date to the Director, Division of Records and Reporting, Florida Public Service Commission, 2540 Sumard Oak Boulevard, Tallahassee, Florida 32399-0850. A copy of said objection should be mailed to the applicant whose address is:

POINT WATER AND
SEWER, INC.
4753 RAGGEDY
POINT ROAD
ORANGE PARK,
FLORIDA 32073
POINT WATER AND
SEWER, INC.
by: JOHN YONGE,
PRESIDENT
LEGAL NO. 5306
Published October 30,
1996 in Clay County's
Clay Today newspaper.

EXHIBIT

"13"

NAME OF COMPANY POINT WATER AND SEWER, INC.

WATER TARIFF

APPLICATION FOR WATER SERVICE

See attached.

Please note that billing will be monthly and customer will have to provide thirty (30) days' written notice of termination.

Sample Application Form

Name _____ Telephone Number _____
 Billing Address _____
 City _____ State/Zip _____
 Service Address _____
 City _____ State/Zip _____
 Date service should begin _____
 Service requested: _____ Water _____ Wastewater _____ Both _____

By signing this agreement, the customer agrees to the following:

1. The Company shall not be responsible for the maintenance and operation of the customer's pipes and facilities. The customer agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service; the Company reserves the right to discontinue or withhold water service to such apparatus or device.
2. The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business for any of the reasons contained in Rule 25-30.520, Florida Administrative Code. Any unauthorized connections to the customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.520, Florida Administrative Code.
3. The customer agrees to abide by all existing Company rules and regulations as contained in the tariff.
4. Bills for water service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule. Bills must be paid within 20 days of mailing bills. If payment is not made after five working days written notice, service may be discontinued.
5. When a customer wishes to terminate service on any premises where water and/or wastewater service is supplied by the Company, the Company may require (oral, written) notice within _____ days prior to the date the customer desires to terminate service.

Signature_____
Date

John S. Yonge
 ISSUING OFFICER
President
 TITLE

EXHIBIT

" 14 "

NAME OF COMPANY POINT WATER AND SEWER, INC.

WASTEWATER TARIFF

APPLICATION FOR WASTEWATER SERVICE

See attached.

Please note that billing will be monthly and customer will have to provide thirty (30) days' written notice of termination.

Sample Application Form

Name _____ Telephone Number _____
 Billing Address _____
 City _____ State/Zip _____
 Service Address _____
 City _____ State/Zip _____
 Date service should begin _____
 Service requested: _____ Water _____ Wastewater _____ Both _____

By signing this agreement, the customer agrees to the following:

1. The Company shall not be responsible for the maintenance and operation of the customer's pipes and facilities. The customer agrees not to utilize any appliance or device which is not properly constructed, controlled and protected or which may adversely affect the water service; the Company reserves the right to discontinue or withhold water service to such apparatus or device.
2. The Company may refuse or discontinue water service rendered under application made by any member or agent of a household, organization, or business for any of the reasons contained in Rule 25-30.320, Florida Administrative Code. Any unauthorized connections to the customer's water service shall be subject to immediate discontinuance without notice, in accordance with Rule 25-30.320, Florida Administrative Code.
3. The customer agrees to abide by all existing Company rules and regulations as contained in the tariff.
4. Bills for water service will be rendered - Monthly, Bimonthly, or Quarterly - as stated in the rate schedule. Bills must be paid within 20 days of mailing bills. If payment is not made after five working days written notice, service may be discontinued.
5. When a customer wishes to terminate service on any premises where water and/or wastewater service is supplied by the Company, the Company may require (oral, written) notice within ____ days prior to the date the customer desires to terminate service.

Signature _____

Date _____

John S. Yonge
 ISSUING OFFICER
President
 TITLE

NAME OF COMPANY POINT WATER AND SEWER, INC.

WATER TARIFF

COPY OF CUSTOMER'S BILL

POINT WATER & SEWER, INC.
4753 RAGGEDY PT. RD.
ORANGE PARK, FL. 32073

INVOICE

Invoice #: A
Date: January 1, 1997
Customer ID: PPOA

Bill To PPOA 324 Scenic Pt. Lane Orange Park, FL 32073

Bill To Same

QTY	ITEM	UNITS	DESCRIPTION	TOTAL
1			Monthly water service	\$1,500.00
			Monthly wastewater service	\$1,500.00
SUBTOTAL				\$3,000.00
BAL DUE				\$3,000.00

EXHIBIT"15"

JOHN YONGE
ISSUING OFFICER

PRESIDENT
TITLE