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**GULF UTILITY COMPANY
APPLICATION FOR A CHANGE IN
WATER AND WASTEWATER
PLANT CAPACITY CHARGES**

Docket No. 960329-WS

DOCUMENT NUMBER-DATE

~~06943~~ JUN 27 8

FPSC-RECORDS/REPORTING

GULF UTILITY COMPANY
APPLICATION FOR A CHANGE IN
WATER AND WASTEWATER
PLANT CAPACITY CHARGES

Docket No. 960329-WS

GULF UTILITY COMPANY
WATER AND WASTEWATER OPERATIONS
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(4)(w)	Proposed Tariffs (submitted)		
(5)	Copies of the Application are available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, at the Company's offices:		
	Gulf Utility Company 19910 S. Tamiami Trail Estero, Florida 33928-0350		
	Telephone: (941) 498-1000		
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GULF UTILITY COMPANY

WATER AND WASTEWATER OPERATIONS

This application is for an increase in Plant Capacity Charges for water and wastewater service in Lee County, Florida. The information provided herein is in accordance with Rule 25-30.565.

Applicant's Name & Address: Gulf Utility Company
19910 S. Tamiami Trail
Estero, Florida 33928-0350

(941) 498-1000

The Company proposes to increase the Plant Capacity Charges for wastewater service from \$550 to \$800 per ERC and to decrease the Plant Capacity Charges for water service from \$800 to \$550 per ERC. These charges will bring the level of CIAC within the Guidelines of the Commission Rules.

The Company constructed phase I of its new wastewater treatment plant (Three Oaks WWTP) in 1989, with expansion of Capacity in 1991 and 1995 and another expansion of capacity in 1997.

The increase in Plant Capacity Charges for wastewater is due to the higher cost of the increased Capacity in the Company's wastewater plants.

The proposed fees will not burden existing customers.

Following is a summary of the changes:

	<u>Present Charges</u>	<u>Proposed Charges</u>
Wastewater		
Residential, Per ERC	\$550	\$800
All Others, Per Gallon/Day	\$2.20	\$3.20
Water		
Residential, Per ERC	\$800	\$550
All Others, Per Gallon/Day	\$2.02	\$1.39

CIAC as a percent of Net Plant at the year 2005, under the proposed charges, is 74% for wastewater and 72% for water.

**GULF UTILITY COMPANY
WATER AND WASTEWATER OPERATIONS**

NOTICE PROVISIONS

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application of GULF UTILITY COMPANY)
for Approval of Increase in Wastewater Plant) Date Issued June 28, 1996
Capacity Charges and Decrease in Water Plant Capacity)
Charges in Lee County, Florida)

NOTICE OF APPLICATION

GULF UTILITY COMPANY will apply to the Florida Public Service Commission for an increase in Wastewater Plant Capacity Charges and decrease in Water Plant Capacity Charges in Lee County, Florida. The increase in Wastewater Plant Capacity Charges is to pay for growth in the utility system. The decrease in Water Plant Capacity Charges will bring the level of contributions-in-aid-of-construction within the guidelines set forth in the Commission's Rules. The charges will be applicable to new connections and not existing customers. A copy of the Application may be inspected at the office of Gulf Utility Company at the following location:

19910 S. Tamiami Trail
Estero, Florida 33928-0350
(941) 498-1000
Hours: Monday - Friday
8:00 AM - 5:00 PM

It is proposed that the Plant Capacity Charge for wastewater be increased from \$550 to \$800 per Equivalent Residential Connection (ERC) and the Plant Capacity Charge for water be decreased from \$800 to \$550 per Equivalent Residential Connection (ERC).

An Equivalent Residential Connection (ERC) means (a) 350 gallons per day; (b) the number of gallons the utility demonstrates is the average daily flow for a single residential unit; or (c) the number of gallons which has been approved by the Department of Environmental Protection for a single residential unit. The Company's application retains the present average daily flows of 250 gallons per ERC for wastewater and 396 gal. per ERC for water in calculating applicable Plant Capacity Charges.

This Application is for both interim and final approval for increased Plant Capacity Charges.

Any comments concerning this Application should be addressed to the Director of Records and Reporting, Florida Public Service Commission, 2540 Shumard Oak Blvd, Tallahassee, Florida 32399-0870, (904) 488-8371. A copy of said comments should be mailed to the Attorneys for the Applicant at the following address:

**B. Kenneth Gatlin
Gatlin, Woods, & Carlson
1709-D Mahan Drive
Tallahassee, Florida 32308**

**(904) 877-7191
Attorneys for Applicant,
Gulf Utility Company**

GULF UTILITY COMPANY
WATER AND WASTEWATER OPERATIONS
NOTICE OF APPLICATION

The notice provisions have been complied with as follows:

- (1) A copy of the Application has been placed at the Utility's official headquarters as identified in this Application. The copies of the Application are available for public inspection during the Utility's regular business hours.
- (2) The Notice of Application will be published in the *Fl. Myers News Press* on June 28, 1996.
- (3) A copy of the Commission Staff Approved notice was mailed to persons in the service area included in the Application who have filed a written request for service or have been provided a written estimate for service within the twelve calendar months prior to the month the Application was filed. They are:

<u>Developer Name & Address</u>	<u>Project</u>	<u>Type of Service</u>
Bill Karakosta 19060 S. Tamiami Trail Ft. Myers, FL 33912	Mel's Diner	Water
H. Georges Chami Miromar Development, Inc. 237 Hymus Boulevard Pointe Claire, Montreal Quebec H9R 5CY CANADA	Miromar Factory Stores	Water & Wastewater
Steve Roth 16145 Old U.S. 41 Ft. Myers, FL 33912	Pioneer Road Line Extension	Water
David Caldwell WCI Communities Limited Partnership 24820 Burnt Pine Drive Bonita Springs, FL 33923	River Ridge	Water & Wastewater
Flag Development Company 18551 N. Tamiami Trail N. Ft. Myers, FL 33903	Sahdev Property	Water & Wastewater
Stephen L. Nease NCD, Inc. 1601 Jackson Street, Suite 202 Ft. Myers, FL 33901	San Carlos Center	Water & Wastewater

<u>Developer Name & Address</u>	<u>Project</u>	<u>Type of Service</u>
Michael P. Westhafer, PE Mitchell & Stark Const. Co., Inc. 6027 Shirley Street Naples, FL 33942	San Carlos Christian Church	Water & Wastewater
Peter Schlesinger Tamiami Square Partnership c/o Robert S. Barber, Inc. 17980 Bermuda Dunes Drive Ft. Myers, FL 33912	Tamiami Square	Water & Wastewater
RLD Homes, Inc. 3040 Del Prado Boulevard Attn: Bob Cape Coral, FL 33904	Terraverde - Future Phases	Water
Leroy W. Mayhood 8024 Alico Road, Unit A-7 Ft. Myers, FL 33912	Alico Plaza	Wastewater
Joseph D. LoTurco Breckenridge, Ltd. 19850 S. Tamiami Trail Estero, FL 33928	Breckenridge Phases IV-A, IV-B and IV-C	Water & Wastewater
Michael Henry North American Properties - Southeast, Inc. 12995 S. Cleveland Avenue, Suite 214 Ft. Myers, FL 33907	Corkscrew Village	Water & Wastewater
Alan Freeman Southwest Florida Capital Corporation 19091 S. Tamiami Trail, SE Ft. Myers, FL 33908	Constitution Professional Center	Water & Wastewater
Charles E. Fancher, Jr. Atlantic Gulf Communities 2601 Bayside Drive Miami, FL 33133-5461	Estero Pointe	Water & Wastewater
Jack Fenwick Director of Facilities Planning Florida Gulf Coast University 17595 S. Tamiami Trail, Suite 200 Ft. Myers, FL 33908-4500	Florida Gulf Coast University	Water & Wastewater
Dave Davis Fredric Trust #3 15780 Triple Crown Court Ft. Myers, FL 33912	Island Club, Phases I and II	Water & Wastewater

<u>Developer Name & Address</u>	<u>Project</u>	<u>Type of Service</u>
Walter Johnson Walco Leasing 2296 Hanson Street Ft. Myers, FL 33901	Island Park Villages, Phases III, VI and VII	Water
Larry Fooks Park Manager Korehan State Park P.O. Box 7 Estero, FL 33928	Korehan State Park	Water for Fire System
Alan Freeman Southwest Florida Capital Corporation 19091 S. Tamiami Trail, SE Ft. Myers, FL 33908	The Lakes at Three Oaks	Water & Wastewater
Bruce Lawson U.S. Home Corporation 10491 Six Mile Cypress Parkway Ft. Myers, FL 33912	Villages at Country Creek	Water & Wastewater

GULF UTILITY COMPANY
WATER AND WASTEWATER OPERATIONS
COMMISSION ORDERS

GULF UTILITY COMPANY

WATER AND WASTEWATER OPERATIONS

PREVIOUS COMMISSION ORDERS

Order No. Docket No.	11507 850152-WS	Authorized to Increase Water and Sewer Rates
Order No. Docket No.	12891 830517-WS	Indexing of Water and Sewer Rates
Order No. Docket No. Date	14219 840336-WS 3/22/85	Revision of Service Availability Charges
Order No. Docket No. Date	11512 840105-WS 1/2/86	Increase in Water and Sewer Rates
Order No. Docket No. Date	19391 880594-WS 7/17/88	Implement a Price Index Rate Adjustment - Water
Order No. Docket No. Date	20273 880354-SU 11/30/88	Approval of Increased Wastewater Capacity Charges and AFPI Charges
Order No. Docket No. Date	20272 880308-SU 11/29/88	Increase in Sewer Rates
Order No. Docket No. Date	NA 900413-WS 1/14/91	1980 Pass Through Rate Adjustment - Sewer
Order No. Docket No. Date	24735 900718-WW 7/1/91	Increase in Water Rates
Order No. Docket No. Date	24735 950171-WS 8/24/95	Four-Year Rate Reduction - Water

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
ORIGINAL COST OF PROPERTY
12/31/95

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
ORIGINAL COST OF PROPERTY
12/31/95

A/C	Description	Amount
352	Franchises	\$2,250
353	Land & Land Rights	1,131
354	Struct. & Improvements	6,760
360	Collection Sewers - Force	3,545,099
361	Collection Sewers - Gravity	3,531,404
363	Services to Customers	359,893
364	Flow Measuring Devices	59,616
365	Meter Installation	23,897
	Total Collection Plant	7,527,800
371	Pumping Equipment	394,667
	Total Pumping Equipment	394,667
353	Land & Land Rights	472,495
354	Struct. & Improvements	2,230,209
380	Treat. & Disp. Equipment	1,943,844
381	Plant Sewers	575,613
382	Outfall Sewer Lines	381,297
389	Other Plant	33,371
	Total Treat. & Disp. Plant	5,636,829
354	Struct. & Improvements	40,538
390	Office Furniture & Equipment	116,130
391	Transportation	48,487
392	Stores Equipment	1,155
393	Tools, Shop & Garage Equipment	12,677
394	Laboratory Equipment	11,301
395	Power Equipment	3,508
396	Communication Equipment	11,351
397	Miscellaneous Equipment	7,442
398	Other Tangible Plant	620
	Total General Plant	253,209
	Total	\$13,814,755

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
ACCUMULATED DEPRECIATION
12/31/95

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
ACCUMULATED DEPRECIATION
12/31/95

A/C	Description	Amount
352	Franchises	\$1,130
353	Land & Land Rights	-
354	Struct. & Improvements	404
360	Collection Sewers - Force	721,891
361	Collection Sewers - Gravity	768,926
363	Services to Customers	72,210
364	Flow Measuring Devises	30,029
365	Meter Installation	2,055
	Total Collection Plant	1,595,515
371	Pumping Equipment	40,748
	Total Pumping Equipment	40,748
353	Land & Land Rights	-
354	Struct. & Improvements	220,797
380	Treat. & Disp. Equipment	593,566
381	Plant Sewers	45,851
382	Outfall Sewer Lines	95,334
389	Other Plant	6,329
	Total Treat. & Disp. Plant	961,877
354	Struct. & Improvements	12,277
390	Office Furniture & Equipment	69,470
391	Transportation Equipment	28,060
392	Stores Equipment	281
393	Tools, Shop & Garage Equipment	3,904
394	Laboratory Equipment	4,034
395	Power Equipment	1,824
396	Communication Equipment	3,639
397	Miscellaneous Equipment	2,193
398	Other Tangible Plant	208
	Total General Plant	125,890
	Total	\$2,725,160

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
ACTIVE CUSTOMERS
12/31/95

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
ACTIVE CUSTOMERS
12/31/95

Meter Size	5/8"	1"	1½"	2"	3"	4"	6"	Total
Residential	2,134							2,134
Commercial	65	13	7	8				93
Multi-Family	3	41	9	8	3	1	2	65
Public Authority		1		3	1	2		7
Totals	2,200	55	16	19	4	3	2	2,299
ERC Equivalent Factor ^(a)	1.0	2.5	5.0	8.0	57.5 ^(b)	105 ^(c)	50.0	
ERC	2,200	137	80	152	223	316	100	3,208

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^(a) Source: Page S-9(b) of Annual Report

^(b) 3" 1 x 15 = 15
 2 x 64 = 128
 1 x 80 = 80
 4 223

^(c) 4" 2 x 25 = 50
 1 x 266 = 266
 3 316

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CAPACITY OF TREATMENT FACILITIES

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
SUMMARY OF
WASTEWATER PLANT CAPACITIES

	<u>Capacity</u>	<u>Effluent Disposal</u>
San Carlos Plant	0.218 mgd	Golf course irrigation
Three Oaks Plant	<u>0.751</u>	Golf course irrigation
	0.969 mgd	
ERC	3,876	

Gallons per ERC: 250

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
12/31/95

Month	M Gals Treated
January	14,819
February	16,086
March	19,610
April	15,794
May	12,323
June	11,594
July	12,943
August	18,094
September	17,866
October	20,823
November	17,782
December	<u>18,041</u>
Total	195,775

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CAPACITY OF COLLECTION SYSTEM

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CAPACITY OF COLLECTION SYSTEM

The extension policy is to have the developer install all lines and contribute them to the Company. There were 2,299 customers at December 31, 1995 and sewer lines installed where 727 ERC of connection fees have been prepaid. Other than these lots, there are few, if any, lots that are piped for sewer service that are vacant.

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
LISTS OF OUTSTANDING DEVELOPER AGREEMENTS
AND RELATED INFORMATION

GULF UTILITY COMPANY

WASTEWATER OPERATIONS

**LISTS OF OUTSTANDING DEVELOPER AGREEMENTS
AND RELATED INFORMATION**

The following are the outstanding contracts, by the subdivision name. In each case except the Florida Gulf Coast University, the developer installed the on-site facilities and dedicated them to the Company.

	Prepaid Fee 12/31/95	ERC @ \$550
Alico 44 - Industrial Park	\$25,850	47
Country Oaks	4,400	8
Florida Gulf Coast University	114,950	209
Harborage	20,440	52
Park Ridge	11,550	21
Pick Kwik	1,100	2
The Islands	34,100	62
Pine Glen	5,500	10
Shannon Pines	7,150	13
Three Oaks Town Center	158	0.29
Villages	120,450	219
South Winds	30,800	56
The Vines	11,260	26*
Woodbriar	780	2**
	----- \$388,488	----- 727.29

*19 ERC @ \$390

**2 ERC @ \$390

The Company estimates a growth of 507 ERC in 1996 and 400 per year thereafter from these plus new contracts. The average cost of on-site facilities is \$1,106 per ERC.

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CONTRIBUTIONS IN AID OF CONSTRUCTION
AND AMORTIZATION
12/31/95

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CONTRIBUTIONS IN AID OF CONSTRUCTION
AND AMORTIZATION
12/31/95

Sewer Mains	\$539,238
Sewer Connections	1,882,041
Force Main	1,337,803
Manholes	623,628
Liftstations	1,260,785
Services	315,958
Gravity Mains	2,259,868
Reuse/Effluent Line	353,500
Flowmeter	24,753
Metering Station	11,990
Checks	1,586

Total Sewer CIAC	\$8,611,150
Amortization of CIAC	(1,833,846)

Net CIAC	\$6,777,304

The prepaid connection fees of \$388,488 are in addition to the above.

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
COPIES OF APPROVALS AND PERMITS

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
COPIES OF APPROVALS AND PERMITS

The permits for the Wastewater Treatment Plants are:

San Carlos Park WWTP	Appendix A - page 95
Three Oaks WWTP	Appendix A - page 112

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
PLANT EXPANSION**

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
PLANT EXPANSION

The Company has two wastewater plants, namely, the San Carlos WWTP, having a capacity of 0.218 mgd, and the Three Oaks WWTP. The Three Oaks WWTP was initially constructed in 1989 with additions as follows:

1989	Phase 1	0.250 mgd
1991	Phase 2	0.250 mgd
1995	Phase 3	0.250 mgd
1997	Phase 4	0.750 mgd

Service demand continues to grow with the construction of the new state university - Florida Gulf Coast University (FGCU). FGCU's initial service requirement calls for treatment capacity of 52,260 gallons per day.

Other new large developments will accelerate the general growth in wastewater treatment requirements. They are River Ridge with 1,220 units planned at buildout and Estero Pointe which will require service for 1,121 units and 34,500 s.f. of clubhouse/retail space. The first of these units are expected to come on line in late 1997 according to the developers.

This growth will require the construction of additional force mains by Gulf to accommodate the increased flows. These include an expansion on U S 41 (estimated cost: \$470,000) and additional facilities to serve FGCU (estimated cost: \$615,000).

The design contract for the 1997 expansion of the Three Oaks WWTP has been executed. Construction is estimated to cost \$1,875,000 with completion of construction projected for December 1997



James P. Elliott, P.E.
Florida Registration No 21022

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CUSTOMER GROWTH**

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CUSTOMER GROWTH**

Customers						
	Resid.	Comm.	Public Auth.	Multi- Family	Total	ERC^(a)
1990	1,265	36	2	28	1,331	1,514
1991	1,431	37	2	37	1,507	1,719
1992	1,582	49	3	44	1,678	2,058
1993	1,694	55	4	51	1,804	2,235
1994	1,937	70	6	57	2,070	2,878
1995	2,134	93	7	65	2,299	3,208
Growth 1990-1995	869	57	5	37	968	1,694
Avg 5 yrs	174	11	1	7	194	339

^(a) Source: Page S-9 of Annual Report

The Company estimates a growth of 360 customers per year from normal growth plus 209 ERC from Florida Gulf Coast University in 1997. This growth was based upon the historical growth, outstanding contracts with developers, and new developments in the area. New developments will require both water and wastewater service.

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
METHOD OF CALCULATING PLANT CAPACITY CHARGES

GULF UTILITY COMPANY

WASTEWATER OPERATIONS

METHOD OF CALCULATING PLANT CAPACITY CHARGES

	A/C	Amount	Capacity Mgd	\$/Gal.	Per ERC 250 Gpd.
Existing Facilities @ 12/31/95					
Land & Land Rights	353	\$472,495			
Struct. & Improve.	354	2,230,209			
Treatment	380	1,943,844			
Plant Sewers	381	575,613			
Outfall Lines	382	381,297			
Other Plant	389	33,371			
		-----	0.969		
		5,636,829			
New Facilities					
Force Main	360	510,000	0.750		
Treatment ^(a)	380	1,875,000			
Outfall Line	382	133,300			
		-----	1.719	-----	-----
		\$8,155,129		4.74	\$1,185

^(a) Three Oaks WWTP #4 (1997) 1,875,000

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
METER COST

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
METER COST

Size	Cost			
	Meter	Back Flow Preventer, etc.	Labor	Total
5/8"	\$31.93	\$12.24	\$9.22	\$52.39
3/4"	53.00	12.72	9.22	74.94
1"	68.53	20.94	9.22	98.69
1½"	198.92	50.88	9.22	259.02
2"	930.99	206.38	35.65	1,173.02
3"	1,191.25	264.02	35.65	1,490.92
4"	1,950.75	397.16	35.65	2,383.56
6"	3,496.00	656.10	35.65	4,187.75

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
SUMMARY OF PRESENT AND PROPOSED
PLANT CAPACITY CHARGES

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
SUMMARY OF PRESENT AND PROPOSED
PLANT CAPACITY CHARGES

Type Charge	Present Charges	Proposed Charges
Plant Capacity Charge Residential - per ERC (250 GPD) All Others - per Gallon/Day	\$550/ERC \$2.20/Gallon/Day	\$800/ERC \$3.20/Gallon/Day

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
EXISTING TARIFF**

NAME OF COMPANY GULF UTILITY COMPANY

WASTEWATER TARIFF

SERVICE AVAILABILITY POLICY

1.0 GENERAL

The Utility adopts and incorporates herein by reference, Part IX, Chapter 25-10, Florida Administrative Code (F.A.C.), promulgated under Florida Public Service Commission Order No. 6395.

2.0 AVAILABILITY

The provisions of this policy are available throughout the territory subject to matters of economic feasibility as defined by Rule 25-30.515(7), F.A.C.

3.0 ON-SITE FACILITIES

On-site transmission, distribution, and other water and sewer facilities will be provided by the Contributor pursuant to the requirements and specifications of the Utility. Service to facilities outside the point of delivery as defined by Rule 25-10.15(8), F.A.C., shall be conveyed to the Utility by a bill of sale together with perpetual rights-of-way and easements for appropriate access to facilities as well as complete as-built plans for all such lines and facilities together with accurate cost records establishing the construction costs of all Utility facilities as a condition precedent to their acceptance by the Utility and the initiation of service.

4.0 OFF-SITE FACILITIES

Off-site transmissions and distribution systems shall be provided by the Contributor in accordance with the Utility's specifications and conveyed to the Utility by bill of sale with necessary maintenance and replacement easements and rights-of-way together with as-built drawings of the facilities and accurate cost records establishing the construction cost of the facilities, to include material, labor, engineering, administration, and other related costs, as a condition precedent to their acceptance by the Utility and the initiation of service.

5.0 REFUNDABLE DEPOSITS

If the off-site or on-site facilities can serve other areas than those of the Contributor, the service company may require that they be oversized to enable service to be provided to additional territory and that the Contributor advance the cost of such oversize facilities. So much of the cost as exceeds the hydraulic share of the Contributor will be refunded by the Utility as refundable advances over a period not to exceed seven years, from extension fees paid by other Contributors connecting to the main or the mains in accordance with their hydraulic share.

(Continued to Sheet No. 23.3)

James W. Moore
ISSUING OFFICER

President
TITLE

NAME OF COMPANY GULF UTILITY COMPANY

WASTEWATER TARIFF
 (Continued from Sheet no. 23.2)

6.0 CONNECTION FEES

In addition to the foregoing fees, Developers shall pay connection fees, as follows:

WATER PLANT capacity charges	SEWER PLANT capacity charges
Residential = \$800.00 per ERC	Residential = \$550.00 per ERC
General Service = \$2.02 per gallon of anticipated daily demand.	General Service = \$2.20 per gallon of anticipated daily demand.
ERC = 396 gallons per day	ERC = 250 gallons per day

6.1 CONDITION REGARDING RECEIPT OF CONTRIBUTIONS IN AID OF CONSTRUCTION

The service availability fees are granted on the express condition that the Utility agree as a condition precedent to implementation of the service availability rules and policy, that any contributions-in-aid-of-construction, including contributions of lines by developers, homeowners, or from any source whatsoever, or any assets that are received by the Utility other than those from Utility funds invested therein or capital investment by the company stockholders, from and after the effective date hereof, will be received by the Utility and will be held and operated solely for the use and benefit of its customers.

7.0 WATER METER INSTALLATION CHARGES

The Utility will require prior to the commencement of water service, that the following schedule of connection charges be paid to the Utility as a prerequisite for service per meter required. The Utility will charge only those customer connection charges necessary to connect a particular customer to the system.

<u>Meter Size</u>	<u>Meter Installation Charge</u>
5/8" x 3/4"	\$ 115 00*
3/4"	115.00*
1"	164.00*

1-1/2" and greater

Actual Cost

* Includes the cost of a back-flow prevention device.

Customer Connection Charges

Jack and Bore for single service	\$240.00
Jack and Bore for double service	120.00
Main tap	95.00
Lee County DOT Permit	30.00

Water meters 1-1/2" and greater will be installed pursuant to agreement between Contributor and the Utility, at the Utility's cost, to be paid by Contributor.

8.0 INSPECTION FEES

Engineering plans or designs for, or construction of facilities by a Contributor which are to become a part of Utility's system will be subject to review and inspection.

(Continued to Sheet No. 23.4)

Effective Date: June 16, 1995

James W. Moore
 ISSUING OFFICER

Type of Filing: Docket No. 950237-WS
 Correction

President
 TITLE

NAME OF COMPANY GULF UTILITY COMPANY

WASTEWATER TARIFF

SERVICE AVAILABILITY SCHEDULE OF FEES AND CHARGES

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>REFER TO SERVICE AVAIL. POLICY SHEET NO./RULE NO.</u>
<u>Customer Connection (Tap-in) Charge</u>		
5/8" x 3/4" metered service	\$	
1" metered service	\$	
1 1/2" metered service	\$	
2" metered service	\$	
Over 2" metered service	Actual Cost [1]	
<u>Guaranteed Revenue Charge</u>		
<u>With Prepayment of Service Availability Charges:</u>		30.2/10.0
Residential-per ERC/month (____)GPD.....	\$	
All others-per gallon/month.....	\$	
<u>Without Prepayment of Service Availability Charges:</u>		
Residential-per ERC/month (____)GPD.....	\$	
All others-per gallon/month.....	\$	
Inspection Fee	Actual Cost [1]	30.2/8 & 9
<u>Main Extension Charge</u>		
Residential-per ERC (____ GPD).....	\$	30/3 & 4, 6.1
All others-per gallon	\$	
or		
Residential-per lot (____ foot frontage).....	\$	
All others-per front foot	\$	
Plan Review Charge	Actual Cost [1]	
<u>Plant Capacity Charge</u>		
Residential-per ERC (<u>250</u> GPD).....	\$ 550.00	30.1/6.0
All others-per gallon	\$ 2.20	
<u>System Capacity Charge</u>		
Residential-per ERC (____ GPD).....	\$	
All others-per gallon	\$	

[1] Actual Cost is equal to the total cost incurred for services rendered by a customer.

EFFECTIVE DATE - May 15, 1990

TYPE OF FILING - WS-90-0143

James W. Moore
 ISSUING OFFICER

 President

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
PROPOSED TARIFF**

NAME OF COMPANY GULF UTILITY COMPANY

WASTEWATER TARIFF
 (Continued from Sheet no. 23.2)

6.0 CONNECTION FEES

In addition to the foregoing fees, Developers shall pay connection fees as follows:

WATER PLANT capacity charges	SEWER PLANT capacity charges
Residential - \$550.00 per ERC	Residential - \$800.00 per ERC
General Service - \$1.39 per gallon of anticipated daily demand.	General Service - \$3.20 per gallon of anticipated daily demand.
ERC - 396 gallons per day	ERC - 250 gallons per day

6.1 CONDITION REGARDING RECEIPT OF CONTRIBUTIONS IN AID OF CONSTRUCTION

The service availability fees are granted on the express condition that the Utility agree as a condition precedent to implementation of the service availability rules and policy, that any contributions-in-aid-of-construction, including contributions of lines by developers, homeowners, or from any source whatsoever, or any assets that are received by the Utility other than those from Utility funds invested therein or capital investment by the company stockholders, from and after the effective date hereof, will be received by the Utility and will be held and operated solely for the use and benefit of its customers.

7.0 WATER METER INSTALLATION CHARGES

The Utility will require prior to the commencement of water service, that the following schedule of connection charges be paid to the Utility as a prerequisite for service per meter required. The Utility will charge only those customer connection charges necessary to connect a particular customer to the system.

<u>Meter Size</u>	<u>Meter Installation Charge</u>
5/8" x 3/4"	\$ 115.00*
3/4"	115.00*
1"	164.00*
1-1/2" and greater	Actual Cost

* Includes the cost of a back-flow prevention device.

Customer Connection Charges

Jack and Bore for single service	\$240.00
Jack and Bore for double service	120.00
Main tap	95.00
Lee County DOT Permit	30.00

Water meters 1-1/2" and greater will be installed pursuant to agreement between Contributor and the Utility, at the Utility's cost, to be paid by Contributor.

8.0 INSPECTION FEES

Engineering plans or designs for, or construction of facilities by a Contributor which are to become a part of Utility's system will be subject to review and inspection.

(Continued to Sheet No. 23.4)

EFFECTIVE DATE:

James W. Moore
 ISSUING OFFICER

TYPE OF FILING:

President
 TITLE

NAME OF COMPANY GULF UTILITY COMPANY
 WASTEWATER TARIFF

SERVICE AVAILABILITY SCHEDULE OF FEES AND CHARGES

<u>DESCRIPTION</u>	<u>AMOUNT</u>	<u>REFER TO SERVICE AVAIL. POLICY SHEET NO./RULE NO.</u>
<u>Customer Connection (Tap-in) Charge</u>		
5/8" x 3/4" metered service	\$	
1" metered service	\$	
1-1/2" metered service	\$	
2" metered service	\$	
Over 2" metered service	Actual Cost [1]	
<u>Guaranteed Revenue Charge</u>		
With Prepayment of Service Availability Charges:		30.2/10.0
Residential-per ERC/month (___) GPD	\$	
All others-per gallon/month	\$	
Without Prepayment of Service Availability Charges:		
Residential-per ERC/month (___) GPD	\$	
All others-per gallon/month	\$	
<u>Inspection Fee</u>	Actual Cost [1]	30.2/8 & 9
<u>Main Extension Charge</u>		
Residential-per ERC (___) GPD		30/3 & 4, 6.1
All others-per gallon		
or		
Residential-per lot (___ foot frontage)		
All others-per front foot		
<u>Plan Review Charge</u>	Actual Cost [1]	
<u>Plant Capacity Charge</u>		
Residential-per ERC (250 GPD)	\$800.00	30.1/6.0
All others-per gallon	\$ 3.20	
<u>System Capacity Charge</u>		
Residential-per ERC (___) GPD	\$	
All others-per gallon	\$	

[1] Actual Cost is equal to the total cost incurred for services rendered by a customer.

EFFECTIVE DATE: _____
James W. Moore
 ISSUING OFFICER

TYPE OF FILING: _____
President
 TITLE

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CAPITALIZATION**

**GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CAPITALIZATION**

The Capitalization of the Company, as of December 31, 1995, is shown on the following page.

The Company finances expansion through a combination of internally generated funds such as depreciation and retained earnings and externally generated funds such as debt and equity capital.

GULF UTILITY COMPANY
WASTEWATER OPERATIONS

CAPITALIZATION AND COST OF CAPITAL
12/31/95

Line No.	Class of Capital	Capitalization		Cost	
		Amount	%	%	Weighted %
1	Long-term debt	\$8,629,159	86.69	10.66	9.24
2	Note payable	75,360	0.76	10.87	0.08
3	Common equity	1,051,095	10.56	11.88	1.25
4	Customer deposits	198,272	1.99	6.00	0.12
	Total	<u>\$9,953,886</u>	<u>100.00</u>		<u>10.69</u>

^(a) Per PSC Leverage Graph, Order No. PSC-95-0982-FOF-WS

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CIAC AS % OF NET PLANT
AT 2005

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CIAC AS % OF NET PLANT
AT 2005

The determination of net CIAC to net plant is shown on the following page.

The ratio of net CIAC to net plant is presently 61% and increases to 74% by the year 2005

The plant additions are estimated as follows:

Year	On-Site Facilities Contributed	Collection & Pumping	Treatment	General Plant
1996	\$560,742	864,200 ^(a)	133,300 ^(b)	\$11,500
1997	442,400		1,875,000 ^(b)	13,300
1998	442,400	470,000		8,700
1999	442,400			2,700
2000	442,400			
2001	442,400			
2002	442,400			
2003	442,400			
2004	442,400			
2005	442,400			

^(a) Relocation of force main \$159,500
FGCU 615,700
Lift stations 89,000
 \$864,200

^(b) Effluent disposal line \$133,300

GULF UTILITY COMPANY
WASTEWATER OPERATIONS
CIAC AS % NET PLANT AT 2005

	2005			
	<u>12/31/95</u>	<u>Invest/ CIAC</u>	<u>Dep/ Amortz</u>	<u>Total</u>
Utility Plant	\$ 13,341,129	\$ 7,848,311		\$ 21,189,440
Land	473,626			473,626
Depreciation	<u>(2,725,160)</u>		<u>(6,273,517)</u>	<u>(8,998,677)</u>
Net Plant	<u>\$ 11,089,595</u>	<u>\$ 7,848,311</u>	<u>\$ (6,273,517)</u>	<u>\$ 12,664,389</u>
CIAC	\$ 8,811,150	\$ 6,291,342		\$ 14,902,492
Amortz of CIAC	<u>(1,833,846)</u>		<u>(3,691,794)</u>	<u>(5,525,640)</u>
Net CIAC	<u>\$ 6,777,304</u>	<u>\$ 6,291,342</u>	<u>\$ (3,691,794)</u>	<u>\$ 9,376,852</u>
Ratio - Net CIAC/Net Plant	61%			74%

GULF UTILITY COMPANY
WASTEWATER OPERATION
RESERVE FOR DEPRECIATION AND
AMORTIZATION OF CIAC

	Utility Plant				Reserve Depreciation(a)	CIAC	Amortz CIAC(b)
	Coll. & Pumping	Treatment	General	Total			
Balance 12/31/95	7,921,336	5,164,334	255,459	13,341,129	2,725,160	8,611,150	1,833,846
Additions	1,424,742	133,300	11,500	1,569,542	486,509	954,542	274,470
Retirements	72,531			72,531	72,531		
Balance 12/31/96	9,273,547	5,297,634	266,959	14,838,140	3,139,138	9,565,692	2,108,318
Average	8,597,442	5,230,984	261,209	14,089,635		9,088,421	
Additions	442,400	1,875,000	13,300	2,330,700	554,081	762,400	300,398
Retirements				0			
Balance 12/31/97	9,715,947	7,172,634	280,259	17,168,840	3,693,219	10,328,092	2,408,712
Average	9,494,747	6,235,134	273,609	16,003,490		9,946,892	
Additions	912,400		8,700	921,100	612,279	762,400	323,421
Retirements				0			
Balance 12/31/98	10,628,347	7,172,634	288,959	18,089,940	4,305,498	11,090,492	2,732,133
Average	10,172,147	7,172,634	284,609	17,629,390		10,709,292	
Additions	442,400		2,700	445,100	633,201	762,400	346,445
Retirements				0			
Balance 12/31/99	11,070,747	7,172,634	291,659	18,535,040	4,938,699	11,852,892	3,078,578
Average	10,849,547	7,172,634	280,309	18,312,490		11,471,692	

GULF UTILITY COMPANY
WASTEWATER OPERATION
RESERVE FOR DEPRECIATION AND
AMORTIZATION OF CIAC

	Utility Plant				Reserve Depreciation(a)	CIAC	/mortz CIAC(b)
	Coll. & Pumping	Treatment	General	Total			
Additions	\$ 442,400	\$	\$	\$ 442,400	\$ 646,672	\$ 762,400	\$ 369,470
Retirements				0			
Balance 12/31/00	11,513,147	7,172,634	291,659	18,977,440	5,585,371	12,815,292	3,448,048
Average	11,291,947	7,172,634	291,659	18,758,240		12,234,082	
Additions	442,400			442,400	660,032	762,400	392,494
Retirements				0			
Balance 12/31/01	11,955,547	7,172,634	291,659	19,419,840	6,245,403	13,377,692	3,840,542
Average	11,734,347	7,172,634	291,659	19,198,640		12,888,482	
Additions	442,400			442,400	670,052	762,400	404,006
Retirements				0			
Balance 12/31/02	12,397,947	7,172,634	291,659	19,862,240	6,915,455	13,758,892	4,244,548
Average	12,088,147	7,172,634	291,659	19,530,440		13,377,692	
Additions	442,400			442,400	681,743	762,400	415,519
Retirements				0			
Balance 12/31/03	12,840,347	7,172,634	291,659	20,304,640	7,597,198	14,140,082	4,660,067
Average	12,453,247	7,172,634	291,659	19,917,540		13,758,892	
Additions	442,400			442,400	694,268	762,400	427,031
Retirements				0			
Balance 12/31/04	13,282,747	7,172,634	291,659	20,747,040	8,291,466	14,521,292	5,087,097
Average	12,867,997	7,172,634	291,659	20,332,290		14,140,082	
Additions	442,400			442,400	707,211	762,400	438,543
Retirements				0			
Balance 12/31/05	13,725,147	7,172,634	291,659	21,189,440	8,998,677	14,902,492	5,525,640
Average	13,298,572	7,172,634	291,659	20,760,865		14,521,292	

(a) Depreciation Rates

Coll. & Pumping	0.0302
Treatment	0.0383
General	0.0815

(b) Amortz CIAC

0.0302

GULF UTILITY COMPANY
CIAC

Year	ERC	CIAC-Water			ERC	CIAC-Wastewater		
		Supply Ⓐ \$ 550	Dist Ⓐ \$ 895	Total		Treatment Ⓐ \$ 800	Coll Ⓐ \$ 1106	Total
1996	607	485,600 (a)	543,265	1,028,865	507	278,850 (b)	560,742	839,592
1996 FGCU	183	146,400		146,400	209	114,950		114,950
1997	500	275,000	447,500	722,500	400	320,000	442,400	762,400
1998	500	275,000	447,500	722,500	400	320,000	442,400	762,400
1999	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2000	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2001	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2002	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2003	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2004	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2005	500	275,000	447,500	722,500	400	320,000	442,400	762,400
	5290	\$ 3,107,000	\$ 4,570,785	\$ 7,677,785		\$ 3,273,800	\$ 4,542,342	\$ 7,816,142

55

(a) 1998 Ⓐ \$800
(b) 1998 Ⓐ \$550

GULF UTILITY COMPANY
WATER OPERATIONS
ORIGINAL COST OF PROPERTY
12/31/95

GULF UTILITY COMPANY

WATER OPERATIONS

ORIGINAL COST OF PROPERTY

12/31/95

302	Franchises	\$4,625
303	Land and Land Rights	121,087
304	Structures and Improvements	679,057
307	Wells and Springs	930,256
309	Supply Mains	489,363
310	Power Generation Equipment	85,796
311	Pumping Equipment	763,240
320	Water Treatment Equipment	2,880,816
	Total Supply & Treatment	5,949,615
303	Land and Land Rights	79,233
304	Structures and Improvements	124,245
330	Distribution Reservoirs	622,561
331	Transmission and Dist. Mains	6,628,420
333	Services	788,808
334	Meters and Meter Installations	565,680
335	Hydrants	410,928
339	Water Reuse line	182,638
	Total Trans. & Dist.	9,412,513
304	Structures and Improvements	107,434
340	Office Furniture and Equip.	285,100
341	Transportation Equipment	111,035
342	Stores Equipment	2,003
343	Tools, Shop and Garage Equipment	28,549
344	Laboratory Equipment	10,978
345	Power Operated Equipment	7,455
346	Communication Equipment	81,118
347	Miscellaneous Equipment	21,026
348	Other Tangible Plant	455
	Total General Plant	655,153
	Total Water Plant	\$16,021,906

GULF UTILITY COMPANY
WATER OPERATIONS
ACCUMULATED DEPRECIATION
12/31/95

GULF UTILITY COMPANY

WATER OPERATIONS

ACCUMULATED DEPRECIATION

12/31/95

302	Franchises	\$2,120
303	Land and Land Rights	--
304	Structures and Improvements	171,459
307	Wells and Springs	179,336
309	Supply Mains	78,723
310	Power Generation Equipment	25,059
311	Pumping Equipment	264,671
320	Water Treatment Equipment	967,597
339	Water Reuse Line	30,400
	Total Supply & Treatment	1,717,245
303	Land and Land Rights	--
304	Structures and Improvements	28,130
330	Distribution Reservoirs	117,523
331	Transmission and Dist. Mains	1,396,072
333	Services	157,719
334	Meters and Meter Installations	154,273
335	Hydrants	60,811
	Total Trans. & Dist.	1,914,528
304	Structures and Improvements	31,486
340	Office Furniture and Equip.	154,554
341	Transportation Equipment	66,873
342	Stores Equipment	545
343	Tools, Shop and Garage Equipment	8,633
344	Laboratory Equipment	5,959
345	Power Operated Equipment	3,876
346	Communication Equipment	8,229
347	Miscellaneous Equipment	7,090
348	Other Tangible Plant	266
	Total General Plant	287,511
	Total Water Plant	\$3,921,404

GULF UTILITY COMPANY
WATER OPERATIONS
ACTIVE CUSTOMERS

GULF UTILITY COMPANY

WATER OPERATIONS

ACTIVE CUSTOMERS

12/31/95

Meter Size								
Water	5/8"	1"	1½"	2"	3"	4"	6"	Total
Residential	6,581	2						6,583
Commercial	96	26	9	5		2		138
Multi-Family	5	50	15	11	2	2	2	87
Public Authority		2		5	2	3		12
Irrigation	12	2	1					15
Totals	6,694	82	25	21	4	7	2	6,835
ERC								
Equivalent Factor ^(a)	1.0	2.5	5.0	8.0	15	25	50	
ERC	6,694	205	125	168	60	175	100	7,527

^(a) Source: Page W-10 of Annual Report

**GULF UTILITY COMPANY
WATER OPERATIONS
WATER PLANT CAPACITIES**

GULF UTILITY COMPANY
 WATER OPERATIONS
 WATER PLANT CAPACITIES
 12/31/95

Well No.	Year Installed	Depth (ft.)	Size (in.)	Gpm.
1	1980	40	8	600
2	1980	37	8	200
3	1980	38	8	400
4	1986	45	8	500
5	1986	38	8	250
6	1990	38	10	500
7	1990	38	10	500
8	1990	38	10	500
	1990	38	10	500

Plant Capacity:

San Carlos 2,415 mgd
 Corkscrew 1,000 mgd
 3,415 mgd

ERC @ 296 gal./ERC 11,500

Storage:

Ground Storage - Ground - Concrete 1,000,000 gal.
 - Ground - Steel 100,000 gal.
 - Ground - Concrete 500,000 gal.
 - Ground - Concrete 1,000,000 gal.

GULF UTILITY COMPANY

**WATER OPERATIONS
12/31/95**

M GALLONS

Month	Daily Pumpage - mgd		Monthly
	Average	Maximum ^(a)	
January	1,723	2,500	53,421
February	2,054	2,500	57,519
March	2,186	3,294	67,783
April	2,243	3,312	67,292
May	2,332	2,798	72,277
June	1,597	2,831	47,918
July	1,520	2,238	47,108
August	1,383	2,712	42,881
September	1,444	2,138	43,332
October	1,495	2,495	46,354
November	1,969	2,798	59,064
December	1,932	3,068	59,895
Total			664,844

Highest five consecutive days 2.746 mgd

^(a) Sum of maximum days at San Carlos and Corkscrew WTPs

GULF UTILITY COMPANY
WATER OPERATIONS
CAPACITY OF DISTRIBUTION SYSTEM

GULF UTILITY COMPANY
WATER OPERATIONS
CAPACITY OF DISTRIBUTION SYSTEM

The extension policy is to have the developer install all lines and contribute them to the Company. At December 31, 1995, the Company served 6,835 water customers. There are prepaid water lines installed where 1,050 connection fees have been prepaid. Other than these lots, there are few, if any, lots that are piped for water service that are vacant.

GULF UTILITY COMPANY
WATER OPERATIONS
LISTS OF OUTSTANDING DEVELOPER AGREEMENTS
AND RELATED INFORMATION

GULF UTILITY COMPANY

WATER OPERATIONS

**LIST OF OUTSTANDING DEVELOPER AGREEMENTS
AND RELATED INFORMATION**

The following are the outstanding contracts, by the subdivision name. In each case except the Florida Gulf Coast University, the developer installed the on-site facilities and dedicated them to the Company.

	Prepaid Fees 12/31/95	ERC @ \$800
Aloha Road Extension	\$4,760	5.95
Biscayne Venture Assoc.	28,800	36.00
Coastland	400	0.50
Country Oaks	5,600	7.00
Estero Ranch Gardens	11,200	14.00
First Communities	131,200	164.00
Florida Gulf Coast University	146,400	183.00
Harborage	41,600	52.00
IPW inc./Wagterway Bay	23,528	29.41
Parkridge	16,800	21.00
Pine Glen	8,000	10.00
Shannon Pines	10,400	13.00
Southwind - Charleston Development	44,800	56.00
Terreverde	44,800	56.00
The Groves Broadway Land Trust	32,800	41.00
The Islands - SW Fl. Capital	49,600	62.00
The Vines	20,800	26.00
Three Oaks Town Center	229	0.29
Tidewater Island	41,600	52.00
Villages	139,511	219.0*
Wood Briar	1,600	2.00
	----- \$804,428	----- 1,050.15

*50ERC @ \$505.05

The Company estimates a growth of 607 ERC in 1996 and 500 ERC per year thereafter from these plus new contracts. The average cost of on-site facilities is \$895 per ERC.

GULF UTILITY COMPANY
WATER OPERATIONS
CONTRIBUTIONS IN AID OF
CONSTRUCTION AND AMORTIZATION

GULF UTILITY COMPANY

WATER OPERATIONS

**CONTRIBUTIONS IN AID OF CONSTRUCTION
12/31/95**

Water Connections	\$4,245,199
Main Taps	550,939
Jack & Bores	119,597
Water Lines/Pro Rata	5,202,769
Hydrants	375,868
Permits	63,075
RV Connections	299,157
Meter Installations	481,957
Services	403,277
Returned Checks	7,157

Total Water CIAC	\$11,748,995
Amortization of CIAC	(2,761,279)

Net CIAC	\$8,987,716

At December 31, 1995 there were \$804,428 of prepaid connection fees.

GULF UTILITY COMPANY
WATER OPERATIONS
COPIES OF APPROVALS AND PERMITS

GULF UTILITY COMPANY
WATER OPERATIONS
COPIES OF APPROVALS AND PERMITS

The permits for the Water Treatment Plants are:

Water Use Permit	Appendix B - page 128
Discharge Permit - Corkscrew WTP	Appendix B - page 134
Construct Class I Injection Well	Appendix B - page 142

GULF UTILITY COMPANY
WATER OPERATIONS
PLANT EXPANSION

GULF UTILITY COMPANY

WATER OPERATIONS

PLANT EXPANSION

The Company has two water plants, namely, the San Carlos WTP, having a capacity of 2.415 mgd, and the Corkscrew WTP. The Corkscrew WTP was initially constructed in 1990 with additions as follows:

1990	Phase 1	0.500 mgd
1994	Phase 2	0.500 mgd
1997	Phase 3	0.800 mgd

The service requirements within the Company's certificated area continue to grow. The new Florida Gulf Coast University (FGCU) as well as two developments of regional impact (DRI's) which will have 2,341 units plus 34,500 s.f. of clubhouse/retail space at build out will accelerate current demand trends. Several additional DRI's also appear to be nearing the point where construction (and service demand) are imminent.

To meet this demand the Company has constructed looping mains in 1995. In 1996 facilities costing \$482,000 will be added to serve FGCU and \$230,000 will be spent to upgrade and loop other main lines.

Additional plant capacity is also required. A contract was recently executed to add one additional well and .800 mgd of capacity at the Corkscrew WTP. This expansion will cost \$1,100,000 and will be completed in mid-1997.

The greatest uncertainty facing the Company is whether a deep injection well will be required to dispose of the reject water from the Corkscrew WTP, which is a membrane filtration facility. Currently Gulf is being allowed by F.D.E.P. to mix this reject water with treated wastewater effluent, with the combined effluent being disposed of by spray irrigation on golf courses.


Gulf has recently applied to expand this F.D.E.P. permit to accommodate the increased reject water stream that will be generated by the expansion of the Corkscrew WTP currently under construction. The line to accommodate this increased flow and effluent disposal will cost \$200,000, if the permit is granted. As a condition of permit compliance, control and reject water storage facilities will have to be constructed at the Corkscrew WTP at a cost of \$700,000.

While F.D.E.P. is considering the application, they have made it absolutely clear that Gulf cannot rely on their approval of this method of disposal either now or in the future.

If the expanded F.D.E.P. permit is denied at any time Gulf will have no other disposal alternative other than the construction of a deep injection well.

The Company does have construction plans that are ready to be bid and a permit to construct such a well. The estimated cost of this facility is \$2,500,000.

Obviously it is in the Company's and the customer's best interest not to construct a deep injection well unless no other effluent disposal option is available. However, the ability to continue using the current cost efficient disposal method is subject to regulatory decisions beyond Gulf's control.



Registered Engineer 5/2/96
Florida Professional Engineer # _____
Registration # 22777

GULF UTILITY COMPANY
WATER OPERATIONS
CUSTOMER GROWTH

GULF UTILITY COMPANY
WATER OPERATIONS
CUSTOMER GROWTH

Customers							
	Resid.	Comm.	Public Auth.	Multi- Family	Irri- gation	Total	ERC^(a)
1990	5,136	70	7	49	13	5,275	5,739
1991	5,361	73	7	59	13	5,513	6,012
1992	5,702	91	9	66	16	5,884	6,386
1993	5,913	97	10	73	16	6,109	6,665
1994	6,292	107	12	79	17	6,507	7,107
1995	6,583	138	12	87	15	6,835	7,528
Growth 1990-1995	1,447	68	5	38		1,560	1,789
Avg 5 yrs	289	14	1	8		312	358

^(a) Source: Page W-10 of Annual Report

The Company estimates a growth of 480 customers per year from normal growth plus 183 ERC from Florida Gulf Coast University in 1997. This growth was based upon historical growth, outstanding contracts with developers, and new developments in the area. New developments will require both water and wastewater service.

GULF UTILITY COMPANY
WATER OPERATIONS
METHOD OF CALCULATING PLANT
CAPACITY CHARGES

GULF UTILITY COMPANY

WATER OPERATIONS

METHOD OF CALCULATING PLANT CAPACITY CHARGES

	A/C	Amount	Capacity Mgd	\$/Gal.	Per ERC 396 Gpd.
Existing Facilities @ 12/31/95					
Land & Land Rights	303	\$121,087			
Structures	304	824,592			
Wells	307	930,256			
Supply Lines	309	489,363			
Power Gen. Equip	120	85,796			
Pumping Equip.	311	763,240			
Treatment Equip.	320	2,880,816			
Reservoirs	330	622,561			
		6,717,711	3.415	1.97	
New Facilities					
Corkscrew Plant	311	135,000			
Corkscrew WTP #3	320	1,794,445	0.800		
Deep Well	307	2,500,000			
Corkscrew WTP 1 & 2	320	500,000	0.600		
Line-Looping	331	400,000			
		\$12,047,156	4.815	2.50	\$990

GULF UTILITY COMPANY
WATER OPERATIONS
EXISTING RATES

GULF UTILITY COMPANY

WATER OPERATIONS

**SUMMARY OF PRESENT AND PROPOSED
PLANT CAPACITY CHARGES**

Type Charge	Present Charges	Proposed Charges
Plant Capacity Charge		
Residential - per ERC (396 GPD)	\$800/ERC	\$550/ERC
All Others - per Gallon/Day	\$2.02/Gallon/Day	\$1.39/Gallon/Day

NAME OF COMPANY GULF UTILITY COMPANY

WATER TARIFF

SERVICE AVAILABILITY POLICY

1.0 GENERAL

The Utility adopts and incorporates herein by reference, Part IX, Chapter 25-10, Florida Administrative Code (F.A.C.), promulgated under Florida Public Service Commission Order No. 6395.

2.0 AVAILABILITY

The provisions of this policy are available throughout the territory subject to matters of economic feasibility as defined by Rule 25-30.515(7), F.A.C.

3.0 ON-SITE FACILITIES

On-site transmission, distribution, and other water and sewer facilities will be provided by the Contributor pursuant to the requirements and specifications of the Utility. Service to facilities outside the point of delivery as defined by Rule 25-10.15(8), F.A.C., shall be conveyed to the Utility by a bill of sale together with perpetual rights-of-way and easements for appropriate access to facilities as well as complete as-built plans for all such lines and facilities together with accurate cost records establishing the construction costs of all Utility facilities as a condition precedent to their acceptance by the Utility and the initiation of service.

4.0 OFF-SITE FACILITIES

Off-site transmissions and distribution systems shall be provided by the Contributor in accordance with the Utility's specifications and conveyed to the Utility by bill of sale with necessary maintenance and replacement easements and rights-of-way together with as-built drawings of the facilities and accurate cost records establishing the construction cost of the facilities, to include material, labor, engineering, administrative, and other related costs, as a condition precedent to their acceptance by the Utility and the initiation of service.

5.0 REFUNDABLE DEPOSITS

If the off-site or on-site facilities can serve other areas than those of the contributor, the service company may require that they be oversized to enable service to be provided to additional territory and that the contributor advance the cost of such oversized facilities. So much of the cost as exceeds the hydraulic share of the Contributor will be refunded by the Utility as refundable advances over a period not to exceed seven years, from extension fees paid by other Contributor's connecting to the main or mains in accordance with their hydraulic share.

James W. Moore
ISSUING OFFICER

President
TITLE

NAME OF COMPANY GULF UTILITY COMPANY
 WATER TARIFF

6.0 CONNECTION FEES

In addition to the foregoing fees, Developers shall pay connection fees as follows:

WATER PLANT capacity charges	SEWER PLANT capacity charges
Residential = \$800.00 per ERC	Residential = \$550.00 per ERC
General Service = \$2.02 per gallon of anticipated daily demand.	General Service = \$2.20 per gallon of anticipated daily demand.
ERC = 396 gallons per day	ERC = 250 gallons per day

6.1 CONDITION REGARDING RECEIPT OF CONTRIBUTIONS IN AID OF CONSTRUCTION

The service availability fees are granted on the express condition that the Utility agree as a condition precedent to implementation of the service availability rules and policy, that any contributions-in-aid-of-construction, including contributions of lines by developers, homeowners, or from any source whatsoever, or any assets that are received by the Utility other than those from Utility funds invested therein or capital investment by the company stockholders, from and after the effective date hereof, will be received by the Utility and will be held and operated solely for the use and benefit of its customers.

7.0 WATER METER INSTALLATION CHARGES

The Utility will require prior to the commencement of water service, that the following schedule of connection charges be paid to the Utility as a prerequisite for service per meter required. The Utility will charge only those customer connection charges necessary to connect a particular customer to the system.

<u>Meter Size</u>	<u>Meter Installation Charge</u>
5/8" x 3/4"	\$ 115.00*
3/4"	115.00*
1"	164.00*
1-1/2" and greater	Actual Cost

* Includes the cost of a back-flow prevention device.

Customer Connection Charges

Jack and Bore for single service	\$240.00
Jack and Bore for double service	120.00
Main tap	95.00
Lee County DOT Permit	30.00

Water meters 1-1/2" and greater will be installed pursuant to agreement between Contributor and the Utility, at the Utility's cost, to be paid by Contributor.

8.0 INSPECTION FEES

Engineering plans or designs for, or construction of facilities by a Contributor which are to become a part of Utility's system will be subject to review and inspection.

Effective Date: June 16, 1995

James W. Moore
 ISSUING OFFICER

Type of Filing: Docket No. 950237-WS

Correction

President
 TITLE

NAME OF COMPANY GULF UTILITY COMPANY
 WATER TARIFF

SERVICE AVAILABILITY SCHEDULE OF FEES AND CHARGES

REFER TO SERVICE
 AVAIL. POLICY
 SHEET NO./RULE NO.

DESCRIPTION	AMOUNT	
<u>Jack and Bore Charge</u>		
Single service	\$240.00	33.0/7.0
Double service	\$120.00	33.0/7.0
<u>Lee County D.O.T. Permit</u>	\$ 30.00	33.0/7.0
<u>Customer Connection (Tap-in) Charge</u>		
5/8" x 3/4" metered service	\$ 95.00	33.0/7.0
3/4" metered service	\$ 95.00	33.0/7.0
1" metered service	\$ 95.00	33.0/7.0
1-1/2" metered service	\$ 95.00	33.0/7.0
2" or Greater metered service	Actual Cost	33.0/7.0
<u>Guaranteed Revenue Charge</u>		
With Prepayment of Service Availability Charges:		
Residential-per ERC/month (___ GPD)	\$	33.0/8.0
All others-per gallon/month	\$	32.0/3.0
Without Prepayment of Service Availability Charges:		
Residential-per ERC/month (___ GPD)	\$	33.0/5.1
All others-per gallon/month	\$	32.0/3.0
<u>Inspection Fee</u>	Actual Cost (1)	33.0/8.0
<u>Main Extension Charge</u>		
Residential-per ERC (___ GPD)	Actual Cost (1)	32.0/3.0
All others-per gallon	Actual Cost (1)	33.0/6.1
or		
Residential-per lot (___ foot frontage)	Actual Cost (1)	32.0/3.0
All others-per front foot	Actual Cost (1)	33.0/6.1
<u>Meter Installation Fee</u>		
5/8" x 3/4"	\$115.00*	33.0/7.0
3/4"	\$115.00*	
1"	\$164.00*	33.0/7.0
1-1/2" or Greater	Actual Cost (1)	33.0/7.0
<u>Plan Review Charge</u>	Actual Cost (1)	33.0/7.0
<u>Plant Capacity Charge</u>		
Residential-per ERC (396 GPD)	\$800.00	33.0/6.0
All others-per gallon	\$ 2.02	33.0/6.0
<u>System Capacity Charge</u>		
Residential-per ERC (___ GPD)	\$	
All others-per gallon	\$	

*Includes the cost of back-flow prevention device.

(1) Actual cost is equal to the total cost incurred for services rendered to a customer.

EFFECTIVE DATE: June 16, 1995

James W. Moore
 ISSUING OFFICER

TYPE OF FILING: Docket No. 950237-WS
 Correction

President
 TITLE

GULF UTILITY COMPANY
WATER OPERATIONS
PROPOSED RATES

NAME OF COMPANY GULF UTILITY COMPANY

WATER TARIFF

6.0 CONNECTION FEES

In addition to the foregoing fees, Developers shall pay connection fees as follows:

WATER PLANT capacity charges

SEWER PLANT capacity charges

Residential - \$550.00 per ERC
General Service - \$1.39 per
gallon of anticipated
daily demand.

Residential - \$800.00 per ERC
General Service - \$3.20 per
gallon of anticipated
daily demand.

ERC = 396 gallons per day

ERC = 250 gallons per day

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The service availability fees are granted on the express condition that the Utility agree as a condition precedent to implementation of the service availability rules and policy, that any contributions-in-aid-of-construction, including contributions of lines by developers, homeowners, or from any source whatsoever, or any assets that are received by the Utility other than those from Utility funds invested therein or capital investment by the company stockholders, from and after the effective date hereof, will be received by the Utility and will be held and operated solely for the use and benefit of its customers.

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Meter Size
5/8" x 3/4"
3/4"
1"

Meter Installation Charge
\$ 115.00*
115.00*
164.00*

1-1/2" and greater

Actual Cost

* Includes the cost of a back-flow prevention device.

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Jack and Bore for single service \$240.00
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Main tap 95.00
Lee County DOT Permit 30.00

Water meters 1-1/2" and greater will be installed pursuant to agreement between Contributor and the Utility, at the Utility's cost, to be paid by Contributor.

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Engineering plans or designs for, or construction of facilities by a Contributor which are to become a part of Utility's system will be subject to review and inspection.

EFFECTIVE DATE:

James W. Moore
ISSUING OFFICER

TYPE OF FILING:

President
TITLE

NAME OF COMPANY GULF UTILITY COMPANY
 WATER TARIFF

SERVICE AVAILABILITY SCHEDULE OF FEES AND CHARGES

REFER TO SERVICE
 AVAIL. POLICY
 SHEET NO./RULE NO.

<u>DESCRIPTION</u>	<u>AMOUNT</u>	
<u>Jack and Bore Charge</u>		
Single service	\$240.00	33.0/7.0
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5/8" x 3/4"	\$115.00*	33.0/7.0
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1"	\$164.00*	33.0/7.0
1-1/2" or Greater	Actual Cost (1)	33.0/7.0
<u>Plan Review Charge</u>	Actual Cost (1)	33.0/7.0
<u>Plant Capacity Charge</u>		
Residential-per ERC (396 GPD)	\$550.00	33.0/6.0
All others-per gallon	\$ 1.39	33.0/6.0
<u>System Capacity Charge</u>		
Residential-per ERC (___ GPD)	\$	
All others-per gallon	\$	

*Includes the cost of back-flow prevention device.

(1) Actual cost is equal to the total cost incurred for services rendered to a customer.

EFFECTIVE DATE:

James W. Moore
 ISSUING OFFICER

TYPE OF FILING:

President
 TITLE

GULF UTILITY COMPANY
WATER OPERATIONS
CIAC AS % OF NET PLANT
AT 2005

GULF UTILITY COMPANY

WATER OPERATIONS

**CIAC AS % OF NET PLANT
AT 2005**

The determination of net CIAC to net plant is shown on the following page.

The ratio of net CIAC to net plant is presently 61% and increases to 75% by the year 2005.

The plant additions are estimated as follows:

Year	Supply	Dist.	On-Site Facilities Contributed	General Plant
1996	\$1,977,945 ^(b)	785,000 ^(a)	543,265	26,400
1997			447,500	44,100
1998			447,500	17,300
1999	7,500		447,500	25,300
2000	3,000,000 ^(c)		447,500	1,000
2001			447,500	
2002	1,300,000		447,500	
2003			447,500	
2004			447,500	
2005			447,500	

^(a) Mains \$258,100
 FGCU \$26,900
 \$785,000

^(b) New Well & Telemetry \$84,000
 Corkscrew Pump Upgrade 31,000
 Corkscrew Rd. Effluent Disposal Line 66,000
 Chemical Feed Pump 2,500
 Skid #3 1,094,445
 Holding Tank, Pumps, etc. 700,000
 \$1,977,945

^(c) Deep Well \$2,500,000
 Retrofit Skids 1 & 2 500,000
 \$3,000,000

GULF UTILITY COMPANY
WATER OPERATIONS
CIAC AS % NET PLANT AT 2005

	12/31/05			Total
	12/31/95	Invest/ CIAC	Dep/ Amortz	
Utility Plant	\$ 15,821,584	\$ 11,842,508		\$ 27,484,092
Land	200,320			200,320
Depreciation	<u>(3,821,404)</u>		<u>(7,787,049)</u>	<u>(11,708,453)</u>
Net Plant	<u>\$ 12,100,500</u>	<u>\$ 11,842,508</u>	<u>\$ 7,787,049</u>	<u>\$ 15,955,959</u>
CIAC	\$ 11,748,995	\$ 7,677,765		\$ 19,426,760
Amortz of CIAC	<u>(2,761,279)</u>		<u>(5,116,485)</u>	<u>(7,877,764)</u>
Net CIAC	<u>\$ 8,987,716</u>	<u>\$ 7,677,765</u>	<u>\$ 5,116,485</u>	<u>\$ 11,548,996</u>
Ratio - Net CIAC/Net Plant	74%			72%

GULF UTILITY COMPANY
WATER OPERATION
RESERVE FOR DEPRECIATION AND
AMORTIZATION OF CIAC

	Utility Plant		General	Total	Reserve Depreciation(a)	CIAC	Amortz CIAC(b)
	Supply	Dist					
Balance 12/31/85	6,451,089	8,710,717	659,778	15,821,584	3,921,404	11,748,985	2,761,279
Additions	1,977,945	1,328,265	26,400	3,332,610	602,232	1,175,265	399,707
Retirements		145,802		145,802	145,802		
Balance 12/31/86	8,429,034	9,893,180	686,178	19,008,392	4,377,834	12,924,280	3,160,986
Average	7,440,062	9,301,949	672,978	17,414,988		12,338,628	
Additions		447,500	44,100	491,600	666,831	722,500	430,451
Retirements				0			
Balance 12/31/87	8,429,034	10,340,680	730,278	19,499,992	5,044,665	13,646,760	3,591,436
Average	8,429,034	10,118,830	706,228	19,254,192		13,265,510	
Additions	3,000	447,500	17,300	467,800	681,239	722,500	453,660
Retirements				0			
Balance 12/31/88	8,432,034	10,788,180	747,578	19,967,792	5,725,904	14,369,280	4,045,296
Average	8,430,534	10,564,430	738,928	19,733,892		14,008,010	
Additions	7,500	447,500	25,300	480,300	666,078	722,500	477,289
Retirements				0			
Balance 12/31/89	8,439,534	11,235,680	772,878	20,448,092	6,420,982	15,081,760	4,522,564
Average	8,435,784	11,011,930	760,228	20,207,942		14,730,510	

GULF UTILITY COMPANY
 WATER OPERATION
 RESERVE FOR DEPRECIATION AND
 AMORTIZATION OF CIAC

	Supply	Utility Plant Dist	General	Total	Depreciation(a)	CIAC	Amortz CIAC(b)
Additions	\$ 3,000,000	\$ 447,500	\$ 1000	\$ 3,448,500	\$ 768,982	\$ 722,500	\$ 500,678
Retirements							
Balance 12/31/00	11,439,534	11,683,180	773,878	23,896,592	7,189,964	15,814,280	5,023,242
Average	9,939,534	11,459,430	773,378	22,172,342		15,453,010	
Additions	160,000	447,500		607,500	842,371	722,500	524,087
Retirements	130,000			130,000			
Balance 12/31/01	11,469,534	12,130,680	773,878	24,374,092	8,032,335	16,536,780	5,547,328
Average	11,454,534	11,908,930	773,878	24,135,342		18,175,510	
Additions	1,300,000	447,500		1,747,500	881,296	722,500	547,498
Retirements				0			
Balance 12/31/02	12,769,534	12,578,180	773,878	26,121,592	8,913,631	17,259,280	6,094,824
Average	12,119,534	12,354,430	773,878	25,247,842		16,898,010	
Additions		447,500		447,500	919,614	722,500	570,905
Retirements				0			
Balance 12/31/03	12,769,534	13,025,680	773,878	26,569,092	9,833,246	17,981,780	6,665,728
Average	12,769,534	12,801,930	773,878	26,345,342		17,620,510	
Additions		447,500		447,500	931,807	722,500	594,314
Retirements				0			
Balance 12/31/04	12,769,534	13,473,180	773,878	27,016,592	10,764,853	16,704,280	7,280,042
Average	12,769,534	13,249,430	773,878	26,792,842		16,343,010	
Additions		447,500		447,500	943,600	722,500	617,723
Retirements				0			
Balance 12/31/05	12,769,534	13,920,680	773,878	27,464,092	11,708,453	19,426,780	7,877,764
Average	12,769,534	13,696,930	773,878	27,240,342		19,065,510	

(a) Depreciation Rate

Supply	4.05	%
Distribution	2.68	
General	7.67	

(b) Amortz CIAC

3.24 %

GULF UTILITY COMPANY
CIAC

Year	CIAC-Water				CIAC-Wastewater			
	ERC	Supply @ \$ 550	Dist @ \$ 865	Total	ERC	Treatment @ \$ 800	Coll @ \$ 1106	Total
1986	807	485,800 (a)	543,265	1,028,865	507	278,850 (b)	560,742	838,592
1986 FGCU	183	146,400		146,400	209	114,950		114,950
1987	500	275,000	447,500	722,500	400	320,000	442,400	762,400
1988	500	275,000	447,500	722,500	400	320,000	442,400	762,400
1989	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2000	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2001	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2002	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2003	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2004	500	275,000	447,500	722,500	400	320,000	442,400	762,400
2005	500	275,000	447,500	722,500	400	320,000	442,400	762,400
	5280	\$ 3,107,000	\$4,570,765	\$ 7,877,765		\$ 3,273,800	\$ 4,542,342	\$ 7,816,142

(a) 1986 @ \$800
(b) 1986 @ \$550

APPENDIX A

**GULF UTILITY COMPANY
COPIES OF APPROVALS AND PERMITS
WASTEWATER OPERATIONS**



Department of Environmental Protection

1995
CONSTRUCTION
Permit
790 EXP.

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

CERTIFIED MAIL NO. Z 054 065 550
RETURN RECEIPT REQUESTED

In the Matter of an
Application for Permit by:
James W. Moore, President
Gulf Utility Company
18513 Bartow Blvd., S.E.
Fort Myers, Florida 33912

DEP Application No. 263897
Lee County - DW
Gulf Utility/Three Oaks WWTF

INTENT TO ISSUE

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

The applicant, James Moore, President of Gulf Utility Company, applied on January 17, 1995 to the Department of Environmental Protection for a permit to construct an expansion to an existing domestic wastewater treatment facility as specified in the draft permit (copy attached).

The Department has permitting jurisdiction under Section 403.087 Florida Statutes (F.S.) and Chapter 62-4 Florida Administrative Code (F.A.C.). The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

The Department intends to issue this permit based on its belief that reasonable assurances have been provided to indicate that the proposed project will not adversely impact water quality and the proposed project will comply with the appropriate provisions of Florida Administrative Code Rules 62-3, 62-4, 62-28, 62-302, 62-500 series and 62-600 series.

Pursuant to Section 403.815, Florida Statutes (F.S.) and Rule 62-103.150, Florida Administrative Code (F.A.C.), you (the applicant) are required to publish at your own expense the enclosed Notice of Intent to Issue Permit. The notice shall be published one time only within 30 days in the legal ad section of a newspaper of general circulation in the area affected. For the purpose of this rule, "publication in a newspaper of general circulation in the area affected" means publication in a newspaper meeting the requirements of

Sections 50.011 and 50.031, F.S., in the county where the activity is to take place. Where there is more than one newspaper of general circulation in the county, the newspaper used must be one with significant circulation in the area that may be affected by the permit. If you are uncertain that a newspaper meets these requirements, please contact the department at the address or telephone number listed below. The applicant shall provide proof of publication to the Department, at South District, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 33901 within seven days of publication. Failure to publish the notice and provide proof of publication within the allotted time may result in the denial of the permit.

The Department will issue the permit with the attached conditions unless a petition for an administrative proceeding (hearing) is filed pursuant to the provisions of Section 120.57, F.S.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, F.S.. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. Petitions filed by the permit applicant and the parties listed below must be filed within 14 days of receipt of this intent. Petitions filed by other persons must be filed within 14 days of publication of the public notice or within 14 days of their receipt of this intent, whichever first occurs. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, F.S..

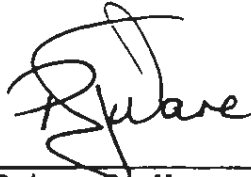
The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, 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 each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this intent. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this intent in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C..

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Peter J. Ware
Director of
District Management
South District Office

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed by certified mail before the close of business on April 6, 1995 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to S.120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Misley 4-6-95
Clerk Date

PJW/JAA/ish

Enclosures

Copies furnished to:
James P. Elliott, P.E.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

NOTICE OF INTENT TO ISSUE PERMIT

The Department of Environmental Protection gives notice of its intent to issue a permit to Gulf Utility Company, c/o James Moore, President, 18513 Bartow Blvd., S. E., Fort Myers, Florida 33912, to construct an expansion to the existing Three Oaks domestic wastewater treatment facility (WWTF) to 0.75 MGD with reclaimed water at the existing Vines Golf Course and the existing Villages of Country Creek Golf Course in south Lee County. The existing Three Oaks WWTF is located at 18521 Three Oaks Parkway, Fort Myers, Lee County, Florida. The Department has assigned File No. 263897 to the project.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of publication of this notice. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information; (a) The name, address, and telephone number of each petitioner, 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 each petitioner received notice of the Department's action or proposed action; (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action; (d) A statement of the material facts disputed by Petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of publication of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

The application is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, South District, 2295 Victoria Avenue, Fort Myers, Florida.



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

PERMITTEE:
James W. Moore, President
Gulf Utility Company
18513 Bartow Blvd. S.E.
Fort Myers, Florida 33912

I.D. No: 5236P00126
Permit/Cert. No: DC36-263897
Date of Issue: DRAFT
Expiration Date: DRAFT
County: Lee
Latitude: 27° 30' 45" N
Longitude: 81° 47' 22" W
Section/Town/Range: 15/169/25E
Project: Gulf Utility Three Oaks WWTF

DRAFT

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-3, 62-4, 62-28, 62-520, 62-522, 62-600, 62-601, 62-610, 62-640 and 62-699.

The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Construct an expansion of the existing wastewater treatment facility to a 0.750 MGD (maximum monthly flow) design capacity Class I reliable closed loop reactor aeration process domestic wastewater treatment facility with public access reclaimed water to the previously permitted Vines Golf Course and the previously permitted Villages of Country Creek Golf Course. The two (2) existing reuse sites have a design capacity of 0.867 MGD (maximum monthly flow), which is used for a blend of both the expanded RO drinking water plant's concentrate water (0.217 MGD maximum monthly flow) and reclaimed water (0.650 MGD maximum monthly flow). The permitted capacity is limited to the available reuse capacity of 0.650 MGD until additional reuse sites are permitted.

The project is depicted on Source Inc. engineering drawings, dated January 17, 1995, engineering report, hydrogeologic report, application to construct a domestic wastewater treatment facility, Form 17-600.910(1), application to construct a reuse/land application system, Form 17-610.910(1), agricultural use plan, Form 17-640.900(1), reuse feasibility study, operating protocol, revisions received February 27, 1995 and March 2, 1995 and other items submitted in support of this permit.

The existing wastewater treatment facility is located at 18521 Three Oaks Parkway, Fort Myers, Florida.

PERMITTEE:
James W. Moore, President
Gulf Utility Company

I.D. No: 5236P00126
Permit/Cert. No: DC36-263897
Date of Issue: DRAFT
Expiration Date: DRAFT

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) 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 any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
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 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.
5. This permit does not relieve the permittee from liability 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, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

PERMITTEE:
James W. Moore, President
Gulf Utility Company

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GENERAL CONDITIONS:

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of non-compliance; and
- b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. 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 where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee 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 62-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

PERMITTEE:
James W. Moore, President
Gulf Utility Company

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GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 62-4.120 and 62-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used;
 6. the results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

PERMITTEE:
James W. Moore, President
Gulf Utility Company

I.D. No: 5236P00126
Permit/Cert. No: DC36-263897
Date of Issue: DRAFT
Expiration Date: DRAFT

SPECIFIC CONDITIONS:

1. Drawings, plans, documents or specifications submitted by the Permittee, not attached hereto, but retained on file at the South Florida District Office, are made a part hereof.
2. The applicant shall retain the engineer of record or obtain the services of any professional engineer registered in the State of Florida for the inspection of the construction of this project. Upon completion the engineer shall inspect for conformity to construction permit applications and associated documents.
3. A Notification, form 17-600.910(3) shall be submitted within 30 days after completion of construction of this project and Department approval obtained prior to placement into operation. An Operation and Maintenance Manual shall be provided with the Certificate of Completion in accordance with Section 62-600.720, F.A.C.
4. This permit is valid as an operating permit for an initial period of not more than six months after the plant is certified complete and approved for operation. An application must be submitted to the Department of Environmental Protection for an operating permit prior to expiration. During the initial period of operation a sufficient number of analyses to substantiate compliance with the Florida Administrative Code shall be provided prior to the issuance of an operation permit.
5. The permittee shall submit a monthly operations report (MOR), DER Form 17-601.900(1), to the Department no later than the twenty-eighth of each succeeding month.
6. This facility is a category II, requiring a Class C or higher operator on site 6 hours per day, 7 days per week, F.A.C. Rule 62-699.310(3)(b) and 62-610, Part III.
7. The parameters and minimum sampling schedule for this domestic wastewater treatment plant are as follows:

<u>Parameter</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Reference (F.A.C.)</u>
A. Flow	Daily 7/wk.	Recording Flowmeter Totalizer	62-601.500(6)
B. pH	Daily 5/wk.	Grab	62-601.500(1) figure 2 & (3)(a)
C. Chlorine Residual (Disinfection)	Continuous	On-line Monitor & Recorder	62-601.500(1) figure 2 & (3)(a)

PERMITTEE:
James W. Moore, President
Gulf Utility Company

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SPECIFIC CONDITIONS:

<u>Parameter</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Reference (F.A.C.)</u>
✓ D. TSS Influent	Weekly	8 hr. Flow Proportioned Composite	62-601.500(1) figure 2, & (3)(b)
✓ Effluent 610 Part III	Daily 7/wk.	Grab	62-601.500(3)(b)
✓ E. CBOD5 Influent	Weekly	8 hr. Flow Proportioned Composite	62-601.500(1) figure 2, & (3)(c)
✓ Effluent	Weekly	8 hr. Flow Proportioned Composite	62-601.500(1) figure 2, & (3)(c)
✓ F. Fecal Coliform Effluent	Daily 7/wk.	Grab	62-601.500(1) figure 2 & (3)(a)
✓ G. Turbidity	Continuous	On-line Monitor & Recorder	62-610.463(2)

8. The arithmetic mean, whether grab or composite, of effluent CBOD5 shall not exceed 20 mg/l for an annual period, 30 mg/l monthly, 45 mg/l weekly. The maximum permissible concentrations of CBOD5 values in any grab sample at any time shall not exceed 60 mg/l. Reference Rule 62-600.740(1)(b)1, F.A.C.

9. Where chlorine is used for disinfection, a total chlorine residual of at least 1.0 milligrams per liter shall be maintained after at least 15 minutes contact time at peak hourly flow. Higher residuals or longer contact times may be needed to meet the operational criteria for high level disinfection. Reference Rule 62-600.440 F.A.C. *new rule - on file -*

10. When chlorine gas is used for disinfection, maintain gaseous chlorine disinfection facilities in accordance with F.A.C. Rule 62-600.300(4)(b).

11. For high-level disinfection, (Using MF or equivalent MPN methods) fecal coliform samples shall be obtained on a daily basis when discharging to a reuse system. Over a 30 day period, 75 percent of the fecal coliform values shall be below the detection limits. Any one sample shall not exceed 25 fecal coliform values per 100 ml of sample. Any one sample shall not exceed 5 milligrams

PERMITTEE:
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SPECIFIC CONDITIONS:

per liter of TSS at a point before application of the disinfectant.
Reference Rule 62-600.440(5)(f) F.A.C.

12. The permittee shall submit residual (sludge) analysis on a quarterly basis. Samples shall be analyzed and reported for the parameters as follows:

<u>Parameter</u>	<u>Reported</u>	<u>Parameter</u>	<u>Reported</u>
Total nitrogen	% dry weight	Lead	mg/kg dry weight
Total phosphorus	% dry weight	Nickel	mg/kg dry weight
Total potassium	% dry weight	Zinc	mg/kg dry weight
Cadmium	mg/kg dry wt.	pH	Standard Units
Copper	mg/kg dry wt.	Total solids	%

Samples and domestic wastewater residuals analysis shall be in accordance with the U.S. Environmental Protection Agency publication. POTW Sludge Sampling and Analysis Guidance Document 1989. Reference F.A.C. 62-640.700(1)(f).

13. The permittee is reminded of the necessity to comply with the pertinent regulations of any other regulatory agency, as well as any county, municipal, and federal regulations applicable to the project. These regulations may include, but are not limited to, those of the Federal Emergency Management Agency in implementing flood control measures. This permit should not be construed to imply compliance with the rules and regulations of other regulatory agencies.

14. The Environmental Protection Agency (EPA), Chapter 40 Code of Federal Regulations Part 503 were promulgated November 1992. The conditions for this permit shall be modified, if necessary, to incorporate changes. EPA 40 CFR Part 503 increases the number of heavy metals to be tested. The additional metals are: arsenic, chromium, mercury, molybdenum, and selenium. These additional metals should be sampled and test results submitted. Pollutant limits are more stringent for ceiling concentrations in Part 503 for land applications than 62-640 for cadmium, lead, nickel, and zinc. Metal criteria for land application should be no less stringent than the parameters listed in either of the regulations with the more stringent criteria applicable.

15. The residuals generated by this facility shall be stabilized by either of two methods submitted with the permit application. These are as follows: Lime stabilization or aerobic digestion. The stabilization methods must be documented. Domestic wastewater residuals may not be taken to another treatment plant without prior consent of that system. Reference F.A.C. Rule 62-640.

*PH 12 → 7 min 2 hours
PH 11.5 → 22 hours
prior to
hauling*

PERMITTEE:
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SPECIFIC CONDITIONS:

16. The Nat Hunter site, Lee County, is an agricultural use plan site as outlined in F.A.C. Rule 62-640 and is permitted for land application of residuals generated at this facility. Changing sites requires Department notification prior to disposing of residuals at the new site [F.A.C. Rule 62-640.300(1)(2)]. Agricultural use plans shall be updated annually to show changes in residuals characteristics or agricultural practices and to provide a summary of the application for that year.

17. 40 CFR Part 503 provides for pathogen and vector attraction reduction requirements which will be incorporated in F.A.C. Rule 62-640. Both criteria should be satisfied before residuals can be land applied for disposal. Residual stabilization classification depends on the process used to reduce pathogens. Residuals generated by this facility are stabilized by aerobic digestion and lime stabilization.

18. Maintain a copy, available for reference, of the operations and maintenance manuals for the wastewater treatment and disposal system on file at the plant's office or other approved site.

19. The hydraulic loading rate shall not cause ponding of reclaimed water on the application site or produce surface runoff of the applied reclaimed water to the surrounding surface waters.

20. The permittee has provided the Department with an operating protocol designed to ensure that the high-level disinfection criteria will be met before the reclaimed water is released to the system storage or to the reclaimed water reuse system. By May 21, 1995, the permittee shall submit a summary of the operating staffs' review of trends in turbidity as it relates to TSS and shall revise th operating protocol to indicate a proposed turbidity setpoint, as indicated in the permit application. Also, prior to placing the expanded facility into operation the operating protocol shall be revised to include the following:

-Discuss and identify where the auto dialing system calls/contacts.

-Clearly identify that the diversion valves are manually operated when redirecting flow back to the public access reuse system (after a substandard condition and flows are automatically diverted to the substandard storage tank).

Thereafter, the operating protocol shall be reviewed and updated annually and shall be subject to Department review and approval. Reference Rule 62-610.463(2) F.A.C.

PERMITTEE:
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Gulf Utility Company

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SPECIFIC CONDITIONS:

21. Application of reclaimed water on public access facilities shall be controlled by agreement with the wastewater management entity or by local ordinance. Excluding the two (2) existing reuse sites, a copy of this agreement or ordinance shall be provided to the Department when submitting an application for additional reuse sites.

22. The Public shall be notified of the use of reclaimed water. This shall be accomplished by the posting of advisory signs in the area where reuse is practiced, notes on scorecards, or by other methods. Copies of the public advisory method utilized shall be provided to the Department in accordance with Section 62-610.468 F.A.C.

23. No cross-connections to potable water systems shall be allowed. The permittee shall establish and shall obtain approval from the Lee County Health Department for an enhanced cross-connection control and inspection program, (enhanced with respect to public access reuse) pursuant to Rule 62-555.360, F.A.C. A copy of this approval shall be submitted to the Department with any requests/applications to expand/use additional public access reuse sites. All piping, pipelines, valves, and outlets shall be color coded, or otherwise marked, to differentiate reclaimed water from domestic or other water. Reclaimed water shall not enter a dwelling unit or a building containing a dwelling unit except as allowed by Rules 62-610.476 and 62-610.477, F.A.C. All reclaimed water valves and outlets shall be appropriately tagged or labeled to warn the public and employees that the water is not intended for drinking. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet of outdoor public eating, drinking and bathing facilities. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools.

24. Above ground hose bibs (spigots or other hand operated connections) shall not be present. Hose bibs shall be located in locked, below grade vaults which shall be clearly labeled as being of nonpotable quality. As an alternative to the use of locked, below-ground vaults with standard hose bib services, hose bibs which can only be operated by a special tool may be placed in nonlockable underground service boxes clearly labeled as nonpotable water.

25. There shall be a setback distance of 75 feet from the edge of the wetted area of the public access land application area to potable water supply wells that are existing or have been approved by the Department or by the Department of Health and Rehabilitative Services (but not yet constructed). To comply with this requirement a utility providing reclaimed water for residential

*discussed with 3 GC Super-
Re will comply
APP -
will call when complete.*

12/15

W

PERMITTEE:
James W. Moore, President
Gulf Utility Company

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Expiration Date: DRAFT

SPECIFIC CONDITIONS:

irrigation may adopt and enforce an ordinance prohibiting private drinking water supply wells in residential areas. Provide the Department with a copy of this ordinance.

26. A 75-foot setback distance shall be provided from a reclaimed water transmission facility to a public water supply well. No setback distance is required to other potable water supply wells or to nonpotable water supply wells.

27. The facility has a 1.122 million gallon on-site substandard storage tank, a 1.5 million gallon on-site wet weather storage tank and 2.9 million gallons of wet weather storage at the existing golf courses. An evaluation of wet weather storage shall be submitted to the Department with any requests to expand the reuse system/capacity, as indicated in the permit application and in accordance with Chapter 62-610, F.A.C. In addition, a well inventory shall be submitted to the Department with any request to expand the reuse system, as indicated in the permit application and in accordance with Chapter 62-610, F.A.C.

28. Ground Water Monitoring Program

The ground water monitoring program for this facility is subject to the provisions of Chapters 62-4, 62-520, 62-522, 62-601, and 62-610, Florida Administrative Code (F.A.C.), and the following provisos:

A. The ground water monitoring wells shall be located as depicted on the attached plat.

B. The monitoring wells for the Gulf Utility/Three oaks WWTP are hereby designated as follows:

- OK
JMT*
- TO-1: Background Well; V. at C.C.; DEP #5236A12628
 - TO-2: Intermediate Well; V. at C.C.; DEP #5236A13043
 - TO-3: Compliance Well; V. at C.C.; DEP #5236A12630
 - TO-4: Compliance Well; Vines; DEP #5236A12632
 - TO-5: Background Well; Vines; DEP #5236A12633
 - TO-6: Intermediate Well; Vines; DEP #5236A12634
 - TO-7: Intermediate Well; Vines; DEP #5236A12942

C. Monitor Well construction shall employ those methods and details as noted in the Department's "Guidelines for Monitor Well Design and Installation" and shall be constructed and installed such that adequate recharge is obtainable within the aquifer being monitored.

PERMITTEE:
James W. Moore, President
Gulf Utility Company

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SPECIFIC CONDITIONS:

D. Upon completion of construction of any new ground water monitoring wells, the top of casing of each well shall be surveyed to obtain elevations (NGVD). A Monitor Well Construction Data sheet shall be completed and submitted for each new well.

E. Upon completion of construction of all new monitoring wells, the new wells, as well as representative reclaimed water, shall be sampled and analyzed for the Primary and Secondary Drinking Water Standards as listed in Chapter 62-550.310 and 62-550.320, F.A.C., and additionally, the EPA method 502.2 or 524.2 parameters. Color, corrosivity, turbidity and odor may be excluded as parameters for this analysis.

F. All active monitoring wells and reclaimed water shall be sampled and analyzed according to the following schedule:

Sampling Period	Well	Report Due Date
January-March	1 thru 7,*	April 15
April-June	2,6,7,*	July 15
July-September	2,6,7,*	October 15
October-December	2,6,7,*	January 15

*3RD QUARTER
Reduced -*

* A representative sample (refer to Chapter 62-601.500, F.A.C.) of the blended reclaimed water shall also be obtained at a point sufficiently downstream of the by-product water (from the Corkscrew WTP) entry in order to provide a representative sample of the reclaimed water being supplied to The Vines and The Villages at Country Creek and shall be analyzed quarterly for the parameters listed below in Specific Condition #G.

G. Analysis of the regularly scheduled sampling of wells and blended reclaimed water shall be conducted for the following parameters:

pH (field)	Specific Conductance (field)
Nitrate (as N)	Sulfate
Total Dissolved Solids	Water level (NGVD)

*Reduced
Sampling
3*

Additionally, during the January-March sampling event, analyses of the blended reclaimed water shall be reported on the Reclaimed Water or Effluent Analysis Report, Form 17-601.900(4) and all items are to be completed in full. During subsequent years when an operation permit is not submitted or renewed, a certification stating that no new non-domestic wastewater discharges have been added to the collection system may be submitted in lieu of the report.

Additional parameters may be necessary as dictated by the initial characterization of the new wells and/or reclaimed water.

PERMITTEE:
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Gulf Utility Company

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SPECIFIC CONDITIONS:

H. The field testing, sample collection and preservation, and laboratory testing, including quality control procedures, shall be in accordance with methods approved by the Department as specified in Chapters 62-4.246 and 62-520.300, F.A.C. Approved methods as published by the Department or as published in Standard Methods, A.S.T.M., or EPA methods shall be used. Approved methods for chemical analyses are summarized in the Federal Register, October 26, 1984 (40 CFR 136).

I. The quarterly Ground Water and Reclaimed Water sampling shall be reported on the Department's Parameter Monitoring Report form [DER Form 17-1.216(2)]. This form, or an exact replica thereof, must be used and may not be altered as to format or content. The original copies should be retained so that necessary information is available for future reports. Completed forms shall be submitted no later than the due dates specified in Specific Condition #F to the Florida Department of Environmental Protection, 2295 Victoria Avenue, Fort Myers, Florida 33901.

J. All existing monitoring wells which are not an active part of the monitoring program are to be maintained for possible future use. Should any of the inactive wells become damaged or inoperable, the well(s) must be plugged and abandoned in accordance with the provisions of Chapter 62-532.500(4), F.A.C., with the details of such plugging submitted to the Department within seven (7) days thereafter.

K. If an active monitoring well becomes damaged or inoperable, the permittee shall notify the Department immediately, and a detailed written report shall be submitted within seven (7) days thereafter. The report shall describe the nature of the problem and the remedial measures which have been taken to prevent a recurrence.

L. All monitoring wells shall be properly maintained, easily accessible, prominently marked, secured, and kept free of vegetation at all times.

M. Pursuant to Chapter 62-522.410, F.A.C., a Zone of Discharge is hereby established and shall not areally extend further than one hundred (100) feet beyond the perimeters of the areas of wetted surface of reclaimed water spray irrigation, nor shall it extend beyond the limits of the property boundaries should such distance be less than one hundred (100) feet. The vertical zone of discharge shall not extend below the semi-confining zone at the base of the water table aquifer.

PERMITTEE:
James W. Moore, President
Gulf Utility Company

I.D. No: 5236P00126
Permit/Cert. No: DC36-263897
Date of Issue: DRAFT
Expiration Date: DRAFT

SPECIFIC CONDITIONS:

N. The permittee shall ensure that the water quality standards for Class G-II ground water as specified in Sections 62-520.400 and 62-520.410, F.A.C., will not be exceeded at the boundary of the zone of discharge nor shall the minimum criteria for ground water specified in Section 62-520.400, F.A.C. be violated within the zone of discharge.

O. If, at any time, ground water standards are exceeded, the permittee shall, within fifteen (15) days of being notified of such exceedance, resample the monitoring well(s) having the exceedance to verify the original analysis. Should the permittee not resample, the Department will consider the original analysis as representative of current ground water conditions. This could result in additional monitoring wells and/or corrective actions.

P. This ground water monitoring program supersedes and replaces the previous ground water monitoring plan included in the current Permit No. DO36-218588 for the above referenced facility.

Note: In the event of an emergency the permittee shall contact the Department by calling (904) 413-9911. During normal business hours, the permittee shall call (813) 332-6975.

Issued this day of , 1995.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

D R A F T

Peter J. Ware
Director of
District Management

PJW/JAA/ish



Department of Environmental Protection

New

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT ISSUANCE

CERTIFIED MAIL # Z 073 229 887
RETURN RECEIPT REQUESTED

In the Matter of an Application
for Permit by:

DEP File No. # 5236P00563
Lee County - DW
San Carlos Park-STP

James W. Moore, President
Gulf Utility Company
18513 Bartow Blvd., S.E.
Fort Myers, Florida 33912

Enclosed is Permit Number D036-253637 to operate the subject sewage treatment facility which must comply with High level disinfection standards for reuse at a public access golf course site, issued pursuant to Section(s) 403.087, Florida Statutes.

A person whose substantial interests are affected by this permit may petition for an administrative proceeding (hearing) in accordance with Section 120.57, Florida Statutes. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 14 days of receipt of this Permit. Petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. Failure to file a petition within this time period shall constitute a waiver of any right such person may have to request an administrative determination (hearing) under Section 120.57, Florida Statutes.

The Petition shall contain the following information;

- (a) The name, address, and telephone number of each petitioner, 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 each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- (d) A statement of the material facts disputed by Petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Department's action or proposed action; and

(g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Department's action or proposed action.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this permit. Persons whose substantial interests will be affected by any decision of the Department with regard to the application have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 14 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Section 120.57, F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-5.207, F.A.C.

This permit is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above paragraphs or unless a request for extension of time in which to file a petition is filed within the time specified for filing a petition and conforms to Rule 62-103.070, F.A.C. Upon timely filing of a petition or a request for an extension of time this permit will not be effective until further Order of the Department.

When the Order (Permit) is final, any party to the Order has the right to seek judicial review of the Order pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date the Final Order is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Peter J. Ware
Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT ISSUANCE and all copies were mailed by certified mail before the close of business on November 18, 1994 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Maly
(Clerk)

11-18-94
(Date)

PJW/BTS/klm

Enclosures

Copies furnished to:

James P. Elliott, P.E.
Jack Myers, P.G.



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

PERMITTEE:

James W. Moore, President
Gulf Utility Company
18513 Bartow Blvd., S.E.
Fort Myers, Florida 33912

I.D. No: 5236P00563
Permit/Certification
Number: DO36-253637
Date of Issue: November 16, 1994
Expiration Date: November 16, 1999
County: Lee
Latitude: 26° 28' 30 " N
Longitude: 81° 49' 42" W
Section/Town/Range: 17/ 46S/ 25E
Project: San Carlos Park -STP

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-3, 62-4, 62-28, 62-301, 62-302, 62-600, 62-601, 62-699, 62-610 and 62-640. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

operate a 0.218 MGD-AADF extended aeration process wastewater treatment plant with filtered reclaimed water to San Carlos golf course irrigation system. The treatment facilities consist of a 0.150 MGD-AADF reinforced concrete wall extended aeration process facility operating in parallel with a 0.150 MGD CS/0.068 MGD EA modular concrete plant. Public access reclaimed water is stored in a 0.900 million gallon steel storage tank or pumped to the irrigation system. The subject 0.900 million gallon storage tank is also used to store substandard water (not meeting high level disinfection requirements) with provisions for returning substandard water to the head of the plant. Note this facility must comply with High level disinfection requirements at all times for compliance with reuse at an existing public access golf course site. Project is located off Cypress Point Road, San Carlos Park, Florida.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563
Permit/Cert. No.: DO36-253637
Date of Issue: November 16, 1994
Expiration Date: November 16, 1999

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) 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 any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and 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.
5. This permit does not relieve the permittee from liability 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, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563
Permit/Cert. No.: DO36-253637
Date of Issue: November 16, 1994
Expiration Date: November 16, 1999

GENERAL CONDITIONS:

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of non-compliance; and
- b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. 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 where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee 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 62-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563

Permit/Cert. No.: DO36-253637

Date of Issue: November 16, 1994

Expiration Date: November 16, 1999

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 62-4.120 and 62-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (a) Determination of Best Available Control Technology (BACT)
- (b) Determination of Prevention of Significant Deterioration (PSD)
- (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
- (d) Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

(a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.

(b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

(c) Records of monitoring information shall include:

- 1. the date, exact place, and time of sampling or measurements;
- 2. the person responsible for performing the sampling or measurements;
- 3. the dates analyses were performed;
- 4. the person responsible for performing the analyses;
- 5. the analytical techniques or methods used;
- 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563
Permit/Cert. No.: DO36-253637
Date of Issue: November 16, 1994
Expiration Date: November 16, 1999

SPECIFIC CONDITIONS:

1. Drawings, plans, documents or specifications submitted by the Permittee, not attached hereto, but retained on file at the South Florida District Office, are made a part hereof.
2. Where chlorine is used for disinfection, a total chlorine residual of at least 1.0 milligrams per liter shall be maintained after at least 15 minutes contact time at peak hourly flow. Higher residuals or longer contact times may be needed to meet the operational criteria for high disinfection. Reference Rule 62-600.440 F.A.C.
3. The permittee shall submit a monthly operations report (MOR), DER Form 17-601.900(1), to the Department no later than the twenty-eighth of each succeeding month. *Changed from 15th*
4. For high-level disinfection, (Using MF or equivalent MPN methods) fecal coliform samples shall be obtained on a daily basis when discharging to a reuse system. Over a 30 day period, 75 percent of the fecal coliform values shall be below the detection limits. Any one sample shall not exceed 25 fecal coliform values per 100 ml of sample. Any one sample shall not exceed 5 milligrams per liter of TSS at a point before application of the disinfectant. Reference Rule 62-600.440(5)(f) F.A.C. *No change*
5. The permittee shall submit residual (sludge) analysis on a semiannual basis. Samples shall be analyzed and reported for the parameters as follows:

<u>Parameter</u>	<u>Reported</u>	<u>Parameter</u>	<u>Reported</u>
Total nitrogen	% dry weight	Lead	mg/kg dry weight
Total phosphorus	% dry weight	Nickel	mg/kg dry weight
Total potassium	% dry weight	Zinc	mg/kg dry weight
Cadmium	mg/kg dry wt.	pH	Standard Units
Copper	mg/kg dry wt.	Total solids	%

Samples and domestic wastewater residuals analysis shall be in accordance with the U.S. Environmental Protection Agency publication. POTW Sludge Sampling and Analysis Guidance Document 1989. Reference F.A.C. 62-640.700(1)(f).

6. This facility is a category III, requiring a Class C or higher operator on site 3 hours per day, 5 days per week and a weekend visit, F.A.C. Rule 62-699.310(3)(c). Operator shall be on call during periods when the plant is unattended. [Daily checks of all plants shall be performed by the permittee, or supplier, or his representative or agent 5 days per week for all Class C and D plants.] Reference Rule 62-699.311(1), F.A.C. The aforementioned operator staffing requirements are as previously permitted. Should this

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563

Permit/Cert. No.: D036-253637

Date of Issue: November 16, 1994

Expiration Date: November 16, 1999

SPECIFIC CONDITIONS:

facility not meet the operating protocol and high level disinfection requirements, the Department may increase the staffing requirements, in accordance with Rule 62-610.462(2), F.A.C.

7. The parameters and minimum sampling schedule for this domestic wastewater treatment plant are as follows:

<u>Parameter</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Reference (F.A.C.)</u>
A. Flow	Daily 5/wk.	Recording Flowmeter Totalizer	62-601.500(6)
B. pH	Daily 5/wk.	Grab	62-601.500(1) figure 2 & (3)(a)
C. Chlorine Residual (Disinfection)	Daily 5/wk	Continuous	62-601.500(1) figure 2 & (3)(a)
D. TSS Influent	Every two weeks	8 hr. Flow Proportioned Composite	62-601.500(1) figure 2, & (3)(b)
Effluent 610 Part III	Daily 5/wk.	Grab	62-601.500(3)(b)
E. CBOD5 Influent	Every two weeks	8 hr. Flow Proportioned Composite	62-601.500(1) figure 2, & (3)(c)
Effluent	Every two weeks	8 hr. Flow Proportioned Composite	62-601.500(1) figure 2, & (3)(c)
F. Fecal Coliform Effluent	Daily 5/wk.	Grab	62-601.500(1) figure 2 & (3)(a)

Total nitrogen (N) shall be sampled within 60 days of this permit and at 12 months intervals thereafter. All grab samples shall be obtained during peak hourly flow conditions. The time, date and type of samples will be clearly indicated on the MOR.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563

Permit/Cert. No.: DO36-253637

Date of Issue: November 16, 1994

Expiration Date: November 16, 1999

SPECIFIC CONDITIONS:

8. The arithmetic mean, whether grab or composite, of effluent CBOD5 shall not exceed 20 mg/l for an annual period, 30 mg/l monthly, 45 mg/l weekly. The maximum permissible concentrations of CBOD5 or TSS values in any grab sample at any time shall not exceed 60 mg/l. Reference Rule 62-600.740(1)(b)1, F.A.C.

9. When chlorine gas is used for disinfection, maintain gaseous chlorine disinfection facilities in accordance with F.A.C. Rule 62-600.300(4)(b).

10. The residuals generated by this facility shall be stabilized by either of two methods submitted with the permit application. These are as follows: Lime stabilization or sludge drying beds. The stabilization methods must be documented. Domestic wastewater residuals may not be taken to another treatment plant without prior consent of that system. Reference F.A.C. Rule 62-640. When residuals generated are dewatered to a solids content greater than 12% for disposal to a landfill in compliance with Class I landfill criteria, reference F.A.C. 17-7.540(6).

11. The Nat Hunter's site, Lee County, is an agricultural use plan site as outlined in F.A.C. Rule 62-640 and is permitted for land application of residuals generated at this facility. Changing sites requires Department notification prior to disposing of residuals at the new site [F.A.C. Rule 62-640.300(1)(2)]. Agricultural use plans shall be updated annually to show changes in residuals characteristics or agricultural practices and to provide a summary of the application for that year.

12. The Environmental Protection Agency (EPA), Chapter 40 Code of Federal Regulations Part 503 were promulgated November 1992. The conditions for this permit shall be modified, if necessary, to incorporate changes. EPA 40 CFR Part 503 increases the number of heavy metals to be tested. The additional metals are: arsenic, chromium, mercury, molybdenum, and selenium. These additional metals should be sampled and test results submitted. Pollutant limits are more stringent for ceiling concentrations in Part 503 for land applications than 62-640 for cadmium, lead, nickel, and zinc. Metal criteria for land application should be no less stringent than the parameters listed in either of the regulations with the more stringent criteria applicable.

13. 40 CFR Part 503 provides for pathogen and vector attraction reduction requirements which will be incorporated in F.A.C. Rule 62-640. Both criteria should be satisfied before residuals can be land applied for disposal. Residual stabilization classification depends on the process used to reduce pathogens. Residuals generated

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563

Permit/Cert. No.: DO36-253637

Date of Issue: November 16, 1994

Expiration Date: November 16, 1999

DRICD Sludge must meet B criteria

02
lime 5.75, 1.72

SPECIFIC CONDITIONS:

by this facility are stabilized by lime or sludge drying beds. Provide an operating protocol and assurance that the product complies with a Process to Significantly Reduce Pathogens (PSRP) or to Further Reduce Pathogens (PFRP). Identify the criteria that will be met to provide for vector attraction reduction and the method to assure compliance.

TO DO

hold for 22 hours at 11.5 pH

14. The permittee has provided the Department with an operation protocol designed to ensure that the high-level disinfection criteria will be met before the reclaimed water is released to the system storage or to the reclaimed water reuse system. The operating protocol shall be reviewed and updated annually and shall be subject to Department review and approval. Reference Rule 62-610.463(2) F.A.C.

15. The hydraulic loading rate shall not cause ponding of reclaimed water on the application site or produce surface runoff of the applied reclaimed water to the surrounding surface waters.

16. The permittee shall install/construct a concrete pad for storage of residual (sludge) which has been stabilized according to Specific Condition Number 10 above (sludge drying beds). The pad must be capable of collecting any leachate and return said leachate back to the head works of the facility for further treatment in accordance with Chapter 62-640 and 62-701 F.A.C. This residual storage (pad) facility shall be constructed within 180 days from the issuance of this permit for compliance with said permit.

NEW
due by
5/16/95

17. The permittee is reminded of the necessity to comply with the pertinent regulations of any other regulatory agency, as well as any county, municipal, and federal regulations applicable to the project. These regulations may include, but are not limited to, those of the Federal Emergency Management Agency in implementing flood control measures. This permit should not be construed to imply compliance with the rules and regulations of other regulatory agencies.

18. Maintain a copy, available for reference, of the operations and maintenance manuals for the wastewater treatment and disposal system on file at the plant's office or other approved site.

19. Ground Water Monitoring Program

The ground water monitoring program for this facility is subject to the provisions of Chapters 62-4, 62-520, 62-522, 62-601, and 62-610, Florida Administrative Code (F.A.C.), and the following provisos:

A. The ground water monitoring wells shall be located as depicted on the attached plat.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563

Permit/Cert. No.: D036-253637

Date of Issue: November 16, 1994

Expiration Date: November 16, 1999

SPECIFIC CONDITIONS:

B. The monitoring wells for the Gulf Utility-San Carlos WWTP are hereby designated as follows:

- SC-1: Background Well; DEP #5236A11766
- SC-2: Intermediate Well; DEP #5236A11768
- SC-3: Compliance Well; DEP #5236A12228
- SC-4: Compliance Well; DEP #5236A11767 (Inactive)
- Reclaimed Water: DEP #5236X11765

C. Monitor Well construction shall employ those methods and details as noted in the Department's "Guidelines for Monitor Well Design and Installation" and shall be constructed and installed such that adequate recharge is obtainable within the aquifer being monitored.

D. Upon completion of construction of any new ground water monitoring wells, the top of casing of each well shall be surveyed to obtain elevations (NGVD). A Monitor Well Construction Data Sheet shall be completed and submitted for each new well.

E. Upon completion of construction of any new monitoring wells, the new wells, as well as representative reclaimed water, shall be sampled and analyzed for the Primary and Secondary Drinking Water Standards as listed in Chapter 62-550.310 and 62-550.320, F.A.C., and additionally, the EPA method 502.2 or 524.2 parameters. Color, corrosivity, turbidity and odor may be excluded as parameters for this analysis.

F. All active monitoring wells and reclaimed water shall be sampled and analyzed according to the following schedule:

Sampling Period	Well	Report Due Date
January-March	1, 2, 3	April 15
April-June	2	July 15
July-September	2, 3	October 15
October-December	2	January 15

A composite representative sample (refer to 62-601.500) of the reclaimed water shall be obtained and analyzed quarterly for the parameters listed in Specific Condition #G.

G. Analysis of the regularly scheduled sampling of wells and reclaimed water shall be conducted for the following parameters:

- | | |
|------------------------|------------------------------|
| pH (field) | Specific Conductance (field) |
| Nitrate (as N) | Chloride |
| Total Dissolved Solids | Water level (NGVD) |

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563

Permit/Cert. No.: DO36-253637

Date of Issue: November 16, 1994

Expiration Date: November 16, 1999

SPECIFIC CONDITIONS:

Additionally, during the January-March sampling event, analyses of the reclaimed water shall be reported on the Reclaimed Water or Effluent Analysis Report, Form 17-601.900(4) and all items are to be completed in full (see attached example). During subsequent years when an operation permit is not submitted or renewed, a certification stating that no new non-domestic wastewater dischargers have been added to the collection system may be submitted in lieu of the report.

Additional parameters may be necessary as dictated by the initial characterization of any new wells and reclaimed water.

H. The field testing, sample collection and preservation, and laboratory testing, including quality control procedures, shall be in accordance with methods approved by the Department as specified in Chapters 62-4.246 and 62-520.300, F.A.C. Approved methods as published by the Department or as published in Standard Methods, A.S.T.M., or EPA methods shall be used. Approved methods for chemical analyses are summarized in the Federal Register, October 26, 1984 (40 CFR 136).

I. The quarterly Ground Water and Reclaimed Water sampling shall be reported on the Department's Parameter Monitoring Report form [DER Form 17-1.216(2)]. This form, or an exact replica thereof, must be used and may not be altered as to format or content. The original copies should be retained so that necessary information is available for future reports. Completed forms shall be submitted no later than the due dates specified in Specific Condition #7 to the Florida Department of Environmental Protection, 2295 Victoria Avenue, Fort Myers, Florida 33901.

J. All existing monitoring wells which are not an active part of the monitoring program are to be maintained for possible future use. Should any of the inactive wells become damaged or inoperable, the well(s) must be plugged and abandoned in accordance with the provisions of Chapter 62-532.500(4), F.A.C., with the details of such plugging submitted to the Department within seven (7) days thereafter.

K. If an active monitoring well becomes damaged or inoperable, the permittee shall notify the Department immediately, and a detailed written report shall be submitted within seven (7) days thereafter. The report shall describe the nature of the problem and the remedial measures which have been taken to prevent a recurrence.

L. All monitoring wells shall be properly maintained, easily accessible, prominently marked, secured, and kept free of vegetation at all times.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. No.: 5236P00563
Permit/Cert. No.: DO36-253637
Date of Issue: November 16, 1994
Expiration Date: November 16, 1999

SPECIFIC CONDITIONS:

M. Pursuant to Chapter 62-522.410, F.A.C., a Zone of Discharge is hereby established and shall not really extend further than one hundred (100) feet beyond the perimeters of the areas of wetted surface of reclaimed water spray irrigation, nor shall it extend beyond the limits of the property boundaries should such distance be less than one hundred (100) feet. The vertical zone of discharge shall not extend below the semi-confining zone at the base of the water table aquifer.

N. The permittee shall ensure that the water quality standards for Class G-II ground water as specified in Sections 62-520.400 and 62-520.410, F.A.C., will not be exceeded at the boundary of the zone of discharge nor shall the minimum criteria for ground water specified in Section 62-520.400, F.A.C. be violated within the zone of discharge.

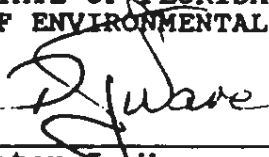
O. If, at any time, ground water standards are exceeded, the permittee shall, within fifteen (15) days of being notified of such exceedance, resample the monitoring well(s) having the exceedance to verify the original analysis. Should the permittee not resample, the Department will consider the original analysis as representative of current ground water conditions. This could result in additional monitoring wells and/or corrective actions.

P. This ground water monitoring program supersedes and replaces all previous ground water monitoring plans for the above referenced facility.

Note: In the event of an emergency the permittee shall contact the Department by calling (904) 413-9911. During normal business hours, the permittee shall call (813) 332-6975.

Issued this 16th day of November, 1994.

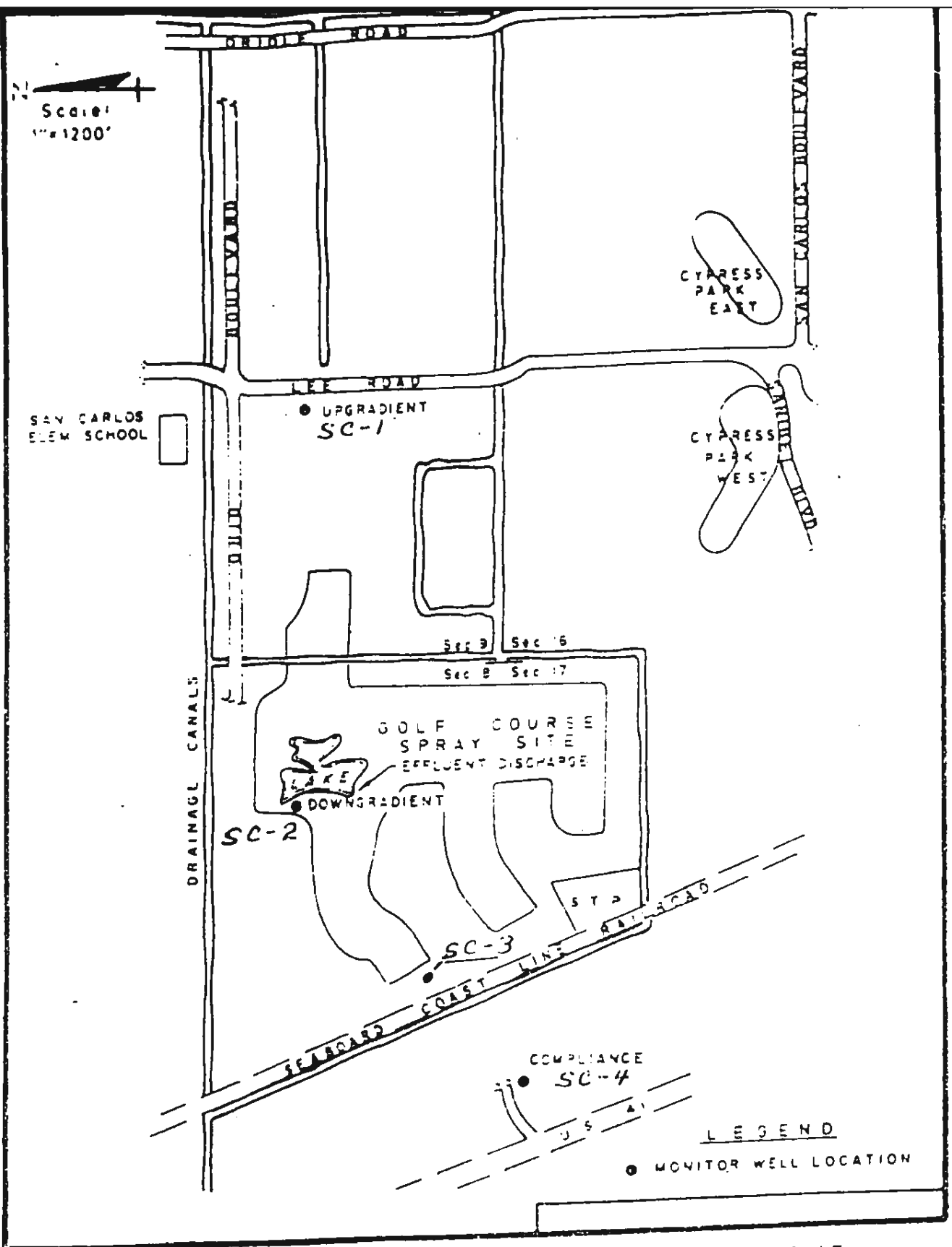
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Peter J. Ware
Director of
District Management

PJW/BTS/klm

Scale:
1" = 1200'



MAP SHOWING LOCATION OF MONITOR WELLS AT THE GULF UTILITIES SPRAY IRRIGATION SITE

APPENDIX B

**GULF UTILITY COMPANY
COPIES OF APPROVALS AND PERMITS
WATER OPERATIONS**



Form #0299
Rev. 5/93

**South Florida
Water Management District
WATER USE PERMIT NO. RE-ISSUE 36-00122-W
(NON-ASSIGNABLE)**

Date Issued:

Expiration Date: NOVEMBER 9, 2000

Authorizing: THE CONTINUATION OF AN EXISTING USE OF GROUNDWATER FROM THE SANDSTONE AQUIFER, THE WATER TABLE AQUIFER - CORKSCREW, AND THE WATER TABLE AQUIFER - SAN CARLOS FOR PUBLIC WATER SUPPLY USE WITH AN ANNUAL ALLOCATION OF 1,152 MILLION GALLONS.

Located In: Lee County,

S10,36/T46S/R25E

Issued To: GULF UTILITY COMPANY
(GULF UTILITY COMPANY WELLFIELDS)
P.O. BOX 350
ESTERO, FL 33928-

This Permit is issued pursuant to Application No. 940920-6 dated September 18, 1994. Permittee agrees to hold and save for the Use of Water specified above and subject to the Special Conditions set forth below. Said application, including all plan and specifications attached thereto, is by reference made a part hereof.

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or a Declaration of Emergency due to Water Shortage in accordance with provisions of Ch. 373, Fla. Statutes, and applicable rules and regulations of the South Florida Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of the permit or for the violation of any provision of the Water Resources Act and regulations thereunder.

This Permit does not convey to the permittee any property rights nor any privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation, or requirement affecting the rights of other bodies or agencies.

Special Conditions are as follows:

SEE SHEETS 2-6 OF 6 - 29 LIMITING CONDITIONS.

Filed with the Clerk of the South
Florida Water Management District

South Florida Water Management
District, by its Governing Board

On 11-15-95
By [Signature]
Deputy Clerk

By [Signature]
Assistant Secretary

LIMITING CONDITIONS

- 1 . IN THE EVENT OF A DECLARED WATER SHORTAGE, WATER WITHDRAWAL REDUCTIONS WILL BE ORDERED BY THE DISTRICT IN ACCORDANCE WITH THE WATER SHORTAGE PLAN, CHAPTER 40E-21, FLORIDA ADMINISTRATIVE CODE. THE APPLICANT IS ADVISED THAT DURING A WATER SHORTAGE PUMPAGE REPORTS SHALL BE SUBMITTED AS REQUIRED BY CHAPTER 40E-21, FLORIDA ADMINISTRATIVE CODE.
- 2 . SOURCE CLASSIFICATION IS:
 - GROUNDWATER FROM THE SANDSTONE AQUIFER
 - GROUNDWATER FROM THE WATER TABLE AQUIFER - CORKSCREW
 - GROUNDWATER FROM THE WATER TABLE AQUIFER - SAN CARLOS
- 3 . PERMITTEE SHALL MITIGATE ANY ADVERSE IMPACT ON EXISTING LEGAL USES CAUSED BY WITHDRAWALS. WHEN ADVERSE IMPACTS OCCUR, OR ARE IMMINENT, THE DISTRICT RESERVES THE RIGHT TO CURTAIL WITHDRAWAL RATES. ADVERSE IMPACTS ARE:
 - A) REDUCTION IN WELL WATER LEVELS THAT IMPAIRS THE ABILITY OF AN ADJACENT WELL, INCLUDING A DOMESTIC WELL, LAWN IRRIGATION WELL, OR PUBLIC WATER SUPPLY WELL, TO PRODUCE WATER BY 10% OR GREATER,
 - B) SIGNIFICANT REDUCTION IN LEVELS IN AN ADJACENT WATER BODY SUCH AS A LAKE, POND, OR A CANAL SYSTEM THAT IMPAIRS THE ABILITY TO PRODUCE WATER BY 10% OR GREATER,
 - C) SALINE WATER INTRUSION OR INDUCED MOVEMENT OF POLLUTANTS INTO THE WATER SUPPLY OF AN ADJACENT WATER USE, RESULTING IN A SIGNIFICANT REDUCTION IN WATER QUALITY, AND
 - D) CHANGE IN WATER QUALITY CAUSED BY THE PERMITTEE THAT RESULTS IN SIGNIFICANT IMPAIRMENT OR LOSS OF USE OF A WELL OR WATER BODY.
- 4 . PERMITTEE SHALL MITIGATE ANY ADVERSE IMPACT ON EXISTING OFF-SITE LAND USE AS A CONSEQUENCE OF WITHDRAWALS PERMITTED HEREIN. IF INCREASED WITHDRAWALS CAUSE AN ADVERSE IMPACT ON EXISTING LAND USE, THE DISTRICT RESERVES THE RIGHT TO CURTAIL FUTURE WITHDRAWAL RATES. ADVERSE IMPACTS ARE:
 - A) SIGNIFICANT REDUCTION IN WATER LEVELS IN AN ADJACENT SURFACE WATER BODY, INCLUDING IMPOUNDMENTS, TO THE EXTENT THAT THE DESIGNED FUNCTION OF THE WATER BODY IS IMPAIRED,
 - B) LAND COLLAPSE OR SUBSIDENCE CAUSED BY REDUCTION IN WATER LEVELS; AND
 - C) DAMAGE TO CROPS AND OTHER TYPES OF VEGETATION.
- 5 . AUTHORIZED REPRESENTATIVES OF THE DISTRICT SHALL BE PERMITTED TO ENTER, INSPECT, AND OBSERVE THE PERMITTED SYSTEM TO DETERMINE COMPLIANCE WITH SPECIAL CONDITIONS.
- 6 . IF ANY CONDITION OF THE PERMIT IS VIOLATED, THE PERMIT SHALL BE SUBJECT TO REVIEW AND POSSIBLE MODIFICATION, ENFORCEMENT ACTION, OR REVOCATION.
- 7 . APPLICATION FOR A PERMIT MODIFICATION MAY BE MADE AT ANY TIME.

8 . WITHDRAWAL FACILITIES ARE:

GROUNDWATER - EXISTING:

- 1 - 6" X 123' X 60 GPM WELL CASED TO 83 FEET
- 1 - 8" X 40' X 375 GPM WELL CASED TO 19 FEET
- 1 - 8" X 40' X 500 GPM WELL CASED TO 18 FEET
- 1 - 8" X 41' X 500 GPM WELL CASED TO 19 FEET
- 1 - 8" X 45' X 500 GPM WELL CASED TO 22 FEET
- 1 - 16" X 30' X 450 GPM WELL CASED TO 17 FEET
- 1 - 16" X 30' X 450 GPM WELL CASED TO 18 FEET
- 1 - 16" X 30' X 450 GPM WELL CASED TO 20 FEET
- 1 - 16" X 30' X 450 GPM WELL CASED TO 21 FEET
- 1 - 16" X 31' X 450 GPM WELL CASED TO 16 FEET
- 1 - 16" X 32' X 450 GPM WELL CASED TO 22 FEET
- 2 - 16" X 39' X 450 GPM WELLS CASED TO 19 FEET
- 2 - 16" X 40' X 450 GPM WELLS CASED TO 19 FEET
- 1 - 16" X 42' X 450 GPM WELL CASED TO 20 FEET

GROUNDWATER - PROPOSED:

- 4 - 6" X 125' X 60 GPM WELLS CASED TO 85 FEET

9 . THIS PERMIT SHALL EXPIRE ON NOVEMBER 09, 2000.

10. ANNUAL ALLOCATION SHALL NOT EXCEED 1152 MG.

MAXIMUM DAILY ALLOCATION SHALL NOT EXCEED 4.83 MG.

MAXIMUM DAILY WITHDRAWAL FROM THE WATER TABLE AQUIFER - CORKSCREW SHALL NOT EXCEED 2.32 MG.

MAXIMUM DAILY WITHDRAWAL FROM THE WATER TABLE AQUIFER - SAN CARLOS SHALL NOT EXCEED 2.50 MG.

11. USE CLASSIFICATION IS PUBLIC WATER SUPPLY.

12. THE PERMITTEE IS ADVISED THAT THIS PERMIT DOES NOT RELIEVE ANY PERSON FROM THE REQUIREMENT TO OBTAIN ALL NECESSARY FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS.

13. THE PERMIT DOES NOT CONVEY ANY PROPERTY RIGHT TO THE PERMITTEE. NOR ANY RIGHTS AND PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-2, F.A.C.

14. IF ADVERSE IMPACTS OCCUR TO NATURAL RESOURCES AS A RESULT OF THE PERMITTEE'S WATER WITHDRAWALS, THE PERMITTEE SHALL MITIGATE FOR SUCH IMPACTS. WHEN ADVERSE IMPACTS OCCUR, OR ARE IMMINENT, DISTRICT RESERVES THE RIGHT TO CURTAIL WITHDRAWAL RATES. EXAMPLES OF ADVERSE IMPACTS ARE:

A) REDUCTION IN GROUND WATER LEVELS THAT RESULTS IN SIGNIFICANT LATERAL

- MOVEMENT OF THE FRESH WATER/SALT WATER INTERFACE,
- B) REDUCTION IN WATER LEVELS THAT ADVERSELY IMPACT THE HYDROPERIOD OF PROTECTED WETLAND ENVIRONMENTS,
 - C) SIGNIFICANT REDUCTION IN WATER LEVELS OR HYDROPERIOD IN A NATURALLY OCCURRING WATER BODY SUCH AS A LAKE OR POND,
 - D) INDUCED MOVEMENT OR INDUCTION OF POLLUTANTS INTO THE WATER SUPPLY RESULTING IN A SIGNIFICANT REDUCTION IN WATER QUALITY, AND
 - E) SIGNIFICANT HARM TO THE NATURAL SYSTEM INCLUDING DAMAGE TO HABITAT FOR RARE OR ENDANGERED SPECIES.
15. PRIOR TO MAY 09, 1996, PERMITTEE SHALL PROVIDE THE RESULTS OF THE CALIBRATION TESTING OF THE IDENTIFIED WATER ACCOUNTING METHOD(S) AND EQUIP ALL EXISTING AND PROPOSED WITHDRAWAL FACILITIES WITH APPROVED WATER USE ACCOUNTING METHDD(S) PURSUANT TO SECTION 4.1 OF THE WATER USE BASIS OF REVIEW (MARCH, 1994).
16. PERMITTEE SHALL SUBMIT ALL DATA AS REQUIRED BY THE IMPLEMENTATION SCHEDULE FOR EACH OF THE LIMITING CONDITIONS TO: S.F.W.M.D., SUPERVISING PROFESSIONAL - P.P.C., WATER USE DIVISION (4040), P.O. BOX 24680, WEST PALM BEACH, FL 33416-4680.
17. EVERY TWO YEARS FROM THE DATE OF PERMIT ISSUANCE, THE PERMITTEE SHALL SUBMIT RE-CALIBRATION DATA ON EACH WATER PUMPING ACCOUNTING FACILITY, FOR THOSE PERMITTEES WHOSE ACCOUNTING METHOD(S) REQUIRE RE-CALIBRATION.
18. PERMITTEE SHALL SUBMIT TO THE DISTRICT COPIES OF THE MONTHLY "FDEP WATER TREATMENT PLANT REPORTS" SHOWING DAILY WELLFIELD PUMPAGE. REPORTS SHALL BE SUBMITTED MONTHLY IN THE MONTH FOLLOWING EITHER THE FIRST MONTH OF PUMPAGE DR PERMIT ISSUANCE.
19. PERMITTEE SHALL DETERMINE "UNACCOUNTED FOR" DISTRIBUTION SYSTEM LOSSES. LOSSES SHALL BE DETERMINED FOR THE ENTIRE DISTRIBUTION SYSTEM ON A MONTHLY BASIS. PERMITTEE SHALL DEFINE THE MANNER IN WHICH "UNACCOUNTED FOR" LOSSES ARE CALCULATED. DATA COLLECTION SHALL BEGIN WITHIN SIX MONTHS OF PERMIT ISSUANCE. LOSS REPORTING SHALL BE SUBMITTED TO THE DISTRICT ON A YEARLY BASIS FROM THE DATE OF PERMIT ISSUANCE.
20. PERMITTEE SHALL MAINTAIN AN ACCURATE FLOW METER AT THE INTAKE OF THE WATER TREATMENT PLANT FOR THE PURPOSE OF MEASURING DAILY INFLOW OF WATER.
21. PRIOR TO NOVEMBER 09, 2000, THE PERMITTEE SHALL EVALUATE LONG TERM WATER SUPPLY ALTERNATIVES AND SUBMIT A LONG TERM WATER SUPPLY PLAN TO THE DISTRICT. PRIOR TO NOVEMBER 09, 1996, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN OUTLINE OF THE PROPOSED PLAN. THE ASSESSMENT SHOULD INCLUDE CONSIDERATION OF SALINE INTRUSION, WELLFIELD PROTECTION, PLANS FOR COMPLIANCE WITH APPLICABLE WELLFIELD PROTECTION ORDINANCES, EXPECTED FREQUENCIES AND PLANS TO COPE WITH WATER SHORTAGES OR WELL FIELD FAILURES, AND CONSERVATION MEASURES TO REDUCE OVERALL STRESSES ON THE AQUIFER.
22. PRIOR TO NOVEMBER 09, 1997, POTABLE PUBLIC WATER SUPPLY UTILITIES ARE REQUIRED TO PROVIDE A STUDY EVALUATING EMERGENCY WATER SUPPLY PREPAREDNESS, INCLUDING ANALYSIS OF DEMAND MANAGEMENT MEASURES, POTENTIAL PUMPAGE SHIFTING AND THE FEASIBILITY OF EMERGENCY INTERCONNECTIONS FOR THE PURPOSE OF

SUPPLYING WATER ON A SHORT-TERM, EMERGENCY BASIS TO ADJOINING UTILITIES. THE PERMITTEE MUST PROVIDE THE DISTRICT WITH A COPY OF THE STUDY. AS TO EMERGENCY INTERCONNECTS, THE FEASIBILITY STUDY MUST ASSESS THE TECHNICAL, PHYSICAL AND ECONOMIC ABILITY OF THE PERMITTEE TO DEVELOP INTERCONNECTING PIPES CAPABLE OF DELIVERING WATER TO ADJOINING UTILITIES TO MEET EMERGENCY, SHORT-TERM WATER SUPPLY NEEDS. (IN THE EVENT OF AN INTERCONNECT BEING ESTABLISHED, INDIVIDUAL PUBLIC WATER SUPPLY PERMIT ALLOCATIONS WILL NOT ADDRESS THE EMERGENCY USAGE.) IT IS THE POLICY OF THE DISTRICT TO ENCOURAGE EMERGENCY INTERCONNECTS BETWEEN ADJOINING PUBLIC WATER SUPPLY UTILITIES FOR THE PURPOSE OF PROVIDING EMERGENCY WATER SUPPLY. THUS, WHERE THE FEASIBILITY STUDY INDICATES EMERGENCY INTERCONNECTS ARE POSSIBLE, THE DISTRICT ENCOURAGES THE ADJOINING UTILITIES TO IMPLEMENT THE SAME.

23. THE WATER CONSERVATION PLAN REQUIRED BY CRITERIA 2.6.1 OF THE BASIS OF REVIEW FOR WATER USE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994, MUST BE IMPLEMENTED IN ACCORDANCE WITH THE IMPLEMENTATION SCHEDULE CONTAINED THEREIN.
24. IF AT ANY TIME THERE IS AN INDICATION THAT THE WELL CASING, VALVES, OR CONTROLS LEAK OR HAVE BECOME INOPERATIVE, REPAIRS OR REPLACEMENT SHALL BE MADE TO RESTORE THE SYSTEM TO AN OPERATING CONDITION. FAILURE TO MAKE SUCH REPAIRS SHALL BE CAUSE FOR FILLING AND ABANDONING THE WELL, IN ACCORDANCE WITH PROCEDURES OUTLINED IN CHAPTERS 40E-3 AND 40E-30, F.A.C.
25. IF A PROPOSED WELL LOCATION IS DIFFERENT FROM A LOCATION SPECIFIED IN THE APPLICATION, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN EVALUATION OF THE IMPACT OF PUMPAGE FROM THE PROPOSED WELL LOCATION ON ADJACENT EXISTING LEGAL USES, POLLUTION SOURCES, ENVIRONMENTAL FEATURES, THE SALINE WATER INTERFACE, AND WATER BODIES ONE MONTH PRIOR TO ALL NEW WELL CONSTRUCTION. THE PERMITTEE IS ADVISED THAT THE PROPOSAL MUST MEET ALL PERMITTING CRITERIA IN EFFECT AT THE TIME OF SUBMITTAL, AND THAT A FORMAL MODIFICATION OF THE PERMIT SHALL BE REQUIRED IF THE WITHDRAWALS FROM THE WELL LOCATION RESULT IN AN ENVIRONMENTAL OR RESOURCE IMPACT SIGNIFICANTLY GREATER THAN THAT ANTICIPATED IN THE PERMIT REVIEW PROCESS.
26. PERMITTEE SHALL SECURE A WELL CONSTRUCTION PERMIT PRIOR TO CONSTRUCTION, REPAIR, OR ABANDONMENT OF ALL WELLS, AS DESCRIBED IN CHAPTERS 40E-3 AND 40E-30, F.A.C.
27. THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN UPDATED TABLE "A" (WELL DESCRIPTION TABLE) WITHIN ONE MONTH OF COMPLETION OF THE PROPOSED WELLS IDENTIFYING THE ACTUAL TOTAL AND CASED DEPTHS, PUMP MANUFACTURER AND MODEL NUMBERS, PUMP TYPES, INTAKE DEPTHS AND TYPE OF METERS.
28. DAILY RAW WATER WITHDRAWALS, SEPARATED BY EACH SOURCE AS STATED ON THE PERMIT, SHALL BE REPORTED TO THE DISTRICT ON A MONTHLY BASIS. THE WATER USE ACCOUNTING METHOD AND MEANS OF CALIBRATION SHALL BE STATED ON EACH REPORT.
29. PRIOR TO MAY 09, 1996, PERMITTEE SHALL DEVELOP AND IMPLEMENT A "SURFACE WATER/WETLAND MONITORING PROGRAM". A PRELIMINARY PROPOSAL SHALL BE SUBMITTED TO STAFF FOR REVIEW AND APPROVAL PRIOR TO FEBRUARY 09, 1996. STAFF APPROVAL WILL BE GRANTED IF THE PROPOSED MONITORING NETWORK WILL MONITOR CHANGES IN GROUND AND SURFACE WATER LEVELS, VEGETATION, AND OTHER

WETLAND FUNCTIONS SUCH AS FOOD SUPPLY, OR IMPACTS TO ENDANGERED SPECIES IN THE ADJACENT ENVIRONMENTALLY SENSITIVE AREAS AS IDENTIFIED IN THE IMPACT EVALUATION SUMMARY OF THIS STAFF REPORT. IN DEVELOPING THE PROGRAM, THE PERMITTEE SHALL CONSIDER THE NUMBER OF WELLS, AND/OR STAFF GAUGES, WELL AND/OR STAFF GAUGE LOCATION, DEPTH OF WELLS, METHOD OF WELL CONSTRUCTION AND/OR STAFF GAUGE SURVEYING AND FREQUENCY OF DATA COLLECTION.



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wethereli
Secretary

NOTICE OF PERMIT

CERTIFIED MAIL NO. Z 054 061 569
RETURN RECEIPT REQUESTED

In the matter of an
Application for Permit
by:

James M. Moore, President
Gulf Utility Company
18513 Bartow Blvd.
Fort Myers, FL 33912

DEP File No. 254717
Lee County - IW
Gulf Utility Company
Corkscrew WTP - Membrane
Softening Concentrate

Enclosed is Permit Number IC36-254717 to construct additions to the existing membrane softening water treatment plant concentrate blending and reuse system, issued pursuant to Section 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Peter J. Ware
Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on October 31, 1994 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Mialy
(Clerk)

10-31-94
(Date)

PJW/CRD/dd

Enclosures

Copies furnished to:

Geoffrey Hart, P.E.
Jack Myers, P.G.



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

PERMITTEE:

James W. Moore, President
Gulf Utility Company
18513 Bartow Blvd.
Fort Myers, FL 33912

I.D. No: 5236P05781
Permit/Certification
Number: IC36-254717
Date of Issue: October 31, 1994
Expiration Date: October 31, 1999
County: Lee
Latitude: 26° 26' 15" N
Longitude: 81° 45' 33" W
Section/Town/Range: 25/46S/25E
Project: Gulf Utility Company
Corkscrew WTP - Membrane Softening
Concentrate

This permit is issued under the provisions of Chapter 403.087, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, 62-28, 62-520, 62-522 and 62-660. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Construct additions to the existing membrane softening drinking water treatment plant concentrate blending and reuse system. Design concentrate flow will be increased from 0.125 MGD to 0.250 MGD with current average flow of 0.141 MGD. The concentrate will continue to be blended with the reclaimed water from the Gulf Utility Company's Three Oaks WWTP (permit number DC36-198806 or successor permit) in an approximate blend ratio of 1:2 or less. The blended water will continue to be used to spray irrigate the golf courses at the Vines and Villages of Country Creek. The system is as shown in applications numbered 166774, 219983 and 254717 and in supporting documents by James Elliott, P.E., Geoffrey K. Hart, P.E., David N. Gomberg, Ph.D. and others.

The Facility is located at 11950 Corkscrew Road, Fort Myers, Lee County, Florida.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. Number: 5236P05781
Permit/Cert. No.: IC36-254717
Date of Issue: October 31, 1994
Expiration Date: October 31, 1999

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) 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 any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and 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.
5. This permit does not relieve the permittee from liability 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, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. Number: 5236P05781
Permit/Cert. No.: IC36-254717
Date of Issue: October 31, 1994
Expiration Date: October 31, 1999

GENERAL CONDITIONS:

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of non-compliance; and
- b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. 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 where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee 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 62-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. Number: 5236P05781
Permit/Cert. No.: IC36-254717
Date of Issue: October 31, 1994
Expiration Date: October 31, 1999

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 62-4.120 and 62-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used;
 6. the results of such analyses.
15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. Number: 5236P05781
Permit/Cert. No.: IC36-254717
Date of Issue: October 31, 1994
Expiration Date: October 31, 1999

GENERAL CONDITIONS:

permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

SPECIFIC CONDITIONS:

1. Drawings, plans, documents or specifications submitted by the Permittee, not attached hereto, but retained on file at the South District Office, are made a part hereof.
 2. This permit is valid only for the specific processes and operations (including the types and quantities of raw materials and chemicals) indicated in your application. Any changes in these which may result in altered characteristics of the discharge are not permitted without the prior approval of the Department and modification of this permit.
 3. No wastewater shall be allowed to bypass any part of the pollution control facility without the prior approval of the Department.
 4. The operation of the pollution control facilities shall be under the full time supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control.
 5. The discharge authorized by this permit shall be consistent at all times with applicable water quality standards set forth in Chapter 62-520, Florida Administrative Code.
- Should conditions in the receiving waters warrant, the permittee may be required by the Department to improve, reduce, or cease the discharge approved by this permit, or adopt an alternative method of disposal within a reasonable period of time.
6. Permittee shall monitor and record concentrate flow daily. This record must be kept at the facility and available for inspection by Department personnel.
 7. The hydraulic loading rate shall not cause ponding of spray irrigation water on the application site or produce run-off to surface waters.
 8. The irrigation water shall not cause damage to vegetation present at the application site. If damage occurs, the permittee may be required by the Department to improve, reduce or cease the discharge approved by this permit, or adopt an alternative method of disposal within a reasonable period of time.

PERMITTEE:

James W. Moore, President
Gulf Utility Company

I.D. Number: 5236P05781
Permit/Cert. No.: IC36-254717
Date of Issue: October 31, 1994
Expiration Date: October 31, 1999

SPECIFIC CONDITIONS:

9. Monitoring of the blended concentrate-reclaimed water shall be in accordance with the monitoring requirements of the Gulf Utility Company - Three Oaks facility operating permit number DO36-218588 and any successor permit.

10. This document satisfies industrial wastewater permitting requirements only and does not authorize operation of this facility prior to obtaining any other permits required by local, state or federal agencies.

Note: In the event of an emergency the permittee shall contact the Department by calling (904)488-1320. During normal business hours, the permittee shall call (813)332-6975.

Issued this 31st day of October, 1994.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Peter J. Ware
Director of
District Management

PJW/CRD/dd



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Virginia B. Wetherell
Secretary

NOTICE OF PERMIT

In the Matter of an
Application for Permit by:

Lee County - UIC
Gulf Utility WTP IW-1

Gulf Utility Company
18513 Bartow Blvd. S.E.
Fort Myers, Florida 33912
_____ /

Enclosed is Permit Number UC36-256557 to construct a Class I injection well, issued pursuant to Section(s) 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; and by filing a copy of the Notice of appeal accompanied by the applicable filing fees with the appropriate District Court of Appeal. The Notice of Appeal must be filed within 30 days from the date this Notice is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Peter J. Ware
Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed by certified mail before the close of business on May 22, 1995 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to S.120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Mialy
Clerk

5-22-95
Date

PJW/JBM/klm

Copies furnished to:
Philip L. Waller, P.E.
TAC



Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-3881

Virginia B. Wetherell
Secretary

PERMITTEE:

Gulf Utility Company
18513 Bartow Blvd. S.E.
Fort Myers, Florida 33912

I.D. No: 5236P02226
Permit/Certification
Number: UC36-256557
Date of Issue: May 22, 1995
Expiration Date: May 22, 2000
County: Lee
Latitude: 26° 26' 30" N
Longitude: 81° 45' 20" W
Section/Town/Range: 25/46S/25E
Project: Gulf Utility WTP IW-1

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-3, 62-4, 62-550, 62-600 and 62-528. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Construct a nominal 9-5/8-inch diameter Class I injection well (IW-1) using tubing and packer with a 14 inch steel casing cemented to 2100 feet below land surface (bls) and a total depth of 3300 feet bls utilized for the disposal of 1,730,000 gallons per day of non-hazardous, membrane softening concentrate from the existing Corkscrew water treatment plant and secondary treated effluent from the Corlico wastewater treatment plant. Well shall serve as backup to spray irrigation disposal. The dual zone on-site monitor well will monitor from approximately 600 to 700 feet bls and 1550 to 1600 feet bls.

The application to construct a Class I injection well system, DER Form 17-1.209(9), was received August 24, 1994 with supporting documents and additional information last received October 20, 1994. The certificate of financial responsibility was issued March 3, 1995. Project is located at the Corkscrew WTP at 11950 Corkscrew Road, Fort Myers, Florida.

Subject to General Conditions 1-16 and Specific Conditions 1-8.

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

Permit/Cert. No.: UC36-256557

Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) 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 any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
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 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.
5. This permit does not relieve the permittee from liability 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, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226
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GENERAL CONDITIONS:

credential or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of non-compliance; and
- b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. 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 where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee 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 62-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

PERMITTEE:
Gulf Utility Company

I.D. No.: 5236P02226
Permit/Cert. No.: UC36-256557
Date of Issue: May 22, 1995
Expiration Date: May 22, 2000

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 62-4.120 and 62-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
 - (c) Records of monitoring information shall include:
 1. the date, exact place, and time of sampling or measurements;
 2. the person responsible for performing the sampling or measurements;
 3. the dates analyses were performed;
 4. the person responsible for performing the analyses;
 5. the analytical techniques or methods used;
 6. the results of such analyses.

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

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Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

GENERAL CONDITIONS:

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

16. In the case of an underground injection control permit, the following permit conditions also shall apply:

- (a) All reports or information required by the Department shall be certified as being true, accurate and complete.
- (b) Reports of compliance or noncompliance with, or any progress reports on, requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
- (c) Notification of any noncompliance which may endanger health or the environment shall be reported verbally to the Department within 24 hours and again within 72 hours, and a final written report provided within two weeks.
 - 1. The verbal reports shall contain any monitoring or other information which indicate that any contaminant may endanger an underground source of drinking water and any noncompliance with a permit condition or malfunction of the injection system which may cause fluid migration into or between underground sources of drinking water.
 - 2. The written submission shall contain a description of and a discussion of the cause of the noncompliance and, if it has not been corrected, the anticipated time the noncompliance is expected to continue, the steps being taken to reduce, eliminate, and prevent recurrence of the noncompliance and all information required by Rule 62-528.415(4)(b), F.A.C.
- (d) The Department shall be notified at least 180 days before conversion or abandonment of an injection well, unless abandonment within a lesser period of time is necessary to protect waters of the State.

SPECIFIC CONDITIONS:

1. Site Requirements

a. A drilling pad shall be provided to collect spillage of contaminants and to support the heaviest load that will be encountered during drilling.

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

Permit/Cert. No.: UC36-256557

Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

SPECIFIC CONDITIONS:

b. The disposal of drilling fluids, cuttings, formation water or waste shall be in a sound environmental manner that avoids violation of surface and ground water quality standards. The disposal method shall be approved by the Department prior to start of construction.

c. Provide specific drilling pad dimensions and design details prior to commencing construction and shortly after selection of drilling contractor.

d. The four water table monitoring wells shall be sampled and analyzed prior to drilling this injection well and then weekly thereafter. Sampling shall include specific conductance, pH, chloride, temperature and water level.

e. A survey indicating the exact location in metes and bounds of all wells authorized by this permit shall be provided prior to issuance of an operating permit.

2. Construction and Testing Requirements

a. The permittee shall contact the TAC chairman so that he may schedule progress review meetings at appropriate times with the TAC and permittee for the purpose of reviewing the results of tests, geophysical logging, surveys, drilling records and construction problems. At a minimum, meetings shall be scheduled for the purpose of selecting final setting depth for the 14 inch casing and the 9-5/8-inch FRP tubing.

b. All drilling shall be inside a blow out preventer upon penetration of the Florida Aquifer.

c. Mechanical integrity testing is a two part demonstration which includes a pressure test to demonstrate that no leaks are present in the casing, tubing or packer and a temperature or noise log and radioactive tracer survey to demonstrate the absence of leaks behind the casing. Verification of pressure gauge calibration must be provided at the scheduled tests.

d. Department approval and Technical Advisory Committee (TAC) review pursuant to F.A.C. Rule 62-528 is required for the following stages of construction:

- (1) Intermediate casing seat selection (injection and monitor wells).
- (2) Final casing seat selection (injection and monitor wells).
- (3) Operational (long term) testing with effluent.

PERMITTEE:

Gulf Utility Company

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SPECIFIC CONDITIONS:

e. The cementing program, as required in Section 62-528.410(5) Florida Administrative Code, shall be submitted to the Department and the Technical Advisory Committee for review. Cementing shall not commence prior to approval being granted.

f. All temperature surveys (except for mechanical integrity demonstration) shall be run within 48 hours after cementing.

g. TAC meetings are scheduled on the 1st Tuesday of each month subject to a 5 working day prior notice and timely receipt of critical data by all TAC members. Emergency meetings may be arranged when justified to avoid undue construction delay.

h. The Engineer of Record shall insure that safe internal pressures are maintained during the cementing of all casings.

i. The background water quality of the injection and monitor zones shall be established prior to commencement of any injection testing and will include the primary and secondary drinking water quality standards detailed in Rules 62-550.310 and 62-550.320, F.A.C. as well as the parameters listed below. These parameters shall also be analyzed in the effluent prior to submitting application for an operating permit.

- | | |
|-----------------------------|-----------------------|
| Sulfide (field measurement) | Diethylphthallate |
| Soluble orthophosphate | Dimethylphthallate |
| Ammonium | Butylbenzylphthallate |
| Organic Nitrogen | Naphthalene |
| Total Kjeldahl Nitrogen | Anthracene |
| Total Nitrogen | Phenanthrene |
| Phenol | Aldrin |
| 2, 4, 6-Trichlorophenol | Dieldrin |
| 2-Chlorophenol | |

j. The injection and monitor well(s) at the site shall be abandoned when no longer usable for their intended purpose, or when posing potential threat to the quality of the waters of the State. Within 180 days of well abandonment, the permittee shall submit to the Department and the TAC the proposed plugging method, pursuant to Rule 62-528.460, F.A.C.

k. All salt used in well drilling shall be stored in an environmentally sound manner. Accurate records shall be kept on the amount of salt used.

l. All dual induction, sonic and caliper geophysical logs run on the pilot holes of all injection and monitor wells shall be submitted with scales of both two inches equals one hundred feet (2"=100') and five inches equals one hundred feet (5"=100').

PERMITTEE:

Gulf Utility Company

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Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

SPECIFIC CONDITIONS:

3. Quality Assurance/Quality Control Requirements

a. This permit approval is based upon evaluation of the data contained in the application dated August 24, 1994, and the plans and/or specifications submitted in support of the application. Any changes in the plans and/or technical specifications, except as provided elsewhere in this permit, must be approved by the Department before being implemented.

b. A professional engineer registered pursuant to Chapter 471, Florida Statutes shall be retained throughout the construction period to be responsible for the construction operation and to

certify the application, specifications, completion report and other related documents. The Department shall be notified immediately of any change of engineer.

c. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) F.S., applicable portions of permit applications and supporting documents which are submitted to the Department for public record shall be signed and sealed by the professional(s) who approved or prepared them.

d. The Department shall be notified immediately of any problems that may seriously hinder compliance with this permit, construction progress, or good construction practice. The Department may require a detailed written report describing the problem, remedial measures taken to assure compliance and measures taken to prevent recurrence of the problem.

e. Issuance of a Class I Test/Injection well construction and testing permit does not obligate the Department to authorize operation of the injection or monitor wells, unless the wells qualify for an operation permit applied for by the permittee and issued by the Department.

4. Reporting Requirements

a. All reports and surveys required by this permit must be submitted concurrently to all the members of the TAC. The TAC consists of representatives from these agencies:

Florida Department of Environmental Protection
South District
2295 Victoria Avenue, Suite 364
Fort Myers, FL 33901

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

Permit/Cert. No.: UC36-256557

Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

SPECIFIC CONDITIONS:

Florida Department of Environmental Protection
Bureau of Drinking Water and Ground Water Resources
UIC Section
2600 Blair Stone Rd.
Tallahassee, FL 32399-2400

South Florida Water Management District
Well Construction Permitting
P.O. Box 24860
West Palm Beach, FL 33416-4860

United States Environmental Protection Agency
Ground Water Management Unit
345 Courtland Street
Atlanta, Georgia 30065

United States Geological Survey
4710 Eisenhower Blvd.
Tampa, FL 33614

b. Members of the TAC shall receive a weekly summary of the daily log kept by the contractor. The weekly reporting period shall run Friday through Thursday and reports shall be mailed each Friday. The report shall include but is not limited to the following:

- (1) Description of daily footage drilled by diameter of bit or size of hole opener or reamer being used;
- (2) Description of formation and depth encountered; and specific conductance of water samples collected during drilling. Description of work during installation and cementing of casings; include amounts of casing and actual cement used versus calculated volume required.
- (3) Lithological description of drill cuttings collected every ten (10) feet or at every change in formation. Description of work and type of testing accomplished, geophysical logging, pumping tests, and coring results.
- (4) Description of any construction problems that develop and their status to include a description of what is being done or has been done to correct the problem.
- (5) Description of the amount of salt used.
- (6) Results of any water quality analyses performed as required by this permit.
- (7) Copies of the driller's log are to be submitted with the weekly summary.

c. The Department must be notified seventy-two (72) hours prior to all testing for mechanical integrity on the injection and monitor wells. Testing should begin during daylight hours Monday through Friday.

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

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Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

SPECIFIC CONDITIONS:

d. Annotated copies of geophysical logs, lithologic descriptions and logs and water quality data (from drilling and packer tests) must be submitted to TAC for intermediate and final casing seat selection approvals by the Department.

e. An evaluation of all test results and geophysical logs must be submitted with all test data.

f. After completion of construction and testing, a final report shall be submitted to the Department and the TAC. The report shall include, but not be limited to, all information and data collected under Rule 62-528.450(2) and Rule 62-528.450(3), F.A.C., with appropriate interpretations. Mill certificates for the casing(s) shall be included in this report. To the extent possible, the transmissivity of the injection zone and maximum capacity within safe pressure limits shall be estimated.

5. Operational Testing Requirements

a. The Department shall require operational testing to demonstrate that the well can absorb the design and peak daily flows that are expected over the next five years, prior to granting approval for operation.

b. No effluent shall be injected into the well without written authorization from the Department. The letter authorizing operational testing with effluent shall list specific conditions for operation and monitoring during the operational testing phase of the project.

c. If any monitoring data indicates the movement of injection fluids or formation fluid into underground sources of drinking water, the Department shall prescribe such additional requirements for construction, corrective action (including possible closure of the injection well), operation, monitoring, or reporting as are necessary to prevent such movement. These additional requirements shall be imposed by modifying the permit, or by enforcement action if the permit has been violated.

d. Prior to operational testing approval, at a minimum the following items must be submitted to and approved by the Department and TAC review:

- (1) Borehole television survey of final casing;
- (2) Geophysical logs with interpretations;
- (3) Certification of mechanical integrity and interpreted test data;
- (4) Injection test data and evaluation;

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

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Expiration Date: May 22, 2000

SPECIFIC CONDITIONS:

- (5) Confining zone data (cores, etc.) and confirmation of confinement;
- (6) Background water quality data (injection and monitor zones);
- (7) Waste stream analysis;
- (8) Surface equipment completion certified pursuant to Rule 62-600.540(4), F.A.C.
- (9) Draft operation and maintenance manual with emergency procedures.

e. The permittee shall use continuous indicating and recording devices to monitor injection flow rate, injection pressure, annular pressure and monitor zone pressures. In the case of operational failure of any of these instruments for a period of more than 48 hours, the permittee shall report to the Department in writing the remedial action to be taken and the date when the failure will be corrected.

6. Emergency Disposal

a. All applicable federal, state and local permits must be in place to allow for any alternate discharges due to emergency or planned outage conditions.

b. Any changes in emergency disposal methods must be submitted for Technical Advisory Committee (TAC) review and Department approval.

7. Financial Responsibility

a. The permittee shall maintain the resources necessary to close, plug and abandon the injection and associated monitor wells, at all times (Rule 62-528.435(9), F.A.C.).

b. The permittee shall review annually the plugging and abandonment cost estimates. An increase in any one year shall require the permittee to submit documentation to obtain an updated Certificate of Demonstration of Financial Responsibility.

c. In the event that the mechanism used to demonstrate financial responsibility should become invalid for any reason, the permittee shall notify the Department of Environmental Protection in writing within 14 days of such invalidation. The permittee shall, within 30 days of said notification, submit to the Department for approval, new financial documentation in order to comply with Rule 62-528.435(9), F.A.C., and the conditions of this permit.

PERMITTEE:

Gulf Utility Company

I.D. No.: 5236P02226

Permit/Cert. No.: UC36-256557

Date of Issue: May 22, 1995

Expiration Date: May 22, 2000

SPECIFIC CONDITIONS:

8. The permittee is reminded of the necessity to comply with the pertinent regulations of any other regulatory agency, as well as any county, municipal, and federal regulations applicable to the project. These regulations may include, but not limited to, those of the Federal Emergency Management Agency in implementing flood control measures. This permit should not be construed to imply compliance with the rules and regulations of other regulatory agencies.

Note: In the event of an emergency the permittee shall contact the Department by calling (904)413-9911. During normal business hours, the permittee shall call (813)332-6975.

Issued this 22nd day of May, 1995.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Peter J. Ware
Director of
District Management

PJW/JBM/klm