

ORIGINAL

STATE OF FLORIDA

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DIVISION OF ECONOMIC REGULATION
(850) 413-6900

05 MAR 25 PM 3:40

COMMISSION
CLERK

Public Service Commission

March 25, 2005

Mr. Donald E. McBrayer
Blue Heron Golf & Country Club
6108 SE 8th St.
Okeechobee, FL 34974

Re: Docket No. 040889-WU; Application for grandfather Certificate to Operate a Water Utility in Okeechobee County by Blue Heron Golf and Country Club.

Dear Mr. Brayer:

We have prepared the utility's service territory from the map submitted. Please review the territory description in Attachment A and indicate if there are any correction or changes that need to be made.

We received a copy of a deficiency letter (copy attached) sent from the Florida Department of Environmental Protection (DEP). Please provide a copy of your response to the DEP to correct the deficiencies.

A response to the letter and questions should be filed with the Director, Division of Commission Clerk and Administrative Services, 2540 Shumard Oak Boulevard, Tallahassee, FL 32399 on or before April 25, 2005. If you have any questions please contact me at (850) 413-6999.

- CMP _____
- COM _____
- DTR _____
- ECR _____
- BCL _____
- OJC _____
- VMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

Sincerely,

Richard Redemann, PE

Enclosures

- cc: Division of Economic Regulation (Brady)
- Office of General Counsel (Rodan)
- Division of Commission Clerk and Administrative Services
- Mr. Jerry Toney
- Florida Department of Environmental Protection
- 1901 SE Hillmoor Drive, Suite C 204
- Port St. Lucie, Florida 34952
- C:\MSword\040889b.doc

DOCUMENT NUMBER DATE
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Blue Heron Golf & Country Club

Okeechobee County

Water Service Area

In Section 22 and 27, Township 37 South, Range 35 East

From the Northeast corner of Section 27, Township 37 South, Range 35 East, also the Point of Beginning (POB). Thence along the East line of said section South $01^{\circ} 25' 40''$ West a distance of 2,556.51 feet, Thence along the North right-of-way of Taylor Creek the following 20 courses.

1. South $79^{\circ} 08' 01''$ West a distance of 1,600.16 feet.
2. North $56^{\circ} 29' 08''$ West a distance of 837.07 feet.
3. North $32^{\circ} 35' 16''$ West a distance of 548.73 feet.
4. North $24^{\circ} 01' 53''$ East a distance of 339.06 feet.
5. North $22^{\circ} 31' 31''$ East a distance of 91.97 feet.
6. North $07^{\circ} 41' 10''$ West a distance of 172.80 feet.
7. North $34^{\circ} 58' 02''$ West a distance of 367.10 feet.
8. North $74^{\circ} 41' 39''$ West a distance of 11.59 feet.
9. North $43^{\circ} 19' 20''$ West a distance of 74.55 feet.
10. North $41^{\circ} 31' 01''$ West a distance of 91.28 feet.
11. North $62^{\circ} 06' 12''$ West a distance of 185.53 feet.
12. North $71^{\circ} 32' 00''$ West a distance of 67.11 feet.
13. North $58^{\circ} 17' 23''$ West a distance of 65.40 feet.
14. North $21^{\circ} 48' 02''$ West a distance of 41.11 feet.
15. North $24^{\circ} 54' 30''$ West a distance of 50.60 feet.
16. North $14^{\circ} 26' 57''$ East a distance of 79.16 feet.
17. North $17^{\circ} 01' 38''$ East a distance of 98.89 feet.
18. North $11^{\circ} 53' 20''$ West a distance of 59.62 feet.
19. North $88^{\circ} 27' 25''$ West a distance of .24 feet.
20. South $89^{\circ} 37' 36''$ East a distance of 92.02 feet now leaving Taylor Creek.

Thence North $00^{\circ} 22' 24''$ West a distance 55.00 feet.

Thence South $89^{\circ} 03' 43''$ East a distance of 59.98 feet.

Thence North $00^{\circ} 11' 29''$ East a distance of 1,578.84 feet. (Leaving Section 27 and entering Section 22)

Thence South $89^{\circ} 10' 16''$ East a distance of 290.00 feet.

Thence South $00^{\circ} 11' 29''$ West a distance of 115.04 feet.

Thence South $89^{\circ} 09' 56''$ East a distance of 667.11 feet.

Thence North $00^{\circ} 25' 16''$ East a distance of 330.07 feet.

Thence North $89^{\circ} 10' 09''$ West a distance of 668.43 feet.

Thence North $00^{\circ} 11' 29''$ East a distance of 330.05 feet.

Thence South $89^{\circ} 09' 30''$ East a distance of 669.56 feet.

Thence South $89^{\circ} 10' 59''$ East a distance of 669.98 feet.

Thence South $00^{\circ} 39' 23''$ West a distance of 1,650.36 feet.

Thence South $89^{\circ} 10' 06''$ East a distance of 1,326.03 feet to the POB.



Department of Environmental Protection

Jeb Bush
Governor

Southeast District
400 N. Congress Avenue, Suite 200
West Palm Beach, Florida 33401

Colleen Castille
Secretary

MAR 09 2005

Don McBrayer, Owner
Blue Heron Golf & Country Club
6108 SE 8th St.
Okeechobee, FL 34974
(Fax: 863.467.4856)

Notice of Noncompliance

PW - Okeechobee County
Blue Heron Golf & CC
Public Water System
PWSID #4474444

Dear Mr. McBrayer:

On February 15, 2005, an inspection of the referenced system was conducted by Department staff. During this inspection and a subsequent review of Department files, the following deficiencies were found.

1. The aerator screens need repair.
2. Only one chlorinator head is in operation. The system is required to have dual chlorinator heads with an automatic switchover. Please repair the nonfunctional chlorinator head and make any repairs to the automatic switchover as needed. Another option may be to apply for a Department permit to replace the gas chlorination with a hypochlorination system.
3. Scales are required to accurately determine when the cylinders are empty. The single scale on site was not operational. Please provide working scales. Another option may be to apply for a Department permit to install a hypochlorination system.
4. The auxiliary generator is required to be tested monthly under load. Please make repairs as necessary to insure that the generator is operational and tested under load at least once per month.
5. The carbon filters require periodic replacement of the media. Replacing the media in these filters may help reduce the levels of total trihalomethanes previously detected in the system. Please provide information to Department as to when the carbon in the filters was last replaced

You may wish to consult your agent and/or engineer to address the above referenced deficiencies. Please be aware that this letter does not supersede other Department correspondence, notification of deficiencies in other areas, enforcement action, etc.

Please be advised that noncompliance with sampling requirements or failure to implement the required corrective actions referenced above, may result in the Department initiating enforcement action with associated penalties up to \$5,000 per day per violation.

If you have any questions regarding this inspection, please contact Jerry Toney of the Department's Port St. Lucie office at (772) 398-2806 or via e-mail at Jerry.Toney@dep.state.fl.us.

Sincerely,

Todd R. Brown, C.P.M.
Environmental Manager
Water Facilities Compliance/Enforcement Program

TRB/CRL/jt

cc: Wayne Dampier, Certified Operator
Charles LeGros, Engineer II, DEP/PSL

RECEIVED

MAR 11 2005

Dept. of Environ. Protection
Port St. Lucie