



Department of Environmental Protection

RECEIVED
COUNTY COORDINATOR'S
OFFICE
04 FEB 13 AM 11:25

Jeb Bush
Governor

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

David B. Struhs
Secretary

June 23, 2003

The Honorable Vickie Samus, Chairman
Board of County Commissioners
Nassau County
Post Office Box 1010
Fernandina Beach, Florida 32035

RECEIVED

AUG 13 2003

Dear Chairman Samus:

STATE OF FLORIDA
DEPT. OF ENV. PROTECTION
NORTHEAST DISTRICT-JAX

SUBJECT: Proposed Settlement for improper disposal of land clearing debris
OGC File No.: 03-0824

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in Warning Letter Nos. WL03-0610SW45NED and WL03-0613SW45NED. The Department finds that you are in violation of the rules and statutes cited in the Warning Letters. The corrective actions required to bring your facility into compliance have been completed. In order to resolve the matters identified in the Warning Letters, you are assessed civil penalties in the amount of \$3,750.00, along with \$250.00 to reimburse the Department's costs, for a total of **\$4,000.00**.

The civil penalties are apportioned as follows:

- 62-701.300(1)(a) storage/disposal at an unpermitted facility south of C.R.108 - **\$1,875**
- 62-701.300(1)(a) storage/disposal at an unpermitted facility on Bailey's Road - **\$1,875**

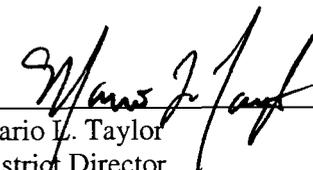
The Department acknowledges that the payment of these civil penalties by you does not constitute an admission of liability. This payment must be made payable to the Department of Environmental Protection by cashier's check or money order and shall include the OGC File Number assigned above and the notation "Ecosystems Management and Restoration Trust Fund." Payment shall be sent to the Department of Environmental Protection, Northeast District Office, 7825 Baymeadows Way, Suite 200B, Jacksonville, Florida 32256-7590, within 60 days of your signing this letter.

Your signing this letter constitutes your acceptance of the Department's offer to resolve this matter on these terms. If you elect to sign this letter, please return it to the Department at the address indicated above. The Department will then countersign the letter and file it with the Clerk of the Department. When the signed letter is filed with the Clerk, the letter shall constitute final agency action of the Department, which shall be enforceable pursuant to Section 120.69 and 403.121, Florida Statutes.

June 23, 2003
Page two

If you do not sign and return this letter to the Department at the District address by July 9, 2003, the Department will assume that you are not interested in settling this matter on the above described terms, and will proceed accordingly. None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk.

Sincerely,

MF


Mario L. Taylor
District Director

FOR RESPONDENT:

Board of County Commissioners
I, Vickie Samus on behalf of of Nassau County, Florida, **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

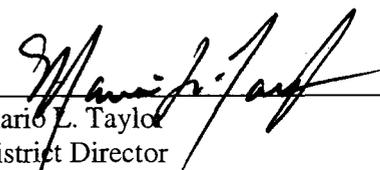
ATTEST: APPROVED AS TO FORM BY THE
NASSAU COUNTY ATTORNEY:
By: Vickie Samus, Chairman
Date: _____

J. M. "CHIP" OXLEY, JR. MICHAEL S. MULLIN

FOR DEPARTMENT USE ONLY

DONE AND ENTERED this 12th day of February, 2004.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

MF


Mario L. Taylor
District Director

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52, Florida Statutes, With the designated Department Clerk, receipt of which is hereby Acknowledged.

Maya Lockamy
Clerk

February 12, 2004
Date



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P.O. Box 1010
Fernandina Beach, Florida 32035-1010

Nick Deonas
Ansley Acree
Vickie Samus
Floyd L. Vanzant
Marianne Marshall

Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

J.M. "Chip" OXLEY, JR.
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

M E M O R A N D U M

TO: CATHY LEWIS
FROM: MICHAEL S. MULLIN
SUBJECT: DEP SETTLEMENTS
DATE: February 17, 2004

Enclosed is a copy of a letter from DEP regarding settlements.

Please advise if there are funds to pay this as soon as possible.

/am

Enclosure



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P. O. Box 1010
Fernandina Beach, Florida 32035-1010

Nick Deonas
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Vickie Samus
Floyd L. Vanzant
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Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

J. M. "Chip" OXLEY, JR.
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

August 12, 2003

Mr. Mario L. Taylor
District Director
Department of Environmental Protection
7825 Baymeadows Way, Suite B200
Jacksonville, FL 32256-7590

RE: Settlement
OGC File No.: 03-0824

Dear Mr. Taylor:

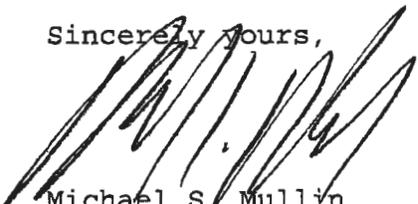
Enclosed please find a copy of the signed settlement agreement with the Department. The agreement was not sent by the date required; however, the Board did approve the agreement prior to the date indicated on Page 2 of the settlement agreement.

Also enclosed is our check in the amount of \$4,000.

Please have the Department countersign the agreement and provide a fully executed copy to the County Clerk's Office in the enclosed self-addressed envelope.

I trust that this concludes this matter and I will close our file unless I hear from you to the contrary.

Sincerely yours,


Michael S. Mullin
County Attorney

MSM:jb

CC: J. M. "Chip" Oxley, Jr., Ex-Officio Clerk
Chet McGhee, Solid Waste Section, DEP (w/ encl)

(904) 321-5703, 879-1029, (800) 958-3496

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