

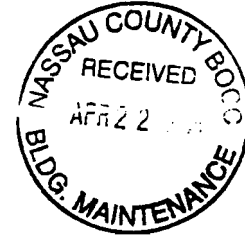
# Department of Environmental Protection COPY

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

April 19, 2005



## CERTIFIED MAIL - RETURN RECEIPT

Mr. Daniel Salmon  
Nassau County Board of Commissioners  
P.O. Box 1010  
Fernandina Beach, FL 32035

Dear Mr. Salmon:

Nassau County - Potable Water  
Hilliard Public Works  
PWS ID#: 2454361  
OGC Consent Order No. 05-0517 - CASE CLOSURE

Enclosed is an executed copy of the Consent Order to resolve Case No. 05-0517. April 14<sup>th</sup>, 2005 is the effective date of this Order, and all time frames will be referenced from this date.

With receipt of check number 106855 for \$100.00 (one hundred dollars), the Department considers this case closed. Thank you for your cooperation in resolving this matter.

Should you have any questions concerning the Consent Order, please feel free to contact Joni Petry at (904) 807-3321. Your continued cooperation is appreciated.

Sincerely,

John J. Davis, P.G.  
Potable Water Supervisor

JJD:JMP:sk  
jp

cc: Mr. Larry Morgan, OGC  
Ms. Ollie Henderson, Data Processing

"More Protection, Less Process"

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# Department of Environmental Protection



Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

March 30, 2005

CERTIFIED MAIL - RETURN RECEIPT

REVISED OGC FILE NO.

Mr. Daniel Salmon  
Nassau County Board of Commissioners  
P.O. Box 1010  
Fernandina Beach, FL 32035

**SUBJECT:** Proposed Settlement of DEP vs. Hilliard Public Works  
OGC File No.: 05-0517

Dear Mr. Salmon:

The purpose of this letter is to complete the resolution of the matter previously identified by the Department in the attached Warning Letter #WL05-0040-PW-45-NED. While Item No. 2 has since been clarified and it has been determined that no violation occurred, the Department finds that you are in violation of the rules and statutes cited in Item No. 1 of that Warning Letter.

In order to resolve the matters identified in the Warning Letter, you are assessed civil penalties in the amount of \$75.00 for violation of Rule 62-550.513, F.A.C., along with \$25.00 to reimburse Department costs, for a total of \$100.00.

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, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7590, within 30 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 it, please return the entire letter 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.

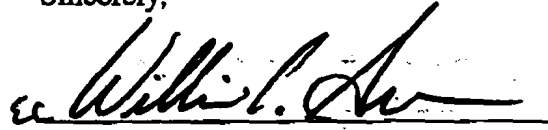
None of your rights or substantial interests are determined by this letter unless you sign it and it is filed with the Department Clerk. However, **if you do not sign and return this letter to the Department at the District address by April 14, 2005, the Department will assume that you are**

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not interested in settling this matter on the above described terms, and will proceed with the assessment of administrative penalties under the Environmental Litigation Reform Act.

Sincerely,



William C. Green  
Acting District Director

**FOR THE RESPONDENTS:**

I, Ansley N. Acree on behalf of, Board of County Commissioners of Nassau County  
(Please type or print name) (Please type or print company name)

**HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**



(Signature)

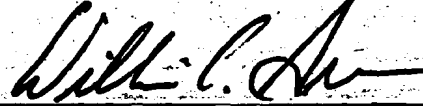
April 6, 2005

(Date)

**FOR DEPARTMENT USE ONLY**

DONE AND ENTERED this 14<sup>th</sup> day of April, 2005.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



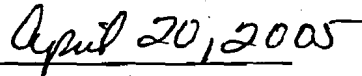
William C. Green  
Acting District Director

**FILING AND ACKNOWLEDGEMENT**

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



Clerk



Date

cc: Doug Hewett, Operator

## NOTICE OF RIGHTS

Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (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 Consent Order; (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

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 subject Consent Order 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 21 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 Sections 120.569 and 120.57, Florida Statutes, 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 28-106.205, Florida Administrative Code.

Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.

RECEIVED

APR 08 2005

STATE OF FLORIDA  
DEPARTMENT OF ENV. PROTECTION  
NORTH-EAST DISTRICT - JACKSONVILLE



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen M. Castille  
Secretary

February 16, 2005

CERTIFIED MAIL – RETURN RECEIPT

Mr. Daniel Salmon  
Nassau County Board of Commissioners  
P.O. Box 1010  
Fernandina Beach, FL 32035

Nassau County - Potable Water  
Hilliard Public Works // PWS# 2454361  
WARNING LETTER No. WL05-0040-PW-45-NED

Dear Mr. Salmon:

The purpose of this letter is to advise you of possible violations of law for which you might be responsible and to seek your cooperation in resolving this matter. A review of our records indicates that violations of the Florida Statutes and the Florida Administrative Code may exist at the above referenced facility. During the records review, the following were noted:

1. Triennial results for the monitoring of all primary inorganics except nitrate and nitrite were not submitted for the 2004 compliance year.
2. Annual results for monitoring of lead and copper were not submitted for June through September 2004.

Chapter 62, Florida Administrative Code, provides that:

1. It is a violation of Rule 62-550.513 for a non-transient, non-community water system to fail to analyze for primary inorganics. Rule 62-550.513(1) requires non-transient, non-community water systems using ground water as a source to monitor during 2004.
2. It is a violation of Rule 62-550.800 for a non-transient, non-community water system to fail to analyze for lead and copper. Rule 62-550.800 requires your system to conduct lead and copper tap sampling annually.

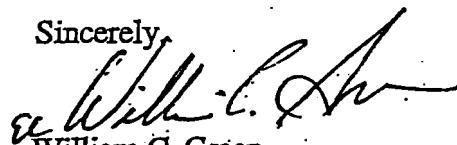
You are requested to contact Joni Petry at (904) 807-3321 within fifteen (15) days of receipt of this warning letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that could help resolve this matter.

*"More Protection, Less Process"*

*Printed on recycled paper.*

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



William C. Green  
Acting District Director

*ECR JP*  
WCG:EDC:ECR:JMP:jp  
Enforcement File  
cc: Doug Hewett, Lead Operator

DO NOT COPY (INVERTED) GREEN BACKGROUND CONTAINS AN ANTI-COUNTERFEIT MICROPRINT AND IS UNREPRODUCIBLE. ANY MATERIAL WATERMARK ON THE BACK.

**Nassau County**

Board of County Commissioners  
 P.O. Box 4000  
 Fernandina Beach, FL 32035-4000



ACCOUNTS PAYABLE  
 VOID AFTER 60 DAYS

Vendor  
 Number  
 1253

Check  
 Date  
 04/07/2005

Check  
 Number  
 00106855

63-2/630

\$ 195.00

Pay One Hundred Ninety Five Dollars and 00 cents \*\*\*\*\*

To The Order Of FL DEPT OF ENVIRONMENTAL PROTECTION  
 NORTHEAST DISTRICT OFFICE  
 7825 BAYMEADOWS WAY, STE 200B  
 JACKSONVILLE, FL 32256-7577

Wachovia Bank N.A.  
 Fernandina Beach,  
 FL 32035



*Arday D. Lewis*  
 Authorized Signature MP  
  
*John A. Crawford*  
 Authorized Signature MP

⑈ 106855 ⑈ ⑆ 063000021 ⑆ 2137400056376 ⑈

**Nassau County**

Board of County Commissioners

Invoice Date	Invoice Number	Invoice Description	GL Account Number	Net Invoice Amount
04/07/2005	511-517	OGC FILE# 05-0511 & 05-0517	01193519 549000	195.00

Vendor No. 1253	Vendor Name FL DEPT OF ENVIRONMENTAL PROTE	Check No. 106855	Check Date 04/07/2005	Check Amount 195.00
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<b>Tracking number</b>	846399540314	<b>Reference</b>	GGC 05-0517 & OGC
<b>Signed for by</b>	J. TILLMAN	<b>Delivered to</b>	05-051 Receptionist/Front Desk
<b>Ship date</b>	Apr 7, 2005	<b>Service type</b>	Priority Envelope
<b>Delivery date</b>	Apr 8, 2005 9:59 AM		
<b>Status</b>	Delivered		

Date/Time	Activity	Location	Details
Apr 8, 2005	9:59 AM <b>Delivered</b>		<a href="#">Wrong Address?</a> Reduce future mis FedEx Address Ct
	8:24 AM On FedEx vehicle for delivery	JACKSONVILLE, FL	
	7:38 AM At local FedEx facility	JACKSONVILLE, FL	
Apr 7, 2005	8:08 PM At dest sort facility	JACKSONVILLE, FL	<a href="#">Shipping Freight</a> FedEx has <u>LTL</u> , surface and air e freight, multi piec deliveries, and o
	6:00 PM Left origin	JACKSONVILLE, FL	
	3:18 PM Picked up	JACKSONVILLE, FL	

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<p>From <input type="text"/></p> <p>To <input type="text"/></p>	<p>Add a message to this email.</p> <div style="border: 1px solid black; height: 60px; width: 100%;"></div>
<p><a href="#">Send email</a></p>	

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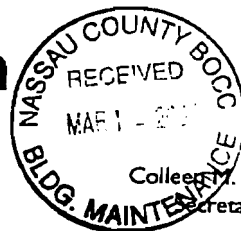




Jeb Bush  
Governor

# Department of Environmental Protection

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



March 8, 2005

Mr. Daniel Salmon  
Nassau County Board of Commissioners  
P.O. Box 1010  
Fernandina Beach, FL 32035

Dear Mr. Salmon:

Nassau County – Potable Water  
Lead and Copper Monitoring  
Hilliard Public Works  
→ **PWS ID: 2454361**

Upon further investigation, and contrary to what was listed in last year's monitoring letter, the Department has determined that lead and copper tap sampling was not due for your system during the 2004 compliance year. Therefore, please disregard Item No. 2 on Warning Letter 05-0040-PW-45-NED. Accordingly, your system has been reduced to triennial monitoring and the **next monitoring period will be during June –September 2006**, with results due to this office no later than **October 10, 2006**.

We apologize for any inconvenience that this error may have caused and if you have any questions regarding this matter, please call me at (904) 807-3321 or by email at [Joni.Petry@DEP.STATE.FL.US](mailto:Joni.Petry@DEP.STATE.FL.US). Your cooperation with the Florida Safe Drinking Water Program is appreciated.

Sincerely,

Joni M. Petry  
Environmental Specialist

ECR  
ECR:JMP:jp  
Lead & Copper File  
cc: Doug Hewett, Lead Operator

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Received Time Apr. 5. 7:31AM

D



Jeb Bush  
Governor

# Department of Environmental Protection

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

Colleen M. Castille  
Secretary

February 16, 2005

## CERTIFIED MAIL – RETURN RECEIPT

Mr. Daniel Salmon  
Nassau County Board of Commissioners  
P.O. Box 1010  
Fernandina Beach, FL 32035

Nassau County - Potable Water  
Hilliard Public Works // PWS# 2454361  
WARNING LETTER No. WL05-0040-PW-45-NED

Dear Mr. Salmon:

The purpose of this letter is to advise you of possible violations of law for which you might be responsible and to seek your cooperation in resolving this matter. A review of our records indicates that violations of the Florida Statutes and the Florida Administrative Code may exist at the above referenced facility. During the records review, the following were noted:

1. Triennial results for the monitoring of all primary inorganics except nitrate and nitrite were not submitted for the 2004 compliance year.
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You are requested to contact Joni Petry at (904) 807-3321 within fifteen (15) days of receipt of this warning letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that could help resolve this matter.

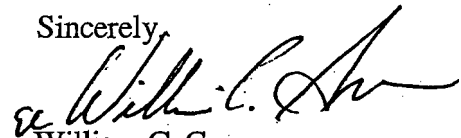
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Hilliard Public Works  
WL05-0040-PW-45-NED  
Page 2 of 2

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,

  
William C. Green  
Acting District Director

*EDC JP*  
WCG:EDC:ECR:JMP:jp  
Enforcement File  
cc: Doug Hewett, Lead Operator

**Compliance Cycle  
Hilliard Public Works  
PWS# 2454361**

	1	2	3	4	5	6	7	8	9
Year	2002	2003	2004	2005	2006	2007	2008	2009	2010
<b>Socx</b>		Sample for Heptachlor				Sample or Waiver			Sample or Waiver
<b>Vecs</b>	Done	Sample	Sample			Sample			Sample
<b>Nitrate/Nitrite</b>		Done	Sample	Sample	Sample	Sample	Sample	Sample	Sample
<b>Inorganic</b>			Sample			Sample			Sample
<b>Lead and Copper</b>	Done	Sample 6/1 to 9/30			Sample 6/1 to 9/30			Sample 6/1 to 9/30	
<b>TTHM/HAA5</b>			Sample per monitoring plan	Sample per monitoring plan	monitoring plan	monitoring plan	monitoring plan	monitoring plan	monitoring plan
<b>Asbestos</b>			Waiver or Sample						

1st Compliance Period
2nd Compliance Period
3rd Compliance Period

**Note:** MCL violations and some detection will trigger increased monitoring (i.e. from Annual to Quarterly). Refer to Table 7, Chapter 62-650 for further details

**BOARD OF COUNTY COMMISSIONERS  
NASSAU COUNTY**

**BUILDING MAINTENANCE**

**Record of Oral Counseling or Oral Reprimand**

DATE: April 5, 2005

This is to record that Dave Sprole was

ORALLY COUNSELLED/ORALLY REPRIMANDED by me this date  
concerning the following:

DEP Proposed Settlement of DEP vs Hilliard Public Works OGC  
File No: 05-0517, DEP WARNING letter NO. WL05-0046-PW-45NED,  
(Bailey Road Camp; E-mail from Doug Hewett/NASSAU Amelia -  
his concerns, schedule of well testing form sent by Doug,  
In general, required testing, procedures in place to  
maintain requirements of DEP, improvements and documentations  
to insure the County's compliance with DEP's Rules & Regs.

Daniel S. Milligan  
FACILITY SUPERVISOR

Daniel Salmo  
DEPARTMENT HEAD

[Signature]  
EMPLOYEE SIGNATURE  
(Signature indicates receipt of copy only)

UNION STEWARD (If Applicable)

NOTE: \*TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE

Employee was advised of his right to Union representation



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

Jim B. Higginbotham  
Ansley Acree  
Tom Branam  
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

JOHN A. CRAWFORD  
Ex-Officio Clerk

MICHAEL S. MULLIN  
County Attorney

MIKE MAHANEY  
County Administrator

April 6, 2005

**VIA FEDERAL EXPRESS**

Mr. William C. Green  
Acting District Director  
Florida Department of Environmental Regulation  
7825 Baymeadows Way, Suite B200  
Jacksonville, FL 32256-7590

RE: *Proposed Settlement of DEP vs. Hilliard Public Works - OGC File No. 05-0517*  
*Proposed Settlement of DEP vs. Bailey Road Camp - OGC File No. 05-0511*

Dear Mr. Green:

Enclosed please find the originals of the Settlement Letter for both above-referenced matters, approved by the Board of County Commissioners on April 6, 2005 and executed by the Board Chairman.

Also enclosed is a check in the amount of \$195.00 as and for complete settlement of these matters.

Please return fully executed copies of the Settlement Offer for both matters after the Department executes same. A self-addressed envelope is enclosed for your convenience.

If I can be of any further assistance, please do not hesitate to contact me.

Sincerely yours,



John A. Crawford  
Ex-Officio Clerk

JAC:jb

CC: Daniel Salmon, Building Maintenance Director

(904) 548- 4660, 879-1029, (800) 958- 3496

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