



Florida Department of Environmental Protection

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard, Jr.
Secretary

BY ELECTRONIC MAIL: dblanchard@cityofcocoabeach.com

In the Matter of an
Application for Permit by:

Darby Blanchard
Director, CCB Utilities
City of Cocoa Beach
1600 Minutemen Causeway
Cocoa Beach, FL 32931-0000

Brevard County- UIC
FDEP File No. 05-0224301-002
Brevard County
City of Cocoa Beach Reclaimed Water ASR
Class V Injection Well System
Date of Issue: DRAFT
Date of Expiration: Five years from date of issue
of final permit

INTENT TO ISSUE

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

The applicant, Darby Blanchard, Director, CCB Utilities, applied on August 17, 2010 to the Department of Environmental Protection for a construction permit to construct one Class V Group Three Reclaimed Water Aquifer Storage and Recovery (ASR) injection well system.

The Department has permitting jurisdiction under Chapter 403 of the Florida Statutes, and Chapters 62-4, 62-520, 62-521, 62-528 and 62-550 of the Florida Administrative Code. 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 the 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 referenced in the above paragraph.

Pursuant to section 403.815 of the Florida Statutes, and rule 62-110.106(7) of the 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 the Central District, 3319 Maguire Boulevard, Suite 232, Orlando,

Florida 32803 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 Sections 120.569 and 120.587 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 Sections 120.569 and 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 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000. 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 Sections 120.569 and 120.57, F.S. or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-5.207, F.A.C.

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 warrants 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, in accordance with the requirements set forth above.

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



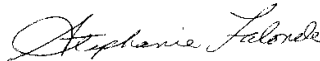
Vivian F. Garfein
Director, Central District

CERTIFICATE OF SERVICE

The undersigned duly designated deputy clerk hereby certifies that this INTENT TO ISSUE and all copies were mailed before the close of business on February 7, 2008 to the listed persons.

FILING AND ACKNOWLEDGMENT

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



Clerk

March 28, 2011
Date

VFG/CCF/AKD/dw

Enclosures

Copies furnished to:

Technical Advisory Committee

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 for Darby Blanchard, Director, CCB Utilities, 1600 Minutemen Causeway, Cocoa Beach, Florida 32931-0000 to construct one Class V Group Three Aquifer Storage and Recovery (ASR) injection well system for the storage and recovery of reclaimed water in the Floridan aquifer. The project is located at the City of Cocoa Beach High School and Middle School, Tom Warriner Boulevard, City of Cocoa Beach, Brevard County, Florida, (File No. 05-0224301-002).

The purpose of the project is to store and recover reclaimed water in the Lower Floridan aquifer in order to meet reclaimed water demands.

The Department has permitting jurisdiction under Chapter 403 of the Florida Statutes, and Chapters 62-4, 62-520, 62-521, 62-528 and 62-550 of the Florida Administrative Code. The project is not exempt from permitting procedures. The Department has determined that a construction permit is required for the proposed work.

The Department will issue the permit unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S. Mediation is not available for this proceeding.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) in accordance with Sections 120.569 and 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 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, 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 Sections 120.569 and 120.57, Florida Statutes, or to intervene in this proceeding and participate as a party to it. Any subsequent intervention will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205, F.A.C.

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, in accordance with the requirements set forth above.

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, Central District, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803-3767.