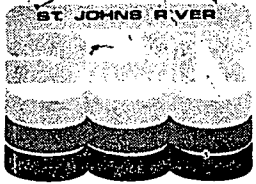




**Permit
with conditions
1728**



**WATER
MANAGEMENT
DISTRICT**

Henry Dean, Executive Director
John R. Wehle, Assistant Executive Director

POST OFFICE BOX 1429 PALATKA, FLORIDA 32178-1429
TELEPHONE 904/329-4500 SUNCOM 904/860-4500
FAX (EXECUTIVE/LEGAL) 329-4125 (PERMITTING) 329-4315 (ADMINISTRATION/FINANCE) 329-4508

FIELD STATIONS

618 E. South Street Orlando, Florida 32801 407/897-4300	7775 Baymeadows Way Suite 102 Jacksonville, Florida 32256 904/730-6270	PERMITTING: 305 East Drive Melbourne, Florida 32904 407/984-4940	OPERATIONS: 2133 N. Wickham Road Melbourne, Florida 32935-8109 407/254-1762
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REGULATION OF STORMWATER DISCHARGE

CHAPTER 40C-42, F.A.C.

PERMIT NO. 42-001-0592N DATE ISSUED MARCH 29, 1994

AUTHORIZATION: A NEW STORMWATER SYSTEM WITH STORMWATER TREATMENT CONSISTING OF RETENTION TO SERVE TUFFY LUBE SERVICE, A 0.89 ACRE PROJECT TO BE CONSTRUCTED AS PER PLANS RECEIVED BY THE DISTRICT ON MARCH 4, 1994.

LOCATION: Section 22, Township 9 South, Range 19 East
Alachua County

ISSUED TO: TUFFY AUTO SERVICE CENTER
3820 SW ARCHER RD.
GAINESVILLE, FL 32608

This document shall serve as the formal permit for stormwater discharge in accordance with Chapter 40C-42, F.A.C., issued by the staff of the St. Johns River Water Management District on March 29, 1994. This permit is subject to conditions contained within the application form (signed by you or your agent), along with any special conditions approved by the staff. These conditions are enclosed.

This permit is a legal document and should be kept with your other important records. The attached Completion Report should be filled in and returned to the Palatka office within thirty days after the work is completed. By doing so, you will enable us to schedule a prompt inspection of the permitted activity.

In addition to the Completion Report, the permit conditions referenced above may require submittal of additional information. All information submitted as compliance with permit conditions must be submitted to the Palatka office address.

Permit issuance does not relieve you from the responsibility for obtaining permits from any federal, state, and/or local agencies asserting concurrent jurisdiction over this work.

Patricia T. Harden, CHAIR
SANFORD

Lenore N. McCullagh, VICE CHAIR
ORANGE PARK

Jesse J. Parrish, III, TREASURER
TITUSVILLE

William Segal, SECRETARY
MAITLAND

Reid Hughes
DAYTONA BEACH

Dan Roach
FERNANDINA BEACH

Denise M. Prescod
JACKSONVILLE

Joe E. Hill
LEESBURG

James H. Williams
OCALA

Please note that if dewatering is to occur during any phase of construction or thereafter and the surface water pump(s), wells, or facilities are capable of withdrawing one million gallons of water per day or more, or an average of 100,000 gallons per day or more over a year, and any discharge is to be off-site, you must apply for and obtain a Consumptive Use Permit (40C-2) from the District prior to starting the dewatering. Please contact the District if you need additional information or application materials.

Permittee agrees to hold and save the St. Johns River Water Management District and its successors harmless from any and all damages, claims, or liabilities which may arise from permit issuance. Said application, including all plans and specifications attached thereto, is by reference made a part hereof.

This permit does not convey to Permittee any property rights nor any rights or 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. All structures and works installed by Permittee hereunder shall remain the property of the Permittee.

This Permit may be revoked, modified, or transferred at any time pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

In the event you sell your property, the permit will be transferred to the new owner, if we are notified by you within thirty days of the sale. Please assist us in this matter so as to maintain a valid permit for the new property owner.

Thank you for your cooperation and if this office can be of any further assistance to you, please do not hesitate to contact us.



Tim Sagull, P.E., Lead Engineer - Palatka
Department of Resource Management

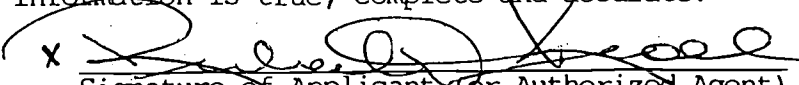
Enclosures: Completion Report
General Condition Sheet Signed by Applicant or Agent
Special Condition Sheet

cc: District Permit File
Lori Dowdy
ENG, DENMAN & ASSOCIATES, INC.
ATTN: SERGIO REYES, P.E.
4001 NW 43RD ST., STE. 21
GAINESVILLE, FL 32606

PART II - STATEMENTS BY APPLICANT

A. GENERAL INFORMATION

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge and belief such information is true, complete and accurate.

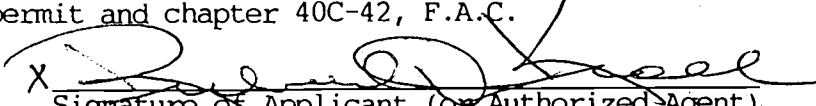
X 
Signature of Applicant (or Authorized Agent)

2/26/94
Date

Name of Applicant (or Authorized Agent)
(Please Print)

B. OPERATION AND MAINTENANCE

The applicant agrees to maintain and operate the stormwater management system during construction and thereafter in such a manner as to comply with the provisions of this permit and chapter 40C-42, F.A.C. Responsibility for maintenance and operation may be transferred from the applicant to another entity in accordance with the requirements this permit and chapter 40C-42, F.A.C.

X 
Signature of Applicant (or Authorized Agent)

2/26/94
Date

Name of Applicant (or Authorized Agent)
(Please Print)

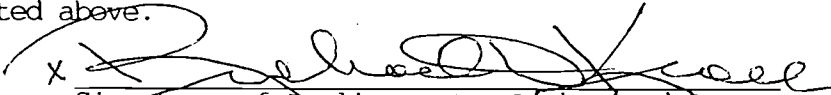
C. GENERAL PERMIT CONDITIONS.

1. This permit for construction will expire five years from the date of issuance unless otherwise specified by a special condition of the permit.
2. Permittee must obtain a permit from the District prior to beginning construction of subsequent phases or any other work associated with this project not specifically authorized by this permit.
3. Stormwater retention and detention storage must be excavated to rough grade prior to building construction or placement of impervious surface within the area served by those systems. Adequate measures must be taken to prevent siltation of these treatment systems and control structures during construction or siltation must be removed prior to final grading and stabilization.
4. The permittee must require the contractor to review and to maintain a copy of this permit complete with all conditions, attachments, exhibits, and permit modifications in good condition at the construction site. The complete permit must be available for review upon request by District representatives.
5. All construction, operation and maintenance shall be as set forth in the plans, specifications and performance criteria as approved by this permit.

6. District authorized staff, upon proper identification, must be granted permission to enter, inspect and observe the system to insure conformity with the plans and specifications approved by the permit.
7. During any construction of the permitted system including stabilization and revegetation of disturbed surfaces, permittee is responsible for the selection, implementation, and operation of all erosion and sediment control measures required to retain sediment on-site and prevent violations of the water quality standards in Chapters 17-3 and 17-4, F.A.C. The permittee is encouraged to use appropriate Best Management Practices described in the Florida Land Development Manual: A Guide to Sound Land and Water Management (DER, 1988).
8. If the permitted system was designed by a registered professional, within 30 days after completion of the stormwater system, the permittee must submit to the District the following: District Form EN-45 (As Built Certification By a Registered Professional), signed and sealed by a appropriate professional registered in the State of Florida, and two (2) sets of "As Built" drawings when a) required by a special condition of this permit, b) the professional uses "As Built" drawings to support the As Built Certification, or c) when the completed system substantially differs from permitted plans. This submittal will serve to notify the District staff that the system is ready for inspection and approval.
9. If the permitted system was not designed by a registered professional, within 30 days after completion of the stormwater system, the permittee must submit to the District the following: District Form EN-44 (As Built Certification), signed by the permittee and two (2) sets of "As Built" drawings when required by a special condition of this permit, or when the completed system substantially differs from permitted plans. This submittal will serve to notify the District staff that the system is ready for inspection and approval.
10. The permittee must construct and maintain a permanent protective cover (vegetative or suitable alternative) for erosion and sediment control on all land surfaces exposed or disturbed by construction of the permitted project. Unless modified by another condition of this permit or otherwise specified on a District-approved erosion and sediment control plan, the protective cover must be installed within fourteen (14) days after final grading of the affected land surface. A permanent vegetative cover must be established within 60 days of its installation. The permittee's requirement to maintain cover on off-site surfaces shall not be complete until after the District receives the permittee's statement of compliance.
11. The permittee must notify the District of all revisions or modifications to the permitted plans required by any other governmental body or regulatory agency.
12. Within thirty (30) days after sale or conveyance of the permitted stormwater management system or the land on which the system is located, the owner in whose name the permit was granted shall notify the District of such change of ownership. Transfer of this permit shall be in accordance with the provisions of Chapter 373, F.S., and Chapters 40C-1, F.A.C. All terms and conditions of this permit shall be binding upon the transferee.

13. Construction of the stormwater management system must be complete and all disturbed areas stabilized in accordance with permitted plans and conditions prior to any of the following: issuance of the first certificate of occupancy; initiation of intended use of the infrastructure; or transfer of responsibility for maintenance of the system to a local government or other responsible entity.
14. The operation phase of the permit shall not become effective until the requirements of Condition No. 8 or 9 have been met. The permit cannot be transferred to the responsible operation and maintenance entity approved by the District until construction of the completed stormwater management system is approved by the District.
15. Prior to lot or unit sales, or upon completion of construction of the system, whichever occurs first, the District must receive the final operation and maintenance document(s) approved by the District and recorded, if the latter is appropriate. For those systems which are proposed to be maintained by county or municipal entities, final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final document will result in the permittee remaining personally liable for carrying out maintenance and operation of the permitted system.

I acknowledge and agree to comply with the general permit conditions #1 - 15 listed above.

X 
 Signature of Applicant (or Authorized Agent)

2/26/94
 Date

 Name of Applicant (or Authorized Agent)
 (Please Print)

PART III - REQUIRED TECHNICAL INFORMATION

All applicable technical information must be submitted with the completed application form. Please review the attached instruction sheet carefully. Failure to provide all required information will result in a delay in application processing and permit issuance. Please contact the appropriate office if you have questions or need further assistance in the completion of this application. Please submit the application to the office which covers the county in which the project is located.

District Headquarters
 P.O. Box 1429
 Palatka, FL 32178-1429
 Phone (904) 329-4500
 Alachua, Flagler, Putnam

Jacksonville Field Office
 7775 Baymeadows Way; Suite 102
 Jacksonville, FL 32256
 Phone (904) 730-6270
 Baker, Clay, Duval, Nassau, St. Johns

Orlando Field Office
 618 E. South Street
 Orlando, FL 32801
 Phone (407) 894-5423
 Lake, Marion, Orange, Polk
 Seminole, Volusia

Melbourne Field Office
 305 East Drive
 Melbourne, FL 32904
 Phone (407) 984-4940
 Brevard, Indian River, Okeechobee,
 Osceola

SPECIAL CONDITIONS FOR ISSUANCE OF PERMIT NUMBER 42-001-0592N

TUFFY AUTO SERVICE CENTER

MARCH 29, 1994

1. The operation and maintenance entity shall submit inspection reports to the District two years after the operation phase permit becomes effective and every two years thereafter on District form EN-46. The inspection form must be signed and sealed by an appropriate registered professional.

NOTICE OF RIGHTS

1. A PERSON WHOSE SUBSTANTIAL INTERESTS ARE OR MAY BE DETERMINED HAS THE RIGHT TO REQUEST AN ADMINISTRATIVE HEARING BY FILING A WRITTEN PETITION WITH THE ST. JOHNS RIVER WATER MANAGEMENT DISTRICT (DISTRICT) WITHIN 14 DAYS OF RECEIPT OF NOTICE OF THE DISTRICT'S INTENT TO GRANT OR DENY A PERMIT APPLICATION OR WITHIN 14 DAYS OF PUBLICATION OF NOTICE, WHICHEVER OCCURS FIRST, AT THE OFFICE OF THE DISTRICT CLERK LOCATED AT DISTRICT HEADQUARTERS, HIGHWAY 100 WEST, PALATKA, FLORIDA. (SECTION 40C-1.511, FLORIDA ADMINISTRATIVE CODE)
2. A PERSON WHOSE SUBSTANTIAL INTERESTS ARE OR MAY BE DETERMINED HAS THE RIGHT TO REQUEST AN ADMINISTRATIVE HEARING BY FILING A WRITTEN PETITION IN THE OFFICE OF THE DISTRICT CLERK WITHIN 14 DAYS OF RECEIPT OF NOTICE OF FINAL DISTRICT ACTION ON A PERMIT APPLICATION, IF THE GOVERNING BOARD TOOK ACTION WHICH SUBSTANTIALLY DIFFERS FROM THE NOTICE OF INTENT TO GRANT OR DENY THE PERMIT APPLICATION. (SECTION 40C-1.511, FLORIDA ADMINISTRATIVE CODE)
3. A SUBSTANTIALLY INTERESTED PERSON HAS THE RIGHT TO REQUEST A FORMAL ADMINISTRATIVE HEARING PURSUANT TO SECTION 120.57 (1) FLORIDA STATUTES, WHERE THERE IS A DISPUTE BETWEEN THE DISTRICT AND THE PARTY REGARDING AN ISSUE OF MATERIAL FACT. A PETITION FOR A FORMAL HEARING MUST COMPLY WITH THE REQUIREMENTS SET FORTH IN SECTION 40C-1.521 (2), FLORIDA ADMINISTRATIVE CODE.
4. A SUBSTANTIALLY INTERESTED PERSON HAS THE RIGHT TO REQUEST AN INFORMAL HEARING PURSUANT TO SECTION 120.57 (2), FLORIDA STATUTES WHERE NO MATERIAL FACTS ARE IN DISPUTE. A PETITION FOR AN INFORMAL HEARING MUST COMPLY WITH THE REQUIREMENTS SET FORTH IN SECTION 40C-1.521 (2), FLORIDA ADMINISTRATIVE CODE.
5. A PETITION FOR AN ADMINISTRATIVE HEARING IS DEEMED FILED UPON DELIVERY OF THE PETITION TO THE DISTRICT CLERK AT THE DISTRICT HEADQUARTERS IN PALATKA, FLORIDA. (SECTION 40C-1.013, FLORIDA ADMINISTRATIVE CODE)
6. FAILURE TO FILE A PETITION FOR AN ADMINISTRATIVE HEARING WITHIN THE REQUISITE TIME FRAME SHALL CONSTITUTE A WAIVER OF THE RIGHT TO AN ADMINISTRATIVE HEARING. (SECTION 40C-1.511, FLORIDA ADMINISTRATIVE CODE)
7. THE RIGHT TO AN ADMINISTRATIVE HEARING AND THE RELEVANT PROCEDURES TO BE FOLLOWED ARE GOVERNED BY CHAPTER 120, FLORIDA STATUTES, AND CHAPTER 40C-1, FLORIDA ADMINISTRATIVE CODE.
8. ANY SUBSTANTIALLY AFFECTED PERSON WHO CLAIMS THAT FINAL ACTION OF THE DISTRICT CONSTITUTES AN UNCONSTITUTIONAL TAKING OF PROPERTY WITHOUT JUST COMPENSATION MAY SEEK REVIEW OF THE ACTION IN CIRCUIT COURT PURSUANT TO SECTION 373.617, FLORIDA STATUTES; AND THE FLORIDA RULES OF CIVIL PROCEDURE, BY FILING AN ACTION IN CIRCUIT COURT WITHIN 90 DAYS OF THE RENDERING OF THE FINAL DISTRICT ACTION, (SECTION 373.617, FLORIDA STATUTES).
9. PURSUANT TO SECTION 120.68, FLORIDA STATUTES, A PERSON WHO IS ADVERSELY AFFECTED BY FINAL DISTRICT ACTION MAY SEEK REVIEW OF THE ACTION IN THE DISTRICT COURT OF APPEAL BY FILING A NOTICE OF APPEAL PURSUANT TO THE FLORIDA RULES OF APPELLATE PROCEDURE, WITHIN 30 DAYS OF THE RENDERING OF THE FINAL DISTRICT ACTION.

NOTICE OF RIGHTS

10. A PARTY TO THE PROCEEDING BEFORE THE DISTRICT WHO CLAIMS THAT A DISTRICT ORDER IS INCONSISTENT WITH THE PROVISIONS AND PURPOSES OF CHAPTER 373, FLORIDA STATUTES, MAY SEEK REVIEW OF THE ORDER PURSUANT TO SECTION 373.114, FLORIDA STATUTES, BY THE FLORIDA LAND AND WATER ADJUDICATORY COMMISSION, BY FILING A REQUEST FOR REVIEW WITH THE COMMISSION AND SERVING A COPY ON THE DEPARTMENT OF ENVIRONMENTAL REGULATION AND ANY PERSON NAMED IN THE ORDER WITHIN 20 DAYS OF ADOPTION OF A RULE OR THE RENDERING OF A DISTRICT ORDER.
11. FOR APPEALS TO THE DISTRICT COURTS OF APPEAL, A DISTRICT ACTION IS CONSIDERED RENDERED AFTER IT IS SIGNED ON BEHALF OF THE DISTRICT, AND IS FILED BY THE DISTRICT CLERK.
12. FAILURE TO OBSERVE THE RELEVANT TIME FRAMES FOR FILING A PETITION FOR JUDICIAL REVIEWS DESCRIBED IN PARAGRAPHS #8 AND #9 OR FOR COMMISSION REVIEW AS DESCRIBED IN PARAGRAPH #10 WILL RESULT IN WAIVER OF THAT RIGHT TO REVIEW.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A COPY OF THE FOREGOING NOTICE OF RIGHTS HAS BEEN SENT BY U.S. MAIL TO:

Tuffy Auto Service Center
3820 SW Archer Rd.
Gainesville, FL 32608

42-001-0592N

AT 4 P.M. THIS 29 DAY OF March, 19 94

ST. JOHNS RIVER WATER MANAGEMENT DISTRICT
P.O. BOX 1429
PALATKA, FL 32178-1429
(904) 329-4566

Marsha Baldwin for
PERMIT DATA SERVICES
DIRECTOR, GLORIA ROBERSON