



Florida Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256

Rick Scott
Governor

Jenifer Carroll
Lt. Governor

Hershel Vineyard
Secretary

February 4, 2011

In the Matter of an
Application for Permit by:

Beazer East, Inc. Gainesville, Florida
Mr. Robert Markwell,
President

File Number FLS711462 - 002 - ISW

Alachua County

Beazer East, Inc. - Gainesville, Florida
Oxford Center, Suite 3000
Pittsburg, PA 15219

NOTICE OF DRAFT PERMIT

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

The applicant, Beazer East, Inc. - Gainesville, Florida, Mr. Robert Markwell, President, for the Gainesville site applied to the Department for a permit that authorizes an existing discharge of storm water from the site (former Koppers site), to a ditch which connects to Springstead Creek, Class III fresh water. This permit authorizes only storm water discharge from one location on this site (designated as outfall D-001). The point of discharge is located approximately at latitude 29°40' 55" N, longitude 82°19' 30" W near NW 23rd Avenue, Gainesville Florida, in Alachua County.

The Department has permitting jurisdiction under Chapter 403, Florida Statutes, and applicable rules of the Florida Administrative Code. The project is not exempt from permitting procedures. The Department has determined that a storm water permit is required.

Based upon the application and supplemental information, the Department has determined that the applicant has provided reasonable assurance that the above described project complies with the applicable provisions of Chapter 403 of the Florida Statutes and Title 62 of the Florida Administrative Code.

Under Section 403.815, Florida Statutes, and Rule 62-620.550, Florida Administrative Code, you (the applicant) are required to publish at your own expense the enclosed Notice of Draft Permit and Request for Public Comment. The notice must be published one time only within 30 days of receipt of this draft permit 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, Florida Statutes, 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 should 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 must provide proof of publication to the Department's Northeast District Office, 7825 Baymeadows Way, Suite B-200, Jacksonville, Florida 32256, within two weeks 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 intends to issue the permit with the attached conditions unless as a result of public comment appropriate changes are made.

Any interested person may submit written comments on the Department's proposed permitting decision to Jeff S. Martin, P.E., 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7577 in accordance with Rule 62-620.555, Florida Administrative Code. The comments must contain the information set forth below and must be received in the Department's Northeast District Office by the close of the public meeting. Failure to submit comments within this time period may constitute a waiver of any right such person may have to submit comments under Rule 62-620.555, Florida Administrative Code.

The comments must contain the following information:

- (a) The commenter's name, address, and telephone number; 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 notice of the Department's action or proposed action was received;
- (c) A statement of the facts the Department should consider in making the final decision; and
- (d) A statement of which rules or statutes require reversal or modification of the Department's action or proposed action.

PUBLIC MEETING

DATE AND TIME: March 14, 2011 beginning at 6:00 PM

PLACE: Alachua County Department of Health, Auditorium, 224 SE 23th Avenue, Gainesville, Florida 32641

PURPOSE: To obtain public comments on the draft NPDES storm water permit for Beazer East, Inc. - Gainesville, Florida.

A copy of the agenda may be obtained by writing to Jeff Martin, P.E., DEP, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7577.

Pursuant to the Americans with Disabilities Act, any person requiring special accommodations to participate in this meeting/workshop/hearing is asked to advise the agency at least 48 hours before the meeting/workshop/hearing by calling the Bureau of


Personnel Services at (850) 245-2511, or by calling (800) 955-8771 (TDD) or (800) 955-8770 (Voice) via the Florida Relay Service.

When a public meeting is scheduled, the public comment period is extended until the close of the public meeting. Any person may submit oral or written statements and data at the public meeting on the Department's proposed action. As a result of significant public comment, the Department's final action may be different from the position taken by it in this draft permit.

The permit application file and supporting data are 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's Northeast District Office, 7825 Baymeadows Way, Suite B200, Jacksonville, Florida 32256-7577, at phone number (904)256-1700.

Executed in Jacksonville, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

**"FILED, on this date, pursuant to Section 120.52,
F.S., with the designated Department Clerk,
receipt of which is hereby acknowledged."**

Clerk Date



Melissa M. Long, P.E.
Water Facilities Administrator

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this NOTICE OF DRAFT PERMIT and all copies were mailed before the close of business on February 4, 2011 to the listed persons.



Clerk

Enclosure

Copies furnished to:

- Elsa Potts, P.E., FDEP, P.E Administrator
- Allen Hubbard, P.E., FDEP, IW Administrator
- Kelsey Helton, P.G., FDEP
- Michael Fitzsimmons, FDEP
- Jessica Kleinfelter, P.E., FDEP
- Virginia Buff, EPA Region IV
- Florida Department of State-Division of Historical Resources
- Florida Department of Community Affairs
- Alachua County Health Department
- Alachua County Board of County Commissioners

Justin Wolfe, Office of General Counsel
Frederick J. Murry, City of Gainesville, murryfj@cityofgainesville.org
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Caroline Silvers, P.G., St. Johns River WMD
Florida Fish & Wildlife Conservation Commission
Alan Obaigbena, P.E., FDOT