



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

June 19, 2024

Mr. David Edwards, CEO
White Oak Conservation Holdings, LLC.
581705 White Oak Road
Yulee, Florida 32097
DEdwards@white-oak.org

SUBJECT: Department of Environmental Protection v. White Oak Conservation Holdings, LLC.
OGC File No.: 24-1675
White Oak Conservation
PWS ID: 2454343
Nassau County – Drinking Water Enforcement

Dear Mr. Edwards:

The State of Florida Department of Environmental Protection (“Department”) finds that White Oak Conservation (“Respondent”) did not submit analytical results for two Volatile Organic Contaminants, that were on increased monitoring schedules due to results above the regulatory detection limit, during the October through December 2022 sampling period for Total Xylenes and October through December 2022, January through March 2023, and April through June 2023 sampling period for Ethylbenzene, in violation of Rule 62-550.515, Florida Administrative Code (Fla. Admin. Code).

The Department also finds that the Respondent did not submit analytical results for bacteriological sampling, which were required to be performed quarterly under Rule 62-550.518, Fla. Admin. Code, during the quarter of April through June 2023.

Additionally, the Department finds that the Respondent collected and submitted late analytical results for Lead and Copper tap sampling following the June through September 2022 sampling period, which resulted in the required monitoring frequency to be increased to biannually for two sampling periods. The Respondent did not submit analytical results during the January through June 2023 Lead and Copper tap sampling period, in violation of Rule 62-550, Fla. Admin. Code.

The Department also finds that the Respondent did not submit analytical results for Disinfection Byproduct sampling during the January through March 2021 and October through December 2021 sampling periods, in violation of Rule 62-550.514, Fla. Admin. Code.

Lastly, the Department finds that the Respondent submitted the Asbestos-Free Certification waiver late, following its required submittal during the 9-year compliance year of 2022, in violation of Rule 62-550.511, Fla. Admin. Code.

Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violation(s). These actions have since been completed. However, due to the nature of the violation(s), the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

The Department's Offer

Based on the violations described above, the Department is seeking \$5,100.00 in civil penalties and \$250.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$5,350.00. In lieu of paying \$750.00 of this total, the Department will accept timely completion of the Department's Online Environmental School and reduce the penalty total to \$4,600.00.

Respondent's Acceptance

If you wish to accept this offer and fully resolve this pending enforcement matter, please sign this letter and return it to the Department at 8800 Baymeadows Way West, Suite 100, Jacksonville, Florida, 32256, within **14 days** of the receipt of this letter. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), Florida Statutes, (Fla. Stat.), and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, Fla. Stat., and the attached Notice of Rights.

By accepting this offer you, Mr. Edwards:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, Fla. Stat., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, Fla. Stat., and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

Respondent's Performance

After signing and returning this document to the Department,

- (1) If Respondent elects to complete the online course in order to reduce the penalty total to \$5,850.00, the online course must be completed with a passing score of 80 or above on the Environmental School exam by [Respondent], or other representative corporate officer of Respondent within **30 days** of the Department's course activation date.
- (2) Within **60 days** of the effective date of this Order, Respondent shall make payment of \$5,100.00 required by this Order with completion of the online course. Should the online course not be completed as noted above, Respondent shall make payment of \$5,850.00. Payments shall be made by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order is final and effective filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, Fla. Stat.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither you nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, Fla. Stat. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than you, whose interests will be substantially affected.

Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

Please be aware that if you decline to respond to the Department's offer, the Department will assume that you are not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Madison White at (904) 256-1646, or at Madison.D.White@FloridaDEP.gov.

Sincerely,



Thomas G. Kallemeyn
Assistant Director

FOR THE RESPONDENT:

I, _____ [David Edwards], **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____
[Signature]

Date: _____

Title: _____

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this _____ day of _____ 2024, in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Gregory J. Strong
District Director
Northeast District

Filed, on this date, pursuant to section 120.52, Fla. Stat., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

FDEP vs. White Oak Conservation
Consent Order, OGC No.: 24-1675
Page **5** of **6**

Attachments: Notice of Rights
 Warning Letter No. WL23-176
 Consent Order No. 21-0586

Final clerked copy furnished to: Lea Crandall, Agency Clerk (lea.crandall@floridadep.gov)

NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida, 32399-3000, or received via electronic correspondence at Agency_Clerk@floridadep.gov, 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 at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



FLORIDA DEPARTMENT OF Environmental Protection

Northeast District
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Shawn Hamilton
Secretary

August 22, 2023

Sent electronically to: mwalter@white-oak.org

Mr. Mark Walter
White Oak Conservation Holdings, LLC
581705 White Oak Road
Yulee, FL 32097

**RE: Warning Letter No. WL23-176
White Oak Conservation
PWS ID No. 2454343
Nassau County – Drinking Water**

Dear Mr. Walter:

A file review was conducted of your system on July 29, 2023 under the authority of Section 403.091, Florida Statutes (Fla. Stat.). During this file review, possible violations of Chapter 403, Fla. Stat., and Chapters 62-550.800, and 62-550.518, Florida Administrative Code (Fla. Admin. Code), were noted.

During this file review, Department personnel noted lead and copper sampling was not collected for the January through June 2023 monitoring period. Bacteriological sampling was not collected during the June 2023 monitoring period. Pursuant to Rule 62-560.410, Fla. Admin. Code, you are required to notify the public served by this system and submit documentation within 30 days from the date of this letter. The template for Public Notice and the DEP Certification of Delivery form are attached for your use.

Complete sampling for lead and copper and submit it to the Department within 60 days of receipt of this Warning Letter.

A sanitary survey inspection was conducted at your system on March 24, 2023. During this inspection, possible violations of Chapter 403, Fla. Stat., and Chapter 62-555, Fla. Admin. Code, were observed.

During the inspection Department personnel noted the following:

- The May Monthly Operating Report (MOR) indicates that the max daily capacity of 90,000 gallons was exceeded.

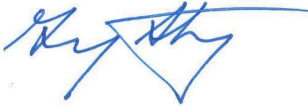
White Oak Conservation Holdings, LLC
PWS ID No.: 2454343
Warning Letter No. WL23-176
Page 2 of 2

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Section 403.131, Fla. Stat.

Please contact Madison White at (904) 256-1646, within **15 days** of receipt of this Warning Letter to arrange a meeting. The Department is interested in receiving any facts that you may have which might assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Fla. Stat. We look forward to your cooperation in completing our investigation and resolving this matter as soon as possible.

Sincerely,



Gregory J. Strong
District Director

Enclosure: Sanitary Survey Inspection Report, Public Notice, Certification of Delivery

ec: FDEP-NED: Shane Tierney, Tiffany Allen, Madison White, Monique Jordan,
DEP_NED, Thomas Kallemeyn
TK Stephen Woods, swoods@white-oak.org
John Hilton, jhilton@white-oak.org

Florida Department of Environmental Protection

Northeast District Public Water System Sanitary Survey Inspection Report

Water system: White Oak Conservation		System PWS #: 2454343	Survey date: 3/24/23
Facility type class: Non-Transient, Non-Community - (5D)		Source type: Ground	4-Log approved: No
Facility address: 581705 White Oak Road, Yulee, FL 32097			
Facility phone(s): 904-225-3268		Facility email/fax: jhilton@white-oak.org	
Facility contact: Mr. John Hilton		Facility contact phone(s): 904-225-3205	
Facility contact email/fax: jhilton@white-oak.org			
Owner name: Mr. Mark Walter		Company name: White Oak Conservation Holdings, LLC	
Owner/Corp address: 581705 White Oak Rd		City: Yulee	State: FL Zip: 32097
Owner/Corp phone(s): 904-225-3277		Owner e-contact(s): mwalter@white-oak.org	
Operator name: Mr. John Hilton		Certification: D-13022	
Operator phone(s): 904-225-3268		Operator email/fax: jhilton@white-oak.org	
On-site Rep: Mr. John Hilton	Immediate Action Required?: No		Inspection recap given? Yes

SERVICE AREA CHARACTERISTICS

Animal Conservation _____

Food Service: Yes No N/A

GENERAL INFORMATION

Number of Service Connections 42

Population Served 130 Basis Owner Records

Plant Design Capacity 90,000 gpd

Basis Permit 0137635-001-WC

Average Day (from MORs) 20,055 gpd

Max. Day (from MORs) 94,000 gpd

Total Storage Capacity 22,496 gallons

Comments Storage = GST + 1/2 hydro tank

System exceeded Max daily capacity May 2023 - no explanation given

LOCATION

Latitude 30° 45' 19.8527" North

Longitude 81° 44' 40.4492" West

GPS: No Date: N/A

Directions Take I-95 N to Hwy 17. Exit heading north. Make a left on Ownes Farm Rd. Make a right on White Oak Rd.

Follow to guard house. Recommend taking a 4-wheel drive enabled vehicle

OPERATION & MAINTENANCE

Certified Operator: Yes No Not required

Plant visits conducted by: John Hilton

O&M Log: Yes No O&M Manual: Yes No

Visitation Frequency

Hrs/day: *Required* N/A *Actual* N/A

Hrs/wk: *Required* 0.3 *Actual* 40

Days/wk: *Required* 3 *Actual* 5

Non-consecutive Days? Yes No N/A

MORs submitted regularly? Yes No N/A

Data missing from MORs? No Yes N/A

O&M manual was not in a hard bound notebook with page numbers

RAW WATER SOURCE

GROUND; Number of Wells 2

SURFACE/UDI; Source _____

PURCHASED from PWS ID # _____

Emergency Water Source _____

Emergency Water Capacity _____

AUXILIARY POWER SOURCE

Yes None Not Required

Source _____

Capacity of Standby (kW) _____

Switchover: Automatic Manual

Standby Plan: Yes No

Hrs Operated Under Load _____

What equipment does it operate?

Well pumps _____

High Service Pumps _____

Treatment Equipment _____

Satisfy 1/2 max-day demand? Yes No Unk

Comments _____

TREATMENT PROCESSES IN USE

Hypochlorination, sequestration, and aeration

Is additional treatment needed? Yes No

If so, for control of what deficiencies?

n/a

DISTRIBUTION SYSTEM

Flow Measuring Device Flow Meter

Meter Size & Type Badger 4"

Meter tested w/i 5 yrs? Yes No Unk N/A

Backflow Prevention: Yes No

Cross-connections None seen

Cross-connection Control Program: Yes No N/A

Coliform Sampling Plan: Yes No

Stage 2 DBPs Sampling Plan: Yes No N/A

Lead & Copper Sampling Plan: Yes No N/A

Comments Meter replaced in 2016, not tested since

*Meter replaced again in June 2023

GROUND WATER SOURCE

Well Number (PWS Identification)	1	2	
Well Name (System Identification)	Well 1 (admin)	Well 2 (stables)	
Year Drilled	1992	1992	
Depth Drilled	600'	600'	
Latitude	30° 45' 18.57" N	30° 45' 13.7170" N	
Longitude	81° 45' 39.3030" W	81° 44' 17.0760" W	
GPS (Y or N) / Date (if applicable)	Y – 6/16/97	Y- 6/16/97	
Florida Well ID	AAC0584	AAC0585	
Static Water Level	Unk	Unk	
Normal Yield (if different than rated capacity)	Unk	Unk	
Strainer	Unk	Unk	
Length (outside casing)	400'	445'	
Diameter (outside casing)	6"	6"	
Material (outside casing)	PVC	PVC	
Well Contamination History	None	None	
Is inundation of well possible?	Not Likely	Not Likely	
6' X 6' X 4" Concrete Pad	Ok	Ok	
SET BACKS	Septic Tank	> 150'	> 150'
	Reuse Water	> 150'	> 150'
	WW Plumbing	> 150'	> 150'
	Other Sanitary Hazard	> 150'	> 150'
PUMP	Type	Centrifugal	Centrifugal
	Manufacturer Name	Baldor	Baldor
	Model Number	P824	Unk
	Rated Capacity (gpm)	500	500
	Motor Horsepower	7.5	7.5
Well casing 12" above grade?	Ok	Ok	
Well Casing Sanitary Seal	Ok	Ok	
Raw Water Sampling Tap	Ok	Ok	
Above Ground Check Valve	Ok	Ok	
Fence/Housing	Ok	Ok	
Well Vent Protection	Artesian	Artesian	

COMMENTS Wells and plant are within a secure facility.
Raw water sampling tap are before air gap in aerator.

CHLORINATION (Disinfection)

Type: Hypo-Chlorination
 Make Stenner x 2 Capacity 20 gpd (total)
 Chlorine Feed Rate Set to 1, 2.5
 Avg. Amount of Cl₂ gas used N/A
 Chlorine Residuals: Plant 0.95 Remote 0.89
 Remote tap location Shop sink
 DPD Test Kit: On-site With operator
 None Not Used Daily
 Injection Points Into aerator / into hydrotank
 Booster Pump Info N/A
 Comments Chlorine container did not have a tight fitting lid.
Second chlorine pump injects into hydrotank as needed

AERATION (Gases, Fe, & Mn Removal)

Type Tray Capacity 800 gpm
 Aerator Condition Good
 Bloodworm Presence None
 Visible Algae Growth None
 Protective Screen Condition Ok
 Comments Recommend cleaning of aerator.

CORROSION CONTROL – Calcium Removal

Make Stenner Capacity 3 gpd
 Injection Points Before the aerator
 Chemicals Used Aquagold
 Comments Set to 1

STORAGE FACILITIES

(B) Bladder (CW) Clearwell (C) Contact (E) Elevated
 (G) Ground (H) Hydropneumatic (S.C.) See Comments

Tank Type/Number	G	H	
Capacity (gal)	20,092	4,808	
Material	Steel	Steel	
By-pass Piping	Yes	No	
Gravity Drain	Yes	Yes	
PRV/ARV	N/A	ARV	
Protected Openings	Yes	Yes	
Pressure Gauge	N/A	Yes	
Sight Glass or Level Indicator	S.G.	S.G.	
Fittings for Sight Glass	Yes	Yes	
Access Padlocked	Yes	Yes	
Last Insp Done*	2022	2022	
Next Insp Due*	2027	2027	
On/Off Pressure	N/A	58/68	
Height to Bottom of Elevated Tank	N/A	N/A	
Height to Max. Water Level	N/A	N/A	

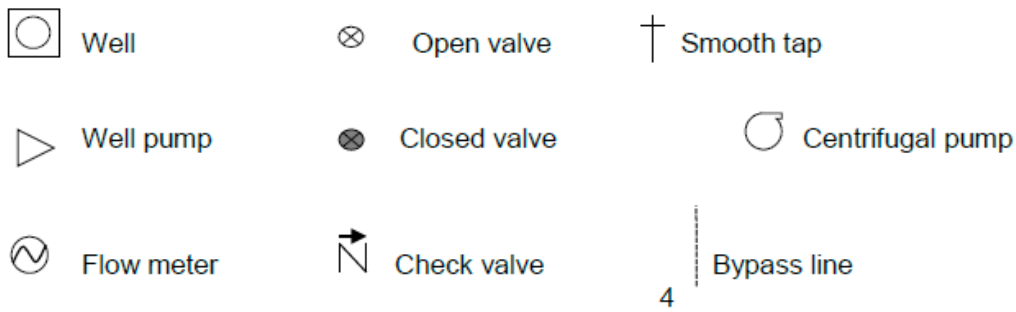
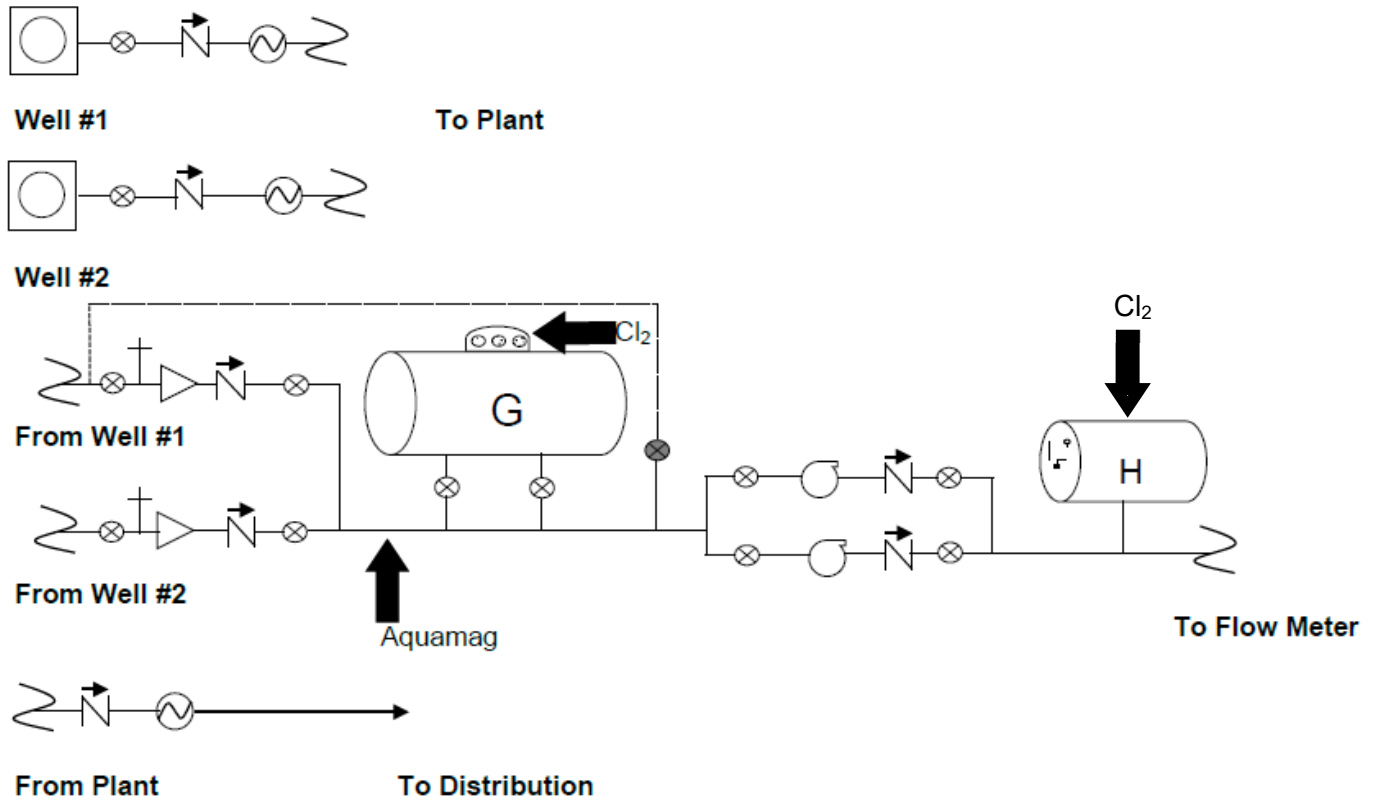
Comments Operator believes tanks have been inspected but has not provided the engineering report to the Department.
Sept 2022 engineering report recommends recoating the GST interior during the next washout inspection
*FL PE 5-yr inspection of finished water storage tank with 11"x15" access manhole.

HIGH SERVICE PUMPS

Pump Number	1	2	
Type	Centrifugal	Centrifugal	
Make	Ingersoll-Dress	Ingersoll-Dress	
Model	JMM4108T	JMM4108T	
Capacity (gpm)	400	400	
Motor HP	30	30	
Date Installed	1998	1998	
Maintenance	As needed	As needed	

Comments _____

SCHEMATIC (not to scale):



Monitoring Schedule					
Chemical	Next Due	Comments	Chemical	Next Due	Comments
Bacteriologicals	2023 July-Sept		VOCs	2025	Triennial
Disinfectant Levels	2023 July-Sept	with Bactis	SOCs	2025	Triennial or waiver
Nitrate & Nitrite	2023		Rads	N/A	Exempt
Inorganics	2025	Triennial	DBPs	2025	Triennial March and June
Asbestos	2031	9 year	Pb-Cu	2023	Biannual, July-Dec
Secondaries	N/A		WQPs	N/A	

*Sample locations vary. If you have any questions, please contact your inspector.

MONITORING VIOLATIONS
Failure to sample - Ethylbenzene 4Q 2022
Failure to sample - Ethylbenzene 1Q 2023
Failure to sample/submit waiver - Asbestos 2022
Failure to sample - coliform 2Q 2023
Failure to sample - Lead and Copper June-Sept 2022
Failure to sample - Lead and Copper Jan-June 2023

MCL VIOLATIONS
N/A

MONITORING COMMENTS:

Public Notice for the noted monitoring violations was sent via email on 8/8/2023

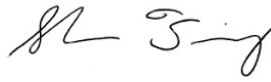
DEFICIENCIES:

#	Deficiency	Rule Reference	Corrective Action	Category	Severity	Corrected
1	MOR indicates the max day capacity was exceeded (May 2023)	62-555.350(4)	Investigate the cause of the exceedance of the plant's permitted design capacity and provide a written response.	Management and Operations	Minor	No
2	Hypochlorite or liquid chemical container was not properly covered	62-555.320(13)(b)9	Provide a lid or cover.	Treatment	Minor	YES
3	Operation and maintenance (O&M) log is not in the correct type of logbook	62-602.650(4)	O&M logbook must be a hardbound book with consecutive page numbers.	Management and Operations	Minor	YES
4	No record that the calibration of the finished-drinking-water flow meter has been checked.	62-555.350(2)	The calibration of finished-drinking-water flow meters should be checked at least once every 5 years.	Treatment	Minor	YES

Any deficiency marked with an asterisk (*) is a repeat violation.

ADDITIONAL COMMENTS:

Inspector:  (904) 256-1646
Madison White, Environmental Specialist II Madison.D.White@FloridaDEP.gov

Approved by: 
Shane Tierney, Environmental Manager

PUBLIC NOTIFICATION INSTRUCTIONS

This water system is required to issue public notice to the consumers of its water due to the missed sampling of Volatile Organic Contaminants (VOCs), Inorganic Contaminants, Bacteriological Samples, and Lead and Copper. Public notification is to be issued **30 days** of this notice. The specific missed sampling that has occurred is noted below:

Ethylbenzene:	10/01/2022—12/31/2022	
Ethylbenzene:	01/01/2023—03/31/2023	
Asbestos-Free Waiver:	01/01/2022—12/31/2022	Received late (01/26/2023)
Coliform (Raw GWR Major):	04/01/2023—06/30/2023	
Coliform (No “D” Samples (TCR)):	04/01/2023—06/30/2023	
Lead and Copper Rule	01/01/2023—06/30/2023	

Either method 1 or 2 must be used to issue public notice, in addition to method 3 for community water systems with a population greater than 3300:

1. US Mail. Submit a copy of the actual notice mailed to serve as proof of distribution.
2. Hand Delivery and Continuous Posting. Submit a copy of the actual notice posted to serve as proof of distribution. Posting must continue until the contaminants are sampled for, but in no case less than 7 days even if samples are taken.
3. Publication in a newspaper of general circulation in the affected area. A copy of the published notice will serve as proof of distribution.

Please note that the public notice must be reissued at least once every 3 months by mail delivery or by hand delivery until samples are taken.

The attached public notice is appropriate for hand delivery or mail. However, you may wish to modify it before using it. If you do, you must still include all the required elements and leave the health effects language in *italics* unchanged. This language is mandatory. Also, each notice shall be conspicuous and shall not contain unduly technical language, unduly small print, or similar problems, which would frustrate the purpose of the notice.

In your notice, please indicate the reason for not conducting sampling and the corrective actions you are taking to prevent future missed sampling. Listed below are some steps commonly taken by water systems. Use one or both of the following actions, if appropriate, or develop your own:

- We are sampling immediately for the above parameters.
- We will inform you when samples are satisfactorily completed.

Within 10 days after issuing/posting the public notice, you must submit a copy of the attached *PWS Certification of Delivery of Public Notice* form, along with a copy of the notice (as explained above) to this office:

Department of Environmental Protection
Attn: Potable Water Section
8800 Baymeadows Way West, Suite 100
Jacksonville, Florida 32256
Electronic Submittals: DEP_NED@dep.state.fl.us

IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER

White Oak Conservation Monitoring and Reporting Public Notice

What happened?

Our water system did not meet the requirements of a drinking water rule. Although this is not an emergency, as our customers, you have a right to know what happened, what you should do, and what we are doing to correct this situation.

We routinely monitor for the presence of drinking water contaminants but failed to monitor for the presence of Ethylbenzene during the 4th Quarter 2022 and 1st Quarter 2023, Lead and Copper during the 1st Biannual Period of 2023, and Coliform during the 2nd Quarter of 2023. We failed to complete the Asbestos-Free Waiver during 2022, but it was completed late in January 2023.

What should I do?

Health effects language for individual contaminants can be obtained by visiting the EPA website at:

<https://www.epa.gov/ground-water-and-drinking-water/table-regulated-drinking-water-contaminants> or by contacting us at the number below.

Any customers who are concerned about their exposure to these contaminants can choose alternative sources of water for ingestion.

What does this mean?

This is not an immediate risk. If it had been, you would have been notified immediately.

What is being done?

For more information, please contact _____ at _____ or contact the Department of Environmental Protection, Potable Water Section at 904-256-1700.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by our water system: **White Oak Conservation**

Potable Water System ID: **2454343**

Date distributed: _____

The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), Fla. Stat. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, Fla. Stat., and the attached Notice of Rights.

By accepting this offer you, Ms. Stephanie King:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, Fla. Stat; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

Respondent's Performance

After signing and returning this document to the Department,

- (1) If Respondent elects to complete the online course in order to reduce the penalty total to \$2,203.00, the online course must be completed by Ms. Stephanie King, or other representative corporate officer of Respondent within 30 calendar days of the Department's course activation date.
- (2) Within 60 days of the effective date of this Order, Respondent shall make payment of \$2,203.00 required by this Order with completion of the online course. Should the online course not be completed as noted above, Respondent shall make payment of \$2,953.00. Payments shall be made by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order is final and effective filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, Fla. Stat.


Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, Fla. Stat. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

Please be aware that if you decline to respond to the Department's offer, the Department will assume that you are not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Shane Tierney, at (904) 256-1642, or via email at Shane.Tierney@FloridaDEP.gov.

Sincerely,



James R. Maher, P.E.
Assistant Director

FOR THE RESPONDENT:

I, _____ [Type or Print Name], **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: _____
[Signature]

Date: _____

Title: _____
[Type or Print]

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this ___ day of _____ 2021, in Duval County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Gregory J. Strong
District Director
Northeast District

Filed, on this date, pursuant to section 120.52, Fla. Stat., with the designated Department Clerk, receipt of which is hereby acknowledged.

Clerk

Date

Attachments: Notice of Rights

ec: FDEP-NED: Shane Tierney, Joni Petry, DEP_NED
 John Hilton, jhilton@white-oak.org

Final clerked copy furnished to:

FDEP-OGC: Lea Crandall, Agency Clerk (Lea.Crandall@FloridaDEP.gov)
John Hilton, jhilton@white-oak.org

NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida, 32399-3000, or received via electronic correspondence at Agency_Clerk@floridadep.gov, 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 at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.