

ORIGINAL  
FILE COPY

SHADY OAKS MOBILE-MODULAR ESTATES, INC.

DOCKET NO. 930944-WS

DIRECT TESTIMONY OF BRENDA ARNOLD

ON BEHALF OF THE STAFF OF THE FLORIDA PUBLIC SERVICE COMMISSION

DIVISION OF WATER AND WASTEWATER

FILED: MARCH 31, 1994

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FPSC-RECORDS/REPORTING

DIRECT TESTIMONY OF BRENDA ARNOLD

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Q. Please state your name and business address.

A. My name is Brenda Arnold and my business address is 3804 Coconut Palm Drive, Tampa, Florida 33619.

Q. Please state a brief description of your educational background and experience.

A. I have a Bachelors degree in Biology (1986) from Florida Southern College in Lakeland, and 2 1/2 years with the Department of Environmental Protection (DEP) performing inspections of public drinking water facilities to insure their compliance with the Florida Administrative Code.

Q. By whom are you presently employed?

A. I am employed by the State of Florida, DEP.

Q. How long have you been employed with DEP and in what capacity?

A. I have been employed for 2 1/2 years as mentioned above.

Q. What are your general responsibilities at DEP?

A. My responsibilities include performing sanitary surveys of water plants, compliance inspections of water plants, reviewing water chemical and bacteriological reports, preparing enforcement cases against utilities and monitoring and investigating complaints against utilities. I also conduct lead and copper workshops.

Q. Are you familiar with Shady Oaks Mobile-Modular Estates (Shady Oaks or utility)?

A. Yes.

Q. Does the water system have a current permit from DEP?

A. DEP does not issue operating permits for water systems.

1 Q. Are the utility's treatment facility and distribution system sufficient  
2 to serve its present customers?

3 A. When properly operated and maintained, yes, they are sufficient.

4 Q. Does the utility maintain the required 20 PSI minimum pressure  
5 throughout the distribution system?

6 A. There has been no indication of a problem.

7 Q. Are the utility's water wells located in compliance with Section 17-  
8 555.312, Florida Administrative Code?

9 A. Yes.

10 Q. Does the utility have certified operators as required by Chapter 17-602,  
11 Florida Administrative Code?

12 A. Yes.

13 Q. Is the overall maintenance of the treatment plant and distribution  
14 facility satisfactory?

15 A. At the last inspection made on August 3, 1993, the overall maintenance  
16 of the treatment plant and distribution facility was not satisfactory.

17 Q. In what respect were the treatment plant and distribution system not  
18 satisfactory?

19 A. The chlorine residual was not satisfactory. The Department requires a  
20 .2 mg per liter free chlorine residual.

21 Q. Does the water produced by the utility meet the state and federal  
22 maximum contaminant levels for primary and secondary water quality standards?

23 A. Yes.

24 Q. Does the utility monitor the organic contaminants listed in Section 17-  
25 550.410, Florida Administrative Code?

1 A. Yes.

2 Q. Do recent chemical analyses of raw and finished water, when compared to  
3 regulations, suggest the need for additional treatment?

4 A. No.

5 Q. Does the utility maintain the exemptions chlorine residual or its  
6 equivalent throughout the distribution system?

7 A. At the last inspection, the utility had an unsatisfactory chlorine  
8 residual.

9 Q. What effect does an unsatisfactory chlorine residual have?

10 A. It increases the probability of a water borne disease outbreak. It does  
11 not provide adequate disinfection required in Rule 17.555, Florida  
12 Administrative Code.

13 Q. Is the plant and distribution system in compliance with all of the other  
14 provisions of Title 17, Florida Administrative Code, not previously mentioned?

15 A. Yes, at this time, to my knowledge.

16 Q. Has the utility's water system been the subject of any DEP enforcement  
17 action within the past two years?

18 A. Although DEP has undertaken no formal enforcement against the utility  
19 for the deficiencies mentioned above, DEP has issued a warning letter dated  
20 February 18, 1992.

21 Q. Is a copy of the February 18, 1992, warning letter attached to your  
22 testimony as Exhibit BA-1?

23 A. Yes.

24 Q. Do you have anything further to add?

25 A. At this time, Shady Oaks is in compliance with all monitoring required

1 | by the Department for Drinking Water. I do anticipate some problems as his  
2 | operator has not been paid in over 5 months and it appears some chemical  
3 | monitoring may not be done.

4 | Q. Does this conclude your testimony?

5 | A. Yes.

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**SHADY OAKS MOBILE-MODULAR ESTATES, INC.**

**DOCKET NO. 930944-WS**

**EXHIBIT BA-1**

**WITNESS: BRENDA ARNOLD**

**ON BEHALF OF THE STAFF**

**OF THE FLORIDA PUBLIC SERVICE COMMISSION**

**DIVISION OF WATER AND WASTEWATER**

**DESCRIPTION**

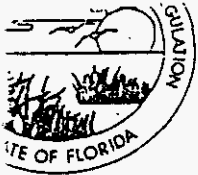
**WARNING LETTER DATED FEBRUARY 18, 1992**

DOCUMENT NUMBER-DATE

03040 MAR 31 1992

FPSC-RECORDS/REPORTING

U. S. R.



**Florida Department of Environmental Regulation**

Southwest District • 4520 Oak Fair Boulevard • TAMPA, FLORIDA 33610-7347  
Lawton Chiles, Governor 813-623-3561 M. Browner, Secretary

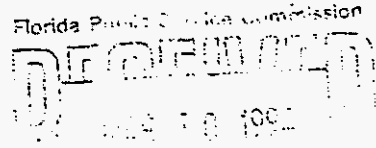
FEB 21 1992

SOUTHWEST DISTRICT  
TAMPA

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

February 18, 1992

Dick Sims  
38616 Shady Oaks Drive  
Zephyrhills, Florida 34248



WARNING NOTICE # 92-021PW51-SWD

RE: Shady Oaks Mobile Modular Estates

Dear Mr. Sims:

Our records indicate you may not be in compliance with Chapter 403, Florida Statutes and the regulations promulgated thereunder in the following areas for the above-referenced drinking water system.:

Florida Administrative Code Rule 17-550.510(2), requires community water systems using groundwater, to analyze for Primary Organic Contaminants every 36 months.

Our records indicate Primary Organic results for this system have not been submitted since July 12, 1988.

You are hereby requested to contact Sandra Sequeira of this office within 10 days of receipt of this Warning Notice to discuss the issues raised in this Warning Notice.

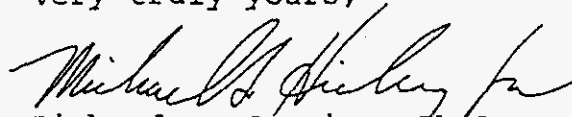
PLEASE BE ADVISED that this Warning Notice is part of an agency investigation preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. The purpose of this Notice is to advise you of potential violations and to set up a meeting, or to discuss possible resolutions to any potential violations that may have occurred for which you may be responsible. If the Department determines that an enforcement proceeding should be initiated in this case, it may be initiated by issuing a Notice of Violation or by filing a judicial action in accordance with Section 403.121, Florida Statutes. If the Department issues a Notice of Violation, and you are named as a party, you will be informed of your rights to contest any determination made by the Department in the Notice of Violation. The Department can also resolve any violation through entry into a Consent Order.

Warning Notice # 92-021PW51-SWD  
Shady Oaks Mobile Modular Estates

Page Two

Please direct your response and/or questions to Sandra Sequeira  
of the Drinking Water Section at (813) 623-5561, Extension 395.

Very truly yours,



Richard D. Garrity, Ph.D.  
Director of District Management  
Southwest District

RDG/ssm

cc: Pasco CPHU  
Mathis Water

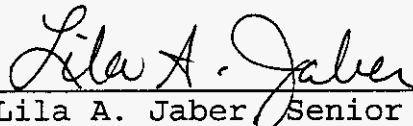


BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In Re: Revocation by Florida ) DOCKET NO. 930944-WS  
Public Service Commission of ) FILED: 03/31/94  
Certificates Nos. 451-W and 382- )  
S Issued to SHADY OAKS MOBILE- )  
MODULAR ESTATES, INC. in Pasco )  
County, Pursuant to Section )  
367.111(1), Florida Statutes. )  
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of Staff's Direct Testimony of Brenda Arnold with Exhibit BA-1 has been furnished to Shady Oaks Mobile-Modular Estates, Inc., c/o John Wharton, Esquire, Rose, Sundstrom & Bentley, 2548 Blairstone Pines Drive, Tallahassee, Florida, 32301, and H.F. Mann, Esquire, c/o the Office of Public Counsel, Claude Pepper Building, Room 812, 111 W. Madison Street, Tallahassee, Florida, 32399-1400, by U.S. Mail, this 3<sup>rd</sup> day of March, 1994.



\_\_\_\_\_  
Lila A. Jaber Senior Attorney  
FLORIDA PUBLIC SERVICE COMMISSION  
101 East Gaines Street  
Tallahassee, Florida 32399-0863  
(904) 487-27406

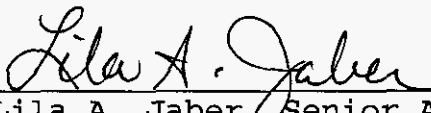
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\_\_\_\_\_  
Lila A. Jaber Senior Attorney  
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Tallahassee, Florida 32399-0863  
(904) 487-27406