

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

RECEIVED-FPSC
08 OCT 27 PM 3:01
COMMISSION
CLERK

In re: Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc. DOCKET NO. 080121-WS
FILED: October 27, 2008

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Direct Testimony of Jeff Greenwell on behalf of the Florida Public Service Commission, has been furnished by ~~U.S. Mail~~, on this 27th day of October, 2008, to the following.

Hand Delivery

Aqua Utilities Florida, Inc.
Ms. Kimberly A. Joyce
762 West Lancaster Avenue
Bryn Mawr, PA 19010-3402

Holland & Knight Law Firm
Bruce May/Gigi Rollini
P.O. Drawer 810
Tallahassee, FL 32302-0810

Office of Public Counsel
J.R. Kelly/Charlie Beck/S. C. Reilly
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Office of the Attorney General
Bill McCollum/Cecilia Bradley
The Capitol - PL01
Tallahassee, FL 32399-1050

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RCP _____
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SGA _____
ADM _____
CLK _____

Ralph R. Jaeger

RALPH R. JAEGER, SENIOR ATTORNEY
FLORIDA PUBLIC SERVICE COMMISSION
Gerald L. Gunter Building
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850
Telephone: (850) 413-6234

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

DOCKET NO.: 080121-WS - Application for increase in water and wastewater rates in Alachua, Brevard, DeSoto, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington Counties by Aqua Utilities Florida, Inc.

WITNESS: Direct Testimony of Jeffry S. Greenwell, Florida Department of Environmental Protection, Southwest District Appearing on Behalf of the Staff of the Florida Public Service Commission.

DATE FILED: October 27, 2008

DOCUMENT NUMBER-DATE

10133 OCT 27 8

FPSC-COMMISSION CLERK

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DIRECT TESTIMONY OF JEFFRY S. GREENWELL

- Q. Please state your name and business address.
- A. Jeffry S. Greenwell, Florida Department of Environmental Protection, 13051 North Telecom Parkway , Tampa, Florida 33637.
- Q. Please provide a brief description of your educational background and experience.
- A. I received a B.S. in Geology in 1985 and a B.S. in Civil Engineering in 1989 from Louisiana State University. I received my Professional Engineering License in the State of Florida in 1995. From 1989 to 2000, I was a private environmental consultant working on general civil and waste clean-up sites. I have been employed by the Florida Department of Environmental Protection (FDEP) since May 18, 2000, as a Domestic Wastewater Program permitting engineer, Potable Water Program Manager, Domestic Wastewater Program Manager, and Water Facilities Administrator performing permitting, compliance and enforcement activities.
- Q. What are your general responsibilities at the FDEP?
- A. I oversee permitting compliance and enforcement activities for Wastewater Treatment Facilities (WWTFs), Water Treatment Plants (WTPs), and Underground Injection Control to ensure compliance with FDEP's rules and the facilities' permits as appropriate.
- Q. Are you familiar with the Aqua Utilities Florida, Inc. (Aqua) water and wastewater systems in Desoto (Lake Suzy), Marion (Ridge Meadows), Pasco (Jasmine Lakes, Palm Terrace, and Zephyr Shores), Polk (Gibsonia Estates, Lake Gibson Estates, Orange Hill/Sugar Creek, Rosalie Oaks, and Village Water), and Sumter (The Woods) Counties?
- A. Yes, I am familiar with all of those systems with the exception of the Polk County

DOCUMENT NUMBER-DATE

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1 water systems which are regulated by the Polk County Department of Health.

2 Q. Have any of the Aqua water or wastewater systems in the Southwest District been the
3 subject of FDEP formal enforcement action within the past three years?

4 A. Yes. A consent order was executed for The Woods water system in Sumter County on
5 April 26, 2007, and a consent order was executed for Jasmine Lakes water system in
6 Pasco County on July 26, 2006; however, those issues have been resolved. A Notice
7 of Violation was served but never finalized for the Village Water wastewater system;
8 however, a consent order was executed for the Village Water wastewater system in
9 Polk County on August 21, 2007, and amended in April 30, 2008; those issues have
10 not yet been resolved. A consent order was executed for the Zephyr Shores water
11 system in Pasco County on June 18, 2007.

12 Q. Please describe the formal enforcement action against The Woods water system in
13 Sumter County.

14 A. A consent order was executed on April 26, 2007, with a compliance schedule to
15 address the Total Trihalomethanes (TTHMs) and Haloacetic Acid 5 (HAA5)
16 exceedences. The permit application to address the exceedences was issued on
17 December 18, 2007. The permit identified the installation of pressure filters and a
18 static mixer and the work was completed in May 2008. In addition, an adjustment to
19 operations was implemented reducing the pre-chlorination dosage at the facility. As a
20 result of the facility modifications and operational changes, TTHM/HAA5 results
21 appear to be trending down from the initial sampling. FDEP will require a minimum
22 of four quarters of sampling demonstrating compliance with the maximum
23 contaminant level (MCL) before closing the consent order; however, results from the
24 first two sampling events would indicate a return to compliance should be expected by
25

1 the fourth quarter.

2 Q. Please describe the formal enforcement action against the Jasmine Lakes water system
3 in Pasco County.

4 A. A consent order was executed on July 26, 2006, with a compliance schedule to address
5 the TTHMs exceedences. Quarterly TTHM results exceeded the 80 ug/l MCL, as of
6 December 2005. A Warning Notice was issued on March 20, 2006. The utility
7 continued quarterly monitoring (TTHM & HAA5) while closely monitoring the
8 chlorine residual and increased the flushing activities. Currently, the system's TTHM
9 most recent quarterly monitoring results are 58.6 ug/l which is below the MCL. As a
10 result, their monitoring frequency has been reduced from quarterly to annually. A case
11 closure letter was sent to Aqua on September 24, 2007.

12 Q. Please describe the formal enforcement action against the Zephyr Shores water system
13 in Pasco County.

14 A. A long form consent order was executed on June 18, 2007, to address construction
15 without a permit, verification that auxiliary power requirements were being met, and
16 the need for a second well based on a population served of approximately 490 people.
17 All community water systems serving 350 people or more require a second well in
18 accordance with Rule 62-555.315(2), Florida Administrative Code, and documentation
19 that auxiliary power meets the requirements of Rule 62-555.320(14), Florida
20 Administrative Code. Documentation demonstrating the auxiliary power requirements
21 are being met was provided in a timely manner and the well was completed in April
22 2008 and placed in service. The consent order remains open as FDEP evaluates the
23 effectiveness of existing treatment to address Total Sulfide concerns; correspondence
24 was sent to the facility requesting additional testing on October 9, 2008. The requested
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1 testing has not been received to date.

2 Q. Please describe the formal enforcement action against the Village Water wastewater
3 system in Polk County.

4 A. The Village Water system wastewater permit, which was issued January 23, 2001,
5 expired January 22, 2006. The permit was administratively continued by the timely
6 submittal of an application to renew the permit; however, the application to renew the
7 permit was denied on September 15, 2006. Aqua failed to petition the denial;
8 therefore, the utility has been operating without a permit since October 4, 2006. In
9 addition, a spray field that was part of the wastewater disposal system was sold to the
10 Southwest Florida Water Management District (SWFWMD), who will not allow the
11 disposal of effluent on their property. The effluent disposal ponds for the Village
12 Water wastewater system are significantly out of compliance due to inadequate
13 operation and maintenance. Aqua was served with a Notice of Violation for operating
14 without a permit and problems with its disposal system. The Notice of Violation was
15 never finalized, but a consent order to address the disposal problem was executed on
16 August 21, 2007. The utility submitted a permit application for the Village Water
17 wastewater facility on December 19, 2007, and the consent order was amended on
18 April 30, 2008. (EX JG-1) The facility continues to have disposal problems as
19 evidenced by a discharge to surface water from September 4 through 18, 2008. To
20 date, reasonable assurance has not been provided regarding the adequacy of the
21 disposal system, therefore no permit has been issued. Noncompliance at this facility
22 remains unresolved.

23 Q. Have any of the Aqua water or wastewater systems in the Southwest District been the
24 subject of FDEP warning letters within the past three years in which formal
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- 1 enforcement has not resulted to date?
- 2 A. Warning letters have been issued for the Palm Terrace and Jasmine Lakes wastewater
3 systems in Pasco County in 2007. In addition, the Jasmine Lakes water system
4 received a warning letter in 2006 which has been resolved.
- 5 Q. Please describe the issues that resulted in a warning letter to Aqua for the Palm Terrace
6 wastewater system in Pasco County.
- 7 A. The Palm Terrace wastewater treatment facility has a failing effluent disposal system
8 and has exceeded the ground water standards for nitrate, total dissolved solids, and
9 fecal coliform. Pursuant to FDEP rules, the utility was required to establish a
10 percolation and evaporation resting and rotating schedule by June 1, 2004. To date,
11 the resting and rotation schedule has not been established. The February 2006
12 Discharge Monitoring Report's (DMR) fecal coliform of 1,300 colony forming units
13 (CFU)/100mL exceeded the single monthly maximum permit limit value of 800
14 CFU/100 mL. The December 2006 DMR's total suspended solids (TSS) maximum
15 monthly average of 41.5 mg/L exceeded the monthly average maximum permit limit
16 value of 30 mg/L. Ground water monitoring for the first two quarters of 2008 has
17 demonstrated exceedences for several secondary drinking water standards. The
18 Department issued a Warning Letter on March 9, 2007 (EX JG-2) for improper
19 operation of the two percolation ponds, slow-rate restricted public access sprayfield
20 systems, effluent quality, and impacting ground water; however, the utility has
21 exceeded a final compliance date by 90 days or more. The utility will need to either
22 expand the effluent disposal system or interconnect with the Pasco County Regional
23 Collection System. The issues of concern at the disposal facility remain unresolved.
- 24 Q. Please describe the issues that resulted in a warning letter to Aqua for the Jasmine
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Lakes wastewater system in Pasco County.

A. The Jasmine Lakes wastewater treatment facility has exceeded the ground water standards for sodium, chloride, and total dissolved solids. FDEP issued a Warning Letter on March 8, 2007 (EX JG-3) for improper operation of the four percolation ponds and impacting ground water. The effluent disposal system is failing and the utility will need to either modify the effluent disposal system or interconnect with the Pasco County Regional Collection System. A formal agreement has not yet been executed and the issues associated with the disposal system remain unresolved.

Q. Has Aqua had major operational or maintenance issues for its water or wastewater systems in the past three years?

A. To the best of my knowledge only the Jasmine Lakes water system, Rosalie Oaks wastewater system, and The Woods wastewater system had significant non-compliance issues. The odor MCL was exceeded at the Jasmine Lakes water facility on May 22, 2006; however, no warning letter was issued. Additional odor samples were taken on August 22, 2006, and November 29, 2006, and satisfactory results of zero were obtained. The Rosalie Oaks wastewater system in Polk County had inflow and infiltration in the collection system. The utility has repaired the collection system in 2005 and 2006 and recent monitoring data shows the effluent flows are below the permitted limit. The bottoms of both of the effluent disposal ponds at The Woods wastewater system in Sumter County were graded at a slope that caused effluent to pond in the western portions of the ponds. In its June 15, 2005 letter, Aqua indicated that the grading and leveling of the pond bottoms was to be completed by September 30, 2005. During the Department's inspection on June 14, 2007, this work had not been performed. At the time of the Department's most recent inspection on July 29,

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2008, this issue could not be evaluated as the ponds were not being rotated properly and were overgrown.

Q. Does Aqua have any current construction permits from the FDEP?

A. Yes. Jasmine Lakes has an outstanding chloramination conversion permit issued on June 3, 2004 with an expiration date of October 10, 2009. The utility procured the permit to build this project to address compatibility with Pasco County Utilities and potentially address TTHM and HHA5 concerns; however, Aqua has subsequently disconnected the Jasmine Lakes interconnection to Pasco County Utilities, whose water is chloraminated. Jasmine Lakes water system addressed TTHM and HAA5 MCLs through operational changes described above. The Lake Suzy wastewater operating permit was issued on February 9, 2006, and expires on February 8, 2011.

Q. Are Aqua's water and wastewater systems in DeSoto, Marion, Pasco, Polk, and Sumter County otherwise in compliance with all FDEP requirements?

A. To the best of my knowledge, yes.

Q. Do you have any further comments.

A. No.



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

June 27, 2008

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

CERTIFIED MAIL NO: 7007 2680 0000 5033 0580
RETURN RECEIPT REQUESTED

John M. Lihvarcik
Aqua Utilities, Inc.
Post Office Box 490310
Leesburg, FL 34749

Re: Amendment to Consent Order OGC File No. 06-2358
Village Waters WWTF
Facility ID No. FLA013087
Polk County

Dear Mr. Lihvarcik:

Enclosed, please find a copy of the countersigned Amendment to Consent Order regarding the above-referenced facility. The effective date of the Consent Order may be found on the last page, the day it was filed by the clerk.

Should you have any questions, please direct them to Nick Noreika at (813) 632-7600, extension 313.

Sincerely yours,

A handwritten signature in black ink that reads "Thomas Gucciardo".

Thomas Gucciardo
Environmental Manager
Domestic Wastewater Section

Enclosure

cc: Joe Squitieri, DEP w/enclosure
Nick Noreika, DEP w/enclosure
Tricia Williams, Aqua Utilities, Florida w/enclosure
Chris Franklin, Aqua Utilities, Florida w/enclosure

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION,)	IN THE OFFICE OF THE SOUTHWEST DISTRICT
)	
Complainant,)	OGC FILE NO. 06-2358
vs.)	
)	
AQUA UTILITIES, INC., formerly known as AQUASOURCE UTILITY, INC., and AQUA UTILITIES FLORIDA, INC.,)	
)	
Respondents.)	

AMENDMENT TO CONSENT ORDER

On August 21, 2007, Aqua Utilities, Inc., formerly known as Aquasource Utility, Inc., and Aqua Utilities Florida, Inc. ("Respondents") entered into a Consent Order, OGC File No. 06-2358, with the State of Florida Department of Environmental Protection ("Department") concerning the Village Water Wastewater Treatment Facility. On February 11, 2008, the Department issued a Demand for Stipulated Penalties to Respondents for not adhering to the schedule in the Consent Order. Pursuant to a request by Respondents to amend the Consent Order to provide additional time to complete certain tasks in the Consent Order, the Department finds that the request is made in good faith and is reasonable. Specifically, paragraph 9(b) of the Consent Order required Respondents to conduct a hydro-geological study of the percolation ponds to determine the long-term effluent disposal capacity of the percolation ponds. The Department has agreed to extend the timeframe to conduct the study, which affects other compliance dates in the Consent Order. In addition, Respondents have agreed to pay stipulated penalties for missing the schedule dates of the Consent Order.

IT IS THEREFORE ORDERED that the following paragraphs of Consent Order 06-2358 originally entered into this matter on August 21, 2007, are changed to read as follows:

9. By June 15, 2008, Respondents shall submit to the Department a hydro-geological study of the percolation ponds that determines the long-term effluent disposal capacity of the percolation ponds.

12. By October 30, 2008, Respondents shall obtain a domestic wastewater permit to authorize operation of the Facility by the Department. If a permit is not acquired, Respondents shall immediately cease all discharges from the Facility to ground and/or surface waters of the State.

15. By July 30, 2008, Respondents shall construct a fence around the percolation ponds.

17. Within 30 days of the effective date of this Amendment to Consent Order, Respondents shall pay the Department \$22,000.00 in stipulated penalties covering 55 days based on the \$200.00 per day penalty assessment in Paragraph 18 of the Consent Order. The late period was assessed from De-

December 21, 2007 through February 14, 2008, for failing to timely submit the pond report and hydrogeological study, which were both due December 21, 2007. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include the OGC number assigned to this Amendment to Consent Order and the notation "Ecosystem Management and Restoration Trust Fund". Payment shall be sent to the Department of Environmental Protection, attn: Tom Gucciardo, 13051 North Telecom Parkway, Temple Terrace, Florida, 33637-0926.

Persons who are not parties to this Amendment to Consent Order, but whose substantial interests are affected by this Amendment to Consent Order, have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 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 named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

- (a) The Department's identification number for the Amendment to Consent Order and the county in which the subject matter or activity is located;
- (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;
- (c) A statement of how and when each petitioner received notice of the Amendment to Consent Order;
- (d) A statement of how each petitioner's substantial interests are affected by the Amendment to Consent Order;
- (e) A statement of the material facts disputed by petitioner, if any;
- (f) A statement of which rules or statutes petitioner contends require reversal or modification of the Amendment to Consent Order;

- d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- f) The name of each party's representative who shall have authority to settle or recommend settlement;
- g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference; and
- h) The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

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06-13-08:08:40AM;
Jun-12-08 13:33 From:PSC / PSN


610-645-1061

T-165 P.002/002 F-376

This Amendment to Consent Order is final agency action of the Department pursuant to Section 120.69, Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Amendment to Consent Order will not be effective until further order of the Department.

(FOR RESPONDENTS:

06/14/08
Date


John M. Lihvarcik,
President - Southern Region
Aqua Utilities, Inc.

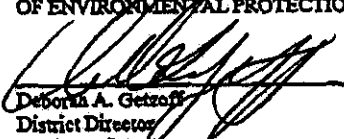
06/13/08
Date


Chris Franklin
Regional President
Aqua Utilities Florida, Inc.

DONE AND ORDERED this 23rd day of June, 2008, in Hillsborough County, Florida.

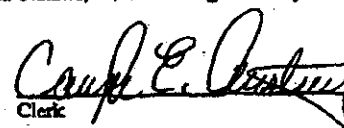
STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

6/23/08
Date


Deborah A. Getzoff
District Director
Southwest District

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

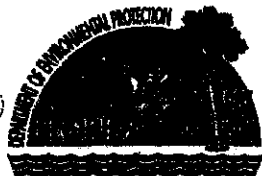
6/27/08
Date


Clerk

DAG/tm

cc: Lea Crandall, DEP
David O'Brien, DEP
John Lihvarcik, CFO - Aqua Utilities Florida, Inc.
Tricia Williams, Utility Engineer - Aqua Utilities Florida, Inc.

OGC File No. 06-2358
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Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 9, 2007

Mr. John Lihvarcik, President/COO
Aqua Utilities Florida, Inc.
P. O. Box 490310
Leesburg, FL 34749-0310

Re: Warning Letter No. WL07-0006DW51SWD
Palm Terrace Gardens WWTF
Facility ID No. FLA012773
Pasco County

Dear Mr. Lihvarcik:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible and to seek your cooperation in resolving the matter. A field inspection conducted on February 22, 2007 and a subsequent file review of the Palm Terrace Gardens Wastewater Treatment Facility ("Facility") indicate that a violation of Florida Statutes and Rules may exist at the above-referenced facility. Department of Environmental Protection personnel observed the following:

1. The Part IV rapid-rate percolation pond system was not being operated properly. The two percolation ponds were hydraulically loaded to the point that the ponds could not function as intended. Rule 62-600.410(6), Florida Administrative Code (F.A.C.), provides that all facilities and equipment necessary for the treatment, reuse and disposal of domestic wastewater and domestic wastewater residuals shall be maintained, at a minimum, so as to function as intended.
2. The slow-rate restricted public access sprayfield system was not being operated properly. The hydraulic loading rate was producing surface runoff and ponding. Rule 62-610.423 (3), F.A.C., provides that hydraulic loading rate shall not produce surface runoff or ponding of the applied reclaimed water.
3. A review of the monthly DMRs received by the Department for the reporting period of January 2006 through December 2006 revealed the permit monthly maximum limit for fecal coliform was exceeded in February 2006. Rule 62-600.440(4)(c)4., F.A.C., provides that any one sample shall not exceed 800 CFU/100 mL.

"More Protection, Less Process"
www.dep.state.fl.us

Mr. John Lihvarcik, President/COO
Warning Letter No. WL07-0006DW51SWD
Jasmine Lakes WWTF
Facility ID No. FLA012768
Pasco County
Page 2 of 3

4. A review of the monthly DMRs received by the Department for the reporting period of January 2006 through December 2006 revealed the permit monthly average limit for total suspended solids was exceeded in December 2006. Rule 62-600.740(1)(b)1.b., F.A.C., provides that monthly arithmetic mean shall not exceed 30 mg/L.
5. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for nitrate, in MWB-01, in the first, third and fourth quarters 2005 and the first and fourth quarters 2006. In addition, MWB-01 exceeded the total dissolved solids value from the first quarter 2005 through the fourth quarter 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.
6. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for nitrate, in MWB-02, in the third and fourth quarters 2005 and the third quarter 2006. In addition, MWB-02 exceeded the total dissolved solids value from the first quarter 2005 through the fourth quarter 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.
7. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for nitrate, in MWC-01, in the first and fourth quarters 2005 and the second and third quarters 2006. In addition, MWC-01 exceeded the total dissolved solids value in the first, third and fourth quarters 2005 and from the first through the fourth quarter 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.
8. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for nitrate, in MWC-02, in the first quarter 2005. In addition, MWC-02 exceeded the total dissolved solids value from the first through the fourth quarters 2005 and the third and the fourth quarters 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.

The activities observed during the Department's field inspection and indicated by the file review, along with any other activities at your facility that may be contributing to violations of the aforementioned Florida Statutes or Rules, should be ceased. The operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the administrative imposition of penalties up to \$10,000.00 pursuant to Section 403.121, Florida


Mr. John Lihvarcik, President/COO
Warning Letter No. WL07-0006DW51SWD
Jasmine Lakes WWTF
Facility ID No. FLA012768
Pasco County
Page 3 of 3

Statutes, or the judicial imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, Florida Statutes.

You are requested to contact Mr. Jerry E. Nichols, Environmental Specialist II, at (813) 632-7600, extension 411, within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will 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(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,


Deborah A. Getzoff
District Director
Southwest District

DAG/jn

3/1/2007 11:30:43 AM

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTEWATER COMPLIANCE INSPECTION REPORT
FACILITY AND INSPECTION INFORMATION @ - Optional

Name and Physical Location of Facility		WAFR ID:	County	Entry Date/Time
Palm Terrace Gardens 116 Arbordale Drive Port Richey, FL		FLA012773	Pasco	2/22/2007
Name(s) of Field Representative(s)		Title	Phone	Ⓢ Exit Date/Time
Don Hostetler		Operator of Record	(941) 907-7400	2/22/2007
Name and Address of Permittee or Designated Representative		Title	Phone	Ⓢ Operator Certification #
John Lihvarek P.O. Box 490310 Leesburg, FL 34749 - 0310		President/COO		

Inspection Type	C	E	I	Sample Taken(Y/N):	Ⓢ Sample ID#:	Sample Split (Y/N):
<input checked="" type="checkbox"/> Domestic		<input type="checkbox"/> Industrial		Were Photos Taken(Y/N):	Ⓢ Log book Volume :	Ⓢ Page

PERMITS COMPLIANCE EVALUATED					
C: In Compliance, NC: Not Applicable, NE: Not Evaluated					
IC	1. Permit	IC	3. Laboratory	IC	6. Facility Site Review
SC	2. Compliance Schedules	IC	4. Sampling	IC	7. Flow Measurement
		IC	5. Records & Reports	NC	8. Operation & Maintenance
NE	13. Other:			NC	12. Groundwater

Facility and/or Order Compliance Status: In-Compliance Out-Of-Compliance Significant-Out-Of-Compliance

Recommended Action: Letter

Name(s) and Signature(s) of Inspector(s)	District Office/Phone Number	Date
Jerry E. Nichols <i>Jerry E. Nichols</i>	SWD(813)632-7600x411	3-7-07
Signature of Reviewer	District Office/Phone Number	Date
Michele H. Duggan <i>Michele Duggan</i>	SWD(813)632-7600x335	03/07/07

Fill Out This Section For All Inspections (Except For PAL, CBI, PAI, XSI)

Transaction Code	NPDES Number	YR/MO/DA	Insp. Type	Inspector	Fac. Type

ADDITIONAL NPDES COMMENTS

Inspection Type (Field 1): A:PAL, B:CBI, C:CBI, S:SI, K:SI, R:RI, V:SI, W:SI
 Inspection Code (Field 2): S:State, J:Joint EPA/State, EPA Lead, T:Joint State/A State Lead, L:Local Program
 Facility Type (Field 3): 1: Municipal (Public) Owned, 2: Industrial and Privately Owned Domestic, 3: Agricultural, 4: Private
 Every other field is self explanatory

INSPECTION FINDINGS

Facility Name: Palm Terrace Gardens WWTF
Facility ID: FLA012773
Inspection Type: Compliance Evaluation Inspection
Date: 2/22/2007

Facility Background:

Address: 116 Arbordale Drive, Port Richey, FL, Pasco County
Permit Information: Wastewater Permit issued: 3/19/2004, and expires: 3/18/2009
Treatment Summary: Extended Aeration
Permitted Capacity: 0.13 MGD

1. Permit: In Compliance
 - 1.1 Observation: General - A copy of the permit was on site and available to plant personnel.
2. Compliance Schedules: Significantly Out-of-Compliance
 - 2.1 *Observation: General - The Permittee exceeded a final compliance date by 90 days or more. Section VI. Schedules, required the operator to establish a percolation/evaporation resting and rotating schedule by June 1, 2004. To date, the resting and rotation schedule has not been established.
3. Laboratory: In Compliance
 - 3.1 Observation: General - The laboratory is certified by the Department of Health.
4. Sampling: In Compliance
 - 4.1 Observation: General - No problems or deficiencies were identified.
5. Records and Reports: In Compliance
 - 5.1 *Observation: General - A review of the Discharge Monitoring Reports (DMRs) from January 2006 through December 2006 revealed no deficiencies.
6. Facility Site Review: In Compliance
 - 6.1 Observation: General - The facility was staffed at the time of the inspection.
 - 6.2 Observation: General - The facility grounds were clean and well maintained.
 - 6.3 Observation: Lift Stations - The backflow preventers were properly tested on January 11, 2007.
7. Flow Measurement: In Compliance
 - 7.1 Observation: General - The copy of the flow calibration report was current and satisfactory.
8. Operation and Maintenance: Out-of-Compliance
 - 8.1 *Observation: Clarifiers - The clarifier weirs were covered with algae, restricting flow from the unit.

Palm Terrace Gardens WWTF
Facility ID: FLA012773
Pasco County
Page 2 of 3

8.2 Observation: Blowers/Motors - The blower was operational at the time of the inspection.

8.3 *Observation: Aeration Basin/Activated Sludge - The aeration tanks were covered with a dark thick foam, as depicted in photograph #10.

8.4 *Observation: Aeration Basin/Activated Sludge - The diffuser down pipes should be cleared of excessive rags, as depicted in photograph #9.

9. Effluent Quality: Out of Compliance

9.1 *Observation: General - The final effluent was excessively turbid, with a total chlorine residual of greater than 2.2 mg/L.

9.2 *Observation: General - A review of the DMRs from January 2006 through December 2006 revealed the following effluent exceedances:

9.2.a The February 2006 DMR's fecal coliform of 1300 CFU/100mL exceeded the single monthly maximum permit limit value of 800 CFU/100 mL.

9.2.b The December 2006 DMR's total suspended solids (TSS) maximum monthly average of 41.5 mg/L exceeded the monthly average maximum permit limit value of 30 mg/L.

10. Effluent Disposal: Significantly Out-of-Compliance

10.1 *Observation: General - Several sprinklers on the reclaimed water disposal site were not functioning properly.

10.2 *Observation: General - The rapid infiltration basin was full of effluent and was not functioning as intended. The south percolation pond was full and the north pond could not be dried out by the operator.

10.3 *Observation: General - Department personnel observed accumulated sludge in the north percolation ponds.

11. Residuals/Sludge: In Compliance

11.1 Observation: General - The operator was documenting the residual hauling information in the operator's logbook. Please remember that the retention period for residuals is five years.

12. Groundwater Quality: Out of Compliance

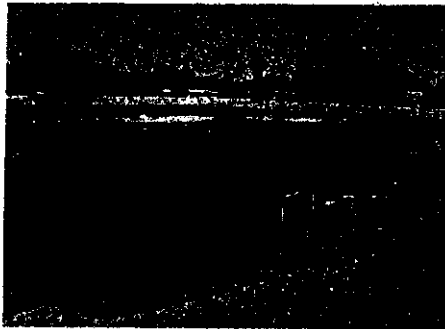
12.1 Observation: *Observation: A review of the ground water monitoring reports from the first quarter 2005 through the fourth quarter 2006 revealed the following exceedances:

12.1.a Well number MWB-01 exceeded the ground standard for nitrate in the first, third and fourth quarters 2005 and the first and third quarters 2006. In addition, the total dissolved solids were exceeded from the first quarter 2005 through the fourth quarter 2006.

Palm Terrace Gardens WWTF
Facility ID: FLA012773
Pasco County
Page 3 of 3

- 12.1.b Well number MWB-02 exceeded the ground standard for nitrate in the third and fourth quarters 2005 and the third quarter 2006. In addition, the total dissolved solids were exceeded from the first quarter 2005 through the fourth quarter 2006.
- 12.1.c Well number MWC-01 exceeded the ground standard for nitrate in the first and fourth quarters 2005 and the second and third quarters 2006. In addition, the total dissolved solids were exceeded in the first, third and fourth quarter 2005, and from the first through the fourth quarters 2006.
- 12.1.d Well number MWC-03 exceeded the ground standard for nitrate in the first quarter 2005. In addition, the total dissolved solids were exceeded from the first quarter through the fourth quarter 2005 and the third and fourth quarters 2006. this well also had fecal coliform exceedances in the third and fourth quarters 2005 and first and third quarters 2006.

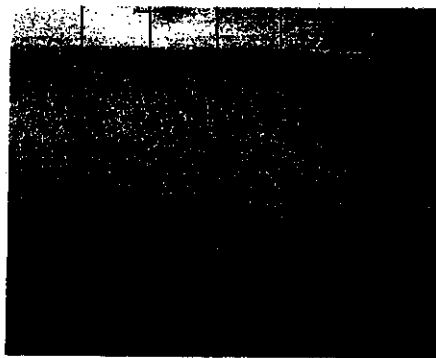
- **Photographer:** Jerry Nichols
- **Facility Name:** Palm Terrace Gardens WWTF
- **Facility ID No.:** FLA012773
- **Photographed on:** February 22, 2007
- **Type of Camera:** Sony Cyber-Shot A530
- **Recording Media:** Sony MemoryStick (E:)
- **Digital photos copied by:** Jerry Nichols
- **Digital photos copied to:** mydocs/Pasco /Palm Terrace/02-28-07 insp. photo
- **Original copies stored:** "Photo Archives" CD



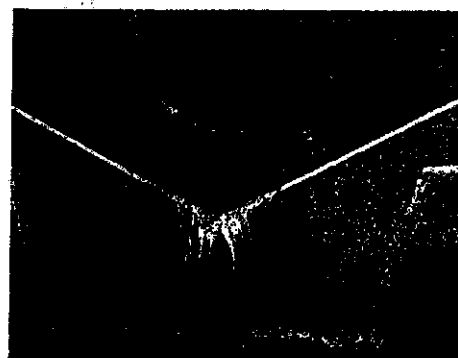
1 - View of north percolation pond :



2 - Close view of north percolation pond

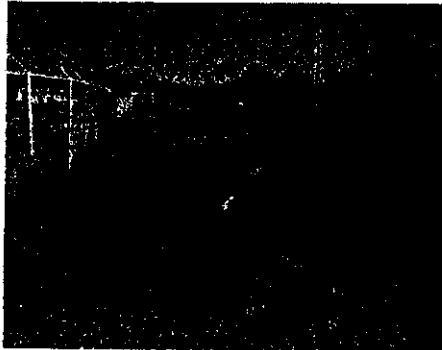


3 - View of south percolation pond

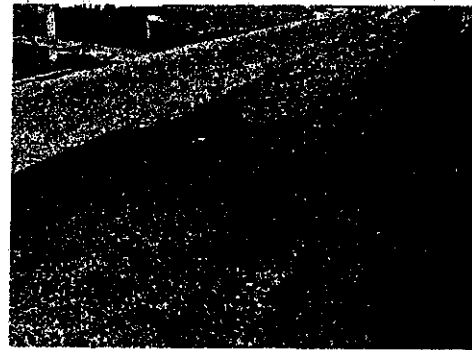


4 - View of v-notch weir with turbid effluent.

Photographer: Jerry Nichols
• Facility Name: Palm Terrace Gardens WWTF
• Facility ID No.: FLA012773
• Photographed on: February 22, 2007
• Type of Camera: Sony Cyber-Shot A530
• Recording Media: Sony MemoryStick (E:)
• Digital photos copied by: Jerry Nichols
• Digital photos copied to: mydocs/Pasco /Palm Terrace/02-28-07 insp. photo
• Original copies stored: "Photo Archives" CD



5 - View of sprayhead on northwest corner



6 - View of run-off from sprayfield.



7 - View of ponding in sprayfield.

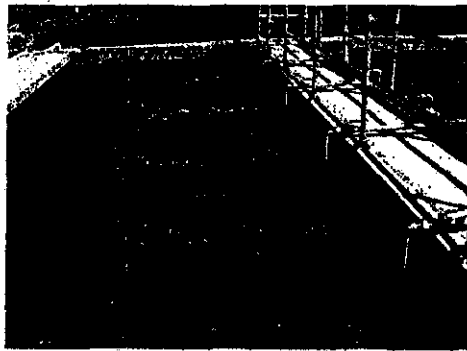


8 - View of dry zone down center line of sprayfield.

- Photographer: Jerry Nichols
- Facility Name: Palm Terrace Gardens WWTF
- Facility ID No.: FLA012773
- Photographed on: February 22, 2007
- Type of Camera: Sony Cyber-Shot A530
- Recording Media: Sony MemoryStick (E:)
- Digital photos copied by: Jerry Nichols
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- Original copies stored: "Photo Archives" CD



9 - View of rags around diffuser down pipe.



10 - View dark foam in aeration basin.



Florida Department of Environmental Protection

Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 8, 2007

Mr. John Lihvarcik, President/COO
Aqua Utilities Florida, Inc.
P. O. Box 490310
Leesburg, FL 34749-0310

Re: Warning Letter No. WL07-0002DW51SWD
Jasmine Lakes WWTF
Facility ID No. FLA012768
Pasco County

Dear Mr. Lihvarcik:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible and to seek your cooperation in resolving the matter. A field inspection conducted on February 22, 2007 and a subsequent file review of the Jasmine Lakes Wastewater Treatment Facility ("Facility") indicates that a violation of Florida Statutes and Rules may exist at the above-referenced facility. Department of Environmental Protection personnel observed the following:

1. The Part IV rapid-rate percolation pond system was not being operated properly. The four percolation ponds were hydraulically loaded to the point that prevents the ponds from functioning as intended. Rule 62-600.410(6), Florida Administrative Code (F.A.C.), provides that all facilities and equipment necessary for the treatment, reuse and disposal of domestic wastewater and domestic wastewater residuals shall be maintained, at a minimum, so as to function as intended.
2. The operator's log indicated that two of the four percolation ponds had not received any effluent over the past 12 months, yet both ponds remained wet. Rule 62-610.523 (4), F.A.C., provides that hydraulic loading periods of one to seven days, with resting periods of five to 14 days to dry the ponds are required.
3. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for sodium, in MWC-02, from the third quarter 2005 through the fourth quarter 2006 and for chloride in the fourth quarter 2005 and third quarter 2006. In addition, MWC-02 exceeded the ammonia value in the fourth quarter 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.
4. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for sodium, in MWC-03, in the second and fourth quarters 2005, and the first, second and third quarters 2006 and for chloride in the second and fourth quarters 2005 and third quarter 2006. In addition, MWC-03 exceeded the

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Mr. John Lihvarcik, President/COO
Warning Letter No. WL07-0002DW51SWD
Jasmine Lakes WWTF
Facility ID No. FLA012768
Pasco County
Page 2 of 2

ammonia value in the second, third and fourth quarters 2005, and second quarter 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.

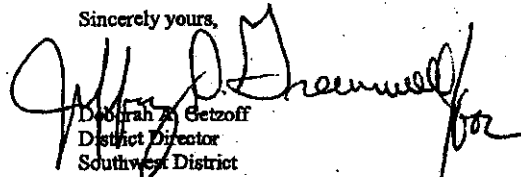
5. Ground water monitoring data submitted from the first quarter 2005 through the fourth quarter 2006 indicated that compliance well limit values were exceeded for sodium, in MWC-04, in the third quarter 2005, and the first and second quarters 2006. In addition, MWC-04 exceeded the ammonia value from the first quarter 2005 through the fourth quarter 2006. Rule 62-520.400, F.A.C., provides that ground water minimum criteria shall be met within the zone of discharge.

The activities observed during the Department's field inspection and indicated by the file review, along with any other activities at your facility that may be contributing to violations of the aforementioned Florida Statutes or Rules, should be ceased. The operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the administrative imposition of penalties up to \$10,000.00 pursuant to Section 403.121, Florida Statutes, or the judicial imposition of civil penalties up to \$10,000.00 per violation per day pursuant to Sections 403.141 and 403.161, Florida Statutes.

You are requested to contact Mr. Jerry E. Nichols, Environmental Specialist II, at (813) 632-7600, extension 411, within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will 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(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely yours,



Deborah A. Getzoff
District Director
Southwest District

DAG/jn

cc: Jerry Nichols, FDEP

INSPECTION FINDINGS

Facility Name: Jasmine Lakes WWTF
Facility ID: FLA012768
Inspection Type: Compliance Evaluation Inspection
Date: 2/22/2007 at 2:06:00 PM

Facility Background:
Address: 1000 Holly Drive, Port Richey, FL, Pasco County
Permit Information: Wastewater Permit issued: 8/30/2006, and expires: 8/29/2011
Treatment Summary: Type II Extended Aeration
Permitted Capacity: 0.3685 MGD

1. Permit: In Compliance
 - 1.1 Observation: A copy of the permit was on site and available to plant personnel.
2. Compliance Schedules: Not Applicable
3. Laboratory: In Compliance
 - 3.1 Observation: The laboratory is certified by the Department of Health.
4. Sampling: In Compliance
 - 4.1 Observation: No problems or deficiencies were identified.
5. Records and Reports: Out of Compliance
 - 5.1 Observation: General - Records were well organized.
 - 5.2 *Observation: General - A review of the Discharge Monitoring Reports (DMRs) from December 2005 through December 2006 revealed that the percent capacity was miscalculated for November and December 2006.
6. Facility Site Review: In Compliance
 - 6.1 Observation: General - The facility was staffed at the time of the inspection.
 - 6.2 Observation: General - The facility grounds were clean and well maintained.
 - 6.3 Observation: Lift Stations - The backflow preventers were properly tested on January 11, 2007.
7. Flow Measurement: In Compliance
 - 7.1 Observation: The flow meter was calibrated in accordance with Rule 62-601.200 (17), Florida Administrative Code, on January 31, 2007.
8. Operation and Maintenance: Out of Compliance
 - 8.1 Observation: General - The facility was not operated and maintained in accordance with the description in the permit. [Also see 10.2]
 - 8.2 Observation: Headworks - The operator was replacing the influent screen at the time of the inspection.

Jasmine Lakes WWTF
Facility ID: FLA012768
Pasco County
Page 2 of 3

- 8.3 Observation: Aeration Basins/Activated Sludge - The contents in the aeration chambers appeared to be adequately mixed.
- 8.4 *Observation: Clarifiers - The clarifier weirs were covered with algae, restricting flow from the unit.
- 8.5 Observation: Disinfection - The chlorine contact chamber was clean and the effluent leaving the plant was clear.
- 9. Effluent Quality: In Compliance
 - 9.1 Observation: A review of DMRs from December 2005 through December 2006 revealed no effluent exceedances.
 - 9.2 Observation: The effluent appeared clear with an acceptable total chlorine residual of greater than 2.2 mg/L.
- 10. Effluent Disposal: Significantly Out-of-Compliance
 - 10.1 *Observation: The number four percolation pond was in service from January 1, 2005 to February 10, 2006 and March 1, 2006 through January 26, 2007.
 - 10.2 *Observation: The operator has been unable to dry the four percolation ponds, as depicted in photographs #1, #2, #7, #8 and #9.
- 11. Residuals/Sludge: In Compliance
 - 11.1 Observation: General - No problems or deficiencies were observed.
- 12. Groundwater Quality: Significantly Out-of-Compliance
 - 12.1 *Observation: A review of the ground water monitoring reports from the first quarter 2005 through the fourth quarter 2006 revealed the following exceedances:
 - 12.1.a Well number MWC-2 exceeded the ground standard for sodium from the second quarter 2005 through the fourth quarter 2006.
 - 12.1.b Well number MWC-2 exceeded the ground standard for chloride in the fourth quarter 2005 and third quarter 2006.
 - 12.1.c Well number MWC-2 exceeded the ground standard for total dissolved solids from the second quarter 2005 through the fourth quarter 2006.
 - 12.1.d Well number MWC-2 exceeded the ground standard for ammonia in the fourth quarter 2006.
 - 12.2 *Observation: A review of the ground water monitoring reports from the first quarter 2005 through the fourth quarter 2006 revealed the following exceedances:
 - 12.2.a Well number MWC-3 exceeded the ground standard for sodium in the second quarter 2005 and fourth quarter 2005 through the third quarter 2006.

Jasmine Lakes WWTF
Facility ID: FLA012768
Pasco County
Page 3 of 3

12.2.b Well number MWC-3 exceeded the ground standard for chloride in the second quarter and forth quarter 2005 and the third quarter 2006.

12.2.c Well number MWC-3 exceeded the ground standard for ammonia from the second quarter through the forth quarter 2005 and the second quarter 2006.

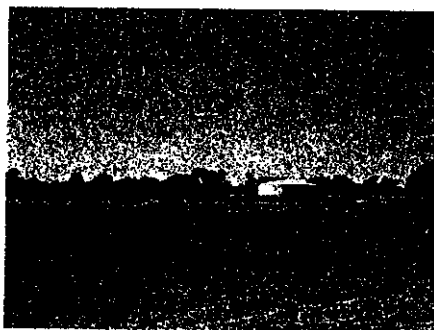
12.3 *Observation: A review of the ground water monitoring reports from the first quarter 2005 through the forth quarter 2006 revealed the following exceedances:

12.3.a Well number MWC-4 exceeded the ground standard for sodium in the third quarter 2005 and first quarter and second quarter 2006.

12.3.b Well number MWC-4 exceeded the ground standard for ammonia from the first quarter 2005 and through the forth quarter 2006.

13. Other: Not Evaluated

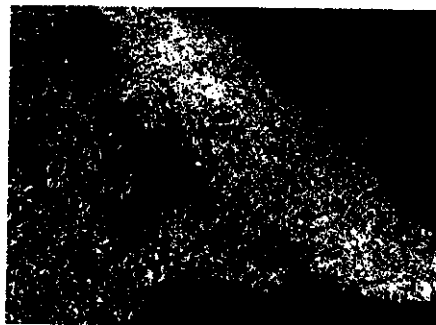
- Photographer: Jerry Nichols
- Facility Name: Jasmine Lakes WWTF
- Facility ID No.: FLA0127968
- Photographed on: February 22, 2007
- Type of Camera: Sony Cyber-Shot A530
- Recording Media: Sony MemoryStick (E:)
- Digital photos copied by: Jerry Nichols
- Digital photos copied to: mydocs/Pasco /Jasmine /02-26-07 inspec. photos
- Original copies stored: "Photo Archives" CD



1 - View to the west of P/E pond 4.



2 - Close-up view of pond 4 still being loaded.

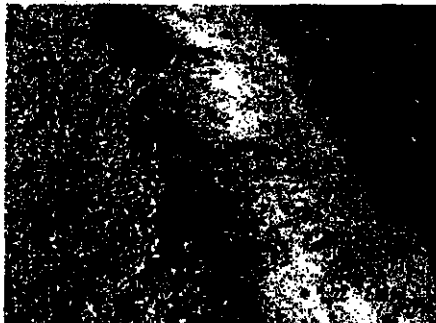


3 - View of possible lateral seepage on the north side of P/E pond #4.

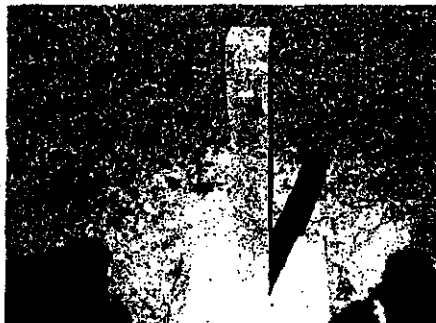


4 - View of canal to the north of P/E pond #4.

•	Photographer:	Jerry Nichols
•	Facility Name:	Jasmine Lakes WWTF
•	Facility ID No.:	FLA0127968
•	Photographed on:	February 22, 2007
•	Type of Camera:	Sony Cyber-Shot A530
•	Recording Media:	Sony MemoryStick (E:)
•	Digital photos copied by:	Jerry Nichols
•	Digital photos copied to:	mydocs/Pasco/Jasmine/02-28-07 Inspec. photos
•	Original copies stored:	"Photo Archives" CD



5 - Close-up view of algae along bank of canal.



6 - View of monitoring well without well ID.



7 - View of P/E pond #1.



8 - View of P/E pond #2.

Photographer: Jerry Nichols
• Facility Name: Jasmine Lakes WWTF
• Facility ID No.: FLA0127968
• Photographed on: February 22, 2007
• Type of Camera: Sony Cyber-Shot A530
• Recording Media: Sony MemoryStick (E:)
• Digital photos copied by: Jerry Nichols
• Digital photos copied to: mydocs/Pasco/Jasmine /02-28-07 Inspec. photos
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9 - View of P/E pond #4.



10 - View of algae restricting flow over weir.

Jasmine Lake WWTF
2006-2007 DMR Review

Permit #FLA012768

Mon/Yr	Flow azdf	Flow 3mndf	Flow madf	% Cap	CBOD aa	CBOD ma	CBOD Mx	TSS aa	TSS ma	TSS MAX	Nitrate	pH	Fecal aa	Fecal mgn	Fecal max	TRC min	dlc rec'd
Limits	0.306	0.37	N/A		20	30	60	20	30	60	12	Min/Max	200		800	0.5	
5-Dec	0.212	0.212	0.214	57	4.5	230	240	6.8	3.4	4.4	0.80	7.57.6	2.7	1	1	1.5	SWD
6-Jan	0.215	0.215	0.22	57	4.6	3	3.4	7.3	3.13	4.8	0.79	7.57.6	2.8	1	1	2	2/24/2006
6-Feb	0.218	0.222	0.231	56	4.5	2	2	6.9	2.45	3	1.5	7.47.7	2.8	1	1	2	revised
6-Mar	0.218	0.22	0.225	58	4.2	2	2	6.8	2.4	3.1	0.59	7.47.6	2.8	1	1	1.4	4/21/2006
6-Apr	0.219	0.224	0.233	59	4.5	7.4	11	6.4	4.8	6.5	2.2	7.67.8	3.3	6.7	45	1.1	5/23/2006
6-May	0.221	0.23	0.231	60	4	2.5	2.8	6.7	23.1	44	0.43	7.67.8	3.5	5.7	32	1.2	6/22/2006
6-Jun	0.222	0.226	0.214	59	4.1	2.7	2.8	7	5.46	5.6	0.27	7.57.7	3.5	1	1	1.6	7/21/2006
6-Jul	0.219	0.219	0.212	58	3.1	5	6.5	6.4	6.15	6.6	0.57	7.67.7	2.8	1	1	1.4	8/27/2006
6-Aug	0.216	0.21	0.205	58	3.2	3.3	3.7	6.4	4.53	5.5	0.72	7.67.7	2.7	1	1	1.2	9/21/2006
6-Sep	0.221	0.228	0.281	73	3	2.5	2.8	6.8	6.45	6.6	0.25	7.67.8	2.1	1	1	1.8	10/19/2006
6-Oct	0.222	0.229	0.221	74	3.2	3.7	5.1	6.6	1	1	2.4	7.57.8	3.4	3.9	15	2	11/27/2006
6-Nov	0.221	0.2282	0.2026	1	3.1	1.8	2	6.4	1.55	2	5.2	7.47.8	2	1	1	1.5	12/27/2006
6-Dec	0.22	0.2065	0.2016	1	3.1	2.1	2.2	5.7	1.65	2.7	3.3	7.47.7	1.9	1	1	2.2	1/27/2007
7-Jan																	
Total																	
Average																	

Dennis Muldoon - (352) 302-9713 A-0006452

- 1) 11/06 & 12/06 percent capacity appears to be miscalculated.
- 2) GWM data 2005 revealed exceedances in TDS, Chloride, Sodium, fecal coliform and ammonia.

Nitrate Quarter	Well Type	Nitrate 1st/2005	Nitrate 2nd/2005	Nitrate 3rd/2005	Nitrate 4th/2005	Nitrate 1st/2006	Nitrate 2nd/2006	Nitrate 3rd/2006	Nitrate 4th/2006
Limit		10	10	10	10	10	10	10	10
MW-1	B	0.18	0.61	0.38	0.069	0.27	0.5	0.16	.08 U
MW-2	C	.06 U	.06 U	.06 U	.06 U	.06 U	.02 U	.06 U	.06 U
MW-3	C	.06 U	.06 U	1.5	.06 U	.06 U	.02 U	.06 U	.06 U
MW-4	C	.06 U	.06 U	0.17	.06 U	.06 U	.02 U	.06 U	.06 U
MW-5	C	.06 U	.06 U	.06 U	.06 U	.06 U	.02 U	.06 U	.06 U
Sodium Quarter		Sodium 1st/2005	Sodium 2nd/2005	Sodium 3rd/2005	Sodium 4th/2005	Sodium 1st/2006	Sodium 2nd/2006	Sodium 3rd/2006	Sodium 4th/2006
Limit		160	160	160	160	160	160	160	160
MW-1	B	13	18	21	89	140	120	180	120
MW-2	C	140	150	180	170	180	170	180	170
MW-3	C	160	170	130	180	180	180	180	160
MW-4	C	140	150	170	160	170	170	180	160
MW-5	C	110	120	120	110	130	120	120	120
Chloride Quarter		Chloride 1st/2005	Chloride 2nd/2005	Chloride 3rd/2005	Chloride 4th/2005	Chloride 1st/2006	Chloride 2nd/2006	Chloride 3rd/2006	Chloride 4th/2006
Limit		250	250	250	250	250	250	250	250
MW-1	B	25	45	42	140	200	170	250	180
MW-2	C	180	200	240	260	250	230	260	230
MW-3	C	220	270	190	260	240	250	260	210
MW-4	C	220	240	210	230	250	240	250	240
MW-5	C	220	230	220	230	230	210	220	210
TDS Quarter		TDS 1st/2005	TDS 2nd/2005	TDS 3rd/2005	TDS 4th/2005	TDS 1st/2006	TDS 2nd/2006	TDS 3rd/2006	TDS 4th/2006
Limit		500	500	500	500	500	500	500	500
MW-1	B	250	230	260	440	570	580	730	570
MW-2	C	500	530	670	640	650	630	670	640
MW-3	C	620	720	630	640	670	680	650	610
MW-4	C	620	700	620	660	710	730	700	720
MW-5	C	600	580	620	640	680	620	600	620
Head Quarter		Head 1st/2005	Head 2nd/2005	Head 3rd/2005	Head 4th/2005	Head 1st/2006	Head 2nd/2006	Head 3rd/2006	Head 4th/2006
MW-1	B	1	11.85	10.95	11.6	11.12	12.55	11.2	11.38
MW-2	C	1.15	10.7	10.32	10.85	10.85	11.53	10.5	10.49
MW-3	C	3.67	8.16	8.43	8.7	8.9	8.8	8.45	8.78
MW-4	C	2.47	10.33	9.32	10.43	10.4	11.4	10.4	10.22
MW-5	C	2.4	10.9	9.56	10.99	11.03	12.05	11	10.75
Sp. Cond. Quarter		SP.Cond. 1st/2005	SP.Cond. 2nd/2005	SP.Cond. 3rd/2005	SP.Cond. 4th/2005	SP.Cond. 1st/2006	SP.Cond. 2nd/2006	SP.Cond. 3rd/2006	SP.Cond. 4th/2006
Limit		Report	Report	Report	Report	Report	Report	Report	Report
MW-1	B	422	343	381	773	920	973	920	863
MW-2	C	944	1031	1262	1243	1149	1227	1011	1070
MW-3	C	1167	1366	1021	1257	1136	1318	1075	1035
MW-4	C	1224	1293	1350	1299	1234	1373	1018	1153
MW-5	C	1074	1069	1091	1075	961	1082	806	891
Fecal Quarter		Fecal 1st/2005	Fecal 2nd/2005	Fecal 3rd/2005	Fecal 4th/2005	Fecal 1st/2006	Fecal 2nd/2006	Fecal 3rd/2006	Fecal 4th/2006
Limit		4	4	4	4	4	4	4	4
MW-1	B	1 U	1 U	1 U	1 U	1 U	1 U	1 U	1 U
MW-2	C	12	1 U	1 U	1 U	1 U	1 U	1 U	1 U
MW-3	C	1 U	1 U	1 U	1 U	1 U	3	1 U	1 U
MW-4	C	1 U	1 U	1 U	1 U	1 U	1 U	1 U	1 U
MW-5	C	1 U	1 U	1 U	1 U	1 U	1 U	1 U	1 U
Ammonia Quarter		Ammonia 1st/2005	Ammonia 2nd/2005	Ammonia 3rd/2005	Ammonia 4th/2005	Ammonia 1st/2006	Ammonia 2nd/2006	Ammonia 3rd/2006	Ammonia 4th/2006
Limit		5	5	5	5	5	5	5	5
MW-1	B	0.05	.05 U	.05 U	0.56	0.52	.05 U	0.26	0.88
MW-2	C	2.7	2.6	4	4.4	4.3	3.7	4.7	5.1
MW-3	C	1.5	12	7.5	6.3	0.87	6.3	4.7	2.4
MW-4	C	9.7	8.1	9.7	11	7.1	11	10	9
MW-5	C	0.75	0.78	0.74	0.66	0.83	0.93	0.55	0.63

1) MW-2 resampled 3/11/05 with Fecal at 1.0 CFU/100 mL.

August 6, 2008

Mr. Jack Lihvarcik, Vice President
Aqua Utilities Florida, Inc.
P.O. Box 4900310
Leesburg, FL 34749-0310

Re: Compliance Evaluation Inspection
The Woods WWTF
Facility ID No. FLA013500
Suwannee County

Dear Mr. Lihvarcik:

The Woods Subdivision Wastewater Treatment Facility was inspected on July 29, 2008. Based on this inspection and a review of the information on file with the Department, the following items are being brought to your attention:

PERMIT

Domestic Wastewater Permit No. FLA0135000 was issued June 19, 2006. This permit expires June 18, 2011.

COMPLIANCE SCHEDULE

1. The 18-inch open pipe in the lift station wet well was capped as specified under Section VI of the permit.
2. *Section VI of the permit also requires the installation of lighting and either guardrails or grating over tank openings to be installed by December 16, 2006. A chain was in place around the tanks; please indicate if guardrails or grating will be installed. Also, please indicate if lighting has been installed at the facility.

LABORATORY

*Analyses are performed by Plant Technicians, Inc., FDOH Certification 83141. The laboratory was not evaluated. The laboratory certification was not found onsite. Please place a copy of the recent certification in the onsite records.

SAMPLING

Sampling procedures were not evaluated.

RECORDS AND REPORTS

1. Records and reports on site included the operator's logbook, the permit, the operator's license, a pond rotation log, a lift station log, and an operation and maintenance manual.

Mr. Jack Lihvarcik
The Woods WWTF
Facility ID No. FLA013500 - Sumter County
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2. *The Reduced Pressure Zone (RPZ) backflow prevention device located at the facility site requires an annual inspection. According to facility records, the last inspection was performed on March 24, 2007. Please submit a current RPZ device inspection record, and maintain a copy onsite.
3. A review of the Discharge Monitoring Reports (DMRs) received by the Department for May 2007 through May 2008 revealed no errors or omissions.

FACILITY SITE REVIEW

The facility site appeared to be well maintained.

FLOW MEASUREMENT

*Elapsed time meters on the lift station pumps measure flow. The elapsed time meters and the lift station pumps must be calibrated at least annually. On-site records indicated the last pump calibration was performed on January 7, 2008. Please note that a check of the elapsed time meters was not performed with this calibration as required.

OPERATION AND MAINTENANCE

1. The lift station was not inspected. Please note that audible and visual alarms are required. The visual alarm must be wired to require a manual reset following an alarm condition, in order to make the operator aware that an alarm event occurred.
2. *The filters for both blowers appeared to need replacing due to their condition.

EFFLUENT QUALITY

1. The effluent appeared very clear. The total chlorine residual (TCR) was greater than 2.20 mg/L at 1000 hours, as measured by Department personnel. A TCR of 0.5 mg/L must be maintained at all times.
2. *A review of DMRs received by the Department for May 2007 through May 2008 revealed that the maximum nitrate result limit of 12 mg/L was exceeded in November 2007. The maximum nitrate result was 15 mg/L.

EFFLUENT DISPOSAL

1. *The interiors of both percolation/evaporation ponds were overgrown with vegetation. After clearing the vegetation, routine maintenance cycles should be established to prevent the ponds from becoming overgrown.
2. *Effluent was being delivered to both ponds at the time of inspection. It appeared that the valve to alternate flow between the ponds was leaking. Please repair the valve system so that the ponds can be properly rotated and cleaned on a 7-14 day cycle.

RESIDUALS

Onsite records indicated that residuals have not been hauled recently.

GROUND WATER

There is no ground water monitoring program for this facility.