

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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

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CERTIFICATE OF SERVICE

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

*Hand Delivery*

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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 Paul J. Morrison, Florida Department of Environmental Protection, Central District  
Appearing on Behalf of the Staff of the Florida Public Service Commission.

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DIRECT TESTIMONY OF PAUL J. MORRISON

1  
2 Q. Please state your name and business address.

3 A. Paul J. Morrison, Florida Department of Environmental Protection (FDEP), 3319  
4 Maguire Blvd., Suite 232, Orlando, Florida 32803.

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

6 A. I received a B.S. Degree in Biology from Florida State University in 1972. From 1972  
7 to 1984, I worked for the Orange County Health Department in the Environmental Health  
8 Section. I have worked for the FDEP since 1984 in solid and industrial waste facility  
9 enforcement and public drinking water system compliance and enforcement. Currently, I am  
10 an Environmental Supervisor II in the Central District.

11 Q. What are your general responsibilities at the FDEP?

12 A. I supervise the public drinking water monitoring compliance and enforcement section.  
13 This involves notifying systems of monitoring requirements, reviewing monitoring results  
14 submitted by water systems to determine if the results are in compliance with established rule  
15 standards, notifying systems when corrective action is necessary because of unsatisfactory  
16 results, entering monitoring results into the computer database, issuing and rescinding boil  
17 water notices when appropriate, reviewing water system malfunction reports, taking  
18 appropriate enforcement action against systems not in compliance with the monitoring and  
19 drinking water rules, and taking and referring drinking water complaints to the appropriate  
20 County Health Department (DOH) for investigation under the DOH-FDEP Interagency  
21 Agreement.

22 Q. Are you familiar with the Aqua Utilities Florida, Inc. (Aqua) water systems in Brevard  
23 (Kingswood and Oakwood), Lake (48 Estates, Carlton Village, East Lake Harris, Fern  
24 Terrace, Friendly Center, Grand Terrace, Haines Creek, Hobby Hills, Holiday Haven, Imperial  
25 Terrace, Kings Cove, Morningview, Palms MHP, Piccola Island, Pure Woods, Spring Lake,

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1 Quail Ridge, Ravenswood, Silver Lake Estates, Skycrest, Stone Mountain, Summit Chase,  
2 Valencia Terrace, Venetian Village, and Western Shores), Marion (49th Street, Belleair,  
3 Belleview Hills Estates, Belleview Hills, Chappell Hills, Fairfax Hills, Hawks Point, Marion  
4 Hills, Ocala Oaks, Westview, and Woodberry Forest), Orange (Tangerine), and Seminole  
5 (Chuluota and Harmony Homes) Counties?

6 A. Yes, I am familiar with those systems.

7 Q. Have any of those systems been the subject of FDEP enforcement action in the past  
8 three years?

9 A. Yes, Aqua has signed consent orders for the Chuluota water system in Seminole  
10 County and the Morningview water system in Lake County during the past three years. A  
11 consent order for the Chuluota water system was signed on January 4, 2007, to address total  
12 trihalomethane (TTHM) maximum contaminant level (MCL) violations. Ms. Dodson will  
13 provide additional testimony regarding the Chuluota consent order. A consent order, dated  
14 May 18, 2007, was sent to Aqua as a result of its failure to monitor for primary inorganic  
15 contaminants and secondary contaminants for calendar year 2006 for the Morningview  
16 system. The required monitoring was subsequently satisfactorily completed and the case was  
17 closed on June 7, 2007.

18 Q. Other than the above violations, have the Aqua water systems in Brevard, Lake,  
19 Marion, Orange, and Seminole Counties been in compliance with all FDEP requirements for  
20 the past three years?

21 A. Yes, with the exception of Holiday Haven and Skycrest in Lake County, Hawks Point  
22 in Marion County, and Chuluota in Seminole County.

23 Q. Can you describe those violations?

24 A. Yes. The Hawks Point, Holiday Haven, Skycrest, and Chuluota water systems have  
25 had MCL violations for total coliforms in the past three years. In 2005, the Hawks Point and

1 Holiday Haven water systems had bacteriological MCL violations for total coliforms. Repeat  
2 samples were subsequently collected and all were satisfactory. In 2007, the Skycrest water  
3 system had a bacteriological MCL violation for total coliforms; subsequent samples were all  
4 satisfactory. The Chuluota water system had a distribution bacteriological MCL violation for  
5 total coliforms in April of 2008; subsequent samples have all been satisfactory, with the  
6 exception of one sample on June 18, 2008.

7 Q. Do recent chemical analyses of raw and finished water suggest the need for additional  
8 treatment for any of the systems you reviewed?

9 A. Yes. In a letter dated September 11, 2006, Aqua was notified that well #1 at the  
10 Valencia Terrace system in Lake County was considered susceptible to microbial  
11 contamination based on total coliform – positive bacteriological sample results during 2005  
12 and 2006 and required to submit a corrective action proposal. On October 5, 2007, FDEP  
13 acknowledged receipt and approval of Aqua’s calculations showing that, based on the type of  
14 disinfection and the time the disinfectant is in contact with the water before reaching the first  
15 customer, the existing treatment reliably inactivates or removes at least 99.99% of viruses. In  
16 addition, Aqua was notified that well # 2 at the Carlton Village water system in Lake County  
17 was considered susceptible to microbial contamination on December 12, 2007. Aqua  
18 provided a proposal to FDEP; however, FDEP has not yet approved the corrective action. A  
19 request for additional information was sent to Aqua on September 16, 2008.

20 Q. Have any of the Aqua systems you reviewed been required to issue boil water notices  
21 to its customers during the past three years?

22 A. Yes. Aqua was required to issue a total of 28 boil water notices during 2006-2008 for  
23 Carlton Village (1), Fern Terrace (1), Grand Terrace (2), Haines Creek (1), Hobby Hills (1),  
24 Holiday Haven (5), Kings Cove (1), Morningview (2), Piney Woods (1), Summit Chase (2),  
25 Silver Lake Estates (1), and Venetian Village (2) in Lake County, 49th Street (1) and

1 Belleview Hills (1) in Marion County, Tangerine (3) in Orange County, and Chuluota (3) in  
2 Seminole County. A boil water notice must be provided when the pressure in a water  
3 distribution system is zero, in some instances when the pressure falls below 20 psi, or when a  
4 malfunction in the water system occurs that is expected to adversely affect the finished water  
5 quality. Pursuant to Rule 62-555.350(10), Florida Administrative Code (F.A.C.), FDEP must  
6 be notified within 24 hours and a public notification must be issued pursuant to Rule 62-  
7 555.350(11), F.A.C. After satisfactorily correcting the problem that caused the boil water  
8 notices to be issued and after bacteriological testing for two consecutive days with satisfactory  
9 results, the boil water notices can be rescinded. Aqua customers were notified by either door  
10 tags on affected residences or local television and radio station announcements, consistent  
11 with DEP rules.

12 Q. Do you have anything further to add?

13 A. No, I do not.

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