

State of Florida



Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD
TALLAHASSEE, FLORIDA 32399-0850

-M-E-M-O-R-A-N-D-U-M-

RECEIVED-FPSC
11 OCT 11 PM 12:37
COMMISSION
CLERK

DATE: October 11, 2011
TO: Diamond Williams, Commission Deputy Clerk I Office of Commission Clerk
FROM: Thomas J. Walden *TJW* Utilities System/Engineering Specialist, Division of Economic Regulation
RE: Docket No. 110254-WS; Initiation of show cause proceedings against Four Points Utility Corporation in Polk County for violation of Commission rules and regulations as outlined in the Florida Public Service Commission's management audit for Four Points Utility Corporation and Bimini Bay Utilities Corporation issued June 2011.

Please include the attached correspondence from the Polk County Health Department in the docket file.

TW
attachments

DOCUMENT NUMBER DATE

07428 OCT 11 =

FPSC-COMMISSION CLERK



Rick Scott
Governor

March 4, 2011

CS/ISLAND CLUB WEST
PWS: Id. No. 6535704

FOUR POINTS UTILITIES
101 GOLDEN MALAY PALM WAY
DAVENPORT, FL 33897

Dear Water System Owner:

The Department has not been receiving Monthly Operation Reports for your water system. Chapter 62-555.350(12)(b) requires public water systems to complete and submit Monthly Operation Reports to the Department within ten (10) days after the end of each month.

Failure to comply may result in referral to the enforcement section for further action and the possible imposition of a fine.

The Monthly Operation Report for Consecutive Systems form may be found on the Department of Environmental Protections Website.

If you have any questions, please contact me at (863) 519-8330 ext. 12154.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew A. Nickerson".

Matthew A. Nickerson
Environmental Specialist II

POLK COUNTY HEALTH DEPARTMENT

Daniel O. Haight, MD, FACP
Director

Environmental Engineering Division
2090 East Clower Street, Bartow, FL 33830-6741
Phone (863) 519-8330 Fax (863) 534-0245
www.mypolkchd.org

Hillary Register, Jr., MPH
Interim Assistant Director



Rick Scott
Governor

Shairi R. Turner, M.D., M.P.H.
Acting State Surgeon General

April 29, 2011

CS / ISLAND CLUB WEST
PWS Id No. 6535704

FOUR POINTS UTILITIES
101 GOLDEN MALAY PALM WAY
DAVENPORT, FL 33897

BACTERIOLOGICAL SAMPLING VIOLATION

The Department's records indicate that insufficient valid bacteriological samples were submitted for analysis during the March 2011 sampling period.

Your failure to submit adequate samples constitutes a violation of *Chapter 62-550* of the *Florida Administrative Code* and as such requires that you provide public notification to your users as stated in *Chapter 62-560*. **A copy of your notification must be forwarded to this agency within ten (10) days, along with the completed certification of delivery of public notice form (included).** Continued violation of *Chapter 62-550* or failure to provide public notification as required by *Chapter 62-560* will lead to enforcement action by the Department.

Should you have any questions concerning this letter or the operation of your water system, please contact Ron Stadelbacher at (863) 519-8330, ext. 12152.

Ronald L. Stadelbacher
Environmental Supervisor
Environmental Engineering
Polk County Health Department

POLK COUNTY HEALTH DEPARTMENT

ENVIRONMENTAL ENGINEERING DIVISION

Daniel O. Haight, MD, FACP
Director

2090 East Clower Street, Bartow, FL 33830-6741
Phone (863) 519-8330 / FAX (863) 534-0245

www.mypolkchd.org

Hillory Register, Jr., MPH
Interim Assistant Director

printed on recycled paper

CONTENTS OF PUBLIC NOTICE

Chapter 62-560.410 of the Florida Administrative code requires the following information be included in a public notification when a public water system fails perform monitoring for total coliforms.

1. A clear and readily understandable explanation of the violation.
2. STANDARD LANGUAGE.
3. The steps the supplier of water is taking to correct the noncompliance.
4. Any preventive measures the consumer should take until the noncompliance is corrected, and when the system expects to return to compliance.
5. The telephone number of the supplier of water or his designee as a source of additional information concerning the notice.

STANDARD LANGUAGE

For monitoring violations, the supplier of water shall include the following standard language and the information necessary to fill in the blanks: "We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. During [fill in compliance period], we did not monitor or test for [fill in contaminant(s)], and therefore cannot be sure of the quality of your drinking water during that time".

METHOD OF DELIVERY

The owner or operator of a potable water system shall give notice:

1. By publication in a daily newspaper of general circulation, other than a newspaper established primarily for the publication of legal notices, in the area served by the system as soon as possible, but in no case later than thirty (30) days after the violation. If the area served by a public water system is not served by a daily newspaper of general circulation, notice shall instead be given by publication in a weekly newspaper of general circulation with the same criteria as stated above; and
2. By mail delivery (by direct mail or with the water bill), or by hand delivery not later than thirty (30) days after the violation, or failure, to each customer receiving a bill and to other service connections to which water is delivered by the public water system.
3. In lieu of the above requirements the owner or operator may give notice by hand delivery and by continuous posting in conspicuous places within the area served by the system. Notice by hand delivery and posting shall begin as soon as possible, but no later than thirty (30) days after the violation. Posting shall continue for as long as the violation exists, but in no case for less than seven (7) days even if the violation is resolved. Notice by hand delivery shall be repeated at least every three (3) months for as long as the violation exists.

CERTIFICATION REQUIREMENT

The supplier of water, within ten (10) days of completion of the public notification requirement pursuant to Part IV of Chapter 62-560, Florida Administrative Code, shall submit the enclosed Certification of Delivery of Public Notice form, along with a copy of your notification, to this agency.



PWS CERTIFICATION OF DELIVERY OF PUBLIC NOTICE

INSTRUCTIONS: The supplier of water, within ten days of completion of each public notification requirement pursuant to Part IV of Chapter 62-560, Florida Administrative Code, shall submit to the appropriate Department of Environmental Protection District Office or Approved County Health Department a completed DEP Form 62-555.900(22), Certification of Delivery of Public Notice, and include with the form a representative copy of each type of notice distributed, published, posted, and made available to the persons served by the system, and the media. All information provided on this form shall be typed or printed in ink.

I. General Information		
Public Water System (PWS) Name:		
PWS ID:		
PWS Type: <input type="checkbox"/> Community <input type="checkbox"/> Non-Transient Non-Community <input type="checkbox"/> Transient Non-Community		
PWS Owner:		
Contact Person:	Contact Person's Title:	
Contact Person's Mailing Address:		
City:	State:	Zip Code:
Contact Person's Telephone Number:	Contact Person's Fax Number:	
Contact Person's E-Mail Address:		

II. Certification						
For Violation/Situation:						
Date of Occurrence:						
Consultation Date:						
Delivery Methods:	<input type="checkbox"/> Radio/TV	<input type="checkbox"/> Mail	<input type="checkbox"/> Newspaper	<input type="checkbox"/> Hand Delivery	<input type="checkbox"/> Posting	<input type="checkbox"/> Other(describe)
Delivery Date/s:						

I am duly authorized to sign this form on behalf of the public water system identified in Part I of this form. I certify that the information provided on this form is correct to the best of my knowledge and that public notice has been provided to consumers in accordance with the delivery, content, and format requirements and deadlines in Chapter 62-560, Florida Administrative Code.

Signature and Date	Printed or Typed Name	Title
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6535704

Sloan, Daniela

From: Sloan, Daniela
Sent: Tuesday, July 26, 2011 11:41 AM
To: 'btreanor@islandhideaway.net'
Subject: Lead and copper results

Mr. Treanor,

The second 6-month lead and copper monitoring period for the Island Club West water system was between January 1-June 30, 2011. The sampling results were due in our office by July 10. So far we have not received the results, which means your system has incurred a lead and copper violation. Please contact me at the phone number below, and if you have these results submit them to our office ASAP.

Thank you,

Daniela

Daniela Sloan
Environmental Specialist II
Polk County Health Department
Environmental Engineering
(863)519-8330 Ext. 12148



Rick Scott
Governor

H. Frank Farmer, Jr., M.D., Ph.D.
State Surgeon General

July 27, 2011

CS/ISLAND CLUB WEST
PWS: Id. No. 6535704

FOUR POINTS UTILITIES
101 GOLDEN MALAY PALM WAY
DAVENPORT, FL 33897

Dear Water System Owner:

As of July 10, 2011 the Island Club West water system is in violation of the Lead and Copper Rule, having failed to provide any results for the second 6 month monitoring period from January 1 to June 30.

A reminder about the lead and copper sampling, along with bacteriological and chemical monitoring requirements was sent to you in the letter dated April 12, 2011 (see attached letter)

Please contact our office regarding all these issues by August 10th, otherwise you will be referred for enforcement.

If you have any questions, please contact me at (863) 519-8330 ext. 12148.

Sincerely,

A handwritten signature in black ink that reads "Daniela Sloan".

Daniela Sloan
Environmental Specialist II

Daniel O. Haight, MD, FACP
Director

POLK COUNTY HEALTH DEPARTMENT

Environmental Engineering Division
2090 East Clower Street, Bartow, FL 33830-6741
Phone (863) 519-8330 Fax (863) 534-0245
www.mypolkchd.org

Hilory Register, Jr., MPH
Interim Assistant Director

Handwritten initials in black ink, possibly "HW".



Rick Scott
Governor

H. Frank Farmer, Jr., M.D., Ph.D.
State Surgeon General

April 12, 2011

CS/ISLAND CLUB WEST
PWS: Id. No. 6535704



COPY

FOUR POINTS UTILITIES
101 GOLDEN MALAY PALM WAY
DAVENPORT, FL 33897

Dear Water System Owner:

A sanitary survey of your system conducted on April 7, 2011 indicates the following deficiencies in reference to the public drinking water requirements listed in *Chapter 62 Florida Administrative Code*.

1. While researching the file on this system, it was noted that bacteriological sites are not being chosen in accordance with the system's bacteriological sampling plan (see attached plan). Chapter 62-550.518(1) requires public water systems to collect total coliform samples at sites that are representative of water throughout the distribution system and in accordance with a written sampling plan that addressed location, timing, frequency, and rotation period. Future results must show the system is adhering to its bacteriological sampling plan.
2. The Monthly Operation Reports are incorrectly filled out. Please refer to the letter sent by Matthew Nickerson on April 5, 2011.

Reminders:

- Your second monitoring period for lead and copper is between Jan.1-Jun.30. Please submit the results to our office no later than July 10.
- Please submit your asbestos waiver, as requested in the letter sent to you on 11/23/10. Chapter 62-550.511(4) requires that community and non-transient non-community water systems without asbestos-containing components certify to the Department in writing, using Form 62-555.900(10) that it is asbestos free.

Please take the necessary steps to correct these deficiencies within thirty (30) days of the date of this notice, unless otherwise specified and **notify the Department in writing**. If the deficiencies cannot be corrected within the thirty (30) day period, a written schedule stating when the deficiencies will be corrected must be submitted to this office within the thirty (30) day time.

POLK COUNTY HEALTH DEPARTMENT

Daniel O. Haight, MD, FACP
Director

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Hillory Register, Jr., MPH
Interim Assistant Director

frame. Failure to comply will result in referral to the enforcement section for further action and the possible imposition of a fine.

If you have any questions, please contact me at (863) 519-8330 ext. 12148.

Sincerely,

Daniela Sloan
Environmental Specialist II