

Shawna Senko

From: lmschlabach@aol.com
Sent: Friday, September 06, 2013 3:55 PM
To: filings@psc.state.FL.US.
Subject: Utility Corporation of Florida, Inc.Docket No. 110165-SU
Attachments: PSC_pro_forma_progress_letter.docx; Transfer_pond_pump_invoice.pdf; DEP compliance schedule.pdf

Attached please find:

1. Letter outlining our progress on pro forma repairs
2. Invoice for new transfer pond pump
3. DEP compliance schedule for repairs

s/Lois Schlabach
Utility Corporation of Florida, Inc.

Utility Corporation of Florida, Inc.

200 Healthy Way, Sebring, FL 33976

863-414-2586

September 5, 2015

Office of Commission Clerk
Docket No. 110165-SU
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399-0850

To whom it may concern:

Progress on the pro forma repairs on the wastewater treatment plant is as follows:

1. Replace pump at transfer pond. Pump has been purchased from Tom Evans Environmental, Inc. (See attached invoice.) It should be delivered by Sept 30. Installation will require considerable refiguring, but we hope to have this repair completed by November 15.
2. Surge tank repair. Surge tank #1 has been deemed "beyond repair". The DEP has set May 1, 2014 as the deadline for replacing it. (See attached DEP schedule). As a temporary measure, we have taken surge tank #1 off line, and have shifted processing to surge tank #2. It is adequate for our current needs. We are considering purchasing equipment from the Desoto County wastewater treatment plant that is scheduled for decommissioning. Failing that, we have had engineering plans drawn up for constructing a new tank.

Sincerely,

s/Lois Schlabach

**BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

IN THE MATTER OF:

**IN THE OFFICE OF THE
SOUTH DISTRICT**

**Mike Telschow
President
Utility Corporation of Florida, Inc.
100 Clubhouse Lane
Sebring, Florida 33876**

Administrative Order No.: AO-070-SD

DEP Permit No: FLA014315-004-DW2P

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**ORDER ESTABLISHING COMPLIANCE SCHEDULE UNDER SECTION
403.088(2)(f), F.S.**

I. STATUTORY AUTHORITY

The Department of Environmental Protection (Department) issues this order under the authority of section 403.088 of the Florida Statutes. The Secretary of the Department has delegated this authority to the Director of District Management, who issues this order and makes the following findings of fact.

II. FINDINGS OF FACT

1. Utility Corporation of Florida, Inc. is a person under section 403.031 of the Florida Statutes.

2. Utility Corporation of Florida, Inc., owns and operates a domestic wastewater treatment facility known as Spring Lake Golf & Country Club WWTP, located at 525 Duane Palmer Lane, Sebring, FL 33870, which discharges treated domestic wastewater into waters of the state as defined in section 403.031, F.S.

3. Utility Corporation of Florida, Inc. has applied for a permit under section 403.088(2) of the Florida Statutes.

4. Spring Lake Golf & Country Club WWTP's domestic wastewater treatment facility number FLA014315-004 does not meet the requirements of condition VIII.1. of permit number FLA014315-004 and Rule 62-600.410(6), F.A.C., which requires all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and domestic wastewater residuals to be maintained, at a minimum, so as to function as intended.

5. Sections 403.088(2)(e) and (f), F.S., authorize the Department to issue a permit for the discharge of wastes into waters of the state, accompanied by an order establishing a schedule for achieving compliance with all permit conditions if the specified criteria are met. Section 403.031(12), F.S., states the following "Wastes means sewage, industrial wastes, and all other liquid, gaseous, solid, radioactive, or other substances which may pollute or tend to pollute any waters of the state".

6. The Department finds that the granting of an operation permit will be in the public interest.

III. ORDER

Based on the foregoing findings of fact,

IT IS ORDERED,

1. Utility Corporation of Florida, Inc. shall complete the compliance schedule with the time frame specified below:

Improvement Action		Completion Date
1	Secure the catwalks and handrails of the facility	July 15, 2013
2	Repair or replace the facility's air delivery blowers	October 31, 2013
3	Repair or replace the backup reuse pump	
4	Repair or replace the facility's skimmer	
5	Repair all of the facility's severe corrosion to prevent unauthorized discharges. Some corroded units are beyond repair and must be replaced.	May 1, 2014
6	Remove the vegetation from around the pond banks	
7	Replace the facility's filter media with a type appropriate to the proper operation of the filters.	
8	Provide written agreements for the on-going maintenance of the Waterways I, Waterways II, Oakleaf, and Golfview STEP systems.	
9	Replace minimum 20% of the facility's tankage. (Using 2012 as a baseline.).	
10	Provide an engineering report updating the progress of the improvement actions to the Department.	
11	Replace minimum 40% of the facility's tankage. . (Using 2012 as a baseline.).	May 1, 2015
12	Provide an engineering report updating the progress of the improvement actions to the Department.	
13	Replace minimum 60% of the facility's tankage. . (Using 2012 as a baseline.).	May 1, 2016
14	Provide an engineering report updating the progress of the improvement actions to the Department.	
15	Replace minimum 80% of the facility's tankage. . (Using 2012 as a baseline.).	May 1, 2017
16	Provide an engineering report updating the progress of the improvement actions to the Department.	
17	Replace 100% of the facility's tankage. . (Using 2012 as a baseline.).	May 1, 2018
18	Provide an engineering report updating the progress of the improvement actions to the Department.	

3. Utility Corporation of Florida, Inc. shall maintain and operate the facilities in compliance with all other conditions of DEP Permit No. FLA014315.

4. Reports or other information required by this order shall be sent to The Department of Environmental Protection, South District Office, P.O. Box 2549, Fort Myers, FL 33902.

5. This order may be modified through revisions as set forth in chapter 62-620 of the Florida Administrative Code.

6. This order does not operate as a permit under section 403.088 of the Florida Statutes. This order shall be incorporated by reference into DEP Permit No. FLA014315, which shall require compliance by the permittee with the requirements of this order.

7. Failure to comply with the requirements of this order shall constitute a violation of this order and DEP Permit No. FLA014315, and may subject the permittee to penalties as provided in section 403.161 of the Florida Statutes.

IV. NOTICE OF RIGHTS

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within fourteen days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within fourteen days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

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

(g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.


Mediation under Section 120.573 of the Florida Statutes is not available for this proceeding.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

Any party to the order has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, Mail Station 35, 3900 Commonwealth Boulevard, Tallahassee, Florida, 32399-3000; and by filing a copy of the notice of appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The notice of appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.

DONE AND ORDERED on this 25th day of April, 2013 in Lee County, Florida.

**STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION**



for

Jon M. Iglehart
DIRECTOR OF
DISTRICT MANAGEMENT

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this Order and all copies were mailed before the close of business on this 25th day of April, 2013 to the listed persons.

CLERK STAMP

FILED AND ACKNOWLEDGED on this date, under section 120.52(11) of the Florida Statutes, with the designated Department Clerk, receipt of which is acknowledged.



Clerk

4/25/13

Date

Enclosures:

Copies furnished to:

Stacy Gordon, stacyg@mbveng.com
Tom Quinn, tquinn63@embarqmail.com
Aaron Bowles, aaronb@mbveng.com
Deanna Newburg, DEP

TEE JOB# & NAME	13-231	Peerless ESP
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TOM EVANS ENVIRONMENTAL, INC.

3605 VENTURA DRIVE EAST
 LAKELAND, FL 33811
 (863)619-3789 - Phone
 (863)619-8098 - Fax

Sales Order Acknowledgement

CUSTOMER:

Utility Corporation of Florida, Inc.
 100 Clubhouse Lane
 Sebring, FL 33876

SHIP TO:

Utility Corp. of Florida
 Attn: Tom Quinn
 100 Clubhouse Lane
 Sebring, FL 33876

Customer PO#	Est Ship Dt	Terms	SHIPPING METHOD	TEE Order Date
Verbal-Tom Quinn	9/18/13	CR CARD	Best-F/A	8/28/13

ITEM#	DESCRIPTION	QTY	UNIT PRICE	Total
1	Peerless Model C820A All Iron End Suction Pump Sales Tax - 7.00%	1	3,061.57 7.00%	3,061.57 214.31

THANK YOU FOR YOUR BUSINESS

Total \$3,275.88