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May 2, 1995

HAND DELIVERY

Ms. Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
101 East Gaines Street
Tallahassee, Florida 32399-0850

RE: Docket No. 950387-SU
Application of Florida Cities Water Company,
North Ft. Myers Division, for Increased
Wastewater Rates in Lee County, Florida

Dear Ms. Bayo:

Enclosed for filing are an original and fifteen copies (unless otherwise noted) of the following:

- 04281-95¹. Application for Rate Increase;
- 04282-95². Minimum Filing Requirements, entitled "Florida Cities Water Company North Ft. Myers Division Wastewater Operations, Application for Increase in Rates Test Year Ending 12/31/95"; *Placed w/ transcript exhs. 4/29/96 JAW*
- 04283-95³. Additional Information Related to the Application for Increase in Rates (2 copies only); and *copy enmap to WAW*
- 04284-95⁴. An Affidavit of Paul H. Bradtmiller stating that Florida Cities Water Company will comply with noticing requirements, which is attached to the Application for Rate Increase as Exhibit A.

Also enclosed is a check in the amount of \$4,500 (check #110546) as payment of the filing fee for said Application.

RECEIVED & FILED
Map
FPSC-BUREAU OF RECORDS

Letter to Blanca S. Bayo, Director
May 2, 1995
Page Two

Please acknowledge receipt of the foregoing by stamping the enclosed extra copy of this letter and returning same to my attention. Thank you for your assistance.

Very truly yours,

A handwritten signature in black ink that reads "B. Kenneth Gatlin". The signature is written in a cursive style with a large, stylized initial "B".

B. Kenneth Gatlin

BKG/meg
Enclosures

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**FLORIDA CITIES
WATER COMPANY**

DOCUMENT NUMBER-DATE

04283 MAY-21

FPSC-RECORDS/REPORTING

FLORIDA CITIES WATER CO.
NORTH FT. MYERS DIVISION
WASTEWATER OPERATIONS
ADDITIONAL INFORMATION RELATED TO THE
APPLICATION FOR INCREASE IN RATES
Test Year Ending: 12/31/95
Historic [] or Projected [x]

FLORIDA CITIES WATER CO.
NORTH FT. MYERS DIVISION

ADDITIONAL INFORMATION
Docket No.: 950387-SU
Test Year Ending: 12/31/95
Historic [] or Projected [x]

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SECTION - A

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CHEMICAL DATA INFORMATION

00014

FLORIDA CITIES WATER COMPANY
N FT MYERS DIVISION - WASTEWATER
1993/1994 CHEMICALS USAGE
Rate Case Docket No. 950387-SJ
Year Ending 12/31/94

S E W E R

Description		1994												TOTAL	MONTHLY AVERAGE
		JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC		
70013-8 ALUM SULFATE LBS	Qty	18,441	30,568	21,985	29,309	39,832	23,526	28,519	28,250	22,482	13,097	30,504	33,266	319,779	26,648
	\$	\$532.94	\$883.42	\$635.37	\$847.03	\$1,159.11	\$682.25	\$827.05	\$819.25	\$651.98	\$379.81	\$878.51	\$1,057.86	\$9,354.58	\$779.55
	Unit \$	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.032	\$0.029
70008-8 FERROUS SULFATE GAL	Qty	0	100	500	1,200	200	0	0	0	0	0	638	0	2,638	220
	\$	\$0.00	\$31.61	\$149.50	\$358.80	\$50.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$158.29	\$0.00	\$748.94	\$62.41
	Unit \$	\$0.000	\$0.316	\$0.299	\$0.299	\$0.254	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.248	\$0.000	\$0.284	\$0.284
70029-4 LIME HYDRATED 50 LB BAGS	Qty	191	277	150	149	129	193	209	94	323	172	207	200	2,294	191
	\$	\$955.00	\$1,385.00	\$750.00	\$745.00	\$645.00	\$965.00	\$1,045.00	\$470.00	\$1,615.00	\$860.00	\$1,035.00	\$1,000.00	\$11,470.00	\$955.83
	Unit \$	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000
70010-4 NANO 3 GAL	Qty	0	0	0	0	0	0	0	0	0	0	810	2,590	3,400	283
	\$	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,502.55	\$4,804.45	\$6,307.00	\$525.58
	Unit \$	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$1.855	\$1.855	\$1.855	\$1.855
70007-0 METHANOL GAL	Qty	1,273	1,426	1,266	1,139	1,495	1,888	1,946	1,525	1,196	949	1,300	1,751	17,154	1,430
	\$	\$1,254.54	\$1,375.48	\$1,089.01	\$940.93	\$1,286.15	\$1,720.35	\$1,836.05	\$1,550.16	\$1,237.02	\$1,260.27	\$2,402.04	\$3,278.05	\$19,230.05	\$1,602.50
	Unit \$	\$0.985	\$0.965	\$0.860	\$0.826	\$0.860	\$0.911	\$0.943	\$1.016	\$1.034	\$1.328	\$1.848	\$1.872	\$1.121	\$1.121
70031-0 CAUSTIC SODA GAL 50 LB BAGS	Qty	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	\$	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Unit \$	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
Totals		\$2,742	\$3,676	\$2,624	\$2,892	\$3,141	\$3,368	\$3,708	\$2,839	\$3,504	\$2,500	\$5,976	\$10,140	\$47,111	\$3,926

Dosage Rates.....	TOTAL ANNUALIZED USAGE				TOTAL WASTEWATER TREATED		AVERAGE DOSAGE
	lb/gal	Gallons	Pounds	Grams	(000 Gals.)	(000 Liters)	
			1.000	453.590	1.0000	3.7854	
Alum Sulfate			319,779	145,048,557	343,880	1,301,723	111.43 mg/l
Ferrous Sulfate	9.77	2,638	25,773	11,690,493	343,880	1,301,723	8.98 mg/l
Lime Hydrated			2,294	1,040,535	343,880	1,301,723	0.80 mg/l
Nano 3	10.84	3,400	36,856	16,717,513	343,880	1,301,723	12.84 mg/l
Methanol	6.61	17,154	113,388	51,431,636	343,880	1,301,723	39.51 mg/l
Caustic Soda	12.76	0	0	0	343,880	1,301,723	0.00 mg/l

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FLORIDA CITIES WATER COMPANY
N FT MYERS DIVISION - WASTEWATER
1993/1994 CHEMICALS USAGE
Rate Case Docket No. 950387-SU
Year Ending 12/31/94

S E W E R

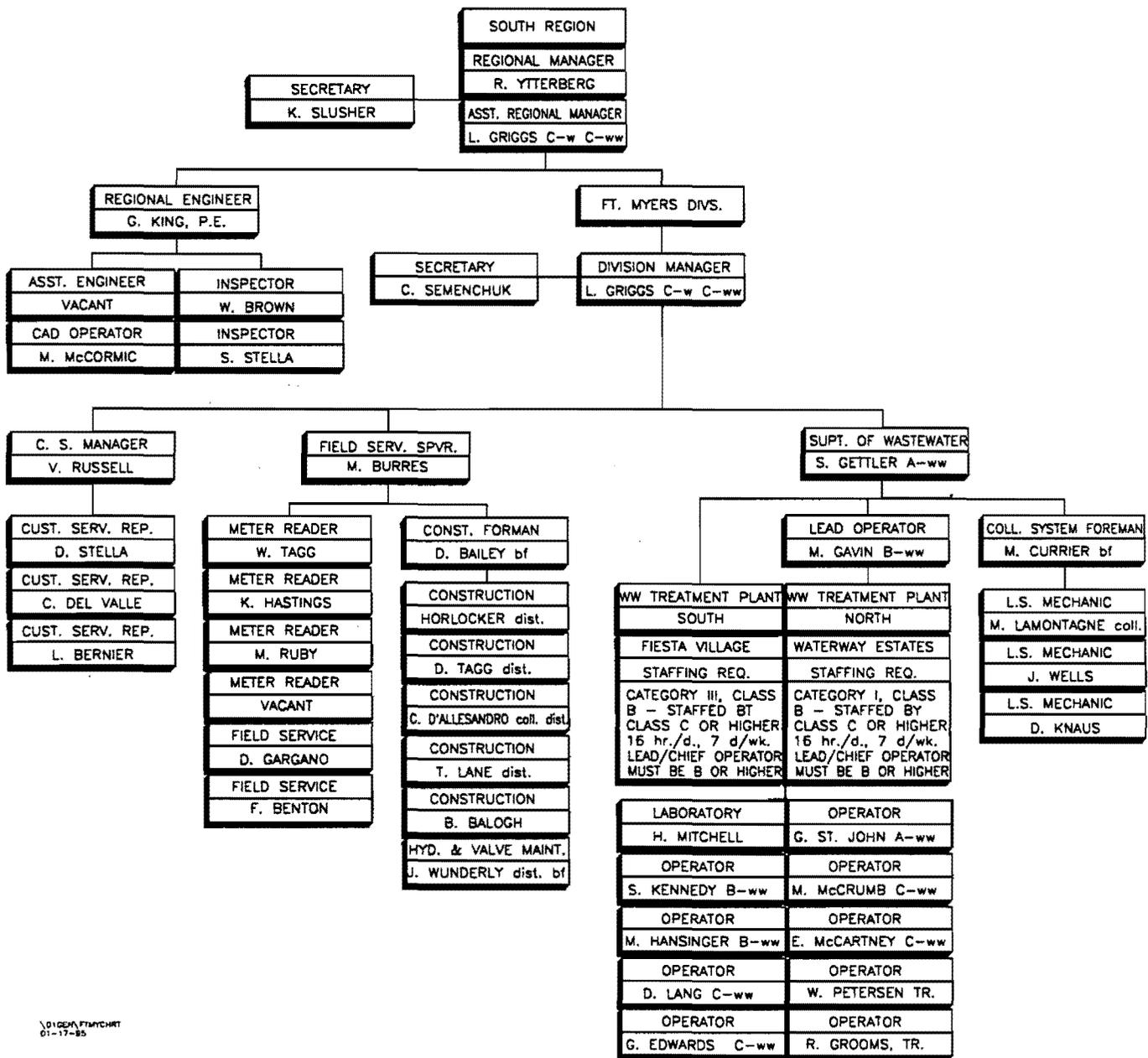
Description	1993												TOTAL	MONTHLY AVERAGE	
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC			
70013-8 ALLUM SULFATE LBS	Qty	0	3,599	20,874	10,250	18,955	16,679	9,876	12,080	14,916	12,238	8,339	36,609	164,415	13,701
	\$	\$0.00	\$105.09	\$607.43	\$298.28	\$551.59	\$485.36	\$287.39	\$351.53	\$425.11	\$350.01	\$239.33	\$1,054.34	\$4,755.46	\$396.29
	Unit \$	\$0.000	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029	\$0.029
70008-8 FERROUS SULFATE GAL	Qty	7,900	4,509	2,800	2,915	2,950	2,610	3,209	3,264	2,982	2,782	992	(2,625)	34,288	2,857
	\$	\$3,583.44	\$1,827.95	\$1,056.44	\$875.67	\$1,033.09	\$914.02	\$1,108.07	\$1,140.44	\$987.04	\$932.25	\$332.42	(\$876.38)	\$12,914.45	\$1,076.20
	Unit \$	\$0.454	\$0.405	\$0.377	\$0.300	\$0.350	\$0.350	\$0.345	\$0.349	\$0.331	\$0.335	\$0.335	\$0.334	\$0.377	\$0.377
70029-4 LIME HYDRATED	Qty	148	132	215	227	171	177	163	123	184	145	150	235	2,070	173
	\$	\$740.01	\$660.00	\$1,075.00	\$1,135.00	\$855.00	\$885.00	\$815.00	\$615.00	\$920.00	\$725.00	\$750.00	\$1,175.00	\$10,350.01	\$862.50
	Unit \$	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000	\$5.000
70010-4 NANO 3 GAL	Qty	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	\$	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Unit \$	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000
70007-0 METHANOL GAL	Qty	1,166	1,658	1,374	1,484	1,508	1,133	871	1,078	1,328	1,227	943	2,561	16,331	1,361
	\$	\$1,161.34	\$1,595.16	\$1,210.63	\$1,305.62	\$1,325.68	\$1,005.42	\$772.66	\$956.29	\$1,192.68	\$1,105.28	\$884.63	\$3,058.53	\$15,573.92	\$1,297.83
	Unit \$	\$0.996	\$0.962	\$0.881	\$0.880	\$0.879	\$0.887	\$0.887	\$0.887	\$0.898	\$0.901	\$0.938	\$1.194	\$0.954	\$0.954
70031-0 CAUSTIC SODA GAL 50 LB BAGS	Qty	0	6,820	300	0	1,920	0	0	0	0	0	0	34,265	43,305	3,609
	\$	\$0.00	\$585.16	\$25.74	\$0.00	\$164.74	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$3,118.12	\$3,893.76	\$324.48
	Unit \$	\$0.000	\$0.086	\$0.086	\$0.000	\$0.086	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.000	\$0.091	\$0.090	\$0.090
Totals		\$5,485	\$4,773	\$3,975	\$3,615	\$3,930	\$3,290	\$2,983	\$3,063	\$3,525	\$3,113	\$2,206	\$7,530	\$47,488	\$3,957

Dosage Rates.....	TOTAL ANNUALIZED USAGE				TOTAL WASTEWATER TREATED		AVERAGE DOSAGE
	lb/gal	Gallons	Pounds	Grams	(000 Gal.)	(000 Liters)	
			1.000	453,590	1.0000	3,7854	
Alum Sulfate			164,415	74,577,000	309,359	1,171,048	63.68 mg/l
Ferrous Sulfate	9.77	34,288	334,994	151,949,820	309,359	1,171,048	129.76 mg/l
Lime Hydrated			2,070	938,931	309,359	1,171,048	0.80 mg/l
Nano 3	10.84	0	0	0	309,359	1,171,048	0.00 mg/l
Methanol	6.61	16,331	107,948	48,964,092	309,359	1,171,048	41.81 mg/l
Caustic Soda	12.76	43,305	552,572	250,641,043	309,359	1,171,048	214.03 mg/l

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SECTION - B

EMPLOYEE LIST



101024/PT/CH/HT
01-17-85

NORTH FORT MYERS

PAYROLL
WORKPAPER
1995 OPERATING BUDGET

NAME	1994 BASE RATE	% INC. 1994 RATE	1995 ANNUAL BASE	OVER TIME	1995 TOTAL PAYROLL	10/20 SOURCE OF SUPPLY & SEWER COLLECTION		30/40 PUMPING	30/40 TREATMENT		50/80	50/80 T & D	70 CUSTOMER ACCOUNTING		80 GENERAL & ADMIN		OTHER	TOTAL N. FORT MYERS								
						% WATER	% SEWER	% SEWER	% WATER	% SEWER	% WATER	% SEWER	% WATER	% SEWER	% WATER	% SEWER	%	%								
CADD BALOGH	23,962	1,199	25,162	0	25,162	13%	3,274	0	87%	21,908	0	0	0	0	0	0	0	100%	25,162							
DESMOND BAILEY	24,544	1,227	25,771	4,252	30,023	0	0	0	0	0	12%	3,803	0	0	0	0	4%	1,201	16%	4,804						
HENRY BARROSO	19,240	962	20,202	0	20,202	0	0	0	0	0	0	0	0	0	0	0	0	0%	0							
FREDERICK BENTON	22,173	1,109	23,281	0	23,281	0	0	0	0	0	0	21%	4,869	21%	4,869	0	0	0	42%	9,738						
JERRY BIRCHER	12,563	628	13,191	0	13,191	0	0	0	0	0	0	11%	1,451	9%	1,187	0	0	0	20%	2,638						
WILLIAM BROWN	19,906	995	20,901	1,568	22,468	10%	2,247	0	0	0	5%	1,123	0	0	0	0	50%	11,234	65%	14,804						
MIKE BURRE	35,528	1,776	37,304	0	37,304	0	0	0	0	0	0	5%	1,865	4%	1,492	4%	1,492	7%	2,811	20%	7,481	40%	14,922			
DENNIS CARRIKER	25,898	1,295	27,191	1,224	28,414	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0		
WYNNE KEESY-TAGG	16,682	834	17,516	0	17,516	0	0	0	0	0	0	11%	1,927	9%	1,576	0	0	0	0	0	0	0	0	20%	3,503	
MICHAEL CURRIER	26,499	1,325	27,824	5,843	33,667	0	9%	3,030	28%	8,753	0	0	0	0	0	0	0	5%	1,683	40%	13,467					
CHARLES D'ALESSAND	19,969	999	20,968	4,722	25,711	0	0	0	0	0	10%	2,571	1%	257	0	0	0	9%	2,314	20%	5,142					
ANTHONY DVORAK	27,331	1,367	28,698	0	28,698	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
LORINDA E-BERNIER	17,971	899	18,870	0	18,870	0	0	0	0	0	0	11%	2,076	9%	1,898	0	0	10%	1,887	30%	5,661					
GEORGE EDWARDS	24,003	1,200	25,203	2,268	27,472	0	0	0	4%	1,099	0	0	0	0	0	0	0	0	0	0	0	0	0	4%	1,099	
HAROLD FINE	33,987	1,699	35,686	0	35,686	4%	1,427	0	8%	2,141	0	3%	1,071	0	0	0	0	0	0	0	0	0	0	13%	4,838	
DONALD GARGANO	23,920	1,196	25,116	4,898	30,014	0	0	0	0	3%	900	5%	1,501	17%	5,102	10%	3,001	0	0	0	0	0	0	35%	10,505	
MICHAEL GAVIN	26,790	1,340	28,130	4,219	32,349	0	0	0	0	87%	28,144	0	0	0	0	0	0	5%	1,617	92%	29,761					
CHARLES GOULD	26,790	1,340	28,130	844	28,974	2%	579	0	96%	28,394	0	0	0	0	0	0	0	0	0	0	0	0	0	100%	28,974	
LARRY GRIGGS	44,131	2,207	46,338	0	46,338	0	0	0	0	0	0	0	0	0	8%	2,780	9%	3,707	48%	22,242	82%	28,729				
RONNIE GROOMS	16,765	836	17,603	1,320	18,923	0	0	0	0	80%	17,031	0	0	0	0	0	0	0	0	0	0	0	0	0	90%	17,031
MICHAEL HANSINGER	24,482	1,224	25,706	3,470	29,176	0	0	0	0	99%	28,884	0	0	0	0	0	0	1%	292	100%	29,176					
HOANG NGUYEN-MITC	22,709	1,135	23,844	2,146	25,990	0	0	0	0	48%	12,475	0	0	0	0	0	0	0	0	0	0	0	0	48%	12,475	
DEBRA STELLA	20,384	1,019	21,403	0	21,403	0	0	0	0	0	0	11%	2,354	9%	1,926	0	0	10%	2,140	30%	6,421					
KECIA ANGELO	16,702	835	17,536	1,578	19,114	0	0	0	0	0	0	18%	3,059	13%	2,485	0	0	0	0	0	0	0	0	29%	5,544	
BLAINE HORLOCKER	18,242	912	19,154	575	19,728	0	0	0	0	0	13%	2,565	3%	592	3%	592	0	0	0	0	0	0	0	19%	3,748	
CAROLE SEMENCHUK	24,608	1,230	25,837	0	25,837	0	0	0	0	0	0	0	0	0	0	8%	2,067	11%	2,842	33%	8,528	52%	13,435			
DAVID RLIQ	18,387	919	19,307	4,054	23,361	5%	1,168	0	4%	934	4%	934	11%	2,370	0	0	0	0	0	5%	1,168	29%	6,775			
CRAIG JONES/TERM	32,382	1,619	34,001	0	34,001	0	0	0	0	0	0	0	0	0	0	0	0	100%	34,001	100%	34,001					
STEPHEN KENNEDY	24,003	1,200	25,203	3,781	28,984	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
GARY KING	36,620	1,831	38,451	0	38,451	0	0	0	0	0	0	0	0	0	0	0	0	100%	38,451	100%	38,451					
DAVID KNAUS	17,826	891	18,717	6,177	24,893	0	2%	498	61%	15,185	0	0	0	0	0	0	0	0	0	0	0	0	0	63%	15,683	
RICHARD KRAUSE	25,219	1,260	26,479	1,588	28,067	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARK LAMONTAGNE	18,782	939	19,722	3,254	22,976	0	3%	689	26%	6,433	0	0	0	0	0	0	0	0	0	0	0	0	0	31%	7,122	
TIMOTHY LANE	18,678	934	19,612	9,414	29,026	0	0	0	0	0	11%	3,193	3%	871	0	0	0	0	3%	871	17%	4,804				
DI NNIS LANG	23,566	1,178	24,745	3,712	28,456	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CHRISTOPHER BLIVINSI	24,482	1,224	25,706	0	25,706	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
LUIGI MCCARTNEY	20,322	1,016	21,338	3,201	24,538	0	0	0	0	8%	1,472	0	0	0	0	0	0	0	0	0	0	0	0	0	8%	1,472
MICHAEL MCCRUMB	22,298	1,115	23,412	2,458	25,871	0	0	0	0	97%	25,091	0	0	0	0	0	0	3%	778	100%	25,871					
ROBERT MIGDAL	27,664	1,383	29,047	3,050	32,097	0	0	0	7%	2,247	4%	1,284	0	0	0	0	0	88%	21,826	79%	25,357					
MARY MILLER	19,531	977	20,508	0	20,508	0	0	0	0	0	0	11%	2,256	9%	1,848	0	0	10%	2,051	30%	6,152					
BRIAN O'REILLY	17,722	886	18,608	0	18,608	20%	3,722	0	80%	14,886	0	0	0	0	0	0	0	0	0	0	0	0	0	100%	18,608	
WILLIAM PETERSON	18,785	838	19,623	2,376	21,999	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SUSANNE GETTLER	31,399	1,570	32,969	0	32,969	0	2%	659	0	43%	14,177	0	0	0	0	0	0	2%	659	47%	15,495					
GERRY RANTS	26,042	1,302	27,344	3,691	31,035	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
MARY MCCORMIC	21,507	1,075	22,583	0	22,583	0	0	0	0	0	0	0	0	0	0	0	0	100%	22,583	100%	22,583					
MICHAEL RUBY	16,931	847	17,778	0	17,778	0	0	0	0	0	0	7%	1,244	6%	1,087	0	0	0	0	0	0	0	0	13%	2,311	
VERNA RUSSELL	26,514	1,326	27,840	0	27,840	0	0	0	0	0	0	5%	1,392	4%	1,114	4%	1,114	7%	1,949	20%	5,568	40%	11,136			
JOSEPH SCHROEDER	25,875	1,294	27,169	408	27,576	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
CLORA SLUSHER	20,738	1,037	21,774	0	21,774	0	0	0	0	0	0	11%	2,395	9%	1,960	0	0	10%	2,177	30%	6,532					
GREGOR STJOHN	23,774	1,189	24,963	1,872	26,835	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SAL STELLA	22,048	1,102	23,150	1,736	24,887	5%	1,244	0	0	0	19%	3,733	0	0	0	0	0	80%	14,932	80%	19,909					

00020

NORTH FORT MYERS CONT'D

NAME	1994 BASE RATE	% INC. 1994 BASE RATE	1995 ANNUAL BASE	OVER TIME	1995 TOTAL PAYROLL	10/20 SOURCE OF SUPPLY & SEWER COLLECTION		30/40 PUMPING	30/40 TREATMENT		50/80	50/80 T & D	80 70 CUSTOMER ACCOUNTING		80 GENERAL & ADMIN		OTHER	TOTAL N. FORT MYERS					
						% WATER	% SEWER	% SEWER	% WATER	% SEWER	% WATER	% WATER	% SEWER	% WATER	% SEWER	%	%						
DWAYNE TAGG	19,739	987	20,726	4,352	25,079	0	0	0	0	0	0	8%	2,008	2%	502	0	0	0	8%	2,008	18%	4,514	
ERIC TOPOLE	17,389	868	18,256	3,560	21,619	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0	
GARY WATERS	20,322	1,016	21,338	2,661	24,218	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0	
WILLIAM WRIGHTMAN	26,354	1,318	27,671	0	27,671	24%	6641	0	0	76%	21,030	0	0	0	0	0	0	0	0	0	100%	27,671	
JAMES WELLS	17,950	898	18,848	565	19,413	0	0	17%	3,300	0	0	0	0	0	0	0	0	0	0	0	17%	3,300	
MICHAEL WILSON	18,678	934	19,612	588	20,201	9%	1818	0	0	18%	3,636	2%	404	0	0	0	0	0	0	0	29%	5,858	
JERRY WUNDERLY	19,594	980	20,573	3,703	24,276	0	0	0	0	0	0	8%	1,942	0	0	0	0	0	2%	486	10%	2,428	
ROGER YTTERBERG	58,000	2,900	60,900	0	60,900	0	0	0	0	0	0	0	0	0	0	8%	3,854	8%	4,872	48%	29,232	82%	37,758
TIMOTHY ZRADICKA	17,618	881	18,499	2,220	20,718	0	0	0	5%	1,036	13%	2,693	0	0	0	0	0	0	0	18%	3,315	34%	7,044
RITCHIE/VACANT	22,298	1,115	23,412	1,405	24,617	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0	
DIVISION TOTAL	1,432,622	71,841	1,504,463	108,975	1,613,438	22,120	4,217	35,266	96,213	136,228	23,308	32,232	24,833	11,187	18,981	240,700	642,206						
USE						22	4	35	96	136	24	32	25	11	18	241	642						

00021

FLORIDA CITIES WATER COMPANY

LEE COUNTY DIVISION

Wastewater Treatment Facilities Operators
(North & South Ft. Myers)

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>CERTIFICATION</u>	<u>VEH. DESCRIPTION</u>
Susanne Gettler	WW Superintendent	A	'93 Ford Truck
George Edwards	WWTP Operator	B	-
Ronnie Grooms	WWTP Opr Trainee	-	-
Mike Hansinger	WWTP Operator	B	-
Steve Kennedy	WWTP Operator	B	-
Dennis Lang	WWTP Operator	B	-
Eugene McCartney	WWTP Operator	C	-
Mike McCrumb	WWTP Operator	C	-
William Petersen	WWTP Opr Trainee	-	-
Gregor St. John	WWTP Operator	A	-

00022

FLORIDA CITIES WATER COMPANY

LEE COUNTY DIVISION

**Wastewater Collection & Pumping/Lift Station Operators
(North & South Ft. Myers)**

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>CERTIFICATION</u>	<u>VEH. DESCRIPTION</u>
Mike Currier	Collections Foreman	BFPD Tech	'91 Ranger
David Knaus	Lift Station Opr		'90 Ranger
Mark Lamontagne	Lift Station Opr	WW Coll	'91 F-350
James R. Wells	Lift Station Opr		'90 Ranger

00023

FLORIDA CITIES WATER COMPANY

LEE COUNTY DIVISION

Distribution & Construction System Personnel
(North & South Ft. Myers)

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>CERTIFICATION</u>	<u>VEH. DESCRIPTION</u>
Desmond Bailey	Distr Foreman	C Wtr Distr Tech	'91 Ford Ranger
Chas. D'Alessandro	Distr/Constr	BFPD Tech	-
Tim Lane	Distr/Constr	-	'91 Ford F-350
DeWayne Tagg	Distr/Constr	--	'91 Ford F-350
Jerry Wunderly	FH/Vlv Mte	--	'94 Ford F-150

00024

FLORIDA CITIES WATER COMPANY

LEE COUNTY DIVISION

**General Maintenance
(North & South Ft. Myers)**

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>CERTIFICATION</u>	<u>VEH. DESCRIPTION</u>
Robert Migdal	Instrumentation Specialist	-	'91 Aero Van
Tim Zradicka	Instrumentation Technician	-	'90 Ranger
David Illig	Industrial Electrician	-	'93 Aero Van
Ashley Wedeles	Maint Mech	-	'93 Ford F-350

00025

FLORIDA CITIES WATER COMPANY

LEE COUNTY DIVISION

Engineering
(North & South Ft. Myers)

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>CERTIFICATION</u>	<u>VEH. DESCRIPTION</u>
Gary King	Regional Engineer	-	'93 Chevy S-10 Blazer
Bill Brown	Inspector	-	'93 Ranger
Sal Stella	Inspector	C Wtr Distr Tech	'94 Ranger
Mary McCormic	Audocad Operator	-	-

00026

FLORIDA CITIES WATER COMPANY

LEE COUNTY DIVISION

Service

<u>EMPLOYEE</u>	<u>POSITION</u>	<u>CERTIFICATION</u>	<u>VEH. DESCRIPTION</u>
Mike Burres	Field Service Supr		'91 Ranger
Kecia Angelo	Meter Reader		'91 Ranger
Fred Benton	Service Man		'91 Ranger
Don Gargano	Service Main		'91 Ranger
Mike Ruby	Meter Reader		'91 Ranger
Wynne Tagg	Meter Reader		'91 Ranger

00027

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: WASTEWATER SUPERINTENDENT
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO: Regional Manager
DATE PREPARED: July 2, 1991
APPROVED BY: A. A. Reeves III
ANALYST: J. A. Reeves

FOR HR USE ONLY:

Salary Grade: 17E
Classification: EXEMPT

POSITION SUMMARY:

Plan, direct and control the operation and maintenance of the wastewater treatment and collection system.

WASTEWATER SUPERINTENDENT
Florida Cities Water Company
Lee County, Florida
page 2

DIMENSIONS:

Has an operating budget of \$3,145,000 and an annual payroll of \$281,640.00.
Customer base is 7,391. Incumbent directly supervises 11 employees and has indirect supervision over -- employees.

NATURE AND SCOPE:

This position reports to the Regional Manager as well as the Operations Manager.

The incumbent's principal challenge is to insure that all treatment operational decisions are performed with a high level of competency, efficiency and expediency in accordance with applicable laws, policies and procedures of the Company.

The incumbent has decision-making authority within a policy framework established by the Executive Vice President. The incumbent keeps the Regional Manager and Operations Manager apprised of progress and problems via periodic reports and informal discussions.

To fulfill the requirements of this position, the incumbent should have an advanced license in wastewater treatment with 10 years experience in wastewater treatment, 3 years in management. Must possess the ability to deal with people of varied backgrounds. Must also possess a thorough knowledge of the equipment, technology and troubleshooting techniques.

PRINCIPAL ACCOUNTABILITIES:

1. Plan, coordinate and direct the operation of two wastewater systems in separate areas of Lee County.
2. Assist in planning of maintenance and operational problem solving.
3. Assist in the preparation of budget, public service commission report, bid packages and purchasing.
4. Participate in engineering planning, testing, and data collection.
5. Keep current of latest demands of regulatory authorities.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE:	CREWMAN / FIELD UTILITY WORKER/SERVICEMAN/CONSTRUCTION CREW
INCUMBENT:	Vacant
SUBSIDIARY:	Florida Cities Water Company
OFFICE/DIVISION:	Lee County
WORK LOCATION:	Lee County
REPORTS TO (TITLE):	Construction Foreman
DATE PREPARED:	September 8, 1992
APPROVED BY:	Larry E. Griggs
ANALYST:	J. Reeves

FOR HR USE ONLY

Salary Grade:	8-N
Classification:	Non-Exempt

POSITION SUMMARY:

Performs operations and maintenance of water and/or wastewater systems on a daily basis. Maintain a high standard of operations to insure a safe and dependable quality service to our Customers.

REPRESENTATIVE MAJOR DUTIES:

1. **May connect or disconnect service to customer residence/establishment.**
2. **Inspects meters, valves and pipes to detect defects, often using testing equipment.**
3. **Install or replace meters, water/wastewater mains/services.**
4. **May investigate customer complaints and collect delinquent accounts.**
5. **Perform line locations.**
6. **May perform maintenance of mains/service and appurtenances.**
7. **May operate heavy equipment.**
8. **Complete forms necessary for recordkeeping.**
9. **Other duties as assigned.**

GENERAL COMMENTS:

Must have good knowledge of water/wastewater systems and all phases of operations. This position requires some hard physical labor, knowledge of the pumping stations and lift stations.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: FIELD SUPERVISOR / SERVICE FOREMAN/
CONSTRUCTION FOREMAN

INCUMBENT:

SUBSIDIARY: Florida Cities Water Company

OFFICE/DIVISION: Lee County

WORK LOCATION: Ft. Myers, Florida

REPORTS TO (TITLE): Divison Manager

DATE PREPARED: August 23, 1990

APPROVED BY: C. B. Williamson

ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:

Classification: Non-Exempt

POSITION SUMMARY:

Directs and coordinates activities of workers engaged in the operation and maintenance of water and/or wastewater systems outside of plants. Maintains a high standard of operations to insure a safe and dependable quality of service to our customers.

FIELD SUPERVISOR
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. May perform same functions as field technicians/serviceman/construction crew and well as direct and coordinate activities.
2. Oversee the installation/testing of crossconnection/backflow prevention devices.
3. Review construction blueprints for accuracy.
4. May inspect new water/wastewater lines.
5. May conduct safety meetings.
6. Prepare purchase orders, approve some bills.
7. May coordinate vacations/days off for crew.
8. Coordinate pager duty.

GENERAL COMMENTS:

This position requires thorough knowledge of water/wastewater system, and the ability to troubleshoot any problems that may occur. Must have knowledge of all locations of services and appurtenances. Must possess that tact to maintain employee morale and safety working conditions under a wide variety of difficult working conditions.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: METER READER
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): Office Manager
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Checks and records number of gallons consumed by customers through automated meter reading system, which results in a statement issued by the Company.

METER READER
Florida Cities Water Company
Ft. Myers, FL
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Checks and records gallons consumed by customers for billing purposes.
2. Inspects meters and connections for defects, damage, unauthorized connections and cross connections.
3. May replace damaged meters, boxes or lids, as necessary.
4. May turn service off for non-payment of charges.
5. May collect payments for delinquent accounts.
6. Other duties as assigned.

GENERAL COMMENTS:

This position requires basic knowledge of mathematics and computer skills. It is closely supervised to insure a strict meter reading schedule is maintained.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: INSPECTOR
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): Division Engineer
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Inspect to insure construction projects are built according to company engineering plans and specifications.

INSPECTOR
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Make sure that water/wastewater lines are installed according to Company specifications.
2. May make line locations for contractors.
3. Maintains daily logs for larger projects.
4. Acts as the liaison between contractors and engineers.
5. Inspects all materials before installation.
6. Other duties as assigned.

GENERAL COMMENTS:

Must have basic knowledge of construction and extensive knowledge of Company specifications. Must have good communication skills and tact to deal with contractors. High school education required.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: WWTP TREATMENT PLANT OPERATOR TRAINEE/
WASTEWATER

INCUMBENT:

SUBSIDIARY: Florida Cities Water Company

OFFICE/DIVISION: Lee County

WORK LOCATION: Ft. Myers, Florida

REPORTS TO (TITLE): Lead Operator

DATE PREPARED: August 28, 1990

APPROVED BY: C. B. Williamson

ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:

Classification: Non-Exempt

POSITION SUMMARY:

Perform routine tasks of daily plant and system operations and maintenance.

This facility requires, as a minimum, a "C" license. (Level I)

WWTP TREATMENT PLANT OPERATOR TRAINEE
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Provide routine testing, monitoring and maintenance of production wells.
2. Assist with the treatment processes and maintenance of the treatment facilities equipment to assure proper operations of filtering and chlorinating equipment.
3. Conducts lab tests on water quality.
4. Compiles data on flushing or hydrants and chemical use and keeps records on equipment and plant operations set forth by Company guidelines.
5. Using automated meter reading device, may read and record customer water consumption.
6. May disconnect service to customers for non-payment of charges.
7. May turn on/off service per customer request.
8. May respond as needed to customer inquiries and/or concerns.
9. May clean and maintain treatment plant grounds as necessary.
10. Other duties as assigned.

GENERAL COMMENTS:

A high school diploma or equivalent is necessary. Incumbent must acquire minimum certification in accordance with State regulations within a two-year period after hire. Some hazardous materials may be encountered in the working environment. May be required to lift heavy objects.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: WWTP PLANT OPERATOR, LEVEL II
Wastewater "C"

INCUMBENT:

SUBSIDIARY: Florida Cities Water Company

OFFICE/DIVISION: Lee County

WORK LOCATION: Ft. Myers, Florida (Waterway Estates)

REPORTS TO (TITLE): Lead Operator

DATE PREPARED: August 23, 1990

APPROVED BY: C. B. Williamson

ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:

Classification: Non-Exempt

POSITION SUMMARY:

Operates & maintains equipment for treatment of water and/or wastewater. Provide guidance & assistance to Trainee.

This facility requires, as a minimum, a "C" license. (Level I)

WWTP PLANT OPERATOR, LEVEL II
Florida Cities Water Company
Ft. Myers, FL
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Provides routine testing, monitoring and maintenance of production wells.
2. Perform treatment processes and maintenance of treatment facilities equipment to assure proper operations.
3. Conducts routine sampling and testing.
4. Compiles data for chemical use and keeps records on equipment and plant operations set fourth by company guidelines.
5. May engage in the emergency repair & maintenance of treatment equipment, pumps, motors, sensing devises, instrumentation & electrical equipment.
6. May be subject to service watch/call duty.
7. May be responsible for providing customer service.
8. May clean and maintain treatment plant grounds as necessary.
9. Other duties as assigned.

GENERAL COMMENTS:

The incumbent must have a high school diploma and have the minimum operator's certificate in treatment appropriate to the particular facility as require by regulatory agencies. Extensive knowledge of treatment and operations is necessary. Some hazardous materials are encountered in the working environment and may be required to lift heavy equipment.

00041

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: WWTP PLANT OPERATOR, LEVEL II
Wastewater "B"

INCUMBENT:

SUBSIDIARY: Florida Cities Water Company

OFFICE/DIVISION: Lee County

WORK LOCATION: Ft. Myers, Florida (Fiesta Village)

REPORTS TO (TITLE): Lead Operator

DATE PREPARED: August 23, 1990

APPROVED BY: C. B. Williamson

ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:

Classification: Non-Exempt

POSITION SUMMARY:

Operates & maintains equipment for treatment of water and/or wastewater. Provide guidance & assistance to Trainee.

This facility requires, as a minimum, a "C" license. (Level I)

WWTP PLANT OPERATOR, LEVEL II
Florida Cities Water Company
Ft. Myers, FL
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Provides routine testing, monitoring and maintenance of production wells.
2. Perform treatment processes and maintenance of treatment facilities equipment to assure proper operations.
3. Conducts routine sampling and testing.
4. Compiles data for chemical use and keeps records on equipment and plant operations set fourth by company guidelines.
5. May engage in the emergency repair & maintenance of treatment equipment, pumps, motors, sensing devises, instrumentation & electrical equipment.
6. May be subject to service watch/call duty.
7. May be responsible for providing customer service.
8. May clean and maintain treatment plant grounds as necessary.
9. Other duties as assigned.

GENERAL COMMENTS:

The incumbent must have a high school diploma and have the minimum operator's certificate in treatment appropriate to the particular facility as require by regulatory agencies. Extensive knowledge of treatment and operations is necessary. Some hazardous materials are encountered in the working environment and may be required to lift heavy equipment.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

EXAMPLE.

POSITION TITLE: WTP PLANT OPERATOR
INCUMBENT: Frank Camillo III
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Barefoot Bay Division
WORK LOCATION: Barefoot Bay, Florida
REPORTS TO (TITLE): Lead Operator
DATE PREPARED: July 13, 1994
APPROVED BY: W. Sansbury
ANALYST: M. B. Lowry

FOR HR USE ONLY

Salary Grade: 10N
Classification: Non-Exempt

POSITION SUMMARY:

Operates & maintains equipment for treatment of water and/or wastewater. Provide guidance & assistance to Trainee.

This facility requires, as a minimum, a "C" license. (Level I)

WTP PLANT OPERATOR
Florida Cities Water Company
Barefoot Bay, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Provides routine testing, monitoring and maintenance of production wells.
2. Perform treatment process and maintenance of treatment facilities equipment to assure proper operations.
3. Conducts routine sampling and testing.
4. Compiles data for chemical use and keeps records on equipment and plant operations set forth by company guidelines.
5. May engage in the emergency repair & maintenance of treatment equipment, pumps, motors, sensing devices, instrumentation & electrical equipment.
6. May be subject to service watch/call duty.
7. May be responsible for providing customer service.
8. May clean and maintain treatment plant grounds as necessary.
9. Other duties as assigned.

GENERAL COMMENTS:

The incumbent must have a high school diploma and have the minimum operator's certificate in treatment appropriate to the particular facility as required by regulatory agencies. Extensive knowledge of treatment and operations is necessary. Some hazardous materials are encountered in the working environment and may be required to lift heavy equipment.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: LAB TECHNICIAN
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): W/WW Superintendent
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Collect analyze and reduce data from analyses of water/wastewater samples according to EPA approved methodology and report results for efficient plant operation.

LAB TECHNICIAN/CHEMIST
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Perform tests and analysis on water samples using routine/standardized procedures.
2. Promptly reports questionable test results.
3. May lead operators.
4. Manage quality assurance program.
5. Maintains proper care and upkeep of laboratory equipment.
6. Other duties as assigned.
7. Maintains lab records, submits timely, accurate reports of analysis.

GENERAL COMMENTS:

Incumbent requires Bachelor of Science in the chemical, physical or biological sciences. Six months experience required.

00047

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: INDUSTRIAL ELECTRICIAN
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): w/ww Superintendent
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williams
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Perform electrical maintenance on the water/wastewater systems. Suggest improvements that might be made in the system.

INDUSTRIAL ELECTRICIAN
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Perform electrical maintenance of the following:
 - a. Electronic & telemetry systems;
 - b. Booster Stations, pumps, motors & controls;
 - c. Wellfield pumps, motors & controls.
2. Select and order necessary parts and keep inventory.
3. Perform mechanics duties on various equipment in the water/wastewater treatment plants.
4. Other duties as assigned.

GENERAL COMMENTS:

High school education or equivalent required with some course in electrical controls. Six month on-the-job training is necessary proficiency.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: LIFT STATION OPERATOR/MECHANIC
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): Lift Station Supervisor
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

To make sure sewage collection system runs smoothly. Routinely inspect and observe functions of lift stations. Report any major malfunctions to supervisor.

LIFT STATION OPERATOR/MECHANIC
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Check wet wells, manholes, valves, pumps, float balls, all components of panel.
2. May perform lawn and grounds maintenance.
3. Read and log pump hours.
4. Troubleshoot and repair electrical panels and pumps.
5. Clean wet wells of grease and any foreign objects.
6. Perform insect control.
7. May paint and repair wetwells.
8. Repair mechanical parts, valves, flanges using handtools.
9. May aid field crew and operators as necessary.
10. Maintain maintenance records and reports.
11. Other duties as assigned.

GENERAL COMMENTS:

The incumbent works under general supervision and refers non-routine items to supervisor for disposition.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: ELECTRONIC TECHNICIAN
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): Superintendent
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Maintains all division's instrumentation. Repairs electronic instrumentation radio equipment and computer systems.

ELECTRONIC TECHNICIAN
Florida Cities Water Company
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Install, maintain and repair all instrumentation.
2. Design, modify and troubleshoot software.
3. Troubleshoot, install, repair hardware.
4. Modify, troubleshoot and operate computerized control systems.
5. Repair, calibrate and troubleshoot radio networks.
6. Other duties as assigned.
7. Keeps daily log of work performed.

GENERAL COMMENTS:

High School and technical school, with some course work in electrical engineering, working experience and operation of water supply and transmission.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: LIFT STATION SUPERVISOR
INCUMBENT: John Parramore
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): W/WW Superintendent
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Coordinate activities of workers engaged in lift station operations. To ensure sewage system runs smoothly.

LIFT STATION SUPERVISOR
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Directs lift station operators/mechanics as necessary.
2. Maintain maintenance records and reports.
3. Ensures the execution of assignments by troubleshooting problem areas.
4. Other duties as assigned.

GENERAL COMMENTS:

This is a working leader position. A high level of skill is required in the operation of the lifts to guide and train the lift station operators.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: CAD (COMPUTER ASSISTED DESIGN)
OPERATOR/ENGINEERING TECHNICIAN

INCUMBENT:

SUBSIDIARY: POINCIANA UTILITIES INC.

OFFICE/DIVISION: POINCIANA UTILITIES INC.

WORK LOCATION: POINCIANA, FLORIDA

REPORTS TO (TITLE): REGIONAL MANAGER, DIVISION ENGINEER

DATE PREPARED: September 3, 1991

APPROVED BY: L: Good

ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade: 10N

Classification: Non-Exempt

POSITION SUMMARY:

Compiles, generates and maintains distribution maps on new and existing drawings for distribution and facilities. Examines documents, such as blueprints, drawings, and specifications to verify changes to existing maps. Communicates with document originators or engineer to resolve discrepancies and implements required changes.

CAD OPERATOR

Florida Cities Water Company

Sarasota, Florida

Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Works closely with engineering department through discussions, written instruction, or preliminary drawings to develop design concept and prepare drawings.
2. Frequent contact with Division Manager , office and field personnel in reproduction of documents as well as making revisions to existing drawings or special project requests.
3. Utilizes CAD.
4. Updates and keeps existing drawings organized and filed.
5. May research records at outside agencies.
6. Other duties as assigned.

GENERAL COMMENTS:

The incumbent should possess a high school diploma, basic knowledge of mechanical and architectural drafting through technical school or college and have general knowledge of automated equipment. This position requires minimal supervision.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: Collection Systems Foreman
INCUMBENT: Vacant
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Lee County
REPORTS TO (TITLE): Maintenance Superintendent/Division Manager
DATE PREPARED: February 5, 1992
APPROVED BY:
ANALYST:

FOR HR USE ONLY

Salary Grade:

Classification: Non-Exempt

POSITION SUMMARY:

Provides technical support and field management/supervision as Collections Systems foreman. Coordinates activities of collection system operation/maintenance support staff.

Facilities: 101 wastewater lift/pumping stations, 4000,000+ LF of collection/interceptor mains, 160,000 LF force mains and 1,400+ manholes serving over 15,000 customers.

00058

COLLECTION SYSTEMS FOREMAN
Florida Cities Water Company
Lee County, FL
Page 2

DIMENSIONS

Oversees maintenance and repair of collection systems and wastewater lift/pumping systems. Supervises three (3) collection system operation/maintenance staff positions.

REPRESENTATIVE MAJOR DUTIES AND ACCOUNTABILITIES:

1. Plans and organizes routine operational and preventative maintenance programs and procedures including major maintenance of all wastewater collection and pumping facilities.
2. Provides field supervision and manages emergency operation/maintenance response with respect to collection systems.
3. Updates maintenance superintendent/division management daily on status of staff activities.
4. Produces purchase requisitions and other documents required for operation/maintenance of collection system.
5. Provides for the training of collection system personnel.
6. Schedules personnel to insure proper staffing.
7. Performs other duties as assigned.

GENERAL COMMENTS:

This is a working leader position requiring high levels of operating abilities to guide and direct a staff that interacts throughout the division's wastewater collection and pumping systems.

The position requires technical (specialized course training) knowledge and at least 3 years experience in electrical controls and mechanical pumping systems, operation of portable electric power generator systems and operation/maintenance of gravity wastewater collection systems.

Additionally, experience in reading of electrical/mechanical/structural blue prints, contractor shop drawings, employee management and knowledge of company procedures, policies and standards is mandatory.

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AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE:	Field Service Supervisor
INCUMBENT:	
SUBSIDIARY:	Florida Cities Water Company
OFFICE/DIVISION:	Lee County
WORK LOCATION:	Lee County
REPORTS TO (TITLE):	Division Manager
DATE PREPARED:	August 3, 1992
APPROVED BY:	Larry E. Griggs
ANALYST:	J. Reeves

FOR HR USE ONLY

Salary Grade:	15-E
Classification:	Non-Exempt

POSITION SUMMARY:

Provides technical support and field management supervision of field service and meter reading personnel on a daily basis. Maintains a high standard of operations to insure dependable customer field service and accurate meter reading.

00060

REPRESENTATIVE MAJOR DUTIES:

1. Plan and organize meter reading/meter reading routes on a timely basis.
2. Provide training and field supervision for meter readers and field service personnel.
3. Schedule daily work load for field service personnel.
4. Conduct field checks for problems with meter readings, broken boxes, etc.
5. Assign and route new meter installations. Create new account numbers for billings.
6. Monitor all accounts for correct billing codes.
7. Provide oversight for vehicle maintenance and safety monitoring.
8. Order new and replacement meters for domestic use.
9. Schedule meter change outs to meet regulatory requirement.
10. Maintain and order new and replacement parts for meter sets, transmission and distribution system, collection system. Provide monthly requisition of store keeper reports and monthly chemical usage inventory for four (4) treatment facilities.
11. Other duties as assigned.

GENERAL COMMENTS:

This is a working leader position requiring knowledge of the entire system as well as with new developments in the area. This position requires some ability in reading new development plans and blue prints, employee management skills and knowledge of Company procedures, policies and standards.

Supervises six (6) field service/meter reading personnel.

AVATAR UTILITIES INC.

POSITION DESCRIPTION

POSITION TITLE: WATER DEPT. MAINTENANCE
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: Lee County
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): Water/Wastewater Superintendent
DATE PREPARED: August 23, 1990
APPROVED BY: C. B. Williamson
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: Non-Exempt

POSITION SUMMARY:

Perform mechanical maintenance in the treatment system, booster pumping station and wellfields.

WATER DEPT. MAINTENANCE
Florida Cities Water Company
Ft. Myers, Florida
Page 2

REPRESENTATIVE MAJOR DUTIES:

1. Perform preventative maintenance at water treatment plants.
2. Make mechanical repairs as needed.
3. Maintain logs, reports and files as needed.
4. Order and store spare parts.
5. Clean and maintain workshop.
6. Other duties as assigned.

GENERAL COMMENTS:

High school education or equivalent desirable with mechanical ability. Two months on the job training is necessary to learn locations and types of equipment.

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AVATAR UTILITIES INC.

7.92

POSITION DESCRIPTION

POSITION TITLE: REGIONAL ENGINEER
INCUMBENT:
SUBSIDIARY: Florida Cities Water Company
OFFICE/DIVISION: South Florida Region
WORK LOCATION: Ft. Myers, Florida
REPORTS TO (TITLE): Regional Manager
DATE PREPARED: June 30, 1992
APPROVED BY:
ANALYST: J. Reeves

FOR HR USE ONLY

Salary Grade:
Classification: EXEMPT

POSITION PURPOSE:

Manage the installation of developer projects from inception through permitting, documentation and construction to insure the proper installation of the system(s) and the protection of existing Company facilities.

ENGINEER - DIVISION
Florida Cities Water Company
Lee County, Florida
Page 2

DIMENSIONS:

Administers a construction budget of \$10,550,000. Supervises a total of 5 (4 technical; 1 clerical).

NATURE AND SCOPE:

This position reports to the Regional Manager. The incumbent's principal challenge is to insure that all engineering and operational decisions are made with a high level of competency, efficiency and expediency in accordance with applicable laws, policies and procedures of the Company.

The incumbent has decision-making authority within a policy framework established by the Executive Vice President of FCWC. The incumbent keeps the FCWC Manager of Engineering and Construction fully apprised of progress and problems via periodic reports and informal discussions.

The incumbent has daily contact with all levels of company personnel. Outside the company, the incumbent has frequent contact with engineers, developers, etc., on matters relating to construction projects.

To fulfill the requirements of this position, the incumbent must have a thorough knowledge of engineering as evidenced by a 4-year engineering degree. The qualified candidate will be a registered Florida professional engineer. If not registered in Florida, registration within six months is required. The candidate should have 5-10 years project management, including design and construction experience, and 3-5 years management/supervisory experience in the private water/wastewater industry.

PRINCIPAL ACCOUNTABILITIES:

1. Plans, coordinates and directs construction projects in order to provide efficient, cost-effective facilities that comply with Company and environmental standards.
2. Assist in the formulation and preparation of regional construction plans for efficient operations and to ensure that the needs of the company are met.
3. Plans and supervises the activities of technical support staff including inspectors and drafter/auto cad operator.
4. Coordinate with local and state agencies relating to roadway work affecting the company.
5. Coordinate with local and state agencies relating to permits and permit requirements of all regional water and wastewater facilities.

SECTION - C

VEHICLE LIST

LEE COUNTY
VEHICLES, LICENSED TRAILERS & POWER OPERATED EQUIPMENT

01/18/95

YEAR	MAKE & MODEL	SERIAL NUMBER	WHEELS #	TAG #	MILEAGE	EMPLOYEE	TITLE
					@ 9/93		
1986	Ford F-700	1FDNF707XGVA06309	3AL235*	I1614E	39,793	C. Dallesandro	Const Crew
1989	Ford Ranger	1FTCR10A2KUB78800	3VK859	GDX75D	46,163	J. Wunderly	Construction
1990	Ford Ranger	1FTCR10AOLUB35705	3BT862	HHE85R	46,983	J. Wells	L/S Oper
1990	Ford Ranger	1FTCR10A5LUB35702	3BT859	HHE88R	28,365	M. Gavin	Asst Div Eng
1990	Ford F-150	1FTEF15Y7LNA81899	3BT863	HHE39X	65,461	S. Stella	Inspector
1990	Ford F-150,4x4	1FTEF14YXLNA95278	3BW675	HWG46B	27,447	D. Carriker	WTP Oper "B"
1990	Ford Ranger	1FTCR10A9LUB35704	3BT861	HHE84R	42,916	D. Knaus	L/S oper
1991	Ford F-350 boom	1FDKF37H8MKA81890	3K4848	IXN31A	17,136	M. McCrumb	L/S Vehicle
1991	Ford F-350	1FDHF37Y9MKA81889	3K4847*	H7235N	62,721	T. Lane	Const Crew
1991	Ford F-350	1FDHF37Y7MKA81888	3K4845	IXN45A	45,988	D. Tagg	Const/Field
1991	Ford Ranger	1FTCR10A4MUDO1211	3DH125	IXM28L	42,659	D. Bailey	Const Foreman
1991	Ford Ranger	1FTCR10A2MUDO1210	3DH124	IXM27L	46,745	W. Tagg	Meter Reader
1991	Ford Ranger	1FTCR10A2MUC94274	3DH123	IXM25L	49,541	K. Angelo	Meter Reader
1991	Ford Ranger	1FTCR10AOMUC94273	3DH092	IXM26L	48,289	F. Benton	Serviceman
1991	Ford Ranger	1FTCR10A8MUC91573	3DH091	IXM24L	50,600	M. Currier	L. S. Foreman
1991	Ford Ranger*	1FTCR10A6MUC91569	3DG938	JAM33Y	34,359	M. Burres	Service Mgr.
1991	Chev Cavalier	1G1JC54G1M7215912	3DH032	NID31Z	33,554	L. Griggs	Div. Mgr.
1991	Ford Cargo Van	1FTCA14U7MZA84963	3DG943	ILL94E	30,733	R. Migdal	Elect Tech
1993	Ford Ranger	1FTCR10A2NUC90663	3HW365	JVL06N	20,500	Burres	
1992	Ford Ranger	1FTCR10A6NUC80637	3GB345	IRQ20L	8,500	D. Lang	WWTP Operator
1992	Ford Ranger	1FTCR10A4NUC90664	3GB343	IRQ67U	31,305	C. Rants	WTP Operator
1992	Ford Ranger	1FTBR10A4NUC80636	3GB344	IRQ21L	22,781	M. Lamontagne	L/S Operator
1992	Ford F350 C&C	2RDKF37H9NCA74646	3GB746	19620H	17,644	T. Zradika	Maintenance
1992	Ford Ranger	1FTCR10A0NUC90662*	3GB340	KNT99T	35,840	D. Gargano	Serviceman
1993	Chev Blazer	1GNCT18W1PO151708	3HG569	NFV11F	9,911	G. King	Div. Engineer
1993	Chev Blazer	1GNCT18W6P0151445	3HG568	NFV10F	11,220	H. Fine	WTP
1993	Chev Lumina	2G1WL54T9P1134578	3HG263	LGB78G	9,911	R. Ytterberg	Reg. Manager
1993	Ford Ranger	1FTCR10A2PUC31485	NFR90M	3HG303	16,368	B. Brown	Inspector
1993	Ford Ranger	1FTCR10AOPUC31484	3HG302	NFR89M	9,374	Gould	WTP Operator
1993	Ford Aero Van	1FTCA14UOPZB89297	3HW218	NFW84Z	19,953	D. Illig	Ind. Electrician

00060

LEE COUNTY

01/18/95

VEHICLES, LICENSED TRAILERS & POWER OPERATED EQUIPMENT

VEHICLES

YEAR	MAKE & MODEL	SERIAL NUMBER	WHEELS #	TAG #	MILEAGE	EMPLOYEE	TITLE
					@ 9/93		
1993	Ford 350 C & C	1FDKF37HOPNB12858	3HW630	PAK17E	2,505	M. Wilson	Maint. Mechanic
1993	Ford Ranger	1FTCR10AGPUD65559	3HW763		303	C. Jones	Asst. Div. Eng
1993	Ford Ranger	1FTCR10A2PUD65560	3HW765		303	S. Gettler	W.W.T.P. Super
1994	Ford F-150	1FTEF15Y1RNB04280	3JW590	HHE39X		J. Wunderly	
1994	Ford Ranger	1FTCR10A3RTA47116	3JW595	HHE87R		Bircher	
1994	Ford Ranger	1FTCR10A0RTA47851	3JW596	GDX75D		S. Stella	
1994	Ford Ranger	1FTCR10A7LUB35703	3JW597	HHE86R		M. Ruby	

LICENSED TRAILERS

1986	Int. Backhoe Trailer	IJK0BS301GA090171		CC057L		None Assigned	Const/Field
	Utility Trainer			CG327L		None Assigned	Const/Field
1981	Generator	C200L10B3006568		CG328L		None Assigned	
	Backhoe Trler		?3SM846	CG330L		None Assigned	

020070

NORTH FORT MYERS

TRANSPORTATION WORKPAPER
1995 OPERATING BUDGET

EMPLOYEE	TOTAL TRANS	10/20 SOURCE OF SUPPLY & SEWER COLLECTION		30/40 PUMPING		30/40 TREATMENT		50/60	50/60	70 CUSTOMER ACCOUNTING		80 GENERAL & ADMIN		OTHER	TOTAL N. FORT MYERS						
		% WATER	% SEWER	% SEWER	% WATER	% SEWER	% WATER	% WATER	% SEWER	% WATER	% SEWER	%									
DESMOND BAILEY	6,600	0	0	0	0	0	0	12%	792	0	0	0	0	4%	264	16%	1,056				
FREDERICK BENTON	6,600	0	0	0	0	0	0	0	0	21%	1,368	21%	1,368	0	0	42%	2,736				
JERRY BIRCHER	6,600	0	0	0	0	0	0	0	0	11%	726	9%	594	0	0	20%	1,320				
WILLIAM BROWN	6,600	10%	660	0	0	0	0	5%	330	0	0	0	0	50%	3,300	65%	4,290				
MICHAEL BURRESS	6,600	0	0	0	0	0	0	0	0	5%	330	4%	264	4%	264	7%	462	20%	1,320	40%	2,640
DENNIS CARRIKER	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0
WYNNE KEESY-TAGG	6,600	0	0	0	0	0	0	0	0	11%	726	9%	594	0	0	0	0	0	0	20%	1,320
MICHAEL CURRIER	6,600	0	9%	594	28%	1,718	0	0	0	0	0	0	0	0	0	5%	330	40%	2,640		
C D'ALESSANDRO	13,200	0	0	0	0	0	0	10%	1,320	1%	132	0	0	0	0	9%	1,188	20%	2,640		
HAROLD FINE	6,600	4%	264	0	0	6%	396	0	3%	198	0	0	0	0	0	0	0	0	13%	858	
DONALD GARGANO	6,600	0	0	0	0	0	3%	198	5%	330	17%	1,122	10%	660	0	0	0	0	35%	2,310	
MIKE GAVIN	6,600	0	0	0	0	0	0	87%	5,742	0	0	0	0	0	0	5%	330	92%	6,072		
SUSANNE GETTLER	6,600	0	0	2%	132	0	43%	2,838	0	0	0	0	0	0	2%	132	47%	3,102			
CHARLES GOULD	6,600	2%	132	0	0	98%	6,468	0	0	0	0	0	0	0	0	0	0	0	100%	6,600	
LARRY GRIGGS	6,600	0	0	0	0	0	0	0	0	0	0	0	6%	396	8%	528	48%	3,168	62%	4,092	
KECIA ANGELO	6,600	0	0	0	0	0	0	0	0	18%	1,056	13%	858	0	0	0	0	29%	1,914		
DAVID ILLIG	6,600	5%	330	0	4%	264	4%	264	11%	726	0	0	0	0	5%	330	29%	1,914			
CRAIG JONES	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	100%	6,600	100%	6,600			
GARY KING	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	100%	6,600	100%	6,600			
DAVID KNAUS	6,600	0	2%	132	61%	4,026	0	0	0	0	0	0	0	0	0	0	0	63%	4,158		
DENNIS LANG	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0
MARK LAMONTAGNE	6,600	0	3%	198	28%	1,848	0	0	0	0	0	0	0	0	0	0	0	0	31%	2,046	
TIMOTHY LANE	6,600	0	0	0	0	0	0	11%	726	3%	198	0	0	0	3%	198	17%	1,122			
MICHAEL MCCRUMB	6,600	0	0	0	0	97%	6,402	0	0	0	0	0	0	0	3%	198	100%	6,600			
ROBERT MIGDAL	6,600	0	0	0	7%	462	4%	264	0	0	0	0	0	0	68%	4,488	79%	5,214			
GERRY RANTS	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0
MICHAEL RUBY	6,600	0	0	0	0	0	0	0	0	7%	462	6%	396	0	0	0	0	13%	858		
SALVATORE STELLA	6,600	5%	330	0	0	0	0	15%	990	0	0	0	0	0	60%	3,960	80%	5,280			
DEWAYNE TAGG	6,600	0	0	0	0	0	0	8%	528	2%	132	0	0	0	8%	528	18%	1,188			
JAMES WELLS	6,600	0	0	17%	1,122	0	0	0	0	0	0	0	0	0	0	0	17%	1,122			
MICHAEL WILSON	6,600	9%	594	0	0	18%	1,188	2%	132	0	0	0	0	0	0	0	29%	1,914			
JERRY WUNDERLY	6,600	0	0	0	0	0	0	8%	528	0	0	0	0	0	2%	132	10%	660			
ROGER YTTBERG	6,600	0	0	0	0	0	0	0	0	0	0	0	6%	396	8%	528	48%	3,168	62%	4,092	
TIM ZRADICKA	6,600	0	0	0	5%	330	13%	858	0	0	0	0	0	0	16%	1,056	34%	2,244			
HENRY BARROSO	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0
CHRISTOPHER LIVOLSI	6,600	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0%	0
BLAINE HORLOCKER	6,600	0	0	0	0	0	0	13%	858	3%	198	3%	198	0	0	0	0	19%	1,254		
DIVISION TOTAL	250,800	2,310	924	9,108	9,108	17,160	6,600	6,468	4,950	1,056	1,518	37,290	96,492								
USE		2	1	9	9	17	7	6	5	1	2	37	96								

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SECTION - D

**PLANT OPERATING REPORTS
WASTEWATER**

Jan 1993 - Dec 1994

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month December Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing
 Day Shift Operator Class B Cert. No. 7184
 Evening Shift Operator Class C Cert. No. 7494
 Night Shift Operator Class _____ Cert. No. _____
 Lead Operator Suzanne [Signature] A6776
 Signature _____ Cert. No. _____

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.978
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	1.000
(19) Percent permitted capacity	%	---	100.0
(20) CBOD ₅ Effluent	mg/L	080082	1.9
(21) CBOD ₅ Effluent	lbs/day	---	15.2
(22) TSS Effluent	mg/L	900201	1.9
(23) TSS Effluent	lbs/day	---	15.3
(24) Minimum pH		---	6.4
(25) Maximum pH		---	8.0
(26) Total N	mg/L	000600	1.7
(27) TKN	mg/L	000625	1.6
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.2
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Maximum Fecal Coliform			60
Minimum Dissolved Oxygen	mg/L		6.0

*Ultraviolet Disinfection

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DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month December Year 1994

DAY	FLOW (mgd)	D.O.	CBOD ₅	TSS	CBOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Ttl P	Fcol*	Ttl N
		Eff*	Infl.	Infl.	Effl.	Effl.		Effl.	Effl.	Effl.	Effl.	Effl.	Coli.
		mg/L	mg/L	mg/L	mg/L	mg/L	Effl.	mg/L	mg/L	mg/L	mg/L	#100ml	mg/L
1	0.942	6.0	153	158	0.9	1.3	7.4		0.0	0.1	0.1	1	
2	0.892	6.4	192	182	2.0	2.3	6.9		0.0	0.1	0.1	ND	
3	1.002	6.5	176	204	1.9	1.6	7.1		0.0	0.0	0.1	6	
4	1.046	6.2					7.0					1	
5	0.822	6.3	112	84	2.0	2.7	7.1		1.0	0.2	0.1	5	
6	1.054	6.8	170	281	1.5	1.7	7.0		0.0	0.2	0.1	ND	
7	0.857	6.6	153	120	1.2	1.3	7.3	1.1	0.0	0.1	0.1	ND	1.2
8	0.746	6.5	192	214	1.4	1.7	7.0		0.0	0.1	0.1	ND	
9	0.623	6.4	162	253	5.2	2.3	7.6		0.0	0.1	0.1	5	
10	0.959	6.0					7.1					30	
11	0.921	6.0					7.1					36	
12	0.983	6.4	198	163	2.8	2.0	7.4		0.0	0.2	0.2	5	
13	0.941	7.0	169	257	2.9	2.0	7.6	1.3	0.2	0.4	0.2	6	1.7
14	0.921	7.1	178	220	1.0	1.7	7.5		0.2	0.4	0.2	2	
15	0.960	6.6	187	222	0.8	2.0	7.0		0.0	0.5	0.2	3	
16	1.033	6.6	109	214	0.7	1.7	7.3		0.0	0.3	0.3	14	
17	0.969	6.5					7.2					17	
18	0.983	6.4					7.1					22	
19	0.939	6.5	163	120	2.3	2.3	7.2		0.0	0.0	0.7	59	
20	0.933	6.4	166	371	1.5	2.0	7.6	1.2	0.0	0.0	0.4	6	1.2
21	1.042	6.4	159	170	1.0	3.3	7.0		0.0	0.0	0.2	10	
22	1.141	6.4	248	175	2.7	2.0	7.4		0.0	0.0	0.5	27	
23	1.096	6.4	71	151	1.6	1.3	7.0		0.0	0.1	0.2	4	
24	1.144	6.4					7.1					19	
25	1.114	6.4					6.9					8	
26	0.948	6.8					7.1					10	
27	1.079	6.7	253	285	4.3	1.3	7.1		0.0	0.1	0.2	11	
28	1.039	6.5	98	184	2.0	1.7	7.0	2.6	1.6	0.1	0.2	60	2.7
29	1.000	6.7	173	83	1.7	1.7	7.3		1.1	0.3	0.2	1	
30	1.073	6.7	203	180	0.6	2.3	7.0		0.0	0.1	0.2	19	
31	1.120	6.3	115	145	2.2	1.7	7.1		0.0	0.0	0.2	50	
Total	30.322												
Avg	0.978	6.5	165	193	1.9	1.9	7.2	1.6	0.2	0.1	0.2	6.8	1.7

* Grab sample times, dates, and type recorded in plant log book

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Susanne Gettler

Date: 1-9-95

Name (Please Type) Susanne Gettler

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month November Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing
 Day Shift Operator Class B Cert. No. 7184
 Evening Shift Operator Class C Cert. No. 7494
 Night Shift Operator Class _____ Cert. No. _____
 Lead Operator Suzanne J. Hill A6776
 Signature _____ Cert. No. _____

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.972
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	1.066
(19) Percent permitted capacity	%	---	106.6
(20) CBOD ₅ Effluent	mg/L	080082	2.7
(21) CBOD ₅ Effluent	lbs/day	---	22.2
(22) TSS Effluent	mg/L	900201	1.9
(23) TSS Effluent	lbs/day	---	15.8
(24) Minimum pH		---	6.8
(25) Maximum pH		---	7.7
(26) Total N	mg/L	000600	1.2
(27) TKN	mg/L	000625	1.0
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.4
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Maximum Fecal Coliform			335
Minimum Dissolved Oxygen	mg/L		5.2

* Ultraviolet Disinfection

00076

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month November Year 1994

DAY	FLOW (mgd)	D.O.	CBOD ₅	TSS	CBOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Ttl P	Fcal*	Ttl N
		Eff.*	Infl.	Infl.	Effl.	Effl.		Effl.	Effl.	Effl.	Effl.	Effl.	Coli. #100ml
1	1.041	6.3	171	338	4.4	2.3	7.3	1.1	0.0	0.2	0.3	ND	1.3
2	1.024	6.5	172	200	2.0	1.7	7.3		0.0	0.2	0.4	30	
3	0.939	6.3	167	210	1.1	1.3	7.0		0.0	0.5	0.3	1	
4	1.017	6.5	144	254	1.1	2.0	7.2		0.0	0.1	0.2	2	
5	1.136	5.9					7.2					4	
6	0.892	5.7	158	211	2.7	1.7	7.3		0.0	0.2	0.2	ND	
7	1.058	5.9	192	295	2.9	1.3	7.2		0.0	0.1	0.6	8	
8	0.879	6.1	207	224	5.4	1.3	7.3	1.0	0.0	0.1	0.3	4	1.1
9	0.890	6.4	126	250	3.8	1.3	7.3		0.0	0.1	0.2	3	
10	1.023	6.5	165	175	3.0	1.7	7.3		0.0	0.1	0.3	ND	
11	0.985	6.1					7.3					ND	
12	1.038	6.1					7.2					ND	
13	1.021	6.3					7.1					ND	
14	0.989	7.0	150	103	3.0	2.0	7.4		0.0	0.1	0.4	ND	
15	1.001	6.3	200	115	3.8	3.6	7.2	0.9	0.0	0.1	0.6	ND	1.0
16	1.069	6.8	165	155	4.5	2.0	7.5		0.0	0.8	0.7	30	
17	0.943	6.3	155	149	3.4	1.3	7.4		0.0	0.3	0.7	335	
18	1.004	5.2	140	190	2.6	2.3	7.4		0.0	0.1	0.4	1	
19	0.626	5.4					7.6					3	
20	0.747	5.9	120	186	1.7	2.3	7.5		0.0	0.1	0.4	11	
21	1.034	6.3	175	212	2.5	2.0	7.0	0.8	0.0	0.1	0.7	10	0.9
22	1.056	6.4	130	183	2.5	2.3	7.3		0.0	0.2	0.5	1	
23	0.972	6.2	156	125	1.1	2.0	7.0		0.0	0.2	0.4	4	
24	0.987	6.1					7.1					ND	
25	1.062	6.1					7.4					4	
26	1.069	6.3	118	135	1.4	2.0	7.3		0.0	0.1	0.3	5	
27	0.822	6.3					7.1					4	
28	0.933	6.2	185	456	1.0	2.3	7.0		0.0	0.1	0.1	3	
29	1.047	6.7	99	238	2.7	1.7	6.9	1.0	0.0	0.5	0.1	1	1.5
30	0.847	6.4					7.1						
31													
Total	29.151												
Avg	0.972	6.2	157	210	2.7	1.9	7.2	1.0	0.0	0.2	0.4	3.0	1.2

* Grab sample times, dates, and type recorded in plant log book

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Susanne Gettler

Date: 12-8-94

Name (Please Type) Susanne Gettler

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type): 813/481-1951

00077

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month October Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method

Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____

Surface Water Discharge

(13) Limited Wet Weather Discharge Activated

Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Morning Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator Swann H. Hutto A6776

Signature _____ Cert. No. _____

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	1.051
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	1.080
(19) Percent permitted capacity	%	---	108.0
(20) CBOD ₅ Effluent	mg/L	080082	1.8
(21) CBOD ₅ Effluent	lbs/day	---	14.8
(22) TSS Effluent	mg/L	900201	2.0
(23) TSS Effluent	lbs/day	---	17.3
(24) Minimum pH		---	7.0
(25) Maximum pH		---	7.6
(26) Total N	mg/L	000600	1.0
(27) TKN	mg/L	000625	0.9
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.3
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Fecal Coliform			315
Dissolved Oxygen	mg/L		5.3

*Ultraviolet Disinfection

7
00078

WWDER91

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month October Year 1994

DAY	FLOW (mgd)	D.O. Eff* mg/l	CBOD ₅ Infl. mg/l	TSS Infl. mg/l	CBOD ₅ Effl. mg/l	TSS Effl. mg/l	pH Effl.	TKN Effl. mg/l	NH ₃ -N Effl. mg/l	Nitr. Effl. mg/l	Td P Effl. mg/l	Fcal* Coli. #100ml	Td N Effl. mg/l
1	1.237	6.5	195	296	4.4	2.0	7.4		0.0	0.2	0.3	105	
2	1.141	6.2					7.2					315	
3	1.182	6.4	45	72	4.8	2.3	7.3		0.0	0.0	0.2	24	
4	1.179	6.2		461	2.4	2.3	7.3	1.2	0.3	0.1	0.2	24	1.3
5	1.041	6.2	308	374	1.0	1.7	7.4		0.0	0.2	0.2	10	
6	1.106	6.2	138	386	2.4	1.3	7.4		0.0	0.1	0.2	4	
7	0.960	6.2	270	434	1.0	1.7	7.4		0.0	0.5	0.2	3	
8	1.110	6.0					7.3					8	
9	1.031	6.0					7.2					1	
10	1.011	5.7	195	388	2.2	3.3	7.3		0.0	0.1	0.3	4	
11	1.090	6.4	176	246	0.9	2.3	7.2	0.8	0.0	0.1	0.2	ND	0.9
12	0.921	6.2	136	296	0.5	1.3	7.1		0.0	0.1	0.4	56	
13	1.098	6.2	205	199	0.6	1.7	7.3		0.0	0.2	0.2	25	
14	1.210	6.2	191	284	1.3	1.3	7.3			0.1	0.2	225	
15	1.029	6.0					7.6					ND	
16	0.973	6.0					7.3					6	
17	1.012	6.3	167	199	3.0	2.0	7.5		0.0	0.5	0.3	ND	
18	0.967	6.2	185	450	0.8	1.3	7.4	0.6	0.0	0.2	0.7	ND	0.8
19	0.899	6.0	167	224	0.7	1.3	7.3		0.0	0.1	1.0	ND	
20	0.950	5.7	152	226	1.4	3.0	7.1		0.0	0.3	0.2		
21	0.914	6.0	179	266	1.5	1.3	7.1		0.0	0.2	0.7		
22	0.936	6.0					7.2					79	
23	0.970	6.0					7.1					72	
24	0.908	6.2	172	114	2.4	1.7	7.0		0.0	0.1	0.4	30	
25	0.950	5.3	116	242	1.0	1.3	7.2	1.0	0.0	0.0	0.4	3	1.0
26	0.940	6.0	121	247	1.2	1.3	7.1		0.0	0.8	0.2	272	
27	1.295	6.7	225	394	1.8	1.7	7.5		0.0	1.4	0.3	4	
28	1.132	6.3	172	259	1.1	3.3	7.0		0.0	0.8	0.2	3	
29	1.176	6.0					7.1					7	
30	1.102	6.3					7.1					114	
31	1.112	5.4	203	258	2.2	3.7	7.1		0.0	0.5	0.5	32	
Total	32.582												
Avg	1.051	6.1	177	287	1.8	2.0	7.3	0.9	0.0	0.3	0.3	11.5	1.0

* Grab sample times, dates, and type recorded in plant log book

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Susanne Gettler

Date: 11-9-94

Name (Please Type) Susanne Gettler

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month September Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator [Signature] A6776
 Signature Cert. No.

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	1.175
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	1.044
(19) Percent permitted capacity	%	---	104.4
(20) CBOD ₅ Effluent	mg/L	080082	1.5
(21) CBOD ₅ Effluent	lbs/day	---	14.7
(22) TSS Effluent	mg/L	900201	1.7
(23) TSS Effluent	lbs/day	---	16.2
(24) Minimum pH		---	6.9
(25) Maximum pH		---	7.6
(26) Total N	mg/L	000600	1.3
(27) TKN	mg/L	000625	0.9
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.4
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Fecal Coliform			290
Dissolved Oxygen	mg/L		5.5

* Ultraviolet Disinfection

00080
 WWDR91

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month August Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator Suzanne [Signature] A6776
 Signature Cert. No.

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	1.013
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	0.924
(19) Percent permitted capacity	%	---	92.4
(20) CBOD ₅ Effluent	mg/L	080082	1.9
(21) CBOD ₅ Effluent	lbs/day	---	16.0
(22) TSS Effluent	mg/L	900201	2.5
(23) TSS Effluent	lbs/day	---	20.7
(24) Minimum pH		---	6.9
(25) Maximum pH		---	7.5
(26) Total N	mg/L	000600	1.0
(27) TKN	mg/L	000625	0.9
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.3
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Fecal Coliform			110
Dissolved Oxygen	mg/L		5.1

*Ultraviolet Disinfection

00082

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month July Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator Swaine Halls A6776
 Signature Cert. No.

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.943
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	0.851
(19) Percent permitted capacity	%	---	85.1
(20) CBOD ₅ Effluent	mg/L	080082	1.8
(21) CBOD ₅ Effluent	lbs/day	---	14.6
(22) TSS Effluent	mg/L	900201	2.6
(23) TSS Effluent	lbs/day	---	21.1
(24) Minimum pH		---	6.8
(25) Maximum pH		---	7.4
(26) Total N	mg/L	000600	0.9
(27) TKN	mg/L	000625	0.8
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.3
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Fecal Coliform			341
Dissolved Oxygen	mg/L		5.0

*Ultraviolet Disinfection

00084

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month June Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator *Swanwick* A6776
 Signature Cert. No.

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.817
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	0.835
(19) Percent permitted capacity	%	---	83.5
(20) CBOD ₅ Effluent	mg/L	080082	2.4
(21) CBOD ₅ Effluent	lbs/day	---	16.1
(22) TSS Effluent	mg/L	900201	2.1
(23) TSS Effluent	lbs/day	---	14.3
(24) Minimum pH		---	6.7
(25) Maximum pH		---	7.2
(26) Total N	mg/L	000600	1.0
(27) TKN	mg/L	000625	0.9
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.2
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			
Fecal Coliform			175
Dissolved Oxygen	mg/L		5.2

*Ultraviolet Disinfection

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month June Year 1994

DAY	FLOW (mgd)	D.O.	CBOD ₅	TSS	CBOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Ttl P	Fcal*	Ttl N
		Eff*	Infl.	Infl.	Effl.	Effl.		Effl.	Effl.	Effl.	Effl.	Effl.	Coli. #100ml
1	0.837	5.4	189	200	1.5	1.3	7.0	0.9	0.2	0.1	0.0	ND	1.0
2	0.826	6.4	130	159	2.2	2.0	7.0		0.1	0.0	0.0	1	
3	0.798	6.4	140	136	2.5	2.0	7.1		0.0	0.0	0.1	ND	
4	0.839	6.4					7.1					6	
5	0.789	6.3					7.1					8	
6	0.850	5.9					6.8					7	
7	0.814	5.2	110	212	1.4	2.0	7.0		0.0	0.0	0.1	ND	
8	0.798	6.4	110	113	1.8	1.6	7.1	0.7	0.0	0.1	0.3	ND	0.8
9	0.777	5.4	100	155	3.5	2.0	7.1		0.0	0.0	0.3	2	
10	0.727	5.8	135	155	1.9	2.0	7.0		0.0	0.1	0.4	ND	
11	0.767	6.4	135	135	2.1	1.6	7.0		0.0	0.1	0.3	1	
12	0.783	6.0					7.0					3	
13	0.794	6.0	125	121	2.8	2.0	7.2		0.0	0.4	0.3	25	
14	0.805	6.1	85	255	2.4	1.6	6.9	0.8	0.0	0.0	0.2	10	0.8
15	0.776	6.1	175	127	1.7	3.6	7.1		0.0	0.0	0.0	16	
16	0.991	6.5	140	60	2.1	1.3	7.0		0.0	0.0	0.3	3	
17	0.780	6.5	90	45	3.2	1.3	6.7		0.0	0.0	0.1	12	
18	0.782	5.8					7.0					175	
19	0.774	6.2					7.4					120	
20	0.856	5.6	110	101	1.9	2.7	6.9		0.0	0.0	0.1	140	
21	0.801	5.6	145	166	4.4	2.7	6.7	1.1	0.0	0.3	0.1	1	1.4
22	0.815	5.5	117	122	3.2	1.7	7.2		0.0	1.3	0.1	ND	
23	0.792	5.7	60	109	1.9	2.3	7.1		0.0	0.2	0.1	ND	
24	0.766	5.8	88	118	1.8	2.0	7.1		0.0	1.1	0.3	6	
25	0.846	6.7					6.9					ND	
26	0.739	6.5					6.8					ND	
27	0.941	5.9	154	323	1.9	3.0	7.0		0.0	0.0	0.2	25	
28	0.847	5.5	110	223	2.4	1.7	7.0	1.1	0.0	0.0	0.2	2	1.1
29	0.913	5.5	103	273	2.5	3.0	7.0		0.0	0.4	0.2	ND	
30	0.874	6.0	165	258	2.8	2.3	7.0		0.0	3.2	0.2	ND	
31													
Total	24.497												
Avg	0.817	6.0	123	162	2.4	2.1	7.0	0.9	0.0	0.3	0.2	3.8	1.0

* Grab sample times, dates, and type recorded in plant log book

I, Susanne Gettler, Plant Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Susanne Gettler

Date: 7-7-94

Name (Please Type) Susanne Gettler

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month May Year 1994

DAY	FLOW (mgd)	D.O. Eff.* mg/L	CBOD ₅ Infl. mg/L	TSS Infl. mg/L	CBOD ₅ Effl. mg/L	TSS Effl. mg/L	pH Effl.	TKN Effl. mg/L	NH ₃ -N Effl. mg/L	Nitr. Effl. mg/L	Td P Effl. mg/L	Fcal* Coli. #100ml	Td N Effl. mg/L
1	0.822	5.9					7.3					8	
2	0.868	6.5	140	162	1.8	2.0	7.3		0.0	0.8	0.1	5	
3	0.799	6.3	65	348	0.5	1.6	7.3	0.7	0.0	0.2	0.5	1	0.9
4	0.804	6.4	145	145	2.1	2.0	7.4	0.7	0.0	0.2	0.6		0.9
5	0.856	6.3	150	172	1.3	2.3	7.5	0.7	0.0	0.2	0.6	3	0.9
6	0.841	6.3	130	178	2.0	4.0	7.3		0.0	0.3	0.7	3	
7	0.891	6.8					7.4					14	
8	0.909	5.7					7.4					13	
9	0.666	6.5	120	120	2.7	1.6	7.4		0.0	0.0	0.9	1	
10	0.774	6.2	150	209	2.0	2.0	7.4	0.7	0.0	0.1	0.8	8	0.8
11	0.792	5.8	205	320	3.0	2.3	7.0		0.0	0.0	0.4	1	
12	0.812	6.2	130	359	2.3	1.6	7.0			0.1	0.3	2	
13	0.788	6.3	150	295	2.2	2.3	7.2			0.1	0.2	ND	
14	0.770	6.0					7.0					1	
15	0.750	6.6					7.0						
16	0.783	6.5	140	140	0.9	2.0	6.8					ND	
17	0.765	6.3	140	126	1.9	2.0	6.8		0.0	0.0	0.1	4	
18	0.800	6.0	140	158	2.1	2.0	6.9		0.1	0.0	0.2	5	
19	0.793	6.0	140	144	2.3	1.6	7.1		0.0	0.1	0.1	5	
20	0.731	6.5	150	354	2.1	2.0	7.2	0.7	0.0	0.1	0.2	1	0.8
21	0.815	5.8					6.7		0.0	0.2	0.2	ND	
22	0.761	6.5					6.8					ND	
23	0.778	6.5	170	223	2.8	1.6	6.9		0.0	0.0	0.1	1	
24	0.758	6.2	120	254	1.8	2.0	7.1	0.8	0.0	0.1	0.1	1	0.9
25	0.741	6.4	65	357	0.9	2.3	6.8		0.0	1.5	0.1	1	
26	0.779	6.4	210	252	2.6	1.6	7.3			0.1	0.1	3	
27	0.800	6.4	70	109	2.5	2.0	7.0		0.0	0.1	0.0	ND	
28	0.818	7.1					7.0					1	
29	0.747	6.3	100	158	2.3	1.6	7.0	1.0	0.0	0.2	0.1	ND	1.1
30	0.796	6.7					7.0					3	
31	0.754	6.2	110	154	0.3	1.3	7.3		0.0	0.1	0.1	1	
total	24.561												
Avg	0.792	6.3	134	216	1.9	2.0	7.1	0.8	0.0	0.2	0.3	2.0	0.9

Grab sample times, dates, and type recorded in plant log book

I, Susanne Gettler, Plant Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Susanne Gettler

Date: 5-13-94

Name (Please Type) Susanne Gettler

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month April Year 1994

(2) Plant's DER Identification Number 5236PO1630

(3) Plant Name WATERWAY ESTATES WWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DO36-228850

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method

Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse _____

Surface Water Discharge

(13) Limited Wet Weather Discharge Activated

Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator *Suzanne [Signature]* A6776

Signature _____ Cert. No. _____

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.896
(17) Permitted capacity	mgd	---	1.000
(18) Three-month average daily flow	mgd	---	0.893
(19) Percent permitted capacity	%	---	89.3
(20) CBOD ₅ Effluent	mg/L	080082	1.9
(21) CBOD ₅ Effluent	lbs/day	---	14.4
(22) TSS Effluent	mg/L	900201	1.9
(23) TSS Effluent	lbs/day	---	14.5
(24) Minimum pH		---	6.8
(25) Maximum pH		---	7.4
(26) Total N	mg/L	000600	1.2
(27) TKN	mg/L	000625	1.0
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.4
(31) Minimum Chlorine Residual	mg/L	---	*
(32) Maximum Chlorine Residual	mg/L	---	*
(33) Other Effluent Parameters			

* Ultraviolet Disinfection

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month April Year 1994

DAY	FLOW	D.O.	CBOD ₅	TSS	CBOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Td P	Fec ^l *	Td N
	(mgd)	Eff.*	Infl.	Infl.	Effl.	Effl.		Effl.	Effl.	Effl.	Effl.	Effl.	Coli.
		mg/L	mg/L	mg/L	mg/L	mg/L	Effl.	mg/L	mg/L	mg/L	mg/L	#100ml	mg/L
1	0.904	7.0	120	182	1.5	2.7	7.1		0.1	0.2	0.7	ND	
2	0.973	7.4					7.0					ND	
3	0.763	6.4					7.0					ND	
4	0.911	6.3	175	413	2.6	4.0	7.1		0.0	0.4	0.3	2	
5	0.928	6.2	90	159	0.9	1.3	7.2	1.6	0.3	0.0	0.3	73	1.6
6	0.885	6.4	130	115	1.4	1.7	7.1		0.3	0.0	0.5	11	
7	0.934	6.0	150	162	1.5	2.3	7.2		0.3	0.0	0.3	8	
8	0.906	6.3	160	247	0.8	1.6	7.1		0.2	0.0	0.2	1	
9	0.887	6.4					6.8					1	
10	0.857	6.4					7.2					ND	
11	0.878	6.5	145	86	2.2	1.3	7.3		0.1	0.1	0.7	1	
12	0.847	6.6	90	356	2.5	2.0	7.2		0.2	0.0	0.9	10	
13	0.863	6.7	150	152	2.7	2.0	7.0	0.8	0.0	0.0	0.8	2	0.8
14	0.846	6.7	140	187	2.0	2.0	7.0		0.0	0.0	1.0	ND	
15	0.829	6.7	150	143	2.5	3.0	7.2		0.3	0.6	0.9	ND	
16	0.870	6.3					7.2					ND	
17	0.862	6.5					7.2						
18	0.970	6.2	160	187	1.7	2.0	7.2		0.3	0.8	0.6	5	
19	0.960	6.4	160	104	2.1	1.3	7.3	1.0	0.3	0.4	0.6	ND	1.4
20	0.898	6.7	140	362	1.9	1.7	7.3		0.2	0.2		ND	
21	0.942	6.7	180	95	1.7	1.7	7.3		0.2	0.3	0.3	3	
22	0.868	6.5	170	111	1.9	1.6	7.4		0.0	0.9	0.1	ND	
23	0.964	6.8					7.4				0.2	ND	
24	0.856	6.2					7.2					ND	
25	0.885	6.2	110	321	2.2	1.6	7.3		0.0	0.0	0.2	ND	
26	0.878	6.2	240	339	1.9	2.0	7.2	0.7	0.1	0.2	0.2	1	0.9
27	1.094	6.0	160	210	2.0	1.6	7.2		0.0	0.1	0.3	5	
28	0.841	6.1	175	279	2.3	2.0	7.1		0.0	0.3	0.1	12	
29	0.849	6.1	130	129	2.2	1.3	7.4		0.1	1.0	0.1	4	
30	0.938	6.1					7.4				0.1	6	
31													
Total	26.886												
Avg	0.896	6.4	149	1.9	1.9	1.9	7.2	1.0	0.1	0.3	0.4	2.2	1.2

*Grab sample times, dates, and type recorded in plant log book

I, Lead Operator, This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signature: Susanne Gettler
 Name (Please Type) Susanne Gettler

Date: 5-5-94

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month February Year 1994

Date	FLOW (mgd)	Chlr Res	Chlr Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Ttl P	Fecal	Ttl N
		after Contact	after Dechlr	Infl. mg/L	Infl. mg/L	Effl. mg/L	Effl. mg/L		Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L
1	0.872			160	124	4.0	2.7	7.1	1.6	0.3	0.1	0.7	23	1.7
2	0.880			120	146	1.5	2.0	7.1		0.2	0.2	0.5	5	
3	0.947			155	179	1.2	2.3	7.1		0.2	0.9	0.4	ND	
4	0.868			110	155	1.3	1.7	7.1		0.2	0.9	0.3	16	
5	1.018							7.1						
6	0.857							7.1						
7	0.896			150	173	1.4	2.0	7.2		0.3	0.0	0.2	ND	
8	0.948			130	271	2.8	1.7	7.1	1.4	0.2	0.0	0.2	4	1.4
9	0.853			90	119	1.8	2.6	7.2		0.1	0.0	0.1	44	
10	0.863			95	272	0.8	2.7	7.3		0.1	0.0	0.2	7	
11	0.817			75	181	2.8	2.3	7.1		0.1	0.0	0.1	17	
12	0.909							7.2						
13	0.956							7.2						
14	0.880			150	201	2.5	1.7	7.2		0.1	0.0	0.1	4	
15	0.857			160	135	2.2	1.7	7.4	1.9	0.1	0.0	0.1	2	1.9
16	0.849			130	180	1.7	2.0	7.4		0.1	0.0	0.1	7	
17	0.800			150	169	1.7	1.7	7.3		0.1	0.0	0.1	6	
18	0.857			230	270	1.3	1.3	7.2		0.1	0.0	0.1	2	
19	0.967							7.3						
20	0.942							7.3						
21	0.864			220	89	1.1	2.0	7.2		0.2	0.1	0.1	3	
22	0.883			230	128	1.7	1.3	7.3		0.2	0.1	0.4	27	
23	0.924			140	154	1.1	1.7	7.2	1.2	0.2	0.0	0.3	7	1.2
24	0.873			140	173	1.6	1.3	7.2		0.2	0.1	0.2	8	
25	0.818			150	198	1.4	1.7	7.2						
26	0.998							7.2		0.1	0.0	0.2	41	
27	0.882							7.1						
28	0.884			180	209	0.6	1.0	7.3		0.1	0.0	0.2	7	
29														
30														
31														
Total	24.962													
AVG	0.892			148	176	1.7	1.9	7.2	1.5	0.2	0.1	0.2	6.7	1.6

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick

Date: 3-2-94
00095

Name (Please Type) Robert Dick

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month January Year 1994

DAY	FLOW (mgd)	Chlr Res	Chlr Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Td P	Fecal	Td N
		after Contact	after Dechl.	Infl. mg/L	Infl. mg/L	Effl. mg/L	Effl. mg/L		Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L
	0.849							7.4						
2	0.888							7.3						
	0.866			180	129	2.3	2.0	7.4		0.1	0.2	0.2	1	
	0.826			160	105	2.6	2.3	7.3	1.6	0.2	0.0	0.2	ND	1.6
5	0.782			90	84	2.6	1.7	7.2		0.1	0.0	0.2	ND	
	0.748			130	143	2.1	1.0	7.4		0.1	0.0	0.1	ND	
7	0.810			150	121	3.4	1.0	7.3		0.1	0.1	0.2	4	
	0.877							7.1						
	0.853							7.2						
10	0.811			140	150	3.5	3.3	7.2		0.2	0.3	0.4	1	
	0.822			160	159	2.9	3.0	7.0	1.7	0.1	0.1	0.4	24	1.8
12	0.893			150	99	0.9	3.7	7.4		0.2	0.1	0.4	3	
	0.873			140	163	1.4	3.0	7.1		0.3	0.0	0.3	9	
	0.810			120	145	2.0	2.0	7.3		0.2	0.0	0.3	ND	
15	0.951							7.2						
	0.878							7.2						
	0.976			120	113	1.6	1.3	7.4		0.2	0.1	0.4	2	
	0.956			160	154	3.4	1.0	7.2	1.2	0.2	0.0	0.2	4	1.2
	0.965			160	179	1.7	1.6	7.2		0.1	0.0	0.2	3	
20	0.912			115	171	2.5	1.0	7.3		0.1	0.0	0.2	3	
	0.964			140	165	0.9	2.3	7.3		0.2	0.0	0.2	2	
22	0.893							6.9						
	0.898							7.1						
4	0.869			140	159	0.7	1.3	7.3		0.1	0.0	0.1	7	
25	0.886			150	103	1.3	3.3	7.2	1.5	0.2	0.0	0.2	ND	1.5
3	0.887			150	202	2.1	3.0	7.1		0.5	0.0	0.3	6	
27	1.002			135	185	2.6	2.3	7.1		0.2	0.0	0.2	ND	
3	0.856			140	152	2.8	4.3	7.4		0.2	0.0	0.3	2	
9	0.898							7.3						
30	0.941							7.2						
1	0.905			140	157	2.7	2.3	7.3		0.2	0.2	0.6	10	
Total	27.345													
avg	0.882			141	145	2.2	2.2	7.2	1.5	0.2	0.1	0.3	2.5	1.5

I, the undersigned, District Operator, This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
Name (Please Type) Robert Dick

Date: 2-9-94

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

FLORIDA UTILITIES WATER COMPANY
 LEE COUNTY DIVISION
 WATERWAY ESTATES AWWTP
 ANNUAL OPERATING SUMMARY, 1993

01/10/94
 05:37 AM

DER Operating Permit No. DT36-152486
 NPDES Discharge Permit No. FL0030325

EFFLUENT QUALITY

1993	TOTAL FLOW	AVG DAILY FLOW	MAX DAY FLOW	EFFLUENT QUALITY						FECAL COLI
	mg	mgd	mgd	BOD mg/L	TSS mg/L	TOT N mg/L	TOT P mg/L	TKN mg/L	pH	mg/L
JAN	28.149	0.908	0.985	1.9	1.8	1.2	0.2	1.4	7.6	1.1
FEB	26.241	0.937	1.135	1.3	1.4	1.3	0.2	1.3	7.7	3.3
MAR	28.949	0.934	1.055	2.1	1.9	1.1	0.2	1.0	7.6	4.4
APR	24.822	0.827	0.943	1.9	1.4	1.2	0.4	1.2	7.7	3.9
MAY	23.561	0.760	0.901	1.8	1.7	1.4	0.3	1.0	7.7	1.6
JUN	22.688	0.756	1.015	2.2	2.0	1.5	0.3	1.4	7.6	1.6
JUL	22.534	0.727	0.844	1.9	1.9	1.5	0.2	1.4	7.7	5.5
AUG	23.950	0.773	0.917	1.8	1.5	1.3	0.3	1.3	7.5	5.4
SEP	26.065	0.869	1.046	1.8	1.4	1.4	0.3	1.3	7.5	7.5
OCT	29.270	0.944	1.248	1.9	1.4	1.2	0.2	1.1	7.4	9.2
NOV	27.607	0.920	1.213	1.9	1.9	1.3	0.3	1.2	7.4	10.8
DEC	25.523	0.823	0.892	1.7	1.8	1.5	0.3	1.3	7.4	2.3
TOT	309.359	10.178	12.194	22.2	20.1	15.9	3.2	14.9	90.8	56.6
AVG	25.780	0.848	1.016	1.9	1.7	1.3	0.3	1.2	7.6	
MAX	29.270	0.944	1.248	2.2	2.0	1.5	0.4	1.4	7.7	10.8
MIN	22.534	0.727	0.844	1.3	1.4	1.1	0.2	1.0	7.4	

NOTE: asterick (*) means less than one

80000

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month December Year 1993

(2) Plant's DER Identification Number 5236PO1630

3) Plant Name WATERWAY ESTATES AWWTP

4) Plant Address 1667 Inlet Drive

5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DT36-188171

Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse
Surface Water Discharge

13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

14) Cumulative Days of Wet Weather Discharge _____

15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator *Robert D. ...* A6712
 Signature Cert. No.

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.823
(17) Permitted capacity	mgd	---	1.080
(18) Three-month average daily flow	mgd	---	0.896
(19) Percent permitted capacity	%	---	82.9
(20) BOD ₅ Effluent	mg/L	080082	1.7
(21) BOD ₅ Effluent	lbs/day	---	11.9
(22) TSS Effluent	mg/L	900201	1.8
(23) TSS Effluent	lbs/day	---	12.5
(24) Minimum pH		---	7.1
(25) Maximum pH		---	7.6
(26) Total N	mg/L	000600	1.5
(27) TKN	mg/L	000625	1.3
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.3
(31) Minimum Chlorine Residual	mg/L	---	•
(32) Maximum Chlorine Residual	mg/L	---	•
(33) Other Effluent Parameters			

*Ultraviolet Disinfection

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month December Year 1993

DAY	FLOW mgd	Chl Res	Chl Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nit ₂	TdP	Fecal Col	TdN
		after Contact	after Dachl	Infl. mg/l	mg/l	Effl. mg/l	mg/l							
1	0.774			140	113	0.9	0.7	7.4		0.2	0.0	0.3	ND	
2	0.838			120	135	1.8	1.7	7.6		0.3	0.2	0.4	2	
3	0.764			160	164	3.8	2.0	7.4		0.2	0.4	0.4	ND	
4	0.717							7.4					188	
5	0.839							7.4						
6	0.750			178	241	1.3	1.7	7.4		0.2	0.0	0.3	3	
7	0.812			170	94	0.8	1.7	7.4	1.5	0.2	0.0	0.3	2	1.5
8	0.809			160	183	1.2	1.0	7.4		0.2	0.0	0.3	9	
9	0.860			170	153	1.2	2.7	7.4		0.2	0.0	0.2	3	
10	0.759							7.5					1	
11	0.853			180	153	1.8	2.3	7.3			0.0	0.3	20	
12	0.875							7.4						
13	0.788			141	110	1.0	2.0	7.3		0.1	0.3	0.2	3	
14	0.830			150	51	1.4	2.7	7.3	1.3	0.1	0.1	0.2	ND	1.4
15	0.864			160	103	1.7	1.3	7.4		0.3	0.0	0.2	ND	
16	0.862			240	130	3.3	1.3	7.3			0.0	0.2	4	
17	0.798							7.5						
18	0.813			230	181	1.1	2.0	7.1		0.2	0.2	0.2	7	
19	0.833			260	526	2.8	3.0	7.4		0.1	0.3	0.3	4	
20	0.814			220	98	1.5	2.0	7.4		0.2	0.2	0.3	4	
21	0.816			220	348	1.2	2.0	7.5	1.4	0.1	0.0	0.3	5	1.4
22	0.791			360	522	1.8	1.3	7.4		0.2	0.0	0.2	ND	
23	0.892			130	144	1.1	1.0	7.4		0.2	0.1	0.3	1	
24	0.809							7.4						
25	0.798							7.3						
26	0.874			291	304	3.9	1.0	7.2		0.3	0.0	0.3	ND	
27	0.860			576	656	2.0	2.3	7.4		0.2	0.4	0.2	ND	
28	0.892			140	109	0.9	2.0	7.2	1.0	0.1	0.5	0.3	1	1.5
29	0.871			200	130	1.1	1.7	7.2		0.2	0.4	0.3	5	
30	0.812			120	237	2.4	2.3	7.5		0.2	0.2	0.3	4	
31	0.861							7.1						
Total	25.523													
Avg	0.823			205	212	1.7	1.8	7.4	1.3	0.2	0.1	0.3	2.3	1.5

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick

Date: 1-2-94

Name (Please Type) Robert Dick

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

Part II - General Information

(1) Month November Year 1993

(2) Plant's DER Identification Number 5236P01630

(3) Plant Name WATERWAY ESTATES AWWTP

(4) Plant Address 1667 Inlet Drive

(5) City North Fort Myers

(6) County LEE

(7) Phone Number 813/995-6585

(8) Permit Number DT36-188171

(9) Plant Type 2B

(10) Test Site Identification Number _____

(11) Fecal Coliform Sample Method
 Membrane Filter Most Probable Number

(12) Type of Effl. Disposal or Reclaimed Wtr Reuse
Surface Water Discharge

(13) Limited Wet Weather Discharge Activated
 Yes No Not Applicable

(14) Cumulative Days of Wet Weather Discharge _____

(15) Plant Staffing

Day Shift Operator Class B Cert. No. 7184

Evening Shift Operator Class C Cert. No. 7494

Night Shift Operator Class _____ Cert. No. _____

Lead Operator [Signature] A6712
 Signature Cert. No.

PARAMETER	UNITS	STORET CODE	VALUE
(16) Monthly average daily flow	mgd	050053	0.920
(17) Permitted capacity	mgd	--	1.080
(18) Three-month average daily flow	mgd	--	0.911
(19) Percent permitted capacity	%	--	84.4
(20) BOD ₅ Effluent	mg/L	080082	1.9
(21) BOD ₅ Effluent	lbs/day	--	14.6
(22) TSS Effluent	mg/L	900201	1.9
(23) TSS Effluent	lbs/day	--	14.6
(24) Minimum pH		--	6.6
(25) Maximum pH		--	7.9
(26) Total N	mg/L	000600	1.3
(27) TKN	mg/L	000625	1.2
(28) Ammonia (NH ₃ - N)	mg/L	000610	
(29) Nitrate	mg/L	071850	
(30) Total Phosphorous	mg/L	000665	0.3
(31) Minimum Chlorine Residual	mg/L	--	*
(32) Maximum Chlorine Residual	mg/L	--	*
(33) Other Effluent Parameters			

*Ultraviolet Disinfection

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month November Year 1993

DAY	FLOW (mgd)	Chl Res	Chl Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	TuP	Fecal	Td N
		Before	After	Infl.	Infl.	Effl.	Effl.		Effl.	Effl.	Effl.	Effl.	Effl.	Coli
		Conduct	Temp	mg/L	mg/L	mg/L	mg/L	Eff.	mg/L	mg/L	mg/L	mg/L	#/100ml	mg/L
1	1.213			150	113	2.9	1.3	7.4		0.1	1.2	0.4	11	
2	1.001					1.8	1.0	7.4		0.1	0.1	0.2	1	
3	1.060			110	120	1.5	1.3	7.4	0.9	0.2	0.0	0.2	6	0.9
4	1.017			130	145	1.7	1.0	7.2		0.2	0.0	0.2	2	
5	0.920			170	138	2.2	1.0	7.3		0.1	0.0	0.1	10	
6	1.061							7.8					3	
7	1.112			170	185	1.3	1.3	7.4		0.3	0.0	0.2	18	
8	0.956			150	162	2.0	4.0	7.5		0.2	0.0	0.3	24	
9	0.902			160	132	1.6	1.7	7.2	1.3	0.2	0.1	0.2	7	1.4
10	0.957			180	317	1.8	3.0	7.3		0.3	0.0	0.3	2	
11	0.910			130	117	2.2	3.0	7.7		0.3	0.0	0.3	4	
12	0.853							7.4					5	
13	0.907							7.8					68	
14	0.966							7.4					72	
15	0.855							7.3					58	
16	0.892			140	92	2.6	3.0	7.4	1.5	0.2	0.1	0.4	16	1.6
17	0.918			110	83	2.2	2.0	7.5		0.2	0.1	0.4	14	
18	0.808			140	127	2.2	1.3	7.3		0.2	0.0	0.5	6	
19	0.776			110	115	1.7	2.3	7.4		0.2	0.0	0.6	9	
20	0.901			190	137	2.4	2.0	7.4		0.3	0.1	0.6	3	
21	0.823			120	195	1.8	3.0	7.4		0.2	0.5	0.6	9	
22	0.768			90	140	2.0	2.0	7.3		0.1	0.4	0.4	ND	
23	0.831			130	105	1.9	1.3	7.5	1.1	0.1	0.1	0.3	384	1.2
24	0.878			190	234	1.5	1.0	7.4		0.1	0.1	0.3	2	
25	0.859							7.4					88	
26	0.897							7.3					480	
27	0.823			390	365	2.1	2.0	7.4		0.3	0.2	0.3	120	
28	0.925							7.5						
29	0.872			190	182	1.4	1.0	7.3		0.2	0.0	0.4	1	
30	0.846			170	114	0.9	2.7	7.4	1.1	0.2	0.1	0.4	5	1.2
31														
Total	27.607													
Avg	0.920			158	158	1.9	1.9	7.4	1.2	0.2	0.1	0.3	108	1.3

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
 Name (Please Type) Robert Dick
 Company Name: FLORIDA CITIES WATER COMPANY

Date: 12-7-93

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT WATERWAY AWWTP

Month October Year 1993

DAY	FLOW (mgd)	Chr. Res.	Chr. Res.	BOD ₅	TSS	BOD ₅	TSS	PH	TKN	NH ₃ -N	NH ₃ -N	Tot P	Fecal	Tot N
		after Contact	after Dechlor.	Infl. mg/L	Effl. mg/L	Infl. mg/L	Effl. mg/L		Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	#/100m
1	0.796			170	268	1.3	1.0	7.5		0.2	0.0	0.3	59	
2	0.816							7.5					24	
3	0.897							7.5					156	
4	0.804			110	210	2.1	1.7	7.5		0.3	0.1	0.4	2	
5	0.769			130	289	2.1	1.7	7.5	1.0	0.3	0.0	0.3	6	1.0
6	0.878			200	247	1.5	1.0	7.4		0.3	0.0	0.3	ND	
7	0.886			190	271	1.1	1.7	7.6		0.3	0.1	0.3	17	
8	0.773			170	240	2.4	1.3	7.6		0.4	0.0	0.4	54	
9	0.865							7.9					8	
10	0.756							7.1					105	
11	0.889			130	165	3.0	2.0	7.3		0.3	0.5	0.3	9	
12	0.711			140	100	3.2	2.0	7.4	1.1	0.2	0.1	0.2	3	1.2
13	0.800			150	368	0.9	1.3	7.2		0.2	0.1	0.3	2	
14	0.753			140	158	0.9	1.0	7.3		0.2	0.0	0.1	6	
15	0.797			160	137	0.9	1.7	7.6		0.2	0.0	0.2	7	
16	1.166							7.2					4	
17	1.089							7.5					85	
18	1.009			160	89	1.7	1.0	7.5		0.2	0.0	0.2	9	
19	1.197			170	109	1.5	0.7	7.4	1.2	0.3	0.0	0.1	4	1.2
20	0.778			170	86	2.1	1.3	7.6		0.4	0.0	0.2	12	
21	0.921					2.1	1.3	7.6		0.2	0.0	0.2	ND	
22	1.248					1.4	2.0	7.3		0.1	0.0	0.1	ND	
23	1.187							7.6					ND	
24	1.143							7.3					3	
25	1.109			150	96	3.0	1.3	7.4		0.2	0.0	0.2	35	
26	1.174			140	130	2.6	1.3	7.6	1.2	0.2	0.0	0.3	9	1.2
27	0.972			150	121	1.6	2.7	7.4		0.2	0.0	0.4	5	
28	0.945			200	122	1.8	1.0	7.4		0.1	0.0	0.2	1	
29	0.993			140	115	2.9	0.7	7.3		0.2	0.9	0.2	18	
30	0.985							7.3					48	
31	1.174							7.4					296	
Total	29.270													
Avg	0.944			157	174	1.9	1.4	7.4	1.1	0.2	0.1	0.2	9.2	1.2

Lead Operator, This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
Name (Please Type) Robert Dick

Date: 11-8-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month September Year 1993

DAY	FLOW (mgd)	Chl Res	Chl Res	BOD ₅	TSS	BOD ₅	TSS	TKN	NH ₃ -N	Nitr.	TdP	Fecal	TdN	
		after Contact	after Dachl	Infl. mg/L	Infl. mg/L	Effl. mg/L	Effl. mg/L		pH	Effl. mg/L	Effl. mg/L	Effl. mg/L	Col. #100ml	Effl. mg/L
1	0.806			118	193	2.6	1.0	7.7		0.1	0.1	0.3	5	
2	0.740			200	209	1.5	0.7	7.6		0.2	0.1	0.2	1	
3	0.830			200	604	0.8	1.0	7.6		0.2	0.1	0.3	1	
4	0.942							7.5					ND	
5	0.707			380	686	2.2	1.3	7.5		0.3	0.3	0.4	ND	
6	0.898							7.5					3	
7	0.842			260	314	2.5	1.7	7.4	1.1	0.1	0.2	0.7	ND	1.3
8	0.944			130	216	1.8	2.0	7.5		0.2	0.4	0.5	ND	
9	0.817			180	319	1.9	1.3	7.4		0.1	0.0	0.3	5	
10	0.773			200	331	1.8	1.0	7.6		0.1	0.1	0.2	ND	
11	0.795							7.5					ND	
12	0.942							7.4					7	
13	0.912			170	291	2.3	1.3	7.5		0.2	0.2	0.3	ND	
14	1.046			200	178	2.2	1.7	7.5	1.2	0.2	0.0	0.2	3	1.2
15	1.028			160	252	2.1	1.0	7.5		0.2	0.1	0.3	ND	
16	0.928			140	225	1.2	1.0	7.5		0.2	0.1	0.3	3	
17	0.916			180	192	1.4	3.7	7.5		0.2	0.1	0.3	244	
18	0.931							7.5					36	
19	0.923							7.5					65	
20	1.036			100	93	1.2	1.3	7.6		0.1	0.4	0.2	31	
21	0.772			130	311	3.1	1.0	7.2		0.2	2.3	0.5	12	
22	0.907			120	77	1.4	1.0	7.6		0.2	0.4	0.4	68	
23	0.928			180	264	0.8	1.3	7.5		0.1	0.0	0.4	165	
24	0.792			160	364	1.1	1.3	7.5	1.3	0.2	0.1	0.3	12	1.4
25	0.790							7.6					57	
26	0.893							7.8					31	
27	0.795			130	465	2.9	1.7	7.6		0.2	0.0	0.4	20	
28	0.905			140	404	2.5	1.3	7.4		0.2	0.1	0.4	19	
29	0.909			230	314	1.8	1.0	7.2	1.5	0.1	0.0	0.2	30	1.5
30	0.922			290		0.9	2.0	7.2		0.3	0.1	0.2	27	
31														
Total	26.065													
Avg	0.869			182	300	1.8	1.4	7.5	1.3	0.2	0.2	0.3	7.5	1.4

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick

Date: 10-11-93

Name (Please Type) Robert Dick

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month August Year 1993

DAY	FLOW (mgd)	Chr Res	Chr Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nit ₂	TdP	Fecal	TdN
		After	after	Infl.	Infl.	Effl.	Effl.		Effl.	Effl.	Effl.	Effl.	Effl.	Col.
		Contact	Ditch	mg/L	mg/L	mg/L	mg/L		mg/L	mg/L	mg/L	mg/L	#100ml	mg/L
1	0.822							7.5					14	
2	0.753			140	201	3.2	1.3	7.5		0.1	0.1	0.6	2	
3	0.729			130	195	1.8	1.7	7.8	1.3	0.2	0.0	0.4	ND	1.3
4	0.672			110	168	0.8	1.0	7.6		0.2	0.1	0.3	ND	
5	0.745			140	217	1.2	1.0	7.7		0.2	0.0	0.3	ND	
6	0.680			100	191	0.8	1.0	7.7		0.2	0.0	0.3	3	
7	0.720							7.5					3	
8	0.704							7.7					39	
9	0.695			160	201	2.7	1.3	7.5		0.2	0.0	0.4	21	
10	0.772			160	144	2.3	0.7	7.7	1.3	0.2	0.0	0.4	ND	1.3
11	0.700			160	267	1.8	1.0	7.4		0.3	0.1	0.3	ND	
12	0.825			100	181	1.3	1.7	7.2		0.2	0.0	0.3	9	
13	0.695			120	178	1.8	1.0	7.3		0.1	0.1	0.4	6	
14	0.867							7.7					5	
15	0.840			110	142	1.0	1.0	7.6		0.3	0.0	0.3	2	
16	0.784			160	294	3.0	2.0	7.7		0.1	0.1	0.2	2	
17	0.772			160	78	2.0	1.7	7.7	1.2	0.2	0.0	0.2	3	1.2
18	0.752			140	433	1.8	1.3	7.5		0.2	0.0	0.3	4	
19	0.751			110	456	1.5	1.6	7.5			0.0	0.3	8	
20	0.714							7.4					2	
21	0.774							7.8					44	
22	0.754							7.5					ND	
23	0.734			140	430	2.7	2.7	7.3		0.2	0.1	0.3	19	
24	0.804			140	197	1.7	2.0	7.5	1.1	0.2	0.0	0.2	3	1.1
25	0.817			190	278	0.8	1.3	7.2		0.1	0.0	0.2	10	
26	0.795			80	75	0.8	2.0	7.5		0.2	0.0	0.2	12	
27	0.773			120	352	0.8	1.0	7.4		0.0	0.1	0.2	8	
28	0.803							7.5					150	
29	0.917							7.8					37	
30	0.843			160	300	3.8	2.3	7.3		0.1	0.0	0.3	12	
31	0.734			190	220	1.4	1.3	7.5	1.4	0.1	0.1	0.4	12	1.5
Total	23.950													
Avg	0.773			137	236	1.8	1.5	7.5	1.3	0.2	0.0	0.3	5.4	1.3

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
Name (Please Type) Robert Dick

Date: 9-8-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month July Year 1993

DAY	FLOW (mgd)	Chl Res after Contact	Chl Res after Dachl	BOD ₅ Infl mg/l	TSS Infl mg/l	BOD ₅ Effl mg/l	TSS Effl mg/l	pH Effl	TKN mg/l	NH ₃ -N mg/l	Nitro mg/l	Ttl P mg/l	Fecal Coll #/100ml	TSS N mg/l
1	0.721			120	124	2.2	1.7	7.5		0.3	0.0	0.3	ND	
2	0.712			220	179	4.6	2.3	7.5		0.4	0.1	0.2	ND	
3	0.799							7.9					51	
4	0.779			100	136	1.0	2.3	7.4		0.3	0.6	0.3	35	
5	0.732							7.5					1	
6	0.690			110	189	1.5	2.0	7.7				0.3	4	
7	0.774			80	122	1.1	1.3	7.8	1.4	0.2	0.1	0.2	48	1.5
8	0.769			120	141	1.8	2.6	7.7		0.2	0.7	0.1	13	
9	0.734			100	166	1.8	3.0	7.6		0.2	1.0	0.1	4	
10	0.638							7.8					8	
11	0.695							7.9					3	
12	0.764			130	363	2.9	2.3	7.9		0.3	0.0	0.2	ND	
13	0.683			140	426	2.1	2.0	7.8	1.8	0.3	0.0	0.1	ND	1.6
14	0.768			200	343	1.8	2.3	7.8		0.1	0.1	0.1	ND	
15	0.619			180	396	4.8	2.0	7.8		0.3	0.3	0.1	4	
16	0.778			110	174	1.4	2.0	7.8		0.2	0.2	0.2	ND	
17	0.749							7.8					30	
18	0.793							7.8					24	
19	0.704			164	288	1.6	1.0	7.6		0.1	0.0	0.2	34	
20	0.674			160	217	1.6	2.0	7.7	1.5	0.2	0.0	0.1	9	1.5
21	0.767			120	173	0.9	2.0	7.8		0.2	0.0	0.1	18	
22	0.587			140	191	1.4	1.7	7.8		0.2	0.0	0.2	35	
23	0.669			120	228	1.5	2.3	7.8		0.2	0.1	0.2	31	
24	0.711							7.9					14	
25	0.689							7.9					8	
26	0.664			160	180	2.4	2.3	7.9		0.2	0.1	0.4	5	
27	0.693			150	197	2.1	1.3	7.7	1.2	0.3	0.3	0.4	ND	1.5
28	0.735			140	192	1.1	1.0	7.8		0.2	0.3	0.3	2	
29	0.700			120	210	0.8	1.3	7.7		0.3	0.1	0.2	1	
30	0.701			120	196	1.7	2.0	7.5		0.2	0.4	0.3	ND	
31	0.844							7.7					11	
Total	22.534													
Avg	0.727			137	220	1.9	1.9	7.7	1.4	0.2	0.2	0.2	5.5	1.5

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
Name (Please Type) Robert Dick

Date: 8-5-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month June Year 1993

DAY	FLOW (mgd)	Chr Res	Chr Res	BOD ₅	TSS	BOD ₅	TSS	TKN	NH ₄ -N	Nitr.	Tot P	Fecal	TUN	
		after Contact	after Dachl	Infl	Effl	Infl	Effl							pH
1	0.665			170	145	2.4	1.3	7.6		0.1	0.1	0.2	2	
2	0.703			130	142	1.3	1.7	7.6		0.2	0.3	0.3	ND	
3	0.637			110	137	1.2	2.0	7.8		0.2	0.2	0.2	3	
4	0.642			120	134	1.8	1.7	7.8	1.6	0.2	0.3	0.3	ND	1.9
5	0.687							7.6					ND	
6	0.708							7.8					ND	
7	0.671			170	171	2.5	2.3	7.7		0.3	1.5	0.4	ND	
8	0.697			170	178	2.1	2.0	7.8	1.3	0.2	0.2	0.4	ND	1.5
9	0.660			190	155	1.5	1.7	7.8		0.1	0.5	0.5	4	
10	0.661			140	132	2.1	1.0	7.8		0.2	0.9	0.2	1	
11	0.662			170	142	1.6	2.3	7.5		0.1	0.8	0.2	ND	
12	0.706							7.0					ND	
13	0.699			160	331	2.7	3.0	7.9		0.2	0.0	0.2	ND	
14	0.641			180	116	2.6	1.0	7.9		0.1	0.1	0.3	ND	
15	0.742			170	125	3.3	1.7	7.2	1.2	0.1	0.1	0.2	27	1.3
16	0.773			120	108	1.1	2.0	7.9		0.1	0.1	0.3	1	
17	0.762			150	121	1.0	1.7	7.4		0.1	0.1	0.3	ND	
18	0.728							7.7					ND	
19	0.771							7.9					ND	
20	0.864							7.8					ND	
21	0.785			180	149	2.7	2.7	7.9		0.2	0.2	0.3	4	
22	0.776			145	426	1.8	1.7	7.7	1.2	0.2	0.0	0.2	2	1.2
23	0.839			150	198	4.1	4.0	7.8		0.1	0.3	0.2	6	
24	0.861			100	175	3.5	2.0	7.8		0.1	0.1	0.2	ND	
25	0.829			150	103	2.6	3.0	7.7		0.2	0.1	0.2	2	
26	1.015							7.7					ND	
27	1.002							7.6					ND	
28	0.776			150	127	3.0	2.0	7.4		0.3	0.0	0.2	ND	
29	0.850			150	148	1.6	1.3	7.4	1.8	0.3	0.0	0.2	3	1.8
30	0.896			99	155	1.2	1.3	7.4		0.4	0.0	0.2	4	
31														
Total	22.688													
Avg	0.756			148	164	2.2	2.0	7.6	1.4	0.2	0.3	0.3	1.6	1.5

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signature: Robert Dick
 Name (Please Type) Robert Dick

Date: 6-30-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month May Year 1993

DAY	FLOW (mgd)	Chr Res	Chr Res	BOD ₅	TSS	BOD ₅	TSS	TKN	NH ₃ -N	Nitr.	Td P	Fecal	Td N	
		after Contact	after Dachr	Infl. mg/l	Infl. mg/l	Effl. mg/l	Effl. mg/l		pH	Effl. mg/l	Effl. mg/l	Effl. mg/l	Coll. (100ml)	Effl. mg/l
1	0.901							7.8				ND		
2	0.764			150	202	2.8	1.0	7.7			0.2	0.4	2	
3	0.772			140	88	3.4	1.7	7.7	1.0	0.1	0.7	0.3	ND	1.7
4	0.668			140	161	3.4	3.0	7.6			0.4	0.2	ND	
5	0.718			130	136	3.0	1.7	7.7			0.4	0.5	ND	
6	0.792			150	136	0.4	2.0	7.5			0.2	0.5	ND	
7	0.691							7.5					ND	
8	0.777							7.8					ND	
9	0.783							8.0					ND	
10	0.683			250	449	1.8	4.6	7.7			0.2	0.4	ND	
11	0.711			215	341	1.4	3.6	7.6	0.8	0.0	0.2	0.3	ND	1.0
12	0.831			90	124	0.6	1.6	7.8			0.0	0.2	ND	
13	0.765			160	223	1.7	1.0	7.7			0.0	0.2	ND	
14	0.779							7.8					ND	
15	0.757			190	148	1.1	1.0	7.8			0.0	0.2	3	
16	0.734							7.9					1	
17	0.822			165	117	2.0	1.7	7.4		0.2	0.3	0.3	ND	
18	0.756			170	166	2.5	0.7	7.7	1.1	0.1	0.2	0.3	ND	1.3
19	0.851			280	357	1.4	1.3	8.0		0.2	0.2	0.2	ND	
20	0.783			100	140	1.5	0.7	7.7		0.1	0.2	0.3	ND	
21	0.694			100	125	1.3	1.0	7.6		0.1	0.2	0.2	17	
22	0.821							7.5					12	
23	0.852							7.6					6	
24	0.736			160	163	1.5	1.3	7.5		0.1	1.4	0.2	3	
25	0.810			160	132	1.4	1.7	7.8		0.2	0.2	0.2	ND	
26	0.756			115	459	1.2	2.3	7.8		0.0	0.4	0.2	ND	
27	0.721			150	377	1.7	1.0	7.8		0.0	0.0	0.2	3	
28	0.782			130	143	1.2	1.0	7.9	1.2	0.1	0.2	0.2	ND	1.4
29	0.834							7.7					5	
30	0.697							7.6					ND	
31	0.720			150	122	2.3	2.3	7.8		0.2	0.2	0.2	7	
Total	23.561													
Avg	0.760			157	205	1.8	1.7	7.7	1.0	0.1	0.3	0.3	1.6	1.4

Lead Operator, This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick

Date: 6-3-93

Name (Please Type) Robert Dick

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

00114

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month April Year 1993

DAY	FLOW (mgd)	Chr Res	Chr Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr	TU P	Facal	TU N
		after Contact	after Dablr	Infl	Infl	Effl	Effl		Effl	Effl	Effl	Effl	Effl	Effl
				mg/L	mg/L	mg/L	mg/L		mg/L	mg/L	mg/L	mg/L	#/100ml	mg/L
1	0.830			130	219	2.0	1.0	7.6		0.2	0.1	0.2	11	
2	0.856			170	266	1.8	1.0	7.5		0.2	0.0	0.5	29	
3	0.943							7.7					4	
4	0.845							7.7					9	
5	0.876			130	183	0.6	1.0	7.6		0.1	0.0	0.4	7	
6	0.852			140	185	0.9	1.7	7.7	1.2	0.1	0.0	0.5	14	1.2
7	0.879			110	131	3.6	2.1	7.7		0.1	0.0	0.4	8	
8	0.812			140	122	3.8	1.0	7.6		0.1	0.1	0.3	21	
9	0.858			160	265	3.4	2.0	7.7		0.1	0.0	0.4	ND	
10	0.909							7.7					1	
11	0.794							7.7					ND	
12	0.830			140	204	1.7	1.0	7.6		0.1	0.1	0.4	6	
13	0.835			160	237	2.1	2.3	7.6	1.0	0.1	0.0	0.3	3	1.0
14	0.847			120	154	2.2	2.3	7.8		0.0	0.1	0.5	14	
15	0.853			120	153	2.1	1.3	7.7		0.0	0.0	0.4	17	
16	0.895			200	234	1.6	1.3	7.7		0.0	0.1	0.5	7	
17	0.853							7.8					7	
18	0.792							7.6					3	
19	0.817			150	198	2.8	0.7	7.7		0.1	0.0	0.2	13	
20	0.801			140	223	1.4	1.0	7.6	1.5	0.2	0.0	0.3	11	1.5
21	0.846			120	205	2.0	1.7	7.6		0.1	0.1	0.4	4	
22	0.818			120	191	1.4	1.0	7.6		0.1	0.0	0.3	ND	
23	0.767			120	211	2.1	1.0	7.8		0.2	0.0	0.4	1	
24	0.832							7.7					ND	
25	0.827							7.6					2	
26	0.794			150	231	0.6	2.0	7.6		0.2	0.3	0.4	ND	
27	0.727			160	225	1.2	1.7	7.6	1.2	0.2	0.0	0.5	ND	1.2
28	0.815			130	199	1.5	1.7	7.8		0.1	0.2	0.5	1	
29	0.897			165	221	2.2	1.0	7.6		0.2	0.2	0.4	5	
30	0.722			140	194	1.6	1.0	7.7		0.1	0.2	0.4	ND	
31														
Total	24.822													
Avg	0.827			142	202	1.9	1.4	7.7	1.2	0.1	0.1	0.4	3.9	1.2

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
Name (Please Type) Robert Dick

Date: 5-5-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT WATERWAY AWWTP

Month March Year 1993

DAY	FLOW (mgd)	Chlr Res	Chlr Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Td P	Fecal	Td N
		after Contact	after Dechl.	Infl. mg/l	Infl. mg/l	Effl. mg/l	Effl. mg/l		Effl. mg/l	Effl. mg/l	Effl. mg/l	Effl. mg/l	Effl. mg/l	Coli. #100/ml
1	0.860			130	181	1.0	2.3	7.8		0.0	0.0	0.4	4	
2	0.980			140	131	1.0	1.3	7.7	1.0	0.0	0.0	0.4	3	1.0
3	0.861			155	233	0.8	3.0	7.8		0.0	0.1	0.3	4	
4	1.056			160	117	0.7	0.7	7.9		0.1	0.2	0.3	13	
5	0.866			190	203	2.1	3.0	7.3		0.1	0.0	0.3	8	
6	0.995							7.9					3	
7	0.899							7.5					4	
8	0.862			140	453	1.5	4.0	7.5			0.0	0.2	7	
9	0.945			180	360	2.0	3.0	7.2	1.0	0.0	0.2	0.2	11	1.2
10	0.818			210	244	2.4	2.0	7.8		0.1	0.0	0.2	3	
11	0.880			160	140	2.1	1.3	7.8		0.2	0.0	0.3	11	
12	0.992			130	80	1.5	2.0	7.8		0.1	0.1	0.3		
13	1.040							7.8					6	
14	1.026							7.7					2	
15	0.986			140	219	0.8	0.7	7.3		0.1	0.0	0.1	6	
16	1.000			140	148	1.0	1.0	7.6	1.1	0.1	0.0	0.1	4	1.1
17	1.011			150	92	0.9	1.7	7.5		0.2	0.0	0.2	10	
18	0.928			160	123	2.2	1.0	7.5		0.2	0.2		5	
19	0.957			200	120	2.0	0.7	7.7		0.1	0.2	0.2	27	
20	1.009							7.6					1	
21	0.974							7.7					4	
22	0.915			135	115	1.0	4.0	7.5			0.7	0.2		
23	0.945			175	513	0.9	2.0	7.6	0.7	0.0	0.3	0.2	12	1.0
24	0.891			160	193	8.4	2.0	7.7		0.0	0.3	0.1	2	
25	1.039			130	239	1.9	4.0	7.6			0.1	0.1	2	
26	0.729			130	145	2.9	1.0	7.5		0.1	0.2	0.2	6	
27	0.926							7.7					1	
28	1.007							7.7					6	
29	0.839			150	188	3.8	1.0	7.6		0.1	0.1	0.5	ND	
30	0.828			120	183	4.0	1.0	7.6	1.1	0.2	0.0	0.3	4	1.1
31	0.886			105	153	2.7	1.3	7.7		0.1	0.0	0.3	6	
Total	28.949													
Avg	0.934			151	198	2.1	1.9	7.6	1.0	0.1	0.1	0.2	4.4	1.1

Lead Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick

Date: 4-6-93

Name (Please Type) Robert Dick

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month February Year 1993

DAY	FLOW (mgd)	Chr Res	Chr Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr.	Td P	Fecal	Td N
		after Contact	after Dialyl	Infl. mg/L	Effl. mg/L	Infl. mg/L	Effl. mg/L		Effl.	mg/L	mg/L	mg/L	mg/L	Coli. #/100ml
1	0.899			130	285	1.0	1.7	7.7		0.1	0.1	0.2	ND	
2	0.925			140	220	2.4	2.0	7.6	1.2	0.1	0.0	0.1	ND	1.2
3	0.867			160	168	1.4	1.7	7.8		0.1	0.1	0.2	ND	
4	0.872			130	195	1.0	1.7	7.8		0.1	0.1	0.1	ND	
5	0.878							7.7					ND	
6	0.975			270	259	0.9	2.0	7.7		0.1	0.3	0.1	10	
7	0.972							7.7					19	
8	0.907			150	160	1.2	1.0	7.7		0.1	0.1	0.1	6	
9	0.902			180	144	1.4	1.0	7.7	1.1	0.1	0.0	0.1	7	1.1
10	0.904			140	174	1.0	1.3	7.6		0.1	0.1	0.2	8	
11	0.918			120	165	1.2	1.3	7.7		0.2	0.0	0.2		
12	0.978			130	181	1.1	1.0	7.8		0.3	0.0	0.2	6	
13	1.078							7.7					11	
14	0.921			150	138	1.9	1.7	8.0		0.1	0.0	0.3	3	
15	0.981			60	103	0.8	1.7	7.8		0.1	0.0	0.2	8	
16	0.888			120	192	1.2	1.0	7.8	1.4	0.1	0.0	0.2	5	1.4
17	0.920			110	159	2.2	1.0	7.8		0.0	0.0	0.2	4	
18	0.900			100	128	1.6	1.0	7.4		0.1	0.0	0.2	4	
19	0.997							7.3					ND	
20	1.135							7.8					10	
21	0.830							7.6					8	
22	0.934			140	127	0.8	2.0	7.7		0.1	0.0	0.4	8	
23	0.908			150	105	1.2	1.7	7.5	1.5	0.1	0.0	0.4	ND	1.5
24	0.985			240	135	1.4	1.0	7.8		0.0	0.0	0.4	8	
25	1.001			200	184	1.7	1.3	7.5		0.2	0.1	0.4	5	
26	0.913			200	120	1.0	1.7	7.5		0.1	0.7	0.4	2	
27	0.830							7.7					3	
28	0.947							7.7					4	
29														
30														
31														
Total	26.241													
Avg	0.937			151	171	1.3	1.4	7.7	1.3	0.1	0.1	0.2	3.3	1.3

I, Robert Dick, Plant Operator. This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Name: Robert Dick
 Name (Please Type): Robert Dick

Date: 3-4-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

DOMESTIC WASTEWATER TREATMENT PLANT MONTHLY OPERATING REPORT

WATERWAY AWWTP

Month January Year 1993

DAY	FLOW (mgd)	Chl Res	Chl Res	BOD ₅	TSS	BOD ₅	TSS	pH	TKN	NH ₃ -N	Nitr	TdP	Fecal	TUN
		after Contact	after Dachl	Infl. mg/L	Infl. mg/L	Effl. mg/L	Effl. mg/L		Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. mg/L	Effl. #100ml
1	0.804							7.4					ND	
2	0.843			160	183	2.7	2.3	7.6		0.0	0.1	0.2	ND	
3	0.858							7.8					ND	
4	0.864			70	183	0.9	2.0	7.8		0.0	0.1	0.2	ND	
5	0.803			120	374	0.3	1.7	7.7	1.2	0.1	0.1	0.3	ND	1.3
6	0.836			125	207	2.3	2.3	7.7		0.1	0.0	0.2	ND	
7	0.818			150	278	1.5	1.0	7.8		0.1	0.0	0.2	ND	
8	0.985			183	323	2.2	1.3	7.8		0.1	0.0	0.4	ND	
9	0.981							7.7					ND	
10	0.989							7.8					ND	
11	0.942			150	177	5.0	3.7	7.6		0.1	0.0	0.2	ND	
12	0.857			190	191	1.8	2.7	7.5	1.0	0.1	0.2	0.2	ND	1.2
13	0.910			130	208	2.0	3.3	7.6		0.1	1.0	0.2	ND	
14	0.903			180	181	0.9	2.0	7.6		0.1	0.1	0.1	4	
15	0.931			230	118	2.2	1.0	7.6		0.2	1.6	0.1	2	
16	0.960							7.7					ND	
17	0.904							7.6					ND	
18	0.962			180	187	2.4	2.3	7.4		0.0	0.1	0.1	ND	
19	0.901			190	218	2.3	1.6	7.5	1.1	0.1	0.0	0.1	ND	1.1
20	0.865			180	205	2.6	1.3	7.5		0.0	0.0	0.1	ND	
21	0.858			130	224	1.6	1.0	7.4		0.1	0.2	0.2	ND	
22	0.871			210	251	2.2	1.0	7.8		0.1	0.1	0.2	ND	
23	0.925							7.7					ND	
24	0.935							7.7					ND	
25	0.945			80	321	1.2	1.0	7.6		0.1	0.1	0.1	ND	
26	0.952			90	188	0.8	2.3	7.7	1.1	0.1	0.1	0.1	ND	1.2
27	0.959			120	134	1.3	1.0	7.4		0.1	0.2	0.2	ND	
28	0.910			120	171	1.6	1.3	7.5		0.1	1.1	0.1	ND	
29	0.923			160	218	1.2	2.3	7.8		0.1	0.0	0.2	ND	
30	0.979							7.8					ND	
31	0.977							7.8					ND	
Total	28.149													
Avg	0.908			150	216	1.9	1.8	7.6	1.1	0.1	0.2	0.2	1.1	1.2

Lead Operator, This is to certify that I am familiar with the information contained in this report and that to the best of my knowledge and belief, this information is true, complete and accurate.

Signed: Robert Dick
Name (Please Type): Robert Dick

Date: 2-4-93

Company Name: FLORIDA CITIES WATER COMPANY

Telephone No. (Please Type) 813/481-1953

WWDER91

00122

SECTION - E

CONSENT ORDERS, INSPECTION
REPORTS, & PERMITS
WASTEWATER

FLORIDA CITIES
WATER COMPANY

SL
SIR

Book

WWE & FV

December 27, 1994

RECEIVED
JAN 04 1995
GENERAL OFFICE

Mr. Ronald D. Blackburn
Acting Director of District Management
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, FL 33901-2896

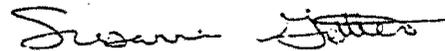
RE: Effluent testing for Class III Marine waters
Fiesta Village AWWTP Permit Number DO36-221765
Waterway Estates AWWTP Permit Number DO36-228850

Dear Mr. Blackburn:

Enclosed are the fourth quarter results for the effluent testing for Class III marine waters for each referenced facility in accordance with Operating Permit Special Condition Numbers 22 and 23, respectively. The results show all parameters to be in compliance except oil and grease for Waterway Estates which was retested. The result was in compliance.

Should you have any questions or require additional information, please contact me at (813) 481-1953.

Sincerely,



Susanne Gettler
Wastewater Superintendent

Enclosures

cc: Julie Karleskint

REPORT OF ANALYSES

Florida Cities Water Company
1366 San Souci
Fort Myers, FL 33919-

DATE: 11/03/94

Effluent (Page 1 of 1)

SAMPLE				DELIVERY TO LAB	
LAB No.	DATE	TIME	SAMPLER	DATE	TIME MATRIX
36473	10/11/94	0700	H. M.	10/11/94	1415 WA

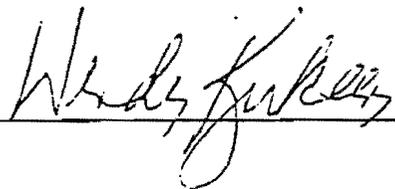
CLIENT STATION ID: Waterway Estates

Effluent

LAB #: 36473

Aluminum	(EPA 202.1) mg/L	<1
Antimony	(EPA 204.2) mg/L	<0.001
Arsenic, by Hydride	(EPA 206.3) mg/L	<0.002
Chromium, Hexavalent; APHA312B	mg/L	<0.01
Copper	(EPA 220.2) mg/L	<0.001
Lead	(EPA 239.2) mg/L	<0.001
Mercury	(EPA 245.1) mg/L	<0.0002
Silver	(EPA 272.2) mg/L	<0.0004
Zinc	(EPA 289.1) mg/L	<0.02
Oil & Grease	(EPA 413.1) mg/L	24
Surfactants, as LAS (EPA425.1)	mg/L	0.14

LABORATORY DIRECTOR



00126

Lee County Environmental Laboratory
60 Danley Drive # 2
Fort Myers, Florida 33907
(813) 278-7288
HRS ID 45031/E45049

December 28, 1994

Ms. Suzanne Getler
Florida Cities Water Co.
1366 San Souci Drive
Fort Myers, Florida 33919

Dear: Ms. Getler:

Below are the results of analysis of 1 sample received for examination on December 2, 1994:

Sample I.D. AA51484 Location code: FLRCITFV
Location Description: Waterway Estates WWEffl
Sample collector: MK
Sample collection date: 12/01/94 Time: 16:40
Lab submittal date: 12/02/94 Time: 14:59

TEST PARAMETER	UNITS	TEST RESULT	DETECTION LIMIT
Oil & Grease	mg/L	Not detected	5

Please advise should you have questions concerning these data.

Respectfully submitted,

Keith A. Kibbey
Laboratory Director
Division of Natural Resources Management

00127

Fiesta Village AWWTP Laboratory

1366 San Souci Drive
Ft. Myers, FL 33919
(813) 481-1953

Sample collection date: 10/11/94
Sample collection time: 07:00
Sample collector: MH
Sample: Waterway Estates Effluent Grab

Result

pH	7.2
Dissolved Oxygen	6.4 mg/l
Total Residual Chlorine	<0.01 mg/l

Quarterly Summary for Water Way Estates
and Fiesta Village AWT
Sampled 10/25/94

	Cond. µmhos	DO mg/L	pH units	Salinity g/Kg	Temp ° C	CBOD mg/L	NH ₃ mg/L	NO ₃ -NO ₂ mg/L	TKN mg/L	TN mg/L	T-P mg/L	TSS mg/L	Turbidity NTU	Fec. Col. count/ 100mL	Tot. Col. count/ 100mL	Chlor.a mg/cuM
Water Way Estates Upstream 94070049-0001	451	4.87	7.54	< 0.2	27.2	< 1.13	0.25	0.23	1.11	1.34	0.08	2.67	1.40	< 1	10	4.445
Water Way Estates Outfall 94070049-0003	986	6.81	7.24	< 0.2	29.4	2.28	0.14	< 0.01	0.97	0.97	0.62	3.67	1.65	11	16	0.250
Water Way Estates Downstream 94070049-0002	456	4.85	7.39	< 0.2	27.2	< 1.17	0.30	0.23	0.97	1.20	0.09	1.67	1.43	2	13	5.207

	Cond. µmhos	DO mg/L	pH units	Salinity g/Kg	Temp ° C	CBOD mg/L	NH ₃ mg/L	NO ₃ -NO ₂ mg/L	TKN mg/L	TN mg/L	T-P mg/L	TSS mg/L	Turbidity NTU	Fec. Col. count/ 100mL	Tot. Col. count/ 100mL	Chlor.a mg/cuM
Fiesta Village Upstream 94080037-0001	4,272	6.23	7.79	2.25	26.6	1.58	0.31	0.22	0.95	1.17	0.10	5.0	4.1	7	11	6.858
Fiesta Village Outfall 94080037-0003	1,106	6.19	6.46	< 0.2	28.4	< 1	0.44	0.01	0.56	0.57	0.17	0.33	0.80	< 1	< 1	< 0.250
Fiesta Village Downstream 94080037-0002	4,362	5.82	7.76	2.5	26.7	1.76	0.30	0.21	0.95	1.16	0.10	6.0	4.3	5	8	6.858

00129



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

SEP 30 1994

SR
JK
CC: G King
11-7-94
W/C

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

REF: 4WM-WPEB

Mr. Johnnie M. Overton
Senior Vice-President
Florida Cities Water Company
P.O. Box 21119
Sarasota, FL 34276-4119

RE: Final Issuance of NPDES Permit No. FL0030325
Waterway Estates Advanced
Wastewater Treatment Facility

Dear Mr. Overton:

Enclosed is the National Pollutant Discharge Elimination System (NPDES) permit for the above-referenced facility. This action constitutes the Environmental Protection Agency's final permit decision in accordance with Title 40, Code of Federal Regulations (CFR) Section 124.15(a). The permit will become effective as specified, provided that no timely request for an evidentiary hearing is received by the Agency.

Any interested person may contest this decision by submitting a timely request for an evidentiary hearing (hearing) pursuant to the procedures at 40 CFR § 124.74. If a request for a hearing is received by the Agency, following review, a determination will be made and the requester advised of the Agency's decision on the request. Until that time, please be advised that any request will render the permit ineffective pursuant to 40 CFR § 124.15(b). For a new source, a new discharger, a recommencing discharger, or a facility for which an untimely permit renewal application was submitted, a hearing request renders the facility without an NPDES permit and the facility may not discharge (unless relief is granted by the Presiding Officer under 40 CFR § 124.60(a)).

If the evidentiary hearing request is granted, in whole or part, to an existing source, the effect of the contested provision(s), and any other conditions not severable from those conditions, will be stayed and not subject to judicial review pending final Agency action. In this case, all provisions of the prior permit, as well as, all uncontested provisions of the reissued permit shall continue fully enforceable and effective pending final Agency action on the permit appeal. See 40 CFR § 124.60.

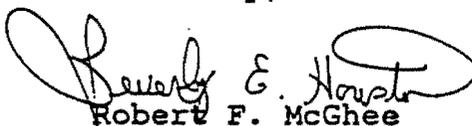
00130

To request an evidentiary hearing under 40 CFR § 124.74, you must submit an original and two copies of the request to the Regional Hearing Clerk at the letterhead address within thirty (30) days from service of this notice. A copy of the procedures and requirements for evidentiary hearing requests and appeals to the Administrator is enclosed.

For purposes of judicial review under the Clean Water Act, 33 U.S.C. § 1251 et seq., final Agency action on a permit does not occur unless and until a party has exhausted its administrative remedies as required by 40 CFR Part 124.

Further information on procedures pertaining to the filing of an evidentiary hearing request or other legal matters may be obtained by contacting Ms. Gwen Eason, Assistant Regional Counsel, at (404) 347-2309, extension 2906.

Sincerely,



Robert F. McGhee
Acting Director
Water Management Division

Enclosures (3)

1. Evidentiary Hearing Procedures
2. Final NPDES Permit
3. Amendment to Fact Sheet

cc: Florida DEP (with all enclosures, except Evid. Hearing Procedures)

U.S. Fish & Wildlife Service, Vero Beach Field Office
(with all enclosures, except Evid. Hearing Procedures)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IV

345 COURTLAND STREET, N.E.
ATLANTA, GEORGIA 30365

AMENDMENT TO THE FACT SHEET AT
THE TIME OF FINAL PERMIT ISSUANCE

DATE: SEP 30 1994

APPLICATION NO.: FL0030325

NAME OF APPLICANT: Florida Cities Water Company
Waterway Estates AWT

PERMIT WRITER: Connie A. Kagey

1. Changes to Permit from Draft Permit to Final Permit Stage:

The word "should" was changed to "shall" in line 3, Item 11,
on page II-10.

2. Public Comments:

None

3. State Certification:

State Certification was requested on July 28, 1994, and was
waived by letter dated September 20, 1994.

EVIDENTIARY HEARING PROCEDURES

**Subpart E—Evidentiary Hearings for
EPA-Issued NPDES Permits and
EPA-Terminated RCRA Permits****§ 124.71 Applicability.**

(a) The regulations in this subpart govern all formal hearings conducted by EPA under CWA sections 402 and 405(D), except those conducted under subpart F. They also govern all evidentiary hearings conducted under RCRA section 3008 in connection with the termination of a RCRA permit. This includes termination of interim status for failure to furnish information needed to make a final decision. A formal hearing is available to challenge any NPDES permit issued under

§ 124.15 except for a general permit. Persons affected by a general permit may not challenge the conditions of a general permit as of right in further agency proceedings. They may instead either challenge the general permit in court, or apply for an individual NPDES permit under § 122.21 as authorized in § 122.20 and then request a formal hearing on the issuance or denial of an individual permit. The Regional Administrator also has the discretion to use the procedures of subpart P for general permits. See § 124.111.

(b) In certain cases, evidentiary hearings under this subpart may also be held on the conditions of UIC permits, or of RCRA permits which are being issued, modified, or revoked and reissued, rather than terminated or suspended. This will occur when the conditions of the UIC or RCRA permit in question are closely linked with the conditions of an NPDES permit as to which an evidentiary hearing has been granted. See § 124.74(b)(2). Any interested person may challenge the Regional Administrator's initial new source determination by requesting an evidentiary hearing under this part. See § 122.29.

(c) PSD permits may never be subject to an evidentiary hearing under this subpart. Section 124.74(b)(2)(iii) provides only for consolidation of PSD permits with other permits subject to a panel hearing under subpart P.

(48 FR 14264, Apr. 1, 1983, as amended at 54 FR 18786, May 2, 1989)

§ 124.72 Definitions.

For the purpose of this subpart, the following definitions are applicable:

Environmental Appeals Board shall mean the Board within the Agency described in § 1.25 of this title. The Administrator delegates authority to the Environmental Appeals Board to issue final decisions in NPDES appeals filed under this subpart. An appeal directed to the Administrator, rather than to the Environmental Appeals Board, will not be considered. This delegation does not preclude the Environmental Appeals Board from referring an appeal or a motion to the Administrator or when the Environmental Appeals Board, in its discretion, deems it ap-

propriate to do so. When an appeal or motion is referred to the Administrator by the Environmental Appeals Board, all parties shall be so notified and the rules in this subpart referring to the Environmental Appeals Board shall be interpreted as referring to the Administrator.

Hearing Clerk means The Hearing Clerk, U.S. Environmental Protection Agency, 401 M Street, SW., Washington, DC, 20460.

Party means the EPA trial staff under § 124.78 and any person whose request for a hearing under § 124.74 or whose request to be admitted as a party or to intervene under § 124.79 or § 124.117 has been granted.

Presiding Officer for the purposes of this subpart means an Administrative Law Judge appointed under 5 U.S.C. 3105 and designated to preside at the hearing. Under subpart P other persons may also serve as hearing officers. See § 124.119.

Regional Hearing Clerk means an employee of the Agency designated by a Regional Administrator to establish a repository for all books, records, documents, and other materials relating to hearings under this subpart.

(48 FR 14264, Apr. 1, 1983, as amended at 57 FR 5355, Feb. 13, 1992)

§ 124.73 Filing and submission of documents.

(a) All submissions authorized or required to be filed with the Agency under this subpart shall be filed with the Regional Hearing Clerk, unless otherwise provided by regulation. Submissions shall be considered filed on the date on which they are mailed or delivered in person to the Regional Hearing Clerk.

(b) All submissions shall be signed by the person making the submission, or by an attorney or other authorized agent or representative.

(c)(1) All data and information referred to or in any way relied upon in any submission shall be included in full and may not be incorporated by reference, unless previously submitted as part of the administrative record in the same proceeding. This requirement does not apply to State or Federal statutes and regulations, judicial de-

Environmental Protection Agency

isions published in a national reporter system, officially issued EPA documents of general applicability, and any other generally available reference material which may be incorporated by reference. Any party incorporating materials by reference shall provide copies upon request by the Regional Administrator or the Presiding Officer.

(2) If any part of the material submitted is in a foreign language, it shall be accompanied by an English translation verified under oath to be complete and accurate, together with the name, address, and a brief statement of the qualifications of the person making the translation. Translations of literature or other material in a foreign language shall be accompanied by copies of the original publication.

(3) Where relevant data or information is contained in a document also containing irrelevant matter, either the irrelevant matter shall be deleted or the relevant portions shall be indicated.

(4) Failure to comply with the requirements of this section or any other requirement in this subpart may result in the non-complying portions of the submission being excluded from consideration. If the Regional Administrator or the Presiding Officer, on motion by any party or *sua sponte*, determines that a submission fails to meet any requirement of this subpart, the Regional Administrator or Presiding Officer shall direct the Regional Hearing Clerk to return the submission, together with a reference to the applicable regulations. A party whose materials have been rejected has 14 days to correct the errors and resubmit, unless the Regional Administrator or the Presiding Officer finds good cause to allow a longer time.

(d) The filing of a submission shall not mean or imply that it in fact meets all applicable requirements or that it contains reasonable grounds for the action requested or that the action requested is in accordance with law.

(e) The original of all statements and documents containing factual material, data, or other information shall be signed in ink and shall state the name, address, and the representative

capacity of the person making the submission.

§ 124.74 Requests for evidentiary hearing.

(a) Within 30 days following the service of notice of the Regional Administrator's final permit decision under § 124.15, any interested person may submit a request to the Regional Administrator under paragraph (b) of this section for an evidentiary hearing to reconsider or contest that decision. If such a request is submitted by a person other than the permittee, the person shall simultaneously serve a copy of the request on the permittee.

(b)(1) In accordance with § 124.76, such requests shall state each legal or factual question alleged to be at issue, and their relevance to the permit decision, together with a designation of the specific factual areas to be adjudicated and the hearing time estimated to be necessary for adjudication. Information supporting the request or other written documents relied upon to support the request shall be submitted as required by § 124.73 unless they are already part of the administrative record required by § 124.18.

NOTE: This paragraph allows the submission of requests for evidentiary hearings even though both legal and factual issues may be raised, or only legal issues may be raised. In the latter case, because no factual issues were raised, the Regional Administrator would be required to deny the request. However, on review of the denial the Environmental Appeals Board is authorized by § 124.91(a)(1) to review policy or legal conclusions of the Regional Administrator. EPA is requiring an appeal to the Environmental Appeals Board even of purely legal issues involved in a permit decision to ensure that the Environmental Appeals Board will have an opportunity to review any permit before it will be final and subject to judicial review.

(2) Persons requesting an evidentiary hearing on an NPDES permit under this section may also request an evidentiary hearing on a RCRA or UIC permit. PSD permits may never be made part of an evidentiary hearing under subpart E. This request is subject to all the requirements of paragraph (b)(1) of this section and in addition will be granted only if:

(i) Processing of the RCRA or UIC permit at issue was consolidated with the processing of the NPDES permit as provided in § 124.4;

(ii) The standards for granting a hearing on the NPDES permit are met;

(iii) The resolution of the NPDES permit issues is likely to make necessary or appropriate modification of the RCRA or UIC permit; and

(iv) If a PSD permit is involved, a permittee who is eligible for an evidentiary hearing under subpart E on his or her NPDES permit requests that the formal hearing be conducted under the procedures of subpart F and the Regional Administrator finds that consolidation is unlikely to delay final permit issuance beyond the PSD one-year statutory deadline.

(c) These requests shall also contain:

(1) The name, mailing address, and telephone number of the person making such request;

(2) A clear and concise factual statement of the nature and scope of the interest of the requester;

(3) The names and addresses of all persons whom the requester represents; and

(4) A statement by the requester that, upon motion of any party granted by the Presiding Officer, or upon order of the Presiding Officer sua sponte without cost or expense to any other party, the requester shall make available to appear and testify, the following:

(i) The requester;

(ii) All persons represented by the requester; and

(iii) All officers, directors, employees, consultants, and agents of the requester and the persons represented by the requester.

(5) Specific references to the contested permit conditions, as well as suggested revised or alternative permit conditions (including permit denials) which, in the judgment of the requester, would be required to implement the purposes and policies of the CWA.

(6) In the case of challenges to the application of control or treatment technologies identified in the statement of basis or fact sheet, identification of the basis for the objection, and alternative technologies or combi-

nation of technologies which the requester believes are necessary to meet the requirements of the CWA.

(7) Identification of the permit obligations that are contested or are inseparable from contested conditions and should be stayed if the request is granted by reference to the particular contested conditions warranting the stay.

(8) Hearing requests also may ask that a formal hearing be held under the procedures set forth in subpart F. An applicant may make such a request even if the proceeding does not constitute "initial licensing" as defined in § 124.111.

(d) If the Regional Administrator grants an evidentiary hearing request, in whole or in part, the Regional Administrator shall identify the permit conditions which have been contested by the requester and for which the evidentiary hearing has been granted. Permit conditions which are not contested or for which the Regional Administrator has denied the hearing request shall not be affected by, or considered at, the evidentiary hearing. The Regional Administrator shall specify these conditions in writing in accordance with § 124.60(c).

(e) The Regional Administrator must grant or deny all requests for an evidentiary hearing on a particular permit. All requests that are granted for a particular permit shall be combined in a single evidentiary hearing.

(f) The Regional Administrator (upon notice to all persons who have already submitted hearing requests) may extend the time allowed for submitting hearing requests under this section for good cause.

146 FR 14264, Apr. 1, 1983, as amended at 57 FR 5336, Feb. 13, 1992

§ 124.75 Decision on request for a hearing.

(a)(1) Within 30 days following the expiration of the time allowed by § 124.74 for submitting an evidentiary hearing request, the Regional Administrator shall decide the extent to which, if at all, the request shall be granted, provided that the request conforms to the requirements of § 124.74, and sets forth material issues

of fact relevant to the issuance of the permit.

(2) When an NPDES permit for which a hearing request has been granted constitutes "initial licensing" under § 124.111, the Regional Administrator may elect to hold a formal hearing under the procedures of subpart F rather than under the procedures of this subpart even if no person has requested that subpart F be applied. If the Regional Administrator makes such a decision, he or she shall issue a notice of hearing under § 124.116. All subsequent proceedings shall then be governed by §§ 124.117 through 124.121, except that any reference to a draft permit shall mean the final permit.

(3) Whenever the Regional Administrator grants a request made under § 124.74(c)(8) for a formal hearing under subpart F on an NPDES permit that does not constitute an initial license under § 124.111, the Regional Administrator shall issue a notice of hearing under § 124.116 including a statement that the permit will be processed under the procedures of subpart F unless a written objection is received within 30 days. If no valid objection is received, the application shall be processed in accordance with §§ 124.117 through 124.121, except that any reference to a draft permit shall mean the final permit. If a valid objection is received, this subpart shall be applied instead.

(b) If a request for a hearing is denied in whole or in part, the Regional Administrator shall briefly state the reasons. That denial is subject to review by the Environmental Appeals Board under § 124.91.

146 FR 14264, Apr. 1, 1983, as amended at 57 FR 6336, Feb. 13, 1992

§ 124.76 Obligation to submit evidence and raise issues before a final permit is issued.

In any case where the Regional Administrator elected to apply the requirements of § 124.14(a), no evidence shall be submitted by any party to a hearing under this Subpart that was not submitted to the administrative record required by § 124.18 as part of the preparation of and comment on a draft permit, unless good cause is

shown for the failure to submit it. No issues shall be raised by any party that were not submitted to the administrative record required by § 124.18 as part of the preparation of and comment on a draft permit unless good cause is shown for the failure to submit them. Good cause includes the case where the party seeking to raise the new issues or introduce new information shows that it could not reasonably have ascertained the issues or made the information available within the time required by § 124.15; or that it could not have reasonably anticipated the relevance or materiality of the information sought to be introduced. Good cause exists for the introduction of data available on operation authorized under § 124.60(a)(2).

149 FR 38051, Sept. 26, 1984

§ 124.77 Notice of hearing.

Public notice of the grant of an evidentiary hearing regarding a permit shall be given as provided in § 124.57(b) and by mailing a copy to all persons who commented on the draft permit, testified at the public hearing, or submitted a request for a hearing. Before the issuance of the notice, the Regional Administrator shall designate the Agency trial staff and the members of the decisional body (as defined in § 124.78).

§ 124.78 Ex parte communications.

(a) For purposes of this section, the following definitions shall apply:

(1) *Agency trial staff* means those Agency employees, whether temporary or permanent, who have been designated by the Agency under § 124.77 or § 124.116 as available to investigate, litigate, and present the evidence, arguments, and position of the Agency in the evidentiary hearing or non-adversary panel hearing. Any EPA employee, consultant, or contractor who is called as a witness by EPA trial staff, or who assisted in the formulation of the draft permit which is the subject of the hearing, shall be designated as a member of the Agency trial staff;

(2) *Decisional body* means any Agency employee who is or may reasonably be expected to be involved in

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the decisional process of the proceeding including the Administrator, the members of the Environmental Appeals Board, the Presiding Officer, the Regional Administrator (if he or she does not designate himself or herself as a member of the Agency trial staff), and any of their staff participating in the decisional process. In the case of a nonadversary panel hearing, the decisional body shall also include the panel members, whether or not permanently employed by the Agency.

(3) *Ex parte communication* means any communication, written or oral, relating to the merits of the proceeding between the decisional body and an interested person outside the Agency or the Agency trial staff which was not originally filed or stated in the administrative record or in the hearing. *Ex parte communications* do not include:

(1) Communications between Agency employees other than between the Agency trial staff and the members of the decisional body;

(2) Discussions between the decisional body and either:

(A) Interested persons outside the Agency, or

(B) The Agency trial staff, if all parties have received prior written notice of the proposed communications and have been given the opportunity to be present and participate therein.

(4) *Interested person outside the Agency* includes the permit applicant, any person who filed written comments in the proceeding, any person who requested the hearing, any person who requested to participate or intervene in the hearing, any participant in the hearing and any other interested person not employed by the Agency at the time of the communications, and any attorney of record for those persons.

(b)(1) No interested person outside the Agency or member of the Agency trial staff shall make or knowingly cause to be made to any members of the decisional body, an *ex parte* communication on the merits of the proceedings.

(2) No member of the decisional body shall make or knowingly cause to be made to any interested person outside the Agency or member of the

Agency trial staff, an *ex parte* communication on the merits of the proceedings.

(3) A member of the decisional body who receives who makes or who knowingly causes to be made a communication prohibited by this subsection shall file with the Regional Hearing Clerk all written communications or memoranda stating the substance of all oral communications together with all written responses and memoranda stating the substance of all oral responses.

(c) Whenever any member of the decisionmaking body receives an *ex parte* communication knowingly made or knowingly caused to be made by a party or representative of a party in violation of this section, the person presiding at the stage of the hearing then in progress may, to the extent consistent with justice and the policy of the CWA, require the party to show cause why its claim or interest in the proceedings should not be dismissed, denied, disregarded, or otherwise adversely affected on account of such violation.

(d) The prohibitions of this section begin to apply upon issuance of the notice of the grant of a hearing under § 124.77 or § 124.116. This prohibition terminates at the date of final agency action.

148 FR 14204, Apr. 1, 1983, as amended at 49 FR 38052, Sept. 26, 1984; 57 FR 5336, Feb. 13, 1992]

§ 124.79 Additional parties and issues.

(a) Any person may submit a request to be admitted as a party within 16 days after the date of mailing, publication, or posting of notice of the grant of an evidentiary hearing, whichever occurs last. The Presiding Officer shall grant requests that meet the requirements of §§ 124.74 and 124.76.

(b) After the expiration of the time prescribed in paragraph (a) of this section any person may file a motion for leave to intervene as a party. This motion must meet the requirements of §§ 124.74 and 124.76 and set forth the grounds for the proposed intervention. No factual or legal issues, besides those raised by timely hearing requests, may be proposed except for

good cause. A motion for leave to intervene must also contain a verified statement showing good cause for the failure to file a timely request to be admitted as a party. The Presiding Officer shall grant the motion only upon an express finding on the record that:

(1) Extraordinary circumstances justify granting the motion;

(2) The intervenor has consented to be bound by:

(1) Prior written agreements and stipulations by and between the existing parties; and

(2) All orders previously entered in the proceedings; and

(3) Intervention will not cause undue delay or prejudice the rights of the existing parties.

§ 124.80 Filing and service.

(a) An original and one (1) copy of all written submissions relating to an evidentiary hearing filed after the notice is published shall be filed with the Regional Hearing Clerk.

(b) The party filing any submission shall also serve a copy of each submission upon the Presiding Officer and each party of record. Service shall be by mail or personal delivery.

(c) Every submission shall be accompanied by an acknowledgment of service by the person served or a certificate of service citing the date, place, time, and manner of service and the names of the persons served.

(d) The Regional Hearing Clerk shall maintain and furnish a list containing the name, service address, and telephone number of all parties and their attorneys or duly authorized representatives to any person upon request.

§ 124.81 Assignment of Administrative Law Judge.

No later than the date of mailing, publication, or posting of the notice of a grant of an evidentiary hearing, whichever occurs last, the Regional Administrator shall refer the proceeding to the Chief Administrative Law Judge who shall assign an Administrative Law Judge to serve as Presiding Officer for the hearing.

§ 124.82 Consolidation and severance.

(a) The Administrator, Regional Administrator, or Presiding Officer has the discretion to consolidate, in whole or in part, two or more proceedings to be held under this subpart, whenever it appears that a joint hearing on any or all of the matters in issue would expedite or simplify consideration of the issues and that no party would be prejudiced thereby. Consolidation shall not affect the right of any party to raise issues that might have been raised had there been no consolidation.

(b) If the Presiding Officer determines consolidation is not conducive to an expeditious, full, and fair hearing, any party or issues may be severed and heard in a separate proceeding.

§ 124.83 Prehearing conferences.

(a) The Presiding Officer, sua sponte, or at the request of any party, may direct the parties or their attorneys or duly authorized representatives to appear at a specified time and place for one or more conferences before or during a hearing, or to submit written proposals or correspondence for the purpose of considering any of the matters set forth in paragraph (c) of this section.

(b) The Presiding Officer shall allow a reasonable period before the hearing begins for the orderly completion of all prehearing procedures and for the submission and disposition of all prehearing motions. Where the circumstances warrant, the Presiding Officer may call a prehearing conference to inquire into the use of available procedures contemplated by the parties and the time required for their completion, to establish a schedule for their completion, and to set a tentative date for beginning the hearing.

(c) In conferences held, or in suggestions submitted, under paragraph (a) of this section, the following matter may be considered:

(1) Simplification, clarification, amplification, or limitation of the issues.

(2) Admission of facts and of the genuineness of documents, and stipulations of facts.

(3) Objections to the introduction into evidence at the hearing of any

written testimony, documents, papers, exhibits, or other submissions proposed by a party, except that the administrative record required by § 124.19 shall be received in evidence subject to the provisions of § 124.85(d)(2). At any time before the end of the hearing any party may make, and the Presiding Officer shall consider and rule upon, motions to strike testimony or other evidence other than the administrative record on the grounds of relevance, competency, or materiality.

(4) Matters subject to official notice may be taken.

(5) Scheduling as many of the following as are deemed necessary and proper by the Presiding Officer:

(i) Submission of narrative statements of position on each factual issue in controversy;

(ii) Submission of written testimony and documentary evidence (e.g., affidavits, data, studies, reports, and any other type of written material) in support of those statements; or

(iii) Requests by any party for the production of additional documentation, data, or other information relevant and material to the facts in issue.

(6) Grouping participants with substantially similar interests to eliminate redundant evidence, motions, and objections.

(7) Such other matters that may expedite the hearing or aid in the disposition of the matter.

(d) At a prehearing conference or at some other reasonable time set by the Presiding Officer, each party shall make available to all other parties the names of the expert and other witnesses it expects to call. At its discretion or at the request of the Presiding Officer, a party may include a brief narrative summary of any witness's anticipated testimony. Copies of any written testimony, documents, papers, exhibits, or materials which a party expects to introduce into evidence, and the administrative record required by § 124.18 shall be marked for identification as ordered by the Presiding Officer. Witnesses, proposed written testimony, and other evidence may be added or amended upon order of the Presiding Officer for good cause shown. Agency employees and consult-

ants shall be made available as witnesses by the Agency to the same extent that production of such witnesses is required of other parties under § 124.74(c)(4). (See also § 124.85(b)(16).)

(e) The Presiding Officer shall prepare a written prehearing order reciting the actions taken at each prehearing conference and setting forth the schedule for the hearing, unless a transcript has been taken and accurately reflects these matters. The order shall include a written statement of the areas of factual agreement and disagreement and of the methods and procedures to be used in developing the evidence and the respective duties of the parties in connection therewith. This order shall control the subsequent course of the hearing unless modified by the Presiding Officer for good cause shown.

§ 124.81 Summary determination.

(a) Any party to an evidentiary hearing may move with or without supporting affidavits and briefs for a summary determination in its favor upon any of the issues being adjudicated on the basis that there is no genuine issue of material fact for determination. This motion shall be filed at least 45 days before the date set for the hearing, except that upon good cause shown the motion may be filed at any time before the close of the hearing.

(b) Any other party may, within 30 days after service of the motion, file and serve a response to it or a counter-motion for summary determination. When a motion for summary determination is made and supported, a party opposing the motion may not rest upon mere allegations or denials but must show, by affidavit or by other materials subject to consideration by the Presiding Officer, that there is a genuine issue of material fact for determination at the hearing.

(c) Affidavits shall be made on personal knowledge, shall set forth facts that would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein.

(d) The Presiding Officer may set the matter for oral argument and call

for the submission of proposed findings, conclusions, briefs, or memoranda of law. The Presiding Officer shall rule on the motion not more than 30 days after the date responses to the motion are filed under paragraph (b) of this section.

(e) If all factual issues are decided by summary determination, no hearing will be held and the Presiding Officer shall prepare an initial decision under § 124.89. If summary determination is denied or if partial summary determination is granted, the Presiding Officer shall issue a memorandum opinion and order, interlocutory in character, and the hearing will proceed on the remaining issues. Appeals from interlocutory rulings are governed by § 124.90.

(f) Should it appear from the affidavits of a party opposing a motion for summary determination that he or she cannot for reasons stated present, by affidavit or otherwise, facts essential to justify his or her opposition, the Presiding Officer may deny the motion or order a continuance to allow additional affidavits or other information to be obtained or may make such other order as is just and proper.

§ 124.85 Hearing procedure.

(a)(1) The permit applicant always bears the burden of persuading the Agency that a permit authorizing pollutants to be discharged should be issued and not denied. This burden does not shift.

Note: In many cases the documents contained in the administrative record, in particular the fact sheet or statement of basis and the response to comments, should adequately discharge this burden.

(2) The Agency has the burden of going forward to present an affirmative case in support of any challenged condition of a final permit.

(3) Any hearing participant who, by raising material issues of fact, contends:

(d) That particular conditions or requirements in the permit are improper or invalid, and who desires either:

(A) The inclusion of new or different conditions or requirements; or

(B) The deletion of those conditions or requirements; or

(H) That the denial or issuance of a permit is otherwise improper or invalid, shall have the burden of going forward to present an affirmative case at the conclusion of the Agency case on the challenged requirement.

(b) The Presiding Officer shall conduct a fair and impartial hearing, take action to avoid unnecessary delay in the disposition of the proceedings, and maintain order. For these purposes, the Presiding Officer may:

(1) Arrange and issue notice of the date, time, and place of hearings and conferences;

(2) Establish the methods and procedures to be used in the development of the evidence;

(3) Prepare, after considering the views of the participants, written statements of areas of factual disagreement among the participants;

(4) Hold conferences to settle, simplify, determine, or strike any of the issues in a hearing, or to consider other matters that may facilitate the expeditious disposition of the hearing;

(5) Administer oaths and affirmations;

(6) Regulate the course of the hearing and govern the conduct of participants;

(7) Examine witnesses;

(8) Identify and refer issues for interlocutory decision under § 124.90;

(9) Rule on, admit, exclude, or limit evidence;

(10) Establish the time for filing motions, testimony, and other written evidence, briefs, findings, and other submissions;

(11) Rule on motions and other procedural matters pending before him, including but not limited to motions for summary determination in accordance with § 124.81;

(12) Order that the hearing be conducted in stages whenever the number of parties is large or the issues are numerous and complex;

(13) Take any action not inconsistent with the provisions of this subpart for the maintenance of order at the hearing and for the expeditious, fair, and impartial conduct of the proceedings;

(14) Provide for the testimony of opposing witnesses to be heard simultaneously or for such witnesses to meet

outside the hearing to resolve or isolate issues or conflicts;

(15) Order that trade secrets be treated as confidential business information in accordance with §§ 122.7 (NPDES) and 270.12 (RCRA) and 40 CFR part 2; and

(16) Allow such cross-examination as may be required for a full and true disclosure of the facts. No cross-examination shall be allowed on questions of policy except to the extent required to disclose the factual basis for permit requirements, or on questions of law, or regarding matters (such as the validity of effluent limitations guidelines) that are not subject to challenge in an evidentiary hearing. No Agency witnesses shall be required to testify or be made available for cross-examination on such matters. In deciding whether or not to allow cross-examination, the Presiding Officer shall consider the likelihood of clarifying or resolving a disputed issue of material fact compared to other available methods. The party seeking cross-examination has the burden of demonstrating that this standard has been met.

(c) All direct and rebuttal evidence at an evidentiary hearing shall be submitted in written form, unless, upon motion and good cause shown, the Presiding Officer determines that oral presentation of the evidence on any particular fact will materially assist in the efficient identification and clarification of the issues. Written testimony shall be prepared in narrative form.

(d)(1) The Presiding Officer shall admit all relevant, competent, and material evidence, except evidence that is unduly repetitious. Evidence may be received at any hearing even though inadmissible under the rules of evidence applicable to judicial proceedings. The weight to be given evidence shall be determined by its reliability and probative value.

(2) The administrative record required by § 124.18 shall be admitted and received in evidence. Upon motion by any party the Presiding Officer may direct that a witness be provided to sponsor a portion or portions of the administrative record. The Presiding Officer, upon finding that the standards in § 124.85(b)(3) have been met, shall direct the appropriate party to

produce the witness for cross-examination. If a sponsoring witness cannot be provided, the Presiding Officer may reduce the weight accorded the appropriate portion of the record.

Note: Receiving the administrative record into evidence automatically serves several purposes: (1) It documents the prior course of the proceedings; (2) it provides a record of the views of affected persons for consideration by the agency decisionmaker; and (3) it provides factual material for use by the decisionmaker.

(3) Whenever any evidence or testimony is excluded by the Presiding Officer as inadmissible, all such evidence or testimony existing in written form shall remain a part of the record as an offer of proof. The party seeking the admission of oral testimony may make an offer of proof, by means of a brief statement on the record describing the testimony excluded.

(4) When two or more parties have substantially similar interests and positions, the Presiding Officer may limit the number of attorneys or other party representatives who will be permitted to cross-examine and to make and argue motions and objections on behalf of those parties. Attorneys may, however, engage in cross-examination relevant to matters not adequately covered by previous cross-examination.

(5) Rulings of the Presiding Officer on the admissibility of evidence or testimony, the propriety of cross-examination, and other procedural matters shall appear in the record and shall control further proceedings, unless reversed as a result of an interlocutory appeal taken under § 124.90.

(6) All objections shall be made promptly or be deemed waived. Parties shall be presumed to have taken exception to an adverse ruling. No objection shall be deemed waived by further participation in the hearing.

(c) *Admission of evidence on environmental impacts.* If a hearing is granted under this subpart for a new source subject to NEPA, the Presiding Officer may admit evidence relevant to any environmental impacts of the permitted facility if the evidence would be relevant to the Agency's obligation under § 122.29(c)(3). If the

source holds a final EPA-issued RCRA, PSD, or UIC permit, or an ocean dumping permit under the Marine Protection, Research, and Sanctuaries Act (MPRSA), no such evidence shall be admitted nor shall cross-examination be allowed relating to:

(1) Effects on air quality, (2) effects attributable to underground injection or hazardous waste management practices, or (3) effects of ocean dumping subject to the MPRSA, which were considered or could have been considered in the PSD, RCRA, UIC, or MPRSA permit issuance proceedings. However, the presiding officer may admit without cross-examination or any supporting witness relevant portions of the record of PSD, RCRA, UIC, or MPRSA permit issuance proceedings.

148 FR 14264, Apr. 1, 1983, as amended at 49 FR 38052, Sept. 26, 1984

§ 124.86 Motions.

(a) Any party may file a motion (including a motion to dismiss a particular claim on a contested issue) with the Presiding Officer on any matter relating to the proceeding. All motions shall be in writing and served as provided in § 124.80 except those made on the record during an oral hearing before the Presiding Officer.

(b) Within 10 days after service of any written motion, any part to the proceeding may file a response to the motion. The time for response may be shortened to 3 days or extended for an additional 10 days by the Presiding Officer for good cause shown.

(c) Notwithstanding § 122.4, any party may file with the Presiding Officer a motion seeking to apply to the permit any regulatory or statutory provision issued or made available after the issuance of the permit under § 124.15. The Presiding Officer shall grant any motion to apply a new statutory provision unless he or she finds it contrary to legislative intent. The Presiding Officer may grant a motion to apply a new regulatory requirement when appropriate to carry out the purpose of CWA, and when no party would be unduly prejudiced thereby.

§ 124.87 Record of hearings.

(a) All orders issued by the Presiding Officer, transcripts of oral hearings or arguments, written statements of position, written direct and rebuttal testimony, and any other data, studies, reports, documentation, information and other written material of any kind submitted in the proceeding shall be a part of the hearing record and shall be available to the public except as provided in §§ 122.7 (NPDES) and 270.12 (RCRA), in the Office of the Regional Hearing Clerk, as soon as it is received in that office.

(b) Evidentiary hearings shall be either stenographically reported verbatim or tape recorded, and thereupon transcribed. After the hearing, the reporter shall certify and file with the Regional Hearing Clerk:

(1) The original of the transcript, and

(2) The exhibits received or offered into evidence at the hearing.

(c) The Regional Hearing Clerk shall promptly notify each of the parties of the filing of the certified transcript of proceedings. Any party who desires a copy of the transcript of the hearing may obtain a copy of the hearing transcript from the Regional Hearing Clerk upon payment of costs.

(d) The Presiding Officer shall allow witnesses, parties, and their counsel an opportunity to submit such written proposed corrections of the transcript of any oral testimony taken at the hearing, pointing out errors that may have been made in transcribing the testimony, as are required to make the transcript conform to the testimony. Except in unusual cases, no more than 30 days shall be allowed for submitting such corrections from the day a complete transcript of the hearing becomes available.

§ 124.88 Proposed findings of fact and conclusions; brief.

Within 45 days after the certified transcript is filed, any party may file with the Regional Hearing Clerk proposed findings of fact and conclusions of law and a brief in support thereof. Briefs shall contain appropriate references to the record. A copy of these findings, conclusions, and brief shall

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be served upon all the other parties and the Presiding Officer. The Presiding Officer, for good cause shown, may extend the time for filing the proposed findings and conclusions and/or the brief. The Presiding Officer may allow reply briefs.

§ 124.89 Decisions.

(a) The Presiding Officer shall review and evaluate the record, including the proposed findings and conclusions, any briefs filed by the parties, and any interlocutory decisions under § 124.90 and shall issue and file his initial decision with the Regional Hearing Clerk. The Regional Hearing Clerk shall immediately serve copies of the initial decision upon all parties (or their counsel of record) and the Administrator.

(b) The initial decision of the Presiding Officer shall automatically become the final decision 30 days after its service unless within that time:

(1) A party files a petition for review by the Environmental Appeals Board pursuant to § 124.91, or

(2) The Environmental Appeals Board *sua sponte* files a notice that it will review the decision pursuant to § 124.91.

148 FR 14264, Apr. 1, 1983, as amended at 57 FR 5336, Feb. 13, 1992

§ 124.90 Interlocutory appeal.

(a) Except as provided in this section, appeals to the Environmental Appeals Board may be taken only under § 124.91. Appeals from orders or rulings may be taken under this section only if the Presiding Officer, upon motion of a party, certifies those orders or rulings to the Environmental Appeals Board for appeal on the record. Requests to the Presiding Officer for certification must be filed in writing within 10 days of service of notice of the order, ruling, or decision and shall state briefly the grounds relied on.

(b) The Presiding Officer may certify an order or ruling for appeal to the Environmental Appeals Board if:

(1) The order or ruling involves an important question on which there is substantial ground for difference of opinion, and

(2) *Either*: (i) An immediate appeal of the order or ruling will materially advance the ultimate completion of the proceeding; or

(ii) A review after the final order is issued will be inadequate or ineffective.

(c) If the Environmental Appeals Board decides that certification was improperly granted, it shall decline to hear the appeal. The Environmental Appeals Board shall accept or decline all interlocutory appeals within 30 days of their submission; if the Environmental Appeals Board takes no action within that time, the appeal shall be automatically dismissed. When the Presiding Officer declines to certify an order or ruling to the Environmental Appeals Board for an interlocutory appeal, it may be reviewed by the Environmental Appeals Board only upon appeal from the initial decision of the Presiding Officer, except when the Environmental Appeals Board determines, upon motion of a party and in exceptional circumstances that to delay review would not be in the public interest. Such motion shall be made within 5 days after receipt of notification that the Presiding Officer has refused to certify an order or ruling for interlocutory appeal to the Environmental Appeals Board. Ordinarily, the interlocutory appeal will be decided on the basis of the submissions made to the Presiding Officer. The Environmental Appeals Board may, however, allow briefs and oral argument.

(d) In exceptional circumstances, the Presiding Officer may stay the proceeding pending a decision by the Environmental Appeals Board upon an order or ruling certified by the Presiding Officer for an interlocutory appeal, or upon the denial of such certification by the Presiding Officer.

(e) The failure to request an interlocutory appeal shall not prevent taking exception to an order or ruling in an appeal under § 124.91.

148 FR 14264, Apr. 1, 1983, as amended at 57 FR 5336, Feb. 13, 1992

§ 124.91 Appeal to the Administrator.

(a)(1) Within 30 days after service of an initial decision, or a denial in whole

or in part of a request for an evidentiary hearing, any party or requester, as the case may be, may appeal any matter set forth in the initial decision or denial, or any adverse order or ruling to which the party objected during the hearing, by filing with the Environmental Appeals Board notice of appeal and petition for review. The petition shall include a statement of the supporting reasons and, when appropriate, a showing that the initial decision contains:

(1) A finding of fact or conclusion of law which is clearly erroneous, or

(2) An exercise of discretion or policy which is important and which the Environmental Appeals Board should review.

(2) Within 15 days after service of a petition for review under paragraph (c)(1) of this section, any other party to the proceeding may file a responsive petition.

(3) Policy decisions made or legal conclusions drawn in the course of denying a request for an evidentiary hearing may be reviewed and changed by the Environmental Appeals Board in an appeal under this section.

(b) Within 30 days of an initial decision or denial of a request for an evidentiary hearing, the Environmental Appeals Board may, *sua sponte*, review such decision. Within 7 days after the Environmental Appeals Board has decided under this section to review an initial decision or the denial of a request for an evidentiary hearing, notice of that decision shall be served by mail upon all affected parties and the Regional Administrator.

(c)(1) Within a reasonable time following the filing of the petition for review, the Environmental Appeals Board shall issue an order either granting or denying the petition for review. When the Environmental Appeals Board grants a petition for review or determines under paragraph (b) of this section to review a decision, the Environmental Appeals Board may notify the parties that only certain issues shall be briefed.

(2) Upon granting a petition for review, the Regional Hearing Clerk shall promptly forward a copy of the record to the Environmental Appeals Board and shall retain a complete du-

uplicate copy of the record in the Regional Office.

(d) Notwithstanding the grant of a petition for review or a determination under paragraph (b) of this section to review a decision, the Environmental Appeals Board may summarily affirm without opinion an initial decision or the denial of a request for an evidentiary hearing.

(e) A petition to the Environmental Appeals Board under paragraph (a) of this section for review of any initial decision or the denial of an evidentiary hearing is, under 5 U.S.C. 704, a prerequisite to the seeking of judicial review of the final decision of the Agency.

(f) If a party timely files a petition for review or if the Environmental Appeals Board *sua sponte* orders review, then, for purposes of judicial review, final Agency action on an issue occurs as follows:

(1) If the Environmental Appeals Board denies review or summarily affirms without opinion as provided in § 124.91(d), then the initial decision or denial becomes the final Agency action and occurs upon the service of notice of the Environmental Appeals Board's action.

(2) If the Environmental Appeals Board issues a decision without remanding the proceeding then the final permit, redrafted as required by the Environmental Appeals Board's original decision, shall be reissued and served upon all parties to the appeal.

(3) If the Environmental Appeals Board issues a decision remanding the proceeding, then final Agency action occurs upon completion of the remanded proceeding, including any appeals to the Environmental Appeals Board from the results of the remanded proceeding.

(g) The petitioner may file a brief in support of the petition within 21 days after the Environmental Appeals Board has granted a petition for review. Any other party may file a responsive brief within 21 days of service of the petitioner's brief. The petitioner then may file a reply brief within 14 days of service of the responsive brief. Any person may file an *amicus brief* for the consideration of the Environmental Appeals Board within the same

time periods that govern reply briefs. If the Environmental Appeals Board determines, *sua sponte*, to review an initial Regional Administrator's decision or the denial of a request for an evidentiary hearing, the Environmental Appeals Board shall notify the parties of the schedule for filing briefs.

(h) Review by the Environmental Appeals Board of an initial decision or the denial of an evidentiary hearing shall be limited to the issues specified under paragraph (a) of this section, except that after notice to all the parties, the Environmental Appeals Board may raise and decide other matters which it considers material on the basis of the record.

(i) Motions to reconsider a final order shall be filed within ten (10) days after service of the final order. Every such motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration under this provision shall be directed to, and decided by, the Environmental Appeals Board. Motions for reconsideration directed to the Administrator, rather than to the Environmental Appeals Board, will not be considered, except in cases that the Environmental Appeals Board has referred to the Administrator pursuant to § 124.72 and in which the Administrator has issued the final order. A motion for reconsideration shall not stay the effective date of the final order unless specifically so ordered by the Environmental Appeals Board.

(40 FR 14204, Apr. 1, 1963, as amended at 57 FR 5330, Feb. 13, 1992)

PERMIT NO. FL0030325
Major Non - POTW

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et sec.; the "Act"),

Florida Cities Water Company
P.O. Box 21119
Sarasota, Florida 34276-4119

is authorized to discharge from a facility located at

Waterway Estates Advanced Wastewater Treatment Facility
1667 Inlet Drive
Lee County
North Fort Myers, Florida

to receiving waters named

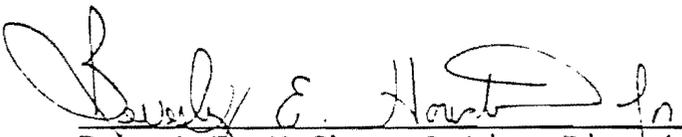
Caloosahatchee River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. The permit consists of this cover sheet, Part I 6 pages, Part II 16 pages, Part III 1 page, and Part IV 2 pages.

This permit shall become effective on January 1, 1995.

This permit and the authorization to discharge shall expire at midnight, September 30, 1999.

SEP 30 1994
Date Issued


Robert F. McGhee, Acting Director
Water Management Division

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - FINAL

1. During the period beginning on the effective date and lasting through the expiration date of this permit, the permittee is authorized to discharge from outfall serial number 001, treated sanitary wastewater.

PARAMETERS	DISCHARGE LIMITATIONS				MONITORING REQUIREMENTS		
	ANNUAL AVG.	MONTHLY AVG.	WEEKLY AVG.	DAILY MAXIMUM	SAMPLING POINT	MEASUREMENT FREQUENCY	SAMPLE TYPE
Flow, MGD	Report	Report	Report	Report	Effluent	Continuous	Recording Flow Meter and Totalizer
Carbonaceous Biochemical Oxygen Demand (5-day) (CBOD ₅), mg/l	20.0 *	30.0	45.0	60.0	Effluent	Weekly	16-hour composite
Total suspended solids (TSS), mg/l	20.0	30.0	45.0	60.0	Effluent	Weekly	16-hour composite
Total Nitrogen, as N	----	3.0 mg/l 25.0 lb/day	----	----	Effluent	Weekly	16-hour composite
Total Phosphorus, as P	----	0.5 mg/l 4.2 lb/day	----	----	Effluent	Weekly	16-hour composite
Dissolved Oxygen, mg/l	Shall not be less than an average of 5.0 in a 24-hour period and shall never be less than 4.0.				Effluent	Daily	Grab
Focal Coliform, #/100 ml	See Item 2 on Page I-2				Effluent	Weekly	Grab
pH, std. units	See Item 3 on Page I-2				Effluent	Continuous	Recorder
Acute Whole Effluent Toxicity	See Item 4 on Page I-2 and Part IV				Effluent	See Part IV	Grab

* No violations for annual average will be deemed to have occurred for CBOD₅ until April 1, 1995.

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EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - FINAL
(CONTINUATION)

2. The arithmetic average of the monthly fecal coliform values (computed as a geometric mean) collected during an annual period shall not exceed 200 per 100 ml of effluent sample. Any one sample shall not exceed 800 fecal coliform values per 100 ml of sample.
3. The pH shall be monitored continuously via a recorder. The pH values shall not deviate outside the range of 6.5 standard units to 8.5 standard units more than 1% of the time in any calendar month and no individual excursion shall exceed 60 minutes. An "excursion" is an unintentional and temporary incident in which the pH value of discharged wastewater exceeds the range set forth in the permit.
4. An LC₅₀ of 100% or less in a test of 96 hours duration or less will constitute a violation of Florida Administrative Code (February 2, 1994) Section 17-4.244(3)(a) and the terms of this permit. The testing for this requirement must conform with Part IV of this permit.
5. The permittee has indicated that ultraviolet disinfection will be used at this facility; therefore, a total residual chlorine limitation has not been incorporated into this permit. This permit does not allow for the addition of chlorine. The permittee shall give notice to the Permit Issuing Authority if chlorine is to be used at this facility. Such notice shall be given at least 60 days prior to the use of chlorine.
6. Samples taken in compliance with the monitoring requirements specified in this permit shall be taken at the nearest accessible point after final treatment, but prior to the actual discharge or mixing with the receiving waters.
7. Any bypass of the treatment facility, which is not included in the effluent monitored above, is to be monitored for flow and all other parameters (except acute whole effluent toxicity). For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reportable data. All monitoring results shall be reported on a Discharge Monitoring Report (DMR) form (EPA No. 3320-1).
8. There shall be no discharge of floating solids or visible foam in other than trace amounts.
9. The effluent shall not cause a visible sheen on the receiving water.

EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - FINAL
(CONTINUATION)

10. If the results for a given sample analysis are such that any parameter (other than fecal coliform) is not detected at or above the minimum level for the test method used, a value of zero will be used for that sample in calculating an arithmetic mean value for the parameter. If the resulting calculated arithmetic mean value for that reporting period is zero, the permittee shall report "NODI=B" on the DMR Form. For fecal coliform, a value of 1.0 shall be used in calculating the geometric mean. If the resulting fecal coliform mean value is 1.0, the permittee shall report "NODI=B" on the DMR. For each quantitative sample value that is not detectable, the test method used and the minimum level for that method for that parameter shall be attached to and submitted with the DMR. The permittee shall then be considered in compliance with the appropriate effluent limitation and/or reporting requirement.
11. The permittee shall identify all wastewater discharges, at locations not authorized as permitted outfalls, that occur prior to the headworks of the wastewater treatment plant covered by this permit. The permittee shall submit, with the scheduled Discharge Monitoring Report (DMR) form, the following information for each discharge event at each source that occurs during the reporting period covered by the DMR:
- a. the cause of the discharge;
 - b. duration and volume (estimate if unknown);
 - c. description of the source, e.g., manhole cover, pump station;
 - d. type of collection system that overflowed, i.e., combined or separate;
 - e. location by street address, or any other appropriate method;
 - f. date of event;
 - g. the ultimate destination of the flow, e.g., surface waterbody, land use location, via municipal separate storm sewer system to a surface waterbody (show location on a USGS map or copy thereof); and
 - h. corrective actions or plans to eliminate future discharges.

The permittee shall refer to Part II of this permit, paragraph D.8. Twenty-Four Hour Reporting, to report any unpermitted discharge events which may endanger health or the environment.

Submittal or reporting of any of this information does not provide relief from any subsequent enforcement actions for unpermitted discharges to waters of the United States.

SLUDGE MANAGEMENT PRACTICES

1. The permittee shall sample and analyze the sludge and report to EPA the quantitative data for the 125 priority pollutants listed in 40 CFR Part 122, Appendix D, Tables II and III. Qualitative data for 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD) shall also be submitted if the permittee knows or has reason to believe that TCDD is or may be present in the sludge.
 - a. The permittee shall submit the above data within 1 year of the effective date of this permit.
2. Annually, the permittee shall sample and analyze the sludge and report to EPA the quantitative data for arsenic, cadmium, chromium, copper, lead, mercury, molybdenum, nickel, selenium, and zinc.
 - a. The permittee shall submit the above data within 1 year of the effective date of this permit, and report annually thereafter.
3. The permittee shall submit within 30 days of the effective date of this permit the sludge production volume (specify if daily or annual; if actual volume is not known, estimate the quantity of sludge being handled and so indicate) and the sludge disposal practice.
4. The permittee shall provide sludge inventory data to the State and EPA, as part of EPA's inventory updates as requested. The data should include, but not be limited to, sludge quantity and characteristics.
5. Reopener. If an applicable "acceptable management practice" or numerical limitation for pollutants in sewage sludge promulgated under Section 405(d)(2) of the Clean Water Act, as amended by the Water Quality Act of 1987, is more stringent than the sludge pollutant limit or acceptable management practice in this permit or controls a pollutant not limited in this permit, this permit shall be promptly modified or revoked and reissued to conform to the requirements promulgated under Section 405(d)(2). The permittee shall comply with the limitations by no later than the compliance deadline specified in the applicable regulations as required by Section 405(d)(2)(D) of the Clean Water Act.
6. Notice of change in sludge disposal practice. The permittee shall give prior notice to the Regional Administrator of any change planned in the permittee's sludge disposal practice.

SLUDGE MANAGEMENT PRACTICES (CONTINUATION)

7. Cause for modification. 40 CFR §122.62(a)(1) provides that the following is a cause for modification but not revocation and reissuance of permits except when the permittee requests or agrees. (a) Alterations. There are material and substantial changes or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.
8. Upon review of information provided by the permittee as required by the above items, or results from an on-site inspection, the permit shall be subject to modification to incorporate appropriate requirements.
9. The permittee shall perform a Toxicity Characteristic Leaching Procedure test (TCLP) in accordance with 40 CFR Part 261, as published on March 29, 1990, Volume 55, Number 61 Federal Register 11798. This test shall be performed annually with test results reported on the anniversaries of the effective date of this permit. Test results from any additional tests that are performed shall also be reported. In addition, the test shall be performed if the permittee knows or has reason to believe that its sewage sludge may fail the TCLP test as a result of changes in its sewage sludge characteristics from prior tests.. The permittee shall submit a separate report attached to the Discharge Monitoring Report (DMR) which shows the date of the test and the test results. Should a sewage sludge fail the TCLP test, the permittee shall immediately halt all sludge use or disposal activities. In addition, the permittee shall submit written notification to EPA within ten (10) calendar days of test failure.
10. Should the permittee's sewage sludge be disposed of in a solid-waste landfill, the permittee shall demonstrate the absence of free liquids in its sewage sludge through the utilization of Test Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods" (EPA Publication No. SW-846). These tests shall be conducted on representative samples of all sewage sludge prior to each disposal at solid-waste landfills. A successful demonstration shall be performed before the permittee's sewage sludge is allowed to be disposed of at a solid-waste landfill. The permittee shall: 1) report on the DMR only the number of tests that failed during the quarter and 2) in any quarter where one or more tests failed, submit a separate report attached to the DMR which shows the date of each failed and subsequent passing test along with their respective results. Prior notice shall be given to the EPA of any changes in disposal practice resulting from test failures.
11. The permittee shall ensure that the sludge generated by its facility will be disposed of in accordance with the requirements of 40 CFR Part 503.

SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

Operational Level Attained.....Effective date of the Permit

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

Part II

STANDARD CONDITIONS FOR NPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

Any person who violates a permit condition is subject to a civil penalty not to exceed \$25,000 per day for each violation. Any person who negligently violates any permit condition is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment for not more than 1 year, or both. Any person who knowingly violates permit conditions is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. Also, any person who violates a permit condition may be assessed an administrative penalty not to exceed \$10,000 per violation with the maximum amount not to exceed \$125,000. [Ref: 40 CFR 122.41(a)]

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, terminated, or revoked for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any conditions that requires either temporary interruption or elimination of the permitted discharge; or
- d. Information newly acquired by the Agency indicating the discharge poses a threat to human health or the environment.

If the permittee believes that any past or planned activity would be cause for modification or revocation and reissuance under 40 CFR 122.62, the permittee must report such information to the Permit Issuing Authority. The submittal of a new application may be required of the permittee. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

5. Toxic Pollutants

Notwithstanding Paragraph A-4, above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation of such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee so notified.

6. Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" Section B, Paragraph B-3, and "Upsets" Section b, Paragraph B-4, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

7. Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 or the Act.

8. State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

9. Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

10. Onshore or Offshore Construction

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any waters of the United States.

11. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

12. Duty to Provide Information

The permittee shall furnish to the Permit Issuing Authority, within a reasonable time, any information which the Permit Issuing Authority may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Permit Issuing Authority upon request, copies of records required to be kept by this permit.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS.

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the condition of this permit.

3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass means the intentional diversion of waste streams from any portion of a treatment facility, which is not a designed or established operating mode for the facility.

- (2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass not exceeding limitations.

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Paragraphs c. and d. of this section.

c. Notice

- (1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass; including an evaluation of the anticipated quality and effect of the bypass.
- (2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section D, Paragraph D-8 (24-hour notice).

d. Prohibition of bypass

- (1) Bypass is prohibited and the Permit Issuing Authority may take enforcement action against a permittee for bypass, unless:
- (a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - (c) The permittee submitted notices as required under Paragraph c. of this section.
- (2) The permit Issuing Authority may approve an anticipated bypass, after considering its adverse effects, if the Permit Issuing Authority determines that it will meet the three conditions listed above in Paragraph d.(1) of this section.

4. Upsets

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation. An upset constitutes an affirmative defense to an action brought for non-compliance with such technology based permit limitation if the requirements of 40 CFR 122.41(n)(3) are met.

5. Removed Substances

This permit does not authorize discharge of solids, sludge, filter backwash, or other pollutants removed in the course of treatment of control of wastewaters of the United States unless specifically limited in Part 1.

SECTION C. MONITORING AND RECORDS

1. Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Permit Issuing Authority.

2. Flow Measurements

Appropriate flow measurements devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than $\pm 10\%$ from the true discharge rates throughout the range of expected discharge volumes. Once-through condenser cooling water flow which is monitored by pump logs, or pump hour meters as specified in Part I of this permit and based on the manufacture's pump curves shall not be subject to this requirement. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references:

- (1) "A Guide of Methods and Standards for the Measurement of Water Flow", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD catalog No. C13.10:421.)
- (2) "Water Measurement Manual", U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by catalog No. 127.19/2:W29/2, Stock No. S/N 24003-0027.)
- (3) "Flow Measurement in Open Channels and Closed Conduits", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS), Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
- (4) "NPDES Compliance Flow Measurement Manual", U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-77, September 1981, 135 pp. (Available from the General Service Administration (8BRC), Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, CO. 80255.)

3. Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

4. Penalties for Tampering

The Clean Water Act provides that any person who falsifies, tampers with, or knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or imprisonment for not more than 2 years, or both.

5. Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by the Permit Issuing Authority at any time.

6. Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling of measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analysis.

7. Inspection and Entry

The permittee shall allow the permit Issuing Authority, or a authorized representative, upon the presentation of credentials and other documents as may be required by law, to;

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.
- c. Inspect at reasonable time any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

SECTION D. REPORTING REQUIREMENTS

1. Change in Discharge

The permittee shall give notice to the Permit Issuing Authority as soon as possible of any planned physical alterations or additions to the permitted Facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source; or

- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Section D, Paragraph D-10(a).

2. Anticipated Noncompliance

The permittee shall give advance notice to the Permit Issuing Authority of any planned change in the permitted facility or activity which may result in noncompliance with permit requirements. Any maintenance or facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the Permit Issuing Authority.

3. Transfer of Ownership or Control

A permit may be automatically transferred to another if:

- a. The permittee notifies the Permit Issuing Authority of the proposed transfer at least 30 days in advance of the proposed transfer date;
- b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
- c. The Permit Issuing Authority does not notify the existing permittee of his or her intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph b.

4. Monitoring Reports

See Part III of this permit.

5. Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased frequency shall also be indicated.

6. Averaging of Measurements

Calculations for limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Issuing Authority in the permit.

7. Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

8. Twenty-Four Hour Reporting

The permittee shall orally report any noncompliance which may endanger health or the environment, within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including the exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate and prevent reoccurrence of the noncompliance. The Permit Issuing Authority may verbally waive the written report, on a case-by-case basis, when the oral report is made.

The following violations shall be included in the 24 hour report when they might endanger health or the environment:

- a. An unanticipated bypass which exceeds any effluent limitation in the permit.
- b. Any upset which exceeds any effluent limitation in the permit.

9. Other Noncompliance

The permittee shall report in narrative form, all instances of noncompliance not previously reported under Section D, Paragraphs D-2, D-4, D-7, and D-8 at the time monitoring reports are submitted. The reports shall contain the information listed in Paragraph D-8.

10. Changes in Discharges of Toxic Substances

The permittee shall notify the Permit Issuing Authority as soon as it knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic substance(s) (listed at 40 CFR 122, Appendix D, Table II and III) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":

(1) One hundred micrograms per liter (100 ug/l);

- (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony; or
 - (3) Five (5) times the maximum concentration value reported for that pollutant(s) in the application.
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant (listed at 40 CFR 122, Appendix D, Table II and III) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
- (1) Five hundred Micrograms per liter (500 ug/l);
 - (2) One milligram per liter (1 mg/l) for antimony; or
 - (3) Ten (10) times the maximum concentration value reported for that pollutant(s) in the permit application.

11. Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application shall be submitted at least 180 days before the expiration date of this permit. The Permit Issuing Authority may grant permission to submit an application less than 180 days in advance but not later than the permit expiration date.

Where EPA is the Permit Issuing Authority, the terms and conditions of this permit are automatically continued in accordance with 40 CFR 122.6, only where the permittee has submitted a timely and complete application for a renewal permit and the Permit Issuing Authority is unable through no fault of the permittee to issue a new permit before expiration date.

12. Signatory Requirements

All applications, reports, or information submitted to the Permit Issuing Authority shall be signed and certified.

- a. All permit applications shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (2) the manager of one or more manufacturing production facilities employing more than 250 persons or having gross annual sales or expenditures exceeding 25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
 - (3) For a municipality, State, Federal, or other public agencies by either a principal executive officer or ranking elected official.
- b. All reports required by the permit and other information requested by the Permit Issuing Authority shall be signed by a person described above or by a duly authorized representative only if:
- (1) The authorization is made in writing by person described above;
 - (2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may this be either a named individual or any individual occupying a named position.); and
 - (3) The written authorization is submitted to the Permit Issuing Authority.
- c. Certification. Any person signing a document under paragraphs (a) or (b) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

13. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Permit Issuing Authority. As required by the Act, permit applications, permits and effluent data shall not be considered confidential.

14. Penalties for Falsification of Reports

The Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Clean Water Act, shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 2 years, or both.

SECTION E. DEFINITIONS

1. Permit Issuing Authority

The Regional Administrator of EPA Region IV or his designee, unless at some time in the future the State receives authority to administer the NPDES program and assumes jurisdiction over the permit; at which time, the Director of the State program receiving the authorization becomes the issuing authority.

2. Act

"Act" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) Public Law 92-500, as amended by Public Laws 95-217, 95-576, 96-483, 97-117, and 100-4, 33 U.S.C. 1251 et seq.

3. Mass/Day Measurements

- a. The "average monthly discharges" is defined and the total mass of all daily discharges sampled and/or measured during a calendar month on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such month. It is therefore, an arithmetic mean found by adding the weights of the pollutant found each day of the month and then dividing this sum by the number of days the tests were reported. The limitation is identified as "Daily Average" or "Monthly Average" in Part I of the permit and the average monthly discharge value is reported in the "Average" column under "Quantity" on the Discharge Monitoring Report (DMR).
- b. The "average weekly discharge" is defined as the total mass of all daily discharges sampled and/or measured during the calendar week on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such week. It is, therefore, an arithmetic mean found by adding the weights of pollutants found each day of the week and then dividing this sum by the number of days the tests were reported. This limitation is identified as "Weekly Average" in Part I of the permit. Enter the highest weekly average of sample measurements obtained during the reporting period in the "Maximum" column under "Quantity" on the DMR.
- c. The "maximum daily discharge" is the total mass (weight) of a pollutant discharged during a calendar day. If only one sample is taken during any calendar day the weight of pollutant calculated from it is the "maximum daily discharge". This limitation is identified as "Daily Maximum", in Part I of the permit and the highest such value recorded during the reporting period is reported in the "Maximum" column under "Quantity" on the DMR.
- d. The "average annual discharge" is a rolling average equal to the arithmetic mean of the mass measured in all discharges sampled and/or measured during consecutive reporting periods which comprise one year. For parameters that are measured at least once per month, the annual average shall be computed at the end of each month and is equal to the arithmetic mean of the monthly average of the month being reported and the monthly average of each of the previous eleven months. This limitation is defined as "Annual Average" in Part I of the permit and the average annual discharge value is reported in the "Average" column under "Quantity" on the DMR.

4. Concentration Measurements

- a. The "average monthly concentration", other than for fecal coliform bacteria, is the sum of the concentrations of all daily discharges sampled and/or measured during a calendar month on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such month (arithmetic mean of the daily concentration values). The daily concentration value is equal to the concentration of a composite sample or in the case of grab samples is the arithmetic mean (weighted by flow value) of all the samples collected during that calendar day. This limitation is identified as "Monthly Average" or "Daily Average" under "Other Limits" in Part I of the permit and the average monthly concentration value is reported under the "Average" column under "Quality" of the DMR.
- b. The "average weekly concentration", other than for fecal coliform bacteria, is the sum of the concentrations of all daily discharges sampled and/or measured during a calendar week on which daily discharges are sampled and measured divided by the number of daily discharges sampled and/or measured during such week (arithmetic mean of the daily concentration values). The daily concentration value is equal to the concentration of a composite sample or in the case of grab samples is the arithmetic mean (weighted by flow value) of all the samples collected during that calendar day. This limitation is identified as "Weekly Average" under "Other Limits" in Part I of the permit. Enter the highest weekly average of sample measurements obtained during the reporting period in the "Maximum" column under "Quality" on the DMR.
- c. The "maximum daily concentration" is the concentration of a pollutant discharged during a calendar day. It is identified as "Daily Maximum" under "Other Units" in Part I of the permit and the highest such value recorded during the reporting period is reported under the "Maximum" column under "Quality" on the DMR.
- d. The "average annual concentration", other than fecal coliform bacteria, is the rolling average equal to the arithmetic mean of the effluent or influent samples collected during consecutive reporting periods which comprise one year. For parameters that are measured at least once per month, the annual average shall be computed at the end of each month and is equal to the arithmetic mean of the monthly average of the month being reported and the monthly average of each of the previous eleven months. This limitation is identified as "Annual Average" under "Other Limits" in Part I of the permit and the average annual concentration value is reported under the "Average" column under "Quality" on the DMR.

5. Other Measurements

- a. The effluent flow expressed as million gallons per day (MGD) is the 24 hour average flow averaged monthly. It is the arithmetic mean of the total daily flows recorded during the calendar month. Where monitoring requirements for flow are specified in Part I of the permit the flow rate values are reported in the "Average" column under "Quantity" on the DMR.
- b. An "instantaneous flow measurement" is a measure of flow taken at the time of sampling, when both the sample and flow will be representative of the total discharge.
- c. Where monitoring requirements for pH, dissolved oxygen or fecal coliform bacteria are specified in Part I of the permit, the values are generally reported in the "Quality or Concentration" column on the DMR.
- d. The "average annual discharge" for fecal coliform bacteria shall be calculated in the same manner as that for mass limitations (see item II.E.3.d.).

6. Types of Samples

- a. Composite Samples: A "composite sample" is a combination of not less than 8 influent or effluent portions, of at least 100 ml, collected over the full time period specified in Part I.A. The composite sample must be flow proportioned by either time interval between each aliquot or by volume as it relates to effluent flow at the time of sampling or total flow since collection of the previous aliquot. Aliquots may be collected manually or automatically.
- b. Grab Samples: A "grab sample" is a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the total discharge.

7. Calculation of Means

- a. Arithmetic Mean: The "arithmetic mean" of any set of values is the summation of the individual values divided by the number of individual values.
- b. Geometric Mean: The "geometric mean" of any set of values is the N^{th} root of the product of the individual values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered to be one (1).

- c. Weighted by Flow Value: "Weighted by flow value" means the summation of each concentration times its respective flow divided by the summation of the respective flows.

8. Calendar Day

A "calendar day" is defined as the period from midnight of one day until midnight of the next day. However, for purposes of this permit, any consecutive 24-hour period that reasonably represents the calendar day may be used for sampling.

9. Hazardous Substance

A "hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

10. Toxic Pollutants

A "toxic pollutant" is any pollutant listed as toxic under Section 307(a)(1) of the Clean Water Act.

PART III

OTHER REQUIREMENTS

REPORTING OF MONITORING RESULTS

Monitoring results obtained for each calendar month shall be summarized for that month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed calendar month. (For example, data for January shall be submitted by February 28.) Signed copies of these, and all other reports required by Section D of Part II, Reporting Requirements, shall be submitted to the Permit Issuing Authority at the following address:

Environmental Protection Agency
Region IV
Enforcement Section
Water Permits & Enforcement Branch
Water Management Division
345 Courtland Street, N.E.
Atlanta, GA 30365

If no discharge occurs during the reporting period, sampling requirements of this permit do not apply. The statement "No Discharge" shall be written on the DMR form. If, during the term of this permit, the facility ceases discharge to surface waters, the Permit Issuing Authority and the State shall be notified immediately upon cessation of discharge. This notification shall be in writing.

B. REOPENER CLAUSE

This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation, or sludge disposal requirement issued or approved under Sections 301(b)(2)(C) & (D), 304(b)(2), 307(a)(2), and 405(d)(2)(D) of the Clean Water Act, as amended, if the effluent standard or limitation, or sludge disposal requirement so issued or approved:

- a. Contains different conditions or is otherwise more stringent than any condition in the permit; or
- b. Controls any pollutant or disposal method not addressed in the permit.

The permit as modified or reissued under this paragraph shall contain any other requirements of the Act then applicable.

PART IV
WHOLE EFFLUENT TOXICITY TESTING PROGRAM

As required by Part I of this permit, the permittee shall initiate the series of tests described below beginning in January 1995 to evaluate whole effluent toxicity of the discharge from outfall 001. All test species, procedures and quality assurance criteria used shall be in accordance with Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms, EPA/600/4-90/027F, or the most current edition. The dilution/control water and effluent used will be adjusted to a salinity of 20 parts per thousand using artificial sea salts as described in EPA/600/4-90/027F, Section 7 (or the most current edition). A standard reference toxicant quality assurance test shall be conducted concurrently with each species used in the toxicity tests and the results submitted with the discharge monitoring report (DMR). Alternatively, if monthly QA/QC reference toxicant tests are conducted, these results must be submitted with the DMR.

- 1. a. The permittee shall conduct 96-hour acute static-renewal multi-concentration toxicity tests using the mysid shrimp (Mysidopsis bahia) and the inland silverside (Menidia beryllina). All tests shall be conducted on four separate grab samples collected at evenly-spaced (6-hr) intervals over a 24-hour period and used in four separate tests in order to catch any peaks of toxicity and to account for daily variations in effluent quality. All tests shall be conducted on a control (0%) and the following dilution concentrations at a minimum: 100.0%, 50.0%, 25.0%, 12.5%, and 6.25%.
b. If control mortality exceeds 10% for either species in any test, the test(s) for that species (including the control) shall be repeated. A test will be considered valid only if control mortality does not exceed 10% for either species.
- 2. The toxicity tests specified above shall be conducted once every six months for the duration of the permit, unless notified otherwise by the permit issuing authority. These tests are referred to as "routine" tests.

PART IV
WHOLE EFFLUENT TOXICITY TESTING PROGRAM
(CONTINUATION)

3. a. If unacceptable acute toxicity (an LC_{50} of 100% or less occurs in either test species in any of the four separate grab sample tests within the specified time) is found in a "routine" test, the permittee shall conduct two additional acute toxicity tests in the same manner as the "routine" test on the specie(s) indicating unacceptable toxicity. For each additional test, the sample collection requirements and test acceptability criteria specified in Section 1 above must be met for the test to be considered valid. The first test shall begin within two weeks of the end of the "routine" tests, and shall be conducted weekly thereafter until two additional, valid tests are completed. The additional tests will be used to determine if the toxicity found in the "routine" test is still present.
- b. Results from additional tests, required due to unacceptable acute toxicity in the "routine" test(s), must be reported on the Discharge Monitoring Report (DMR) Form for the month in which the test was begun. Such test results must be submitted within 45 days of completion of the second additional, valid test.

WWE
Book

MEMORANDUM

DATE: September 7, 1994
TO: Larry Griggs
FROM: Susanne Gettler
SUBJ: Waterway AWWTP DEP Inspection

On Thursday September 7, 1994, Keith Kleinmann and Amy Gooden with DEP conducted an inspection at Waterway AWWTP. No deficiencies were found.

EPS Tracking data was collected and a total chlorine residual test was run on the effluent. The result was 0.0 mg/l.

cc: Julie Karleskint *JK*

00138

FLORIDA CITIES
WATER COMPANY

May 31, 1994

Mr. Ronald D. Blackburn
Acting Director of District Management
South District Office
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33901-2896

Re: Effluent re-testing and receiving stream testing
Fiesta Village WWTP Permit Number DO36-221765
Waterway Estates WWTP Permit Number DO36-228850

Dear Mr. Blackburn:

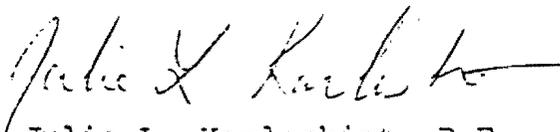
This letter is in response to your letter dated May 3, 1994 regarding the effluent analysis submitted for the referenced facilities. Resampling has been performed and the results are attached.

Effluent resampling was performed for oil and greases, total residual chlorine, dissolved oxygen (D.O.), and pH for the Fiesta Village WWTP (FVWWTP) and for total coliforms for the Waterway Estates WWTP (WEWWTP). Representative samples of the Caloosahatchee River were tested for oil and greases for the FVWWTP and total coliforms for the WEWWTP.

As noted in your letter, the lower pH detected at the Fiesta Village effluent is due to the addition of sulfur dioxide which is required for dechlorination. However, please note that there is minimal pH variation within the receiving stream.

Should you have any questions or require additional information, please contact me.

Sincerely,



Julie L. Karleskint, P.E.
Operations Manager

Enclosures

cc: S. Gettler
L. Griggs

FLORIDA CITIES WATER COMPANY
4837 Swift Road, Suite 100
Sarasota, Florida 34231
P.O. Box 21119 (34276-4119)
Telephone 813/925-3088

00189

FIESTA VILLAGE AND WATERWAY ESTATES RESAMPLING DATA

PARAMETER	RESULT	SAMPLE DATE	LOCATION	PERFORMED BY
pH	6.8	5/02/94	FV Effluent	FV Lab
DO	6.3 mg/l	5/02/94	FV Effluent	FV Lab
Total Residual Chlorine	<.01 mg/l	5/02/94	FV Effluent	FV Lab
Oil and Grease	1.0 mg/l	4/06/94	FV Effluent	Davis Lab
Oil and Grease	2.9 mg/l	5/12/94	Caloosahatchee River Downstream of FV	Davis Lab
Total Coliform	50 col/100 mls	4/28/94	Caloosahatchee River Upstream of WWE	Benchmark Lab
Total Coliform	18 col/100 mls	4/28/94	WWE Outfall	Benchmark Lab
Total Coliform	100 col/100 mls	4/28/94	Caloosahatchee River Downstream of WWE	Benchmark Lab

02100

FLORIDA CITIES
WATER COMPANY

November 29, 1994

Peter J. Ware
Director of District Management
Florida Department of Environmental Protection
South District
2295 Victoria Avenue
Fort Myers, Florida 33901

Re: Waterway Estates Advanced Wastewater Treatment Plant
Permit/Certification Number DC36-237227

Dear Mr. Ware:

Specific Condition 32A of the above referenced permit requires the following: "the ground water monitoring system shall be constructed by the permittee within ninety (90) days of the issuance of this permit". The Department granted an additional ninety day extension in response to a request from Florida Cities Water Company.

We are in final negotiations with the Lochmoor Golf Course, where the ground water monitoring system will be located, to allow the installation of the wells and for the acceptance of reclaimed water once it is available. Therefore, Florida Cities Water Company hereby requests and additional one hundred twenty (120) day extension to this permit condition.

It is anticipated that contract award for the expansion of this plant will occur this week. Construction should be complete in late summer or early fall of 1995, therefore, we will not be delivering reclaimed water until that time. The ground water monitoring system should be completed by the end of the first quarter of 1995.

Should you have any questions or need additional information, please contact me.

Sincerely,



Michael Acosta, P.E.
Manager
Engineering & Construction

MA/dj

cc: T. Cummings, Black & Veatch
S. Gettler
L. Griggs
J. Karleskint
G. King

FLORIDA CITIES WATER COMPANY
4837 Swift Road, Suite 100
Sarasota, Florida 34231
P.O. Box 21119 (34276-4119)
Telephone 813/925-3088

A1-94-2 wweext1

00171



Lawton Chiles
Governor

Florida Department of Environmental Protection

South District
2295 Victoria Avenue
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

RECEIVED

NOTICE OF PERMIT

JUN 15 1994

GENERAL OFFICE

CERTIFIED MAIL NO. Z 128 052 138

RETURN RECEIPT REQUESTED

In the matter of an
Application for Permit
by:

DEP File No. 5236P01630
Lee County - DW
Waterway Estates - AWWT

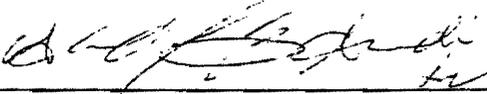
Johnnie Overton, Sr. Vice President
Florida Cities Water Company
4837 Swift Rd., Suite #100
Sarasota, Florida 34231

Enclosed is Permit Number DC36-237227 to construct a modification to the subject sewage treatment facility, issued pursuant to Section 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial review of the permit pursuant to Section 120.68, Florida Statutes, by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Clerk of the Department in the Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400; 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 this Notice is filed with the Clerk of the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Ronald D. Blackburn
Acting Director of
District Management

CERTIFICATE OF SERVICE

The undersigned duly designated deputy agency clerk hereby certifies that this NOTICE OF PERMIT and all copies were mailed before the close of business on June 2, 1994 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGMENT

FILED, on this date, pursuant to §120.52(11), Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Karen L. Mialy
(Clerk)

6-2-94
(Date)

RDB/BTS/dd

Enclosures

Copies furnished to:
Thomas A. Cummings, P.E.



Florida Department of Environmental Protection

Lawton Chiles
Governor

South District
2295 Victoria Avenue
Fort Myers, Florida 33901

Virginia B. Wetherell
Secretary

PERMITTEE:

Johnnie M. Overton
Senior Vice President
Florida Cities Water Company
4837 Swift Road, Suite 100
Sarasota Florida 34231

I.D. No: 5236P01630
Permit/Certification
Number: DC36-237227
Date of Issue: June 2, 1994
Expiration Date: June 2, 1997
County: Lee
Latitude: 26° 38' 17" N
Longitude: 81° 54' 36" W
Section/Town/Range: 16/44S/24E
Project: Waterway Estates - AWWT

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 17-3, 17-4, 17-7, 17-300, 17-301, 17-302, 17-600, 17-601, 17-602, 17-610 and 17-640. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To construct a modification to the existing 1.0 MGD (Annual Average) advanced wastewater treatment (AWWT) facility by expanding to a 1.5 MGD limited to 1.3 MGD disposal capacity (an annual of 1.0 MGD discharge to surface water and 0.3 MGD spray irrigation to golf course site), advanced wastewater treatment (AWWT) plant with filtered reclaimed water which must comply with Class I Reliability standards for reuse at public access (golf course only) sites and alternative effluent discharged to Caloosahatchee River (nutrient limitations associated with the water quality based effluent limitations (WQBEL) for surface water) under NPDES permit number FL0030325 and with the issuance of this permit. The construction included; rotating drum screen, aeration blowers/diffusers, recycle pumps, RAS pumps, chlorinators/building, new lime feed system, continuous on line monitoring equipment for chlorine and turbidity, reuse pumps and 8 to 10 inch diameter reuse pipeline with 2600 linear feet (forcemain pipeline) to Lochmoor Country Club which will receive 0.300 MGD of reclaimed water for spray irrigation of the golf course. Project is depicted on Black & Veatch, design drawing sheet number 2 to 7 of 23 and 1 to 8 of 8, submitted in support of the construction application and related material received September 2, 1993 with revised information received October 14, November 23, 1993, January 11, and March 1 and 28, 1994. Location of the project is at 1667 Inlet Drive, North Fort Myers, Florida.

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

I.D. Number: 5236P01630
Permit/Cert. No.: DC36-237227
Date of Issue: June 2, 1994
Expiration Date: June 2, 1997

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

I.D. Number: 5236P01630
Permit/Cert. No.: DC36-237227
Date of Issue: June 2, 1994
Expiration Date: June 2, 1997

GENERAL CONDITIONS:

or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. A description of and cause of non-compliance; and
- b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 17-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 17-4.120 and 17-30.300, F.A.C. as

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

I.D. Number: 5236P01630
Permit/Cert. No.: DC36-237227
Date of Issue: June 2, 1994
Expiration Date: June 2, 1997

GENERAL CONDITIONS:

applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (a) Determination of Best Available Control Technology (BACT)
- (b) Determination of Prevention of Significant Deterioration (PSD)
- (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
- (d) Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

- (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
- (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.
- (c) Records of monitoring information shall include:
 - 1. the date, exact place, and time of sampling or measurements;
 - 2. the person responsible for performing the sampling or measurements;
 - 3. the dates analyses were performed;
 - 4. the person responsible for performing the analyses;
 - 5. the analytical techniques or methods used;
 - 6. the results of such analyses.

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

I.D. Number: 5236P01630
Permit/Cert. No.: DC36-237227
Date of Issue: June 2, 1994
Expiration Date: June 2, 1997

SPECIFIC CONDITIONS:

1. Drawings, plans, documents or specifications submitted by the Permittee, not attached hereto, but retained on file at the South Florida District Office, are made a part hereof.

2. Where chlorine is used for high level disinfection, a total chlorine residual of at least 1.0 milligrams per liter shall be maintained after at least 15 contact time at peak hourly flow. Higher residuals or longer contact times may be needed to meet the operational criteria for disinfection.

3. The applicant shall retain the engineer of record or obtain the services of any professional engineer registered in the State of Florida for the inspection of the construction of this project. Upon completion the engineer shall inspect for conformity to construction permit applications and associated documents. A Certificate of Completion with record drawing shall be submitted within 30 days after completion of construction of this project and Department approval obtained prior to placement into service. An Operation and Maintenance Manual shall be provided with the Certificate of Completion in accordance with Section 17-600.720 and 17-604.500(4), F.A.C.

4. This permit is valid as an operating permit for an initial period of not more than six months after the plant is certified complete and approved for operation. However, if this permit expires within this six month period an application must be submitted to the Department of Environmental Protection for an operating permit prior to the expiration. During the initial period of operation a sufficient number of analyses to substantiate compliance with the Florida Administrative Code shall be provided prior to the issuance of an operation permit.

Initial test results are to be received no later than six (6) weeks after the treatment plant has been placed in operation. These results shall be submitted on a monthly basis to the Department of Environmental Protection.

5. The permittee shall submit a monthly operations report (MOR), DER Form 17-601.900(1), to the Department no later than the twenty eighth of each succeeding month.

6. To determine compliance of a domestic wastewater facility with high-level disinfection, the following operational criteria (Using MF or equivalent MPN methods) shall be applicable in accordance with F.A.C. Rule 17-600.440(5)(f).

a. Fecal Coliform samples shall be obtained on a daily basis when discharging to a reuse system. Over a 30 day period, 75 percent of the fecal coliform values shall be below the detection limits.

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

I.D. Number: 5236P01630
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Date of Issue: June 2, 1994
Expiration Date: June 2, 1997

SPECIFIC CONDITIONS:

b. Any one sample shall not exceed 25 fecal coliform values per 100 ml of sample.

c. Any one sample shall not exceed 5 milligrams per liter of TSS at a point before application of the disinfectant.

7. The permittee shall submit residual (sludge) analysis on a quarterly basis. If your most recent analysis is not current with the time period specified, you shall submit an analysis as soon as possible and no later than 60 days from the date of issuance of this permit and every three months thereafter. The residual sample for this facility is to be taken from the digester and shall be collected as specified in F.A.C. Rule 17-7.540(2)(3).

Samples shall be analyzed and reported for the parameters as follows:

<u>Parameter</u>	<u>Reported</u>	<u>Parameter</u>	<u>Reported</u>
Total nitrogen	% dry weight	Lead	mg/kg dry weight
Total phosphorus	% dry weight	Nickel	mg/kg dry weight
Total potassium	% dry weight	Zinc	mg/kg dry weight
Cadmium	mg/kg dry wt.	pH	Standard Units
Copper	mg/kg dry wt.	Total solids	%

8. The facility is a category I, requiring a Class C or higher operator on site 16 hour per day for 7 days per week. The lead/chief operator must be Class B, F.A.C. Rule 17-699.310(3)(a).

9. The parameters and minimum sampling schedule for this domestic wastewater treatment plant are as follows:

<u>Parameter</u>	<u>Frequency</u>	<u>Sample Type</u>	<u>Reference (F.A.C.)</u>
A. Flow	Continuous	Recording Flowmeter Totalizer	17-601.500(6)
B. pH	Continuous	Continuous	17-601.500(1) figure 2 & (3)(a)
C. Chlorine Residual (Disinfection of Reuse)	Continuous	Continuous	17-601.500(1) figure 2 & (3)(a)

PERMITTEE:
 Johnnie M. Overton
 Senior Vice President
 Florida Cities Water Company

I.D. Number: 5236P01630
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 Expiration Date: June 2, 1997

SPECIFIC CONDITIONS:

	UV Intensity reading (Disinfection for surface water discharger)	Continuous	Continuous	
D.	TSS Influent	Weekly	16 hr. Flow Proportioned Composite	17-601.500(1) figure 2, & (3)(b)
	Effluent 610 Part III	Daily 7/wk	Grab	17-601.500(1)
	Surface Water (Discharger)	Weekly	16 hr. Flow Proportioned Composite	17-601.500(1) Figure 2, & (3)(b)
E.	CBOD5 Influent	Weekly	16 hr. Flow Proportioned Composite	17-601.500(1) figure 2, & (3)(c)
	Effluent Surface Water (Discharger)	Weekly	16 hr. Flow Proportioned Composite	17-601.500(1) figure 2, & (3)(c)
F.	Fecal Coliform Effluent	Daily 7/wk (Reuse)	Grab	17-601.500(1) figure 2 & (3)(a)
	Fecal Coliform Effluent	Weekly (Surface Water Discharger)	Grab	17-601.500(1) figure 2 & (3)(a)
G.	Turbidity	Continuous	Continuous	17-610 Part III F.A.C.
H.	Dissolved Oxygen	Daily 7/wk	Grab	17-601.500(1) figure 2 & (3)(a)

Total nitrogen (N) shall be sampled within 60 days of this permit and at 12 months intervals thereafter. All grab samples shall be obtained during peak hourly flow conditions. The time, date and type of samples will be clearly indicated on the MOR.

10. The permittee shall monitor the nutrients weekly during discharge to surface water and meet the following limits for nutrients being discharged to the Caloosahatchee River and report to the Department on a monthly basis in accordance with Chapter 17-601 F.A.C., as follows:

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

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SPECIFIC CONDITIONS:

a.) The 32.5 pounds per day only apply during wet weather condition for Total Nitrogen concentration. The effluent shall not exceed the maximum monthly average of 32.5 pounds per day based on the design limit of 3.0 mg/l at the design flow of 1.3 MGD plant. This facility must not exceed 25.0 pounds per day of total nitrogen concentration for the maximum monthly average based on the surface water discharge limitation of 1.0 MGD (discharge). This plant surface water discharge and wet weather condition for total nitrogen shall not exceed an annual average of 28.8 pounds per day for compliance with discharge limit's being allowed under the 91 days of discharge at a design flow of 1.3 MGD during wet weather condition only.

b.) The 5.4 pounds per day only apply during wet weather condition for Total Phosphorus concentration. The effluent shall not exceed the maximum monthly average of 5.4 pounds per day based on the design limit of 0.5 mg/l at the design flow of 1.3 MGD plant. This facility must not exceed 4.2 pounds per day of Total Phosphorus concentration for the maximum monthly average based on the surface water discharge limitation of 1.0 MGD (discharge). This plant surface water discharge and wet weather condition for total phosphorus shall not exceed an annual average of 4.8 pounds per day for compliance with discharge limit's being allowed under the 91 days of discharge at a design flow of 1.3 MGD during wet weather condition only.

11. Maintain a copy of the operations and maintenance manuals for the wastewater treatment facility and reclaimed water disposal system (spray irrigation and/or percolation ponds) on file at the plant's office.

12. The reuse water produced at facilities permitted to discharge reclaimed water to the reuse system shall at all times be treated and tested to meet the minimum standards contained in the criteria for high level disinfection prior to discharge to the reuse system or an alternative method of disposal shall be utilized as required in accordance with Part III of Chapter 17-610 F.A.C.

13. The Public shall be notified of the use of reclaimed water. This shall be accomplished by the posting of advisory signs in the area where reuse is practiced, notes on scorecards, or by other methods. Copies of the public advisory method utilized shall be provided to the Department in accordance with Section 17-610.468 F.A.C.

a. No cross-connections to potable water systems shall be allowed. The permittee shall establish and shall obtain Department approval for a cross-connection control and inspection program, pursuant to Rule 17-555.360, F.A.C. The permittee shall install an approved backflow prevention device [under Rule 17-555.360(4), F.A.C]. This shall be

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SPECIFIC CONDITIONS:

provided on the potable water service connection to a residence served by reclaimed water. Rule 17-555.360(4)(f), F.A.C., specifically allows for the use of residential dual checks for this purpose in accordance with Section 17-555.360(5).

b. Reclaimed water shall not enter a dwelling unit or a building containing a dwelling unit except as allowed by Rules 17-610.476 and 17-610.477, F.A.C.

c. Maximum obtainable separation of reclaimed water lines and domestic water lines shall be practiced. A minimum horizontal separation of five feet (center to center) or three feet (outside to outside) shall be maintained between reclaimed water lines and either potable water mains or sewage collection lines. The provisions of Rule 17-604, F.A.C. are applicable to crossings.

d. All reclaimed water valves and outlets shall be appropriately tagged or labeled to warn the public and employees that the water is not intended for drinking. All piping, pipelines, valves, and outlets shall be color coded, or otherwise marked, to differentiate reclaimed water from domestic or other water.

e. Low trajectory nozzles, or other means to minimize aerosol formation shall be used within 100 feet of outdoor public eating, drinking and bathing facilities.

14. Although chlorine disinfection is not utilized for effluent discharged to the river, if routine testing conducted during normal Department inspections reveals the presence of a chlorine residual the following condition shall be implemented: The total chlorine residual after dechlorination shall be sampled once a day for 7 days per week to show compliance with this permit. The total chlorine residual in the effluent discharged to the Caloosahatchee River must not exceed 0.01 mg/l in accordance with F.A.C. Rule 17-302.560(10).

15. The Dissolved Oxygen concentration shall be sampled once per day for 7 days per week to show compliance with this permit. Sample shall be taken from a point after the final treatment process and prior to discharging to the Caloosahatchee river. In predominantly marine waters, the discharge concentration of the Dissolved Oxygen shall not average less than 5 milligrams per liter (mg/l) in a 24-hour period and shall never be less than 4 mg/l. Normal daily and seasonal fluctuations above these levels shall be maintained in both predominantly fresh waters and predominantly marine waters, in accordance with F.A.C. Rule 17-302.560(13).

16. Chlorine gas is used for disinfection. Maintain gaseous chlorine disinfection facilities in accordance with Rule 17-600.300(4)(b)
"Great Lakes/Upper Mississippi River Board of State Sanitary Engineers

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Senior Vice President
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Recommended Standards for Sewage Works", Chapter 90 "Disinfection", Section 93 "Chlorine Supply".

17. An updated capacity analysis report shall be submitted to the Department at five year intervals or at each time the permittee applies for a construction or operation permit or renewal of an operation permit or the three months average exceed the requirements, which ever occurs first in accordance with Rule 17-600.405 F.A.C.

18. The permittee shall initiate the series of tests described in the operation permit number DO36-228850. These specific conditions shall be made apart of this construction permit number DC36-237227, by reference with the issuance of this permit.

19. The permittee is reminded of the necessity to comply with the pertinent regulations of any other regulatory agency, as well as any county, municipal, and federal regulations applicable to the project. These regulations may include, but are not limited to, those of the Federal Emergency Management Agency in implementing flood control measures. This permit should not be construed to imply compliance with the rules and regulations of other regulatory agencies.

20. The permittee of the Waterway Estates facility shall stabilize residuals (sludge) to a Class "B" level utilizing lime stabilization to produce a pH of 12 for a minimum of 2 hours as outlined in Florida Cities Water Company standard operation procedures, in accordance with Chapter 17-640 F.A.C.

21. The Hudson Farms site, Charlotte County (with Pulte Site/Charlotte County and Hollingsworth Site/Desoto County as alternate sites), is an agricultural use plan site as outlined in F.A.C. Rule 17-640 and is identified as your permitted site to land apply the residuals generated at this facility. Changing land application sites requires Department notification and placement of new disposal site on this permit prior to disposing of residuals at the new land application site [F.A.C. Rule 17-640.300(1)(2)]. Additionally, the agricultural use plan site shall be updated annually to reflect any changes in the domestic wastewater residuals characteristics or agricultural practices and to provide a summary report of the domestic wastewater residual application of the previous year.

22. Quality Assurance: All laboratory and field procedures employed in the proposed monitoring program shall comply with USEPA guidelines and rules 17-601 and 17-160 of the Florida Administrative Code.

23. Application of reclaimed water on public access facilities shall be controlled by agreement with the wastewater management entity or by local ordinance. A copy of this agreement or ordinance shall be provided to the Department at the time of certification of project.

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Above ground bibbs (spigots or other hand operated connections) shall not be present. Hose bibbs shall be located in locked, below grade vaults which shall be clearly labeled as being of nonpotable quality. As an alternative to the use of locked, below-ground vaults with standard hose bibb services, hose bibbs which can only be operated by a special tool may be placed in nonlockable underground service boxes clearly labeled as nonpotable water.

24. Reclaimed water shall not be used to fill swimming pools, hot tubs, or wading pools.

25. The hydraulic loading rate shall not cause ponding of reclaimed water on the application site or produce surface runoff of the applied reclaimed water to the surrounding surface waters.

26. There shall be a setback distance of 75 feet from the edge of the wetted area of the public access land application area to potable water supply wells that are existing or have been approved by the Department or by the Department of Health and Rehabilitative Services (but not yet constructed). To comply with this requirement a utility providing reclaimed water for residential irrigation may adopt and enforce an ordinance prohibiting private drinking water supply wells in residential areas. Provide the Department with a copy of this ordinance.

27. A 75-foot setback distance shall be provided from a reclaimed water transmission facility to a public water supply well. No setback distance is required to other potable water supply wells or to nonpotable water supply wells.

28. The permittee shall provide the Department with an operation protocol designed to ensure that the high-level disinfection criteria will be met before the reclaimed water is released to the system storage or to the reclaimed water reuse system. The operating protocol shall be reviewed and updated annually and shall be subject to Department review and approval. Reclaimed water produced at the treatment facility that fails to meet the criteria established in the operating protocol shall not be discharged into system storage or to the reuse system. Such substandard reclaimed water (reject water) shall be either stored for subsequent additional treatment or shall be discharged to another permitted effluent disposal system.

29. Reclaimed water intended to comply with the high level disinfection criteria contained in Part III Chapter 17-610 F.A.C. shall only be provided during operator on site time. This provision shall remain in effect until a new operational protocol is provided. This protocol shall contain sufficient details to provide reasonable assurance that high level disinfection criteria will be met.

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SPECIFIC CONDITIONS:

30. In November 1992, the Environmental Agency, EPA, promulgated the National Sewage Sludge Use and Disposal Regulations (Chapter 40 Code of Federal Regulations Part 503). Modifications to F.A.C. Rule 17-640, Domestic Wastewater Residuals, to incorporate the aforementioned rule shall be forthcoming and the residuals handling and disposal conditions for this permit shall be modified, if necessary, to reflect and incorporate any changes. However, at this time it should be noted that 40 CFR Part 503 increases the number of heavy metals to be tested. The additional metals are: Arsenic, Chromium, Mercury, Molybdenum and Selenium. These additional metals should be sampled and test results submitted along with the parameters identified in Specific Condition four. The pollutant limits are found in 40 CFR Part 503.13(b)(1), (2), (3) and (4). Pollutant limits are more stringent for ceiling concentrations in Part 503 for land applications than 17-640 for cadmium, lead, nickel, and zinc. Metal criteria for land application will be no less stringent than the parameters listed in either of the regulations with the more stringent criteria applicable until F.A.C. Rule 17-640 is amended to incorporate criteria established in 40 CFR Part 503.

31. 40 CFR part 503 provides for pathogen and vector attraction reduction requirements. Both criteria have to be satisfied before residuals can be land applied for disposal. Residual stabilization classification is dependent on the process used to reduce pathogens. Residuals generated by this facility are stabilized by the addition of Lime. Provide an operational protocol and identify process monitoring, testing and documentation that assures product processed complies with a Process to Significantly Reduce Pathogens (PSRP) criteria (Class B stabilization). Also, identify the criteria that will be met to provide for vector attraction reduction and the testing required to demonstrate and document compliance.

32. Ground Water Monitoring Program

The ground water monitoring program for this facility is subject to the provisions of Chapters 17-4, 17-520, 17-522, 17-601, and 17-610, Florida Administrative Code (F.A.C.), and the following provisos:

A. In accordance with the provisions of Chapter 17-522.600, F.A.C., the ground water monitoring system shall be constructed by the permittee within ninety (90) days of the issuance of this permit.

B. The ground water monitoring wells shall be located as depicted on the attached plat and as mutually agreed upon during the site inspection of February 10, 1994.

Original

PERMITTEE:
Johnnie M. Overton
Senior Vice President
Florida Cities Water Company

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C. The monitoring wells for the Waterway Estates/Lochmoor Golf Course are hereby designated as follows:

- LGC-1: Background Well; DEP #(to be assigned)
- LGC-2: Intermediate Well; DEP #(to be assigned)
- LGC-3: Compliance Well; DEP #(to be assigned)

D. Monitor Well construction shall employ those methods and details as noted in the Department's "Guidelines for Monitor Well Design and Installation" (see Attached) and shall be constructed and installed such that adequate recharge is obtainable within the aquifer being monitored.

E. Upon completion of construction of the new ground water monitoring wells, the top of casing of each well shall be surveyed to obtain elevations (NGVD). A Monitor Well Construction Data Sheet shall be completed and submitted for each new well.

F. Upon completion of construction of all new monitoring wells, the new wells, as well as representative reclaimed water, shall be sampled and analyzed for the Primary and Secondary Drinking Water Standards as listed in Chapter 17-550.310 and 17-550.320, F.A.C., and additionally, the EPA method 601,602 parameters. Color, corrosivity, turbidity and odor may be excluded as parameters for this analysis.

G. All active monitoring wells and reclaimed water shall be sampled and analyzed according to the following schedule:

Sampling Period	Well	Report Due Date
January-March	1,2,3	April 15
April-June	2,3	July 15
July-September	2,3	October 15
October-December	2,3	January 15

A 24 hour composite representative sample of the reclaimed water shall be obtained and analyzed quarterly for the parameters listed in Specific Condition #H.

H. Analysis of the regularly scheduled sampling of all wells and reclaimed water shall be conducted for the following parameters:

pH (field)	Specific Conductance (field)
Arsenic	Chromium
Cadmium	Lead
Nitrate (as N)	Sulfate
Total Dissolved Solids	Fecal coliform bacteria
Total Organic Carbon	Water level (NGVD)
Chloride	

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Additionally, during the January-March event, analyses of the reclaimed water shall be reported on the Reclaimed Water or Effluent Analysis Report, Form 17-601.900(4) and all items are to be completed in full (see attached example). During subsequent years when an operation permit is not submitted or renewed, a certification stating that no new non-domestic wastewater dischargers have been added to the collection system may be submitted in lieu of the report.

Additional parameters may be necessary as dictated by the initial characterization of the new wells and reclaimed water.

I. The field testing, sample collection and preservation, and laboratory testing, including quality control procedures, shall be in accordance with methods approved by the Department as specified in Chapters 17-4.246 and 17-520.300, F.A.C. Approved methods as published by the Department or as published in Standard Methods, A.S.T.M., or EPA methods shall be used. Approved methods for chemical analyses are summarized in the Federal Register, October 26, 1984 (40 CFR 136).

J. The quarterly Ground Water and Reclaimed Water sampling shall be reported on the Department's Parameter Monitoring Report form [DER Form 17-1.216(2)]. This form, or an exact replica thereof, must be used and may not be altered as to format or content. The original copies should be retained so that necessary information is available for future reports. Completed forms shall be submitted no later than the due dates specified in Specific Condition #G to the Florida Department of Environmental Protection, 2295 Victoria Avenue, Fort Myers, Florida 33901.

K. All existing monitoring wells which are not an active part of the monitoring program are to be maintained for possible future use. Should any of the inactive wells become damaged or inoperable, the well(s) must be plugged and abandoned in accordance with the provisions of Chapter 17-532.500(4), F.A.C., with the details of such plugging submitted to the Department within seven (7) days thereafter.

L. If an active monitoring well becomes damaged or inoperable, the permittee shall notify the Department immediately, and a detailed written report shall be submitted within seven (7) days thereafter.

The report shall describe the nature of the problem and the remedial measures which have been taken to prevent a recurrence.

M. All monitoring wells shall be properly maintained, easily accessible, prominently marked, secured, and kept free of vegetation at all times.

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SPECIFIC CONDITIONS:

N. Pursuant to Chapter 17-522.410, F.A.C., a Zone of Discharge is hereby established and shall not areally extend further than one hundred (100) feet beyond the perimeters of the areas of wetted surface of reclaimed water spray irrigation, nor shall it extend beyond the limits of the property boundaries should such distance be less than one hundred (100) feet. The vertical zone of discharge shall not extend below the semi-confining zone at the base of the water table aquifer.

O. The permittee shall ensure that the water quality standards for Class G-II ground water as specified in Sections 17-520.400 and 17-520.410, F.A.C., will not be exceeded at the boundary of the zone of discharge nor shall the minimum criteria for ground water specified in Section 17-520.400, F.A.C. be violated within the zone of discharge.

P. If, at any time, ground water standards are exceeded, the permittee shall, within fifteen (15) days of being notified of such exceedance, resample the monitoring well(s) having the exceedance to verify the original analysis. Should the permittee not resample, the Department will consider the original analysis as representative of current ground water conditions. This could result in additional monitoring wells and/or corrective actions.

Q. This ground water monitoring program supersedes and replaces all previous ground water monitoring plans for the above referenced facility.

Note: In the event of an emergency the permittee shall contact the Department by calling (904)488-1320. During normal business hours, the permittee shall call (813)332-6975.

Issued this 2nd day of June, 1994.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Ronald D. Blackburn
Acting Director of
District Management

RDB/BTS/dd



Florida Department of Environmental Regulation

South District • 2269 Bay Street • Fort Myers, Florida 33901-2896
Lawton Chiles, Governor Carol Browner, Secretary

813-332-6975

Philip Edwards, Deputy Assistant Secretary

PERMITTEE:

A. A. Reeves, III
Executive Vice President
Florida Cities Water Company
P. O. Box 21119
Sarasota, Florida 34276-4119

I.D.No: 5236P01630
Permit/Certification
Number: DT36-188171
Date of Issue: January 22, 1991
Expiration Date: June 1, 1993
County: Lee
Latitude: 26° 38' 17" N
Longitude: 81° 54' 36" W
Section/Town/Range: 16/44S/24E
Project: Waterway Estates - S.T.P.

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 17-3, 17-4, 17-7, 17-301, 17-302, 17-600, 17-601, 17-602 and 17-640. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

To temporarily operate the existing 1.08 MGD contact stabilization process wastewater treatment facility. A temporary operation permit was deemed appropriate because the facilities has a discharge to a canal, then to the Caloosahatchee River which: 1) Is unable to meet a wasteload allocation (WLA) with nutrient limitations of 3.0 mg/l for Total-N and 0.5 mg/l for Total-P; 2) must relocate the existing discharge pipe to a six (6) foot contour line in the Caloosahatchee River; and 3) needs to meet the maximum chlorine residual limitation of 0.01 mg/l in accordance with Section 17-3.121(10), F.A.C.

The compliance schedule for this project is as follows:

- (7) Date construction is to be complete and so certified.
September 1, 1992
- (8) Date that wastewater facilities will be certified "in compliance" with your permit. June 1, 1993

PERMITTEE:
A. A. Reeves, III
Executive Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
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Date of Issue: January 22, 1991
Expiration Date: June 1, 1993

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to the authority of Section 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or

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GENERAL CONDITIONS:

auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises, at reasonable times, where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

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Florida Cities Water Company

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GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 17-4.120 and 17-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
- () Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

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Executive Vice President
Florida Cities Water Company

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GENERAL CONDITIONS:

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

SPECIFIC CONDITIONS:

1. Drawings, plans, documents or specifications submitted by the Permittee, not attached hereto, but retained on file at the South Florida District Office, are made a part hereof.
2. Where chlorine is used for disinfection, a total chlorine residual of at least 0.5 milligrams per liter shall be maintained after at least 15 minutes contact time at maximum daily flow, or after at least 30 minutes contact time at average daily flow, whichever provides for the higher level of public health protection. Higher residuals or longer contact times may be needed to meet the operational criteria for basic disinfection.
3. The permittee shall submit a monthly operations report (MOR), DER Form 17-1.205(7), to the Department no later than the fifteenth of each succeeding month.
4. The permittee shall submit residual (sludge) analysis on a three-month basis. If your most recent analysis is not current with the time period specified, you shall submit an analysis as soon as possible and no later than 60 days from the date of issuance of this permit and every three-month's thereafter. The residual sample for this facility is to be taken from digester and shall be collected as specified in F.A.C. Rule 17-7.540(2)(3).

Samples shall be analyzed and reported for the parameters as follows:

<u>Parameter</u>	<u>Reported</u>	<u>Parameter</u>	<u>Reported</u>
Total nitrogen	% dry weight	Lead	mg/kg dry weight
Total phosphorus	% dry weight	Nickel	mg/kg dry weight
Total potassium	% dry weight	Zinc	mg/kg dry weight
Cadmium	mg/kg dry wt.	pH	Standard Units
Copper	mg/kg dry wt.	Total solids	%

PERMITTEE:
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Executive Vice President
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Expiration Date: June 1, 1993

SPECIFIC CONDITIONS:

5. The issuance of this permit is pursuant to the authority of Section 403.088(4)(a), F.S. It is based upon the Permittee's request received October 19, 1990, and revised November 26 and December 4, 1990, and in consideration of any comments from the Public pursuant to the Public Notice published in the Fort Myers News Press and in accordance with Sections 403.088(4)(b) and (c), F.S.

6. The facility is a category II, requiring that the lead/chief operator must be a Class B or higher on site 16 hours per day, 7 days per week and a weekend visit, F.A.C. Rule 17-602.370(3)(b). Operator shall be on call during periods when the plant is unattended. Daily checks of all plants shall be performed by the permittee, or supplier, or his representative or agent 5 days per week for all Class C and D plants. Section 17-602.375(1), F.A.C.

7. The parameters and minimum sampling schedule for this domestic wastewater treatment plant are flow, pH and chlorine residual, sampled continuously, BOD₅, Total Suspended Solids, fecal coliform and nutrients, sampled once weekly, in accordance with Section 17-601.500(1), Figure 3, F.A.C.

a. BOD, TSS and Nutrients (Total N, Total Kjeldahl N, Nitrate-N and Total-P) are required to be 16 hour flow proportioned composite samples.

b. Fecal coliform may be determined by grab samples.

8. The effluent compliance concentrations for this facility, F.A.C. Rule 17-600.740(1)(b)1, are as follows:

a. The arithmetic mean of the BOD or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period, shall not exceed 20 mg/l.

b. The arithmetic mean of the BOD or TSS values for a minimum of four effluent samples each collected (whether grab or composite technique is used) on a separate day during a period of 30 consecutive days (monthly) shall not exceed 30 mg/l.

c. The arithmetic mean of the BOD or TSS values for a minimum of two effluent samples each collected (whether grab or composite technique is used) on a separate day during a period of 7 consecutive days (weekly) shall not exceed 45 mg/l.

PERMITTEE:
A. A. Reeves, III
Executive Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
Permit/Cert. No.: DT36-188171
Date of Issue: January 22, 1991
Expiration Date: June 1, 1993

SPECIFIC CONDITIONS:

d. Maximum-permissible concentrations of BOD or TSS values in any effluent grab sample at any time shall not exceed 60 mg/l.

9. For the basic disinfection levels specified in this permit, F.A.C. Rule 17-600.440(4)(c), the following operational criteria (using either MF or equivalent MPN methods) shall be applicable.

a. The arithmetic mean of the monthly fecal coliform values (computed as per b., below) collected during an annual period, shall not exceed 200 per 100 ml of effluent sample.

b. The geometric mean of the fecal coliform values for a minimum of ten effluent samples each collected on a separate day during a period of 30 consecutive days (monthly) shall not exceed 200 per 100 ml of sample.

c. No more than ten percent of the samples collected during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 ml of sample.

d. Any one sample shall not exceed 800 fecal coliform values per 100 ml of sample.

10. Chlorine gas is used for basic disinfection. Maintain gaseous chlorine disinfection facilities in accordance with F.A.C. Rule 17-600.300(4)(b) "Great Lakes/Upper Mississippi River Board of State Sanitary Engineers Recommended Standards for Sewage Works", Chapter 90 "Disinfection", Section 93 "Chlorine Supply".

11. The permittee shall meet the following limits for the nutrients.

a. Total-Nitrogen as N, samples collected shall not exceed 30 mg/l for a monthly average, 45 mg/l weekly and 60 mg/l maximum permissible F.A.C. 17-600.740(1)(b)2.

c. Total-Kjeldah Nitrogen (TKN) as N, samples collected shall not exceed 15 mg/l for a monthly average, 22.5 mg/l weekly and 30 mg/l maximum permissible F.A.C. 17-600.740(1)(b)2.

d. Total-Phosphorus as P, samples collected shall not exceed 2 mg/l for a monthly average, 3 mg/l weekly and 4 mg/l maximum permissible F.A.C. 17-600.740(1)(b)2.

PERMITTEE:
A. A. Reeves, III
Executive Vice President
Florida Cities Water Company

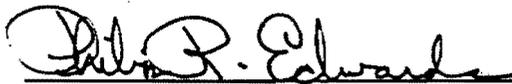
I.D. No.: 5236P01630
Permit/Cert. No.: DT36-188171
Date of Issue: January 22, 1991
Expiration Date: June 1, 1993

SPECIFIC CONDITIONS:

Note: In the event of an emergency the permittee shall contact the Department by calling (904)488-1320. During normal business hours, the permittee shall call (813)332-6975.

Issued this 22nd day of January, 1990.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION



Philip R. Edwards
Deputy Assistant Secretary

PRE/BTS/ish

APR

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION RECEIVED

NOTICE OF PERMIT

MAR 5 1990

SARASOTA OFFICE

CERTIFIED MAIL #P394 992 376
RETURN RECEIPT REQUESTED

In the matter of an
Application for Permit
by:

DER File No. #165119
Lee County - DW
Waterway Estates - AWWT
ID No.: 5236P01630

Robert H. French, P.E.
Senior Vice President
Florida Cities Water Company
P. O. Box 5846
Sarasota, FL 34277-5846

Enclosed is Permit Number DC36-165119 to construct a
modification to the subject sewage treatment facility, issued
pursuant to Section(s) 403.087, Florida Statutes.

Any party to this Order (permit) has the right to seek judicial
review of the permit pursuant to Section 120.68, Florida Statutes,
by the filing of a Notice of Appeal pursuant to Rule 9.110, Florida
Rules of Appellate Procedure, with the Clerk of the Department in
the Office of General Counsel, 2600 Blair Stone Road, Tallahassee,
Florida 32399-2400; 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 this Notice is filed with the Clerk of
the Department.

Executed in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Philip R. Edwards
Deputy Assistant Secretary
South Florida District Office
2269 Bay Street
Fort Myers, Florida 33901-2896
(813)332-2667

PRE/BTS/jrh
Copies furnished to:

William D. Harrop, Jr., P.E.
Richard Drew, NPDES-Tallahassee-DER

CERTIFICATE OF SERVICE

This is to certify that this NOTICE OF PERMIT and all copies were mailed before the close of business on March 1, 1990 to the listed persons.

Clerk Stamp

FILING AND ACKNOWLEDGEMENT
FILED, on this date, pursuant to
§120.52(9), Florida Statutes, with
the designated Department Clerk,
receipt of which is hereby
acknowledged.

Arline Palmer
(Clerk)

3/1/90
(Date)



Florida Department of Environmental Regulation

South District • 2269 Bay Street • Fort Myers, Florida 33901-2896 • 813-332-2667

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary
Philip Edwards, Deputy Assistant Secretary

MAR 5 1990

SARASOTA OFFICE

PERMITTEE:

Robert H. French, P. E.
Senior Vice President
Florida Cities Water Company
P. O. Box 5846
Sarasota, FL 34277-5846

I.D.No: 5236P01630
Permit/Certification
Number: DC36-165119
Date of Issue: March 1, 1990
Expiration Date: November 1, 1990
County: Lee
Latitude: 26° 38' 17" N
Longitude: 81° 54' 36" W
Section/Town/Range: 16/44S/24E
Project: Waterway Estates - S.T.P.

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 17-3, 17-4, 17-7, 17-19, 17-600, 17-602, and 17-650. The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

Construct a modification to the existing sewage treatment facility by down-grading the facility to a 1.0 MDG Advanced Wastewater Treatment facility for nutrient limitations associated with the water quality based effluent limitations (WQBEL) for surface water discharged to the Caloosahatchee River. Included in the construction is a 0.165 MG capacity surge tank for flow equalization, three denitrification filters, ultra violet disinfection system and relocation of the discharge pipe to the six (6) foot contour line in the Caloosahatchee River as depicted on sheet No. C-8 of 25 design drawings by Source, Inc., project job No. 237-01-88, sheet numbers 1 to 25A, MP-1 & MP-2, E-1 to E-7, and S-1 to S-4 of 39; also submitted in support of the construction application were related material received May 18, 1989 and revised information received August 14 and 16, October 10, November 16, 20, and 27 and December 15, 1989. Location of the project is 1667 Inlet Drive, North Ft. Myers.

Advanced wastewater treatment limitations for this facility are: total nitrogen concentration of 3.0 mg/l and total phosphorus concentration of 0.5 mg/l. A WQBEL study was conducted by the Bureau of Water Facilities Planning & Regulation during the years 1988 and 1989, analysis of the data indicates that the water quality limits established in the earlier WLA are still applicable to the receiving waters.

PERMITTEE:
Robert H. French, P.E.
Senior Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
Permit/Cert. No.: DC36-165119
Date of Issue: March 1, 1990
Expiration Date: November 1, 1990

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "Permit Conditions" and are binding and enforceable pursuant to the authority of Section 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is hereby placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgement of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, as required by Department rules. This provision includes the operation of backup or

PERMITTEE:

Robert H. French, P.E.
Senior Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
Permit/Cert. No.: DC36-165119
Date of Issue: March 1, 1990
Expiration Date: November 1, 1990

GENERAL CONDITIONS:

auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.

7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises, at reasonable times, where the permitted activity is located or conducted to:

- a. Have access to and copy any records that must be kept under the conditions of the permit;
- b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
- c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- a. a description of and cause of non-compliance; and
- b. the period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

PERMITTEE:

Robert H. French, P.E.
Senior Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
Permit/Cert. No.: DC36-165119
Date of Issue: March 1, 1990
Expiration Date: November 1, 1990

GENERAL CONDITIONS:

11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 17-4.120 and 17-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- () Determination of Best Available Control Technology (BACT)
- () Determination of Prevention of Significant Deterioration (PSD)
- () Certification of Compliance with State Water Quality Standards (Section 401, PL 92-500)
- () Compliance with New Source Performance Standards

14. The permittee shall comply with the following:

a. Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.

b. The permittee shall hold at the facility or other location designated by this permit records of all monitoring information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

c. Records of monitoring information shall include:

- the date, exact place, and time of sampling or measurement;
- the person responsible for performing the sampling or measurements;
- the date(s) analyses were performed;
- the person responsible for performing the analyses;
- the analytical techniques or methods used; and
- the results of such analyses.

PERMITTEE: I.D. No.: 5236P01630
Robert H. French, P.E. Permit/Cert. No.: DC36-165119
Senior Vice President Date of Issue: March 1, 1990
Florida Cities Water Company Expiration Date: November 1, 1990

GENERAL CONDITIONS:

15. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be submitted or corrected promptly.

SPECIFIC CONDITIONS:

1. Drawings, plans, documents or specifications submitted by the Permittee, not attached hereto, but retained on file at the South Florida District Office, are made a part hereof.

2. The applicant shall retain the engineer of record or obtain the services of any professional engineer registered in the State of Florida for the inspection of the construction of this project. Upon completion the engineer shall inspect for conformity to construction permit applications and associated documents. A Certificate of Completion shall be submitted within 30 days after completion of construction of this project and Department approval obtained prior to placement into service. An Operation and Maintenance Manual shall be provided with the Certificate of Completion in accordance with Section 17-600.720(2) and 17-604.500(4), F.A.C.

3. This permit is valid for an initial period of operation up to six months after plant start up or permit expiration, whichever comes first. During the initial period of operation a sufficient number of analyses to substantiate compliance with the Florida Administrative Code shall be provided prior to the issuance of an operation permit.

Initial test results are to be received no later than six (6) weeks after the treatment plant has been placed in operation. These results shall be submitted on a monthly basis to the Department of Environmental Regulation.

4. The permittee shall submit a monthly operations report (MOR), DER Form 17-1.205(7), to the Department no later than the fifteenth of each succeeding month.

5. The permittee shall submit sludge analysis data to the Department as soon as possible and no later than sixty (60) days from the date of issuance of this permit and no greater than every (3) months thereafter. Sampling shall be in accordance with Section 17-7.540(2), F.A.C., for the following parameters:

PERMITTEE:

Robert H. French, P.E.
Senior Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
Permit/Cert. No.: DC36-165119
Date of Issue: March 1, 1990
Expiration Date: November 1, 1990

SPECIFIC CONDITIONS:

Total nitrogen	% dry weight	Lead	mg/kg dry weight
Total phosphorus	% dry weight	Nickel	mg/kg dry weight
Total potassium	% dry weight	Zinc	mg/kg dry weight
Cadmium	mg/kg dry wt.	pH	Standard Units
Copper	mg/kg dry wt.	Total solids	%

6. This is a category I, Class B facility requiring that the lead/chief operator must be Class B or higher. The staffing must be by Class C or higher operator on site 16 hours per day, 7 days per week, F.A.C. Rule 17-602.370(3)(a). Operator shall be on call during periods when the plant is unattended. Section 17-602.375(1), F.A.C.

7. The parameters and minimum sampling schedule for this domestic wastewater treatment plant are flow and pH sampled continuously, BOD₅, Total Suspended Solids, Total phosphorus and Total Nitrogen (nutrient) sampled weekly for advanced wastewater treatment discharging to surface waters. Fecal coliform, sampled weekly, in accordance with Section 17-19.050, Figure 3, F.A.C.

8. The effluent compliance concentrations for this facility, F.A.C. Rule 17-600.740(1)(b)1, are as follows:

a. The arithmetic mean of the BOD or TSS values for the effluent samples collected (whether grab or composite technique is used) during an annual period, shall not exceed 20 mg/l.

b. The arithmetic mean of the BOD or TSS values for a minimum of four effluent samples each collected (whether grab or composite technique is used) on a separate day during a period of 30 consecutive days (monthly) shall not exceed 30 mg/l.

c. The arithmetic mean of the BOD or TSS values for a minimum of two effluent samples each collected (whether grab or composite technique is used) on a separate day during a period of 7 consecutive days (weekly) shall not exceed 45 mg/l.

d. Maximum-permissible concentrations of BOD or TSS values in any effluent grab sample at any time shall not exceed 60 mg/l.

9. For the basic disinfection levels specified in this permit, F.A.C. Rule 17-600.740(1)(b)4., the following operational criteria (using either MF or equivalent MPN methods) shall be applicable.

PERMITTEE:
Robert H. French, P.E.
Senior Vice President
Florida Cities Water Company

I.D. No.: 5236P01630
Permit/Cert. No.: DC36-165119
Date of Issue: March 1, 1990
Expiration Date: November 1, 1990

SPECIFIC CONDITIONS:

a. The arithmetic mean of the monthly fecal coliform values (computed as per b., below) collected during an annual period, shall not exceed 200 per 100 ml of effluent sample.

b. The geometric mean of the fecal coliform values for a minimum of ten effluent samples each collected on a separate day during a period of 30 consecutive days (monthly) shall not exceed 200 per 100 ml of sample.

c. No more than ten percent of the samples collected during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 ml of sample.

d. Any one sample shall not exceed 800 fecal coliform values per 100 ml of sample.

10. The permittee shall monitor (weekly) and meet the water quality based effluent limits for nutrients being discharged to the Caloosahatchee River on a monthly basis and report to the Department in accordance with Chapter 17-19, Florida Administrative Code.

a. Total-N shall not exceed the monthly average of 3.0 mg/l or 25.0 lb/day.

b. Total-P shall not exceed the monthly average of 0.5 mg/l or 4.2 lb/day.

11. The permittee shall incorporate dual discharge pumps in the effluent disposal system and so certify at the time of completion of construction.

12. The dissolved oxygen (D.O.) concentration in the effluent at the point of entry to the discharge pipe shall not average less than 5 mg/l in a 24 hour period and shall never be less than 4 mg/l. The D.O. concentration shall be monitored twice a day and reported monthly.

Note: In the event of an emergency the permittee shall contact the Department by calling (904)488-1320. During normal business hours, the permittee shall call (813)332-2667.

Issued this 1st day of March, 1990.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION


Philip R. Edwards
Deputy Assistant Secretary

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

IN THE OFFICE OF THE
SOUTH FLORIDA DISTRICT

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION,

Complainant

OGC CASE NO.: 90-1747

VS.

FLORIDA CITIES WATER COMPANY
(WATERWAY ESTATES WASTEWATER
TREATMENT PLANT),

Respondent.

AMENDED CONSENT ORDER

This Consent Order is entered into between the State of Florida, Department of Environmental Regulation (hereinafter "Department") and Florida Cities Water Company (Waterway Estates Wastewater Treatment Plant) (hereinafter "Respondent").

The Department finds and Respondent neither denies nor admits the following:

1. The Department of Environmental Regulation is the administrative agency of the State of Florida charged with the authority to administer and enforce Chapter 403, Florida Statutes (F.S.), and the rules promulgated thereunder in Florida Administrative Code (F.A.C.) Title 17.

2. Respondent owns, operates, and maintains a 1.0 MGD wastewater treatment plant (activated sludge process) servicing

certain portions of North Fort Myers. This plant is located off of Inlet Drive, North Fort Myers, Lee County, Florida.

3. Respondent was authorized to operate the facility under Temporary Operating Permit DT36-152486, issued September 23, 1988 with expiration on November 1, 1990.

4. Respondent was issued a construction permit DC36-165119, issued March 1, 1990 with expiration on November 1, 1990. The construction permit was extended on October 30, 1990 until September 1, 1992.

DT36-158171 

5. A Temporary Operating Permit (TOP) ~~5236201000~~, was issued to Respondent on January 22, 1991 with an expiration date of June 1, 1993.

6. On July 15, 1988 Respondent signed and entered into a Consent Agreement, OGC Case No. 88-0384 with the Department in order to resolve violations of Florida Administrative Code Rules: 17-600.750(1), 17-7.040, 17-600.740(1)(b)1.d and 17-601.500(1).

7. Respondent failed to comply with paragraph ten of OGC Case NO. 88-0384, which required the construction of the wastewater treatment plant be complete and certified in compliance with all F.A.C. Rules and Florida Statutes regulating wastewater treatment facilities by November 1, 1990.

The Department and Respondent having met to discuss the above, have reached a mutually agreeable settlement of the above referenced matters pursuant to F.A.C. Rule 17-100.110(3), it is therefore

AGREED AND ORDERED:

8. Respondent shall make modifications to the treatment plant to ensure that it will consistently meet all applicable State standards. Respondent shall comply with the schedule outlined in T.O.P. ~~5336701639~~ ^{DT36-188171} as follows:

ACTION

DUE DATE

- | | |
|---------------------------------------|-------------------|
| a. Substantial completion | September 1, 1992 |
| b. Facilities certified in compliance | June 1, 1993 |

9. Respondent's wastewater treatment facilities shall be in full compliance with all permits, F.A.C. Rules and Florida Statutes regulating wastewater treatment facilities and the provisions of this Consent Order no later than June 1, 1993. Failure to meet this Compliance deadline will result in a stipulated penalty of \$200.00 per day until compliance is achieved. Acts of God and other delays due to circumstances beyond the reasonable control of the Respondent shall extend the compliance date one day for each day of delay.

Respondent shall notify the Department by telephone within seventy-two (72) hours and follow up in writing within seven (7) days of any "acts of God and/or other delays due to circumstances beyond the reasonable control of the Respondent", that would result in Respondent not meeting the compliance deadline of June 1, 1993.

10. Under current regulations, additional collection system connections cannot be allowed under a General Permit. However, the Department will process an Application to Construct Domestic

Wastewater Collection/Transmission systems [DER Form 17-1.205(2)] if Respondent takes additional measures to ensure that the total quantity of pollutants entering the Caloosahatchee River does not exceed the stipulated limits in the Temporary Operating Permit (T.O.P.). Based upon satisfaction of the Department's permitting requirements, the proposed Palm Island and Barrett Park projects may be allowed to connect to the Waterway Estates wastewater treatment system. Meeting the aforementioned effluent limits as outlined in the T.O.P. shall be considered a part of the Department's permitting requirements.

11. Respondent shall notify the Department by telephone within twenty-four (24) hours, and follow up in writing within seventy-two (72) hours of any non-compliance with any permit condition, F.A.C. Rule or Florida Statute with the following information:

- a. A description of the cause of non-compliance; and
- b. The period of non-compliance, including exact dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. Violation of this provision will result in further enforcement action by the Department.

12. Respondent shall make payment of \$15,000.00 to the Department of Environmental Regulation in order to settle the issues raised in the Consent Order. The amount shall be made payable to the "State of Florida Department of Environmental

Regulation" and shall be submitted to 2269 Bay Street, Fort Myers, Florida 33901-2896, within twenty days of the entry of this Consent Order. For and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, the Department hereby waives its right to seek judicial imposition of additional civil penalties concerning the issues resolved by this Consent Order.

13. Persons not parties to this Consent Order whose substantial interests are affected by this Consent Order have a right, pursuant to Section 120.57, F.S., to petition for an administrative determination (hearing) on it. The petition must conform to the requirements of Chapter 17-103 and 28-5, F.A.C., and must be filed (received) in the Department's Office of General Counsel, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400, within 21 days of receipt of this notice. Failure to file petition within the 21 days constitute a waiver of any right such person has to an administrative determination (hearing) pursuant to Section 120.57, F.S.

14. Respondent waives its right to an administrative hearing on the terms of this Consent Order under Section 120.57, F.S., and its right to appeal this Consent Order pursuant to Section 120.68, F.S.

15. Entry of this Consent Order does not relieve Respondent of the need to comply with all applicable federal, state or local laws, regulations, or ordinances.

16. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, F.S. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), F.S.

17. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages and civil penalties of up to \$10,000 per offense.

18. Respondent shall allow all authorized representatives of the Department access to the property at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules of the Department.

19. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit future violations of applicable statutes or the rules promulgated thereunder not covered by the terms of this Consent Order.

20. No modification of the terms of this Consent Order shall be effective until reduced to writing and executed by both the Respondent and the Department.

21. All reports, plans, and data required by this Consent Order to be submitted to the Department should be sent to the Deputy Assistant Secretary, 2269 Bay Street, Fort Myers, Florida 33901-2896.

22. This Consent Order is final agency action of the Department pursuant to Section 120.69, F.S., and F.A.C. Rule

17-103.110(3), 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, F.S.

Upon the timely filing of a petition this Consent Order will not be effective until further order of the Department.

FOR THE RESPONDENT:



A.A. Reeves, III
Executive Vice President
4837 Swift Road, Suite 100
Sarasota, Florida 34231

DONE AND ORDERED this 3RD day of April, 1991,
in Fort Myers, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL REGULATION



Philip R. Edwards
District Manager
South Florida District
2269 Bay Street
Fort Myers, FL 33901-2896
Telephone: (813) 332-6975

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy hereof has been furnished by regular U.S. Mail to Rick Lotspeich, Esq., Landers & Parsons, attorneys for Respondent, P. O. Box 271, Tallahassee, Florida 32302 on this 11th day of April 1991.

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to S120.52 Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Mary L. Nelson 4-4-91
Clerk Date

Francine M. Ffolkes
FRANCINE M. FOLKES
Assistant General Counsel



**This notice of authorization must be
conspicuously displayed at the site of work.**

United States Army Corps of Engineers

APR 11 1990

TO EXTEND AN EXISTING OUTFALL STRUCTURE BY INSTALLING APPROXIMATELY 2,650 LINEAR FEET OF 18-INCH DIAMETER POLYETHYLENE PIPING REQUIRING THE EXCAVATION AND REDEPOSITION OF APPROXIMATELY 9,720 CUBIC YARDS OF SILT/SAND MATERIAL WITHIN THE CALOOSAHATCHEE RIVER AND AN ADJACENT MANMADE CANAL LOCATED NEAR THE WATERWAY ESTATES WATER TREATMENT PLANT. 4271 ST. CLAIR STREET AT THE WATERWAY ESTATES at WASTE WATER TREATMENT PLANT, SECTION 16, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA.

19

APR 11 1990

has been issued to FLORIDA CITIES WATER COMPANY on _____ 19_____
c/o W. DEXTER BENDER AND ASSOCIATES
Address of Permittee 1533 HENDRY STREET, SUITE 302
FORT MYERS, FLORIDA 33901-2936

Permit Number

89IPD-20330

Bruce A. Malson
BRUCE A. MALSON, COL CE
District Commander

File



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT, CORPS OF ENGINEERS
P. O. BOX 4970
JACKSONVILLE, FLORIDA 32232-0019

REPLY TO
ATTENTION OF

Regulatory Division
South Permits Branch
89IPD-20330

APR 11 1990

W. Dexter Bender and Associates
Attn: Mr. David A. Fox
1533 Hendry Street, Suite 302
Fort Myers, Florida 33901-2936

Dear Mr. Fox:

We are pleased to enclose the Department of the Army permit and a Notice of Authorization which should be displayed at the construction site. Work may begin immediately but the appropriate Regulatory Section Chief as representative of the District Engineer must be notified of:

- a. The date of commencement of the work ~~(mail enclosed card)~~.
- b. The dates of work suspensions and resumptions if work is suspended over a week, and
- c. The date of final completion.

Regulatory Section Chiefs addresses and telephone numbers are shown on the enclosed map. The Section Chief is responsible for inspections to determine that permit conditions are strictly adhered to. A copy of the permit and drawings must be available at the site of work.

IT IS NOT LAWFUL TO DEVIATE FROM THE APPROVED PLANS ENCLOSED.

Sincerely,

[Handwritten Signature]
John F. Adams
Chief, Regulatory Division

Enclosures

DEPARTMENT OF THE ARMY PERMIT

Permittee: Florida Cities Water Company

Permit Number: 89IPD-20330

Issuing Office: U.S. Army Engineer District, Jacksonville

NOTE: The term "you" and its derivatives, as used in this permit, means the permittee or any future transferee. The term "this office" refers to the appropriate district or division office of the Corps of Engineers having jurisdiction over the permitted activity or the appropriate official of that office acting under the authority of the commanding officer.

You are authorized to perform work in accordance with the terms and conditions specified below.

Project Description: The project is to extend an existing outfall structure by installing approximately 2,650 linear feet of 18-inch diameter polyethylene piping requiring the excavation and redeposition of approximately 9,720 cubic yards of silt/sand material within the Caloosahatchee River and an adjacent manmade canal located near the Waterway Estates Waste Water Treatment Plant.

The work described above is shown on the attached plans numbered 89IPD-20330 in six sheets; dated June 12, 1989 (sheet 5 revised January 24, 1990).

Project Location: The project is located on the Caloosahatchee River at 4271 St. Clair Street at the Waterway Estates Waste Water Treatment Plant, Section 16, Township 44 South, Range 24 East, Lee County, Florida.

Permit Conditions:

General Conditions:

APR 11 1995

1. The time limit for completing the work authorized ends on _____. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.

2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.

3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.

4. If you sell the property associated with this permit, you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.

5. If a conditioned water certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.

6. You must allow representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

Special Conditions:

a. The permittee agrees that the contractor will instruct all personnel associated with construction of the facility of the presence of manatees and the need to avoid collisions with manatees. (PI)

b. The permittee agrees that all construction personnel will be advised that there are civil and criminal penalties for harming, harassing, or killing manatees which are protected under the Endangered Species Act of 1973 and the Marine Mammal Protection Act of 1972. The permittee and/or contractor will be held responsible for any manatee harmed, harassed, or killed as a result of construction of the project. (PI)

c. The permittee agrees that during construction, any collision with a manatee shall be reported immediately on the manatee "hotline" (1-800-342-1821) and to the U.S. Fish and Wildlife Service, Jacksonville Endangered Species Field Station (904-791-2580). (PI)

d. The permittee agrees that the contractor shall keep a log detailing sightings, collisions, and/or injuries to manatees which have occurred during the contract period. (PI)

e. The permittee agrees that following project completion, a report summarizing the above incidents and sightings will be submitted to the Chief, Regulatory Division, Jacksonville District, Corps of Engineers (Post Office Box 4970, Jacksonville, Florida 32232-0019) and to the U.S. Fish and Wildlife Service (P.O. Box 2676, Vero Beach, Florida 32961-2676). (PI)

f. The permittee agrees that all vessels associated with the project construction will operate at "no-wake" speeds at all times while in water where the draft of the vessel provides less than a 3-foot clearance from the bottom and that vessels will follow routes of deep water to the extent possible. (PI)

g. The permittee agrees to maintain navigational clearance through the main entrance channel; however, where navigation will be hindered the contractor shall install directional signs and lighting to assure continued passage during construction. In the event that construction blocks navigation entirely the general public shall be notified seven (7) days in advance with notices published in a local paper of general circulation in the area affected, and signs erected at the site of blockage. (PI)

h. The permittee agrees to install and maintain double and triple turbidity curtains throughout all construction activities around dredge and spoil areas to reduce and minimize the effects of turbidity on nearby seagrass beds. (PI)

i. The permittee agrees that, once the trench is refilled, the disposal (spoil) site and filled trench shall be returned to ambient grade. (PI)

Further Information:

1. Congressional Authorities: You have been authorized to undertake the activity described above pursuant to:

(X) Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403).

(X) Section 404 of the Clean Water Act (33 U.S.C. 1344).

() Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972 (33 U.S.C. 1413).

2. Limits of this authorization.

a. This permit does not obviate the need to obtain other Federal, state, or local authorizations required by law.

b. This permit does not grant any property rights or exclusive privileges.

c. This permit does not authorize any injury to the property or rights of others.

d. This permit does not authorize interference with any existing or proposed Federal projects.

3. Limits of Federal Liability. In issuing this permit, the Federal Government does not assume any liability for the following:

a. Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes.

b. Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the United States in the public interest.

c. Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit.

d. Design or construction deficiencies associated with the permitted work.

e. Damage claims associated with any future modification, suspension, or revocation of this permit.

4. Reliance on Applicant's Data: The determination of this office that issuance of this permit is not contrary to the public interest was made in reliance on the information you provided.

5. Reevaluation of Permit Decision. This office may reevaluate its decision on this permit at any time the circumstances warrant. Circumstances that could require a reevaluation include, but are not limited to, the following:

a. You fail to comply with the terms and conditions of this permit.

b. The information provided by you in support of your permit application proves to have been false, incomplete, or inaccurate (see 4 above).

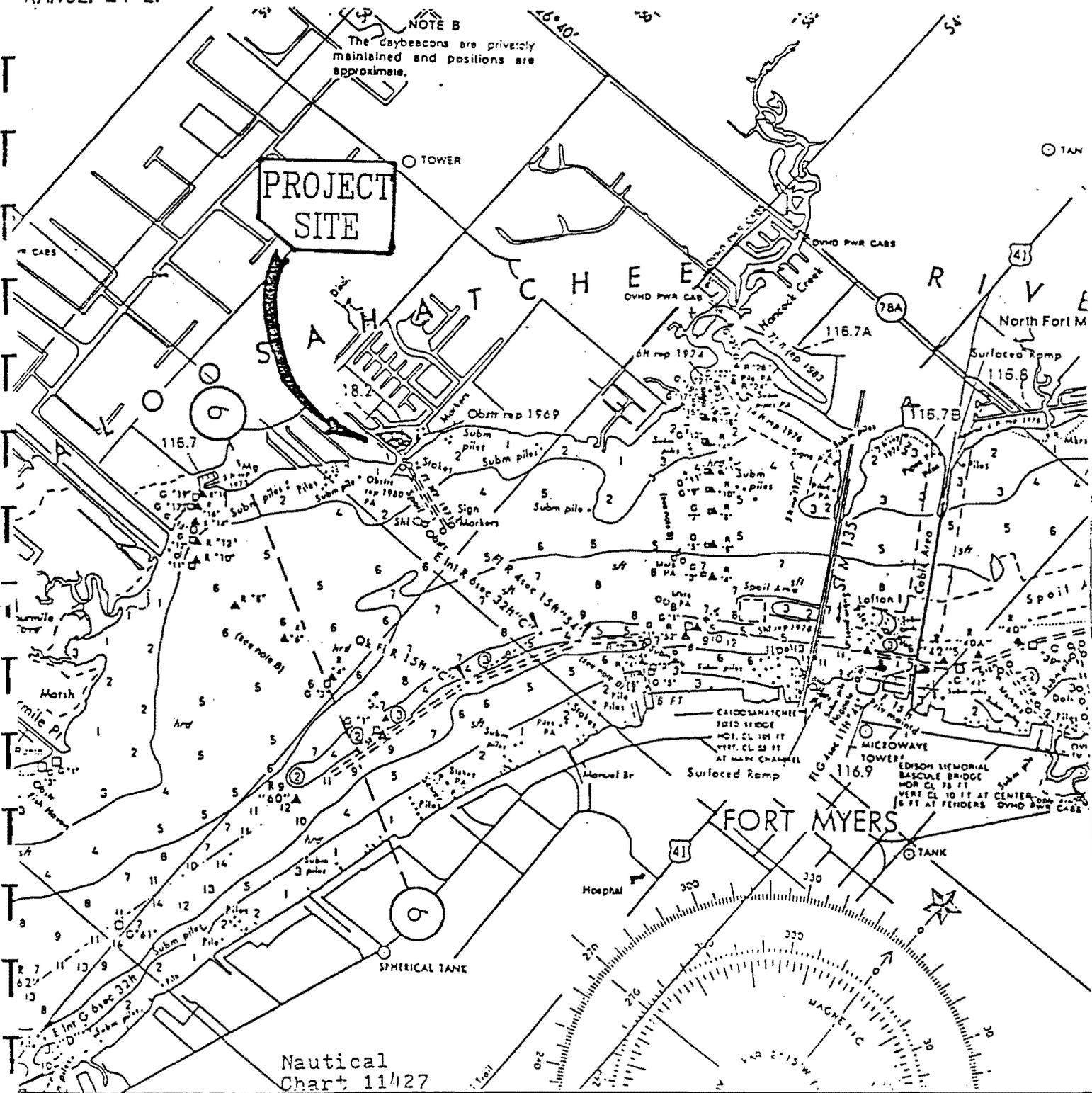
c. Significant new information surfaces which this office did not consider in reaching the original public interest decision.

Such a reevaluation may result in a determination that it is appropriate to use the suspension, modification, and revocation procedures contained in 33 CFR 325.7 or enforcement procedures such as those contained in 33 CFR 326.4 and 326.5. The referenced enforcement procedures provide for the issuance of an administrative order requiring you comply with the terms and conditions of your permit and for the initiation of legal action where appropriate. You will be required to pay for any corrective measures ordered by this office, and if you fail to comply with such directive, this office may in certain situations (such as those specified in 33 CFR 209.170) accomplish the corrective measures by contract or otherwise and bill you for the cost.

6. Extensions. General condition 1 establishes a time limit for the completion of the activity authorized by this permit. Unless there are circumstances requiring either a prompt completion of the authorized activity or a reevaluation of the public interest decision, the Corps will normally give favorable consideration to a request for an extension of this time limit.

SECTION: 16
 TOWNSHIP: 44 S.
 RANGE: 24 E.

LATITUDE: 26° 38' 15"
 LONGITUDE: 81° 54' 30"



Nautical Chart 11427

ADJACENT PROPERTY OWNER COE APPL # 89TPE-20330
 DER APPL # _____
 DATE JUNE 12, 1989
 SHEET 1 of 6

IN: Caloosahatchee River
 AT: Waterway Estates
 LEE COUNTY, FLORIDA

PERI

AUCTION

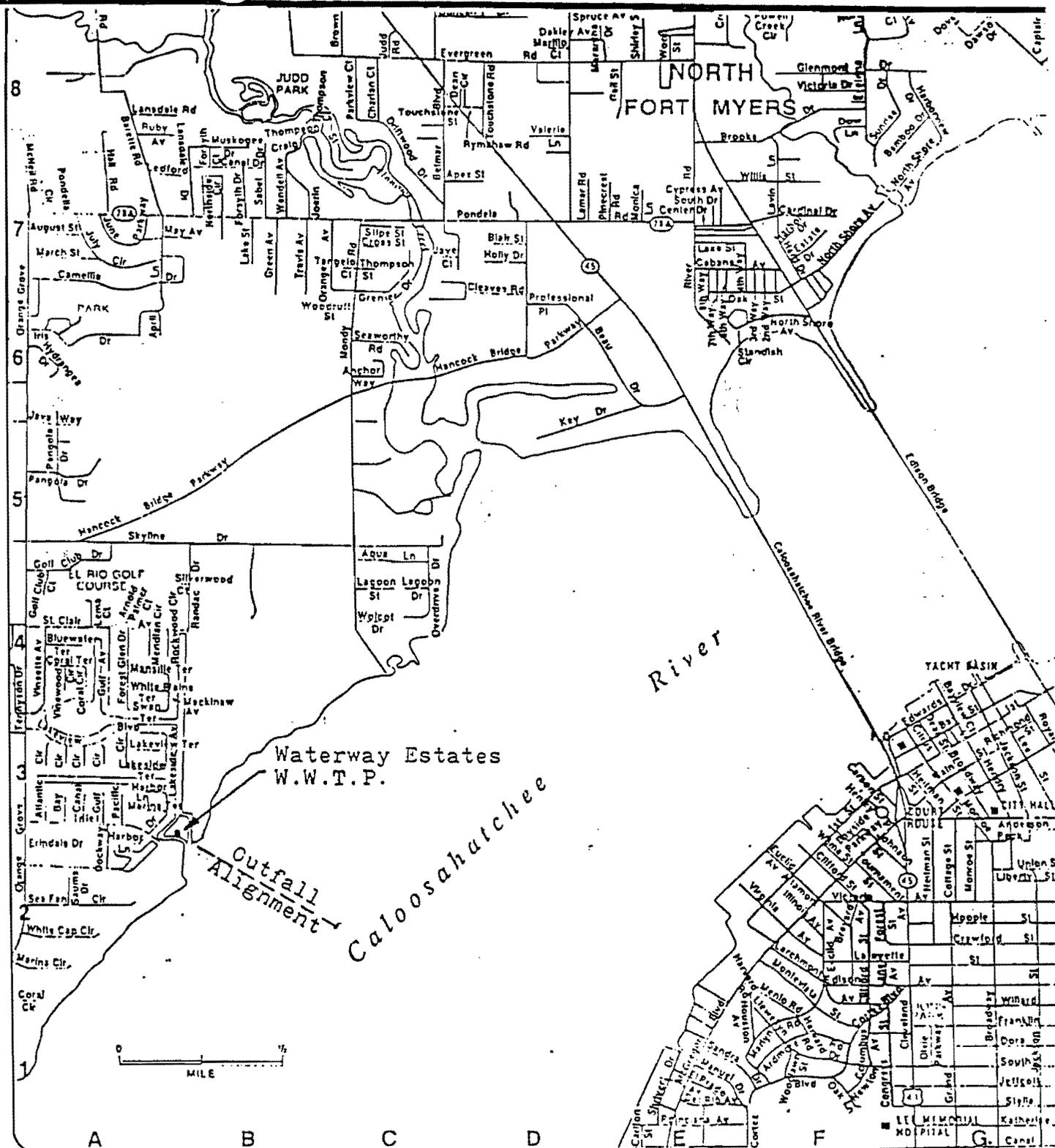
219

W. DEXTER BENDER
 AND ASSOCIATES

11/88

FLORIDA CITIES
 WATER COMPANY

BY
 JMW
 ET OF



PAGE 4

12372 Copyright © 1987 Director's America, Inc.

ADJACENT PROPERTY OWNERS:

1. Caloosa Isle Marine Inc.
- 2.

COE APPL # 8A1PE-20330
 DER APPL #
 DATE JUNE 12, 1989
 SHEET 7 of 6

IN: Caloosahatchee River
 AT: Waterway Estates
 LEE COUNTY, FLORIDA

00220

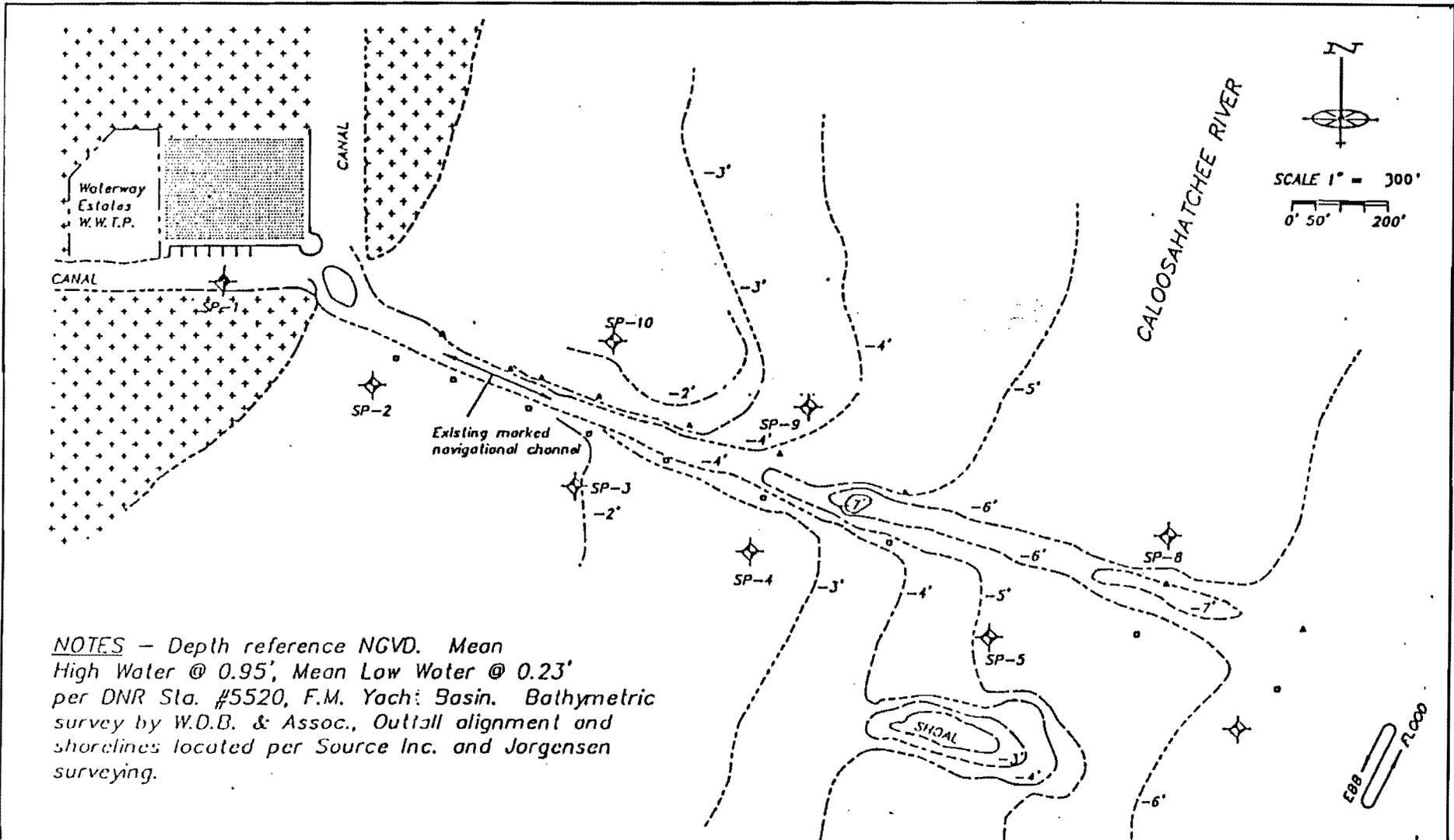
PERMIT USE ONLY, NOT FOR CONSTRUCTION

W. DEXTER BENDER
 AND ASSOCIATES

11/88

FLORIDA CITIES

N BY
 AW
 T OF



NOTES - Depth reference NGVD. Mean High Water @ 0.95', Mean Low Water @ 0.23' per DNR Sta. #5520, F.M. Yacht Basin. Bathymetric survey by W.D.B. & Assoc., Outfall alignment and shorelines located per Source Inc. and Jorgensen surveying.

DATE: 5/88
 SHEET:
FLORIDA CITIES WATER COMPANY

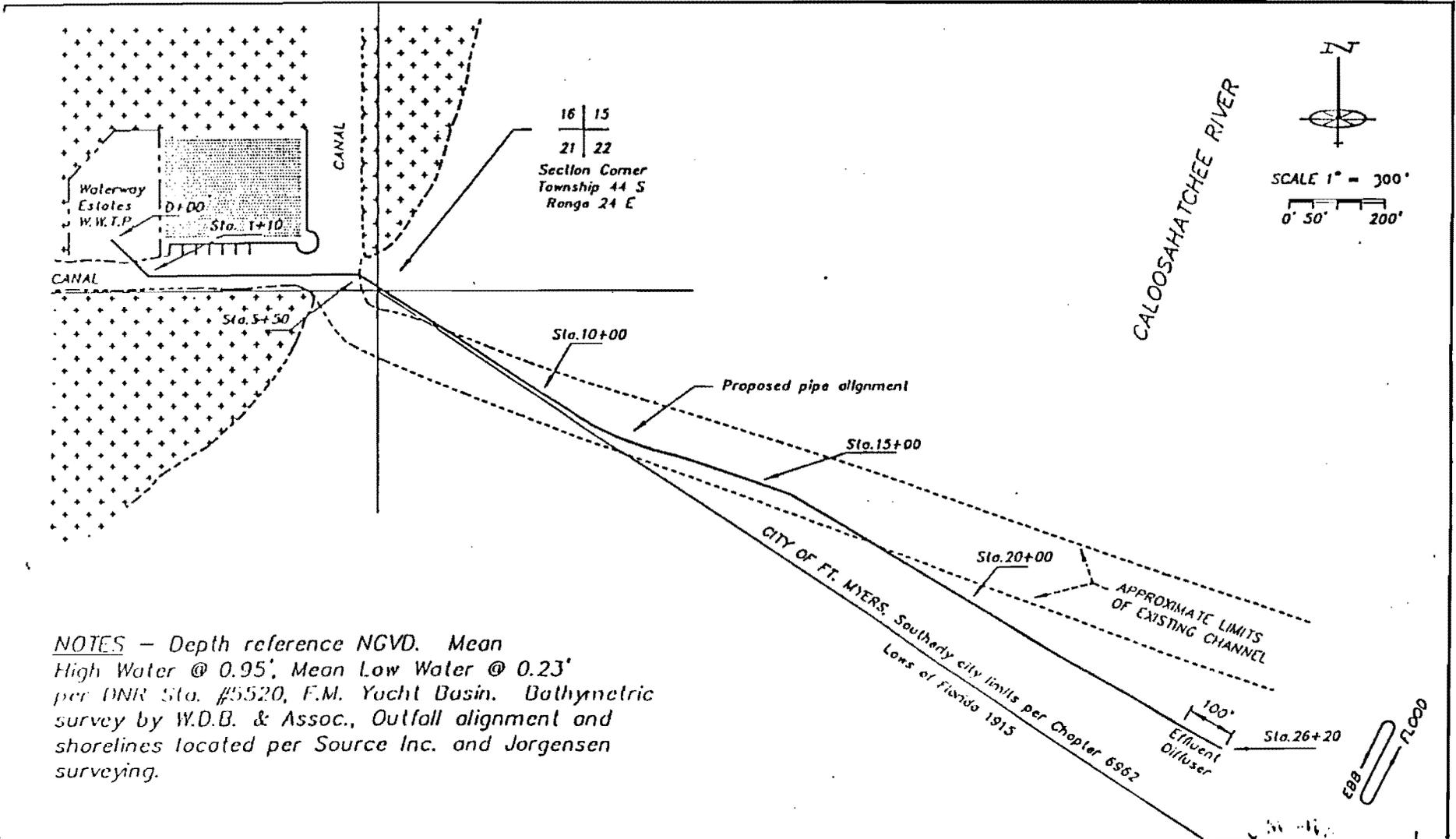
Bathymetric Survey

DRAWN BY: HJMW
 REVISED:

W. DEXTER BENDER AND ASSOCIATES
 1533 HENRY ST., SUITE 302
 FORT MYERS, FL 33901

COE APPL # 89IPE-2033D
 DER APPL # _____
 DATE JUNE 12, 1989
 SHEET 3 of 6

00221

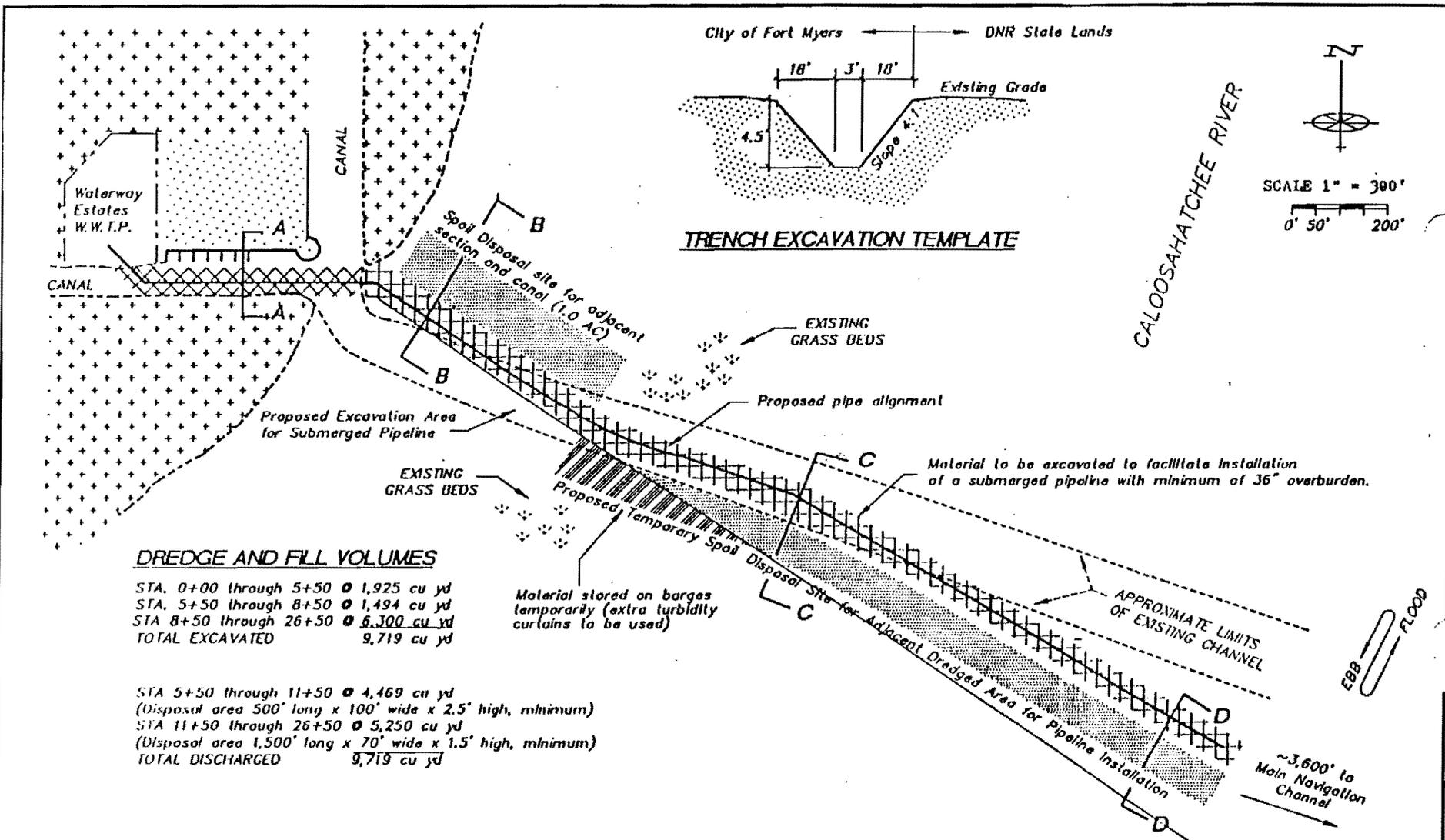


NOTES - Depth reference NGVD. Mean High Water @ 0.95'; Mean Low Water @ 0.23' per DNR Sta. #5520, F.M. Yacht Basin. Bathymetric survey by W.D.B. & Assoc., Outfall alignment and shorelines located per Source Inc. and Jorgensen surveying.

DATE: 5/88 SHEET:	FLORIDA CITIES WATER COMPANY	OUTFALL ALIGNMENT	DRAWN BY: HJM REVISED:	W. DEXTER BENDER AND ASSOCIATES 1533 HENRY ST., SUITE 302 FORT MYERS, FL 33901	
----------------------	-------------------------------------	--------------------------	---------------------------	---	--

COE APPL # 89IPE-20330
 DER APPL # _____
 DATE JUNE 12, 1989
 SHEET 4 of 6

00222



DREDGE AND FILL VOLUMES

STA. 0+00 through 5+50 @ 1,925 cu yd
 STA. 5+50 through 8+50 @ 1,494 cu yd
 STA. 8+50 through 26+50 @ 5,300 cu yd
 TOTAL EXCAVATED 9,719 cu yd

STA 5+50 through 11+50 @ 4,469 cu yd
 (Disposal area 500' long x 100' wide x 2.5' high, minimum)
 STA 11+50 through 26+50 @ 5,250 cu yd
 (Disposal area 1,500' long x 70' wide x 1.5' high, minimum)
 TOTAL DISCHARGED 9,719 cu yd

DATE: 5/88
 SHEET:

**FLORIDA CITIES
 WATER COMPANY**

PROPOSED DREDGE AREA

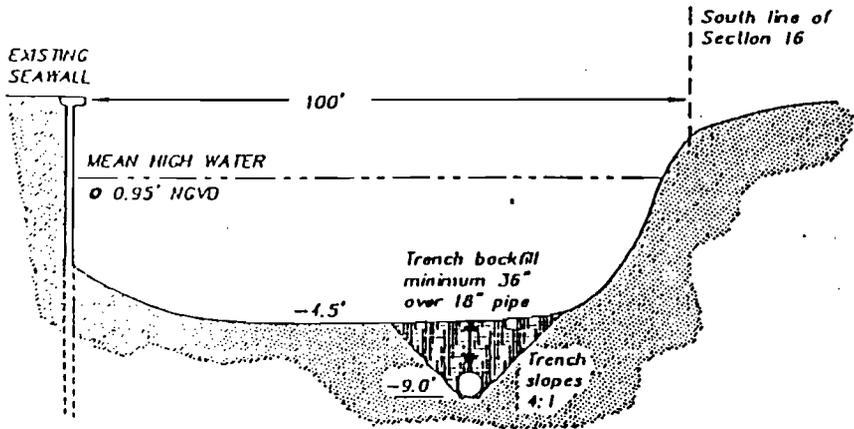
DRAWN BY: HJM/W
 REVISED: 5/31/89

**W. DEXTER BENDER
 AND ASSOCIATES**
 1533 HENDRY ST., SUITE 302
 FORT MYERS, FL 33901

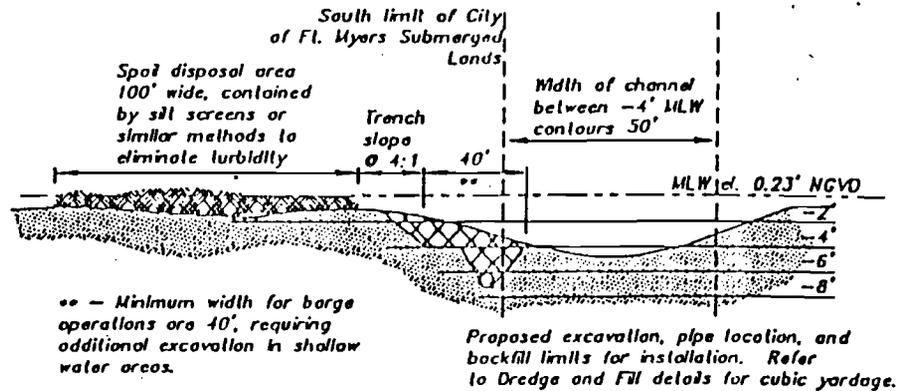


00223

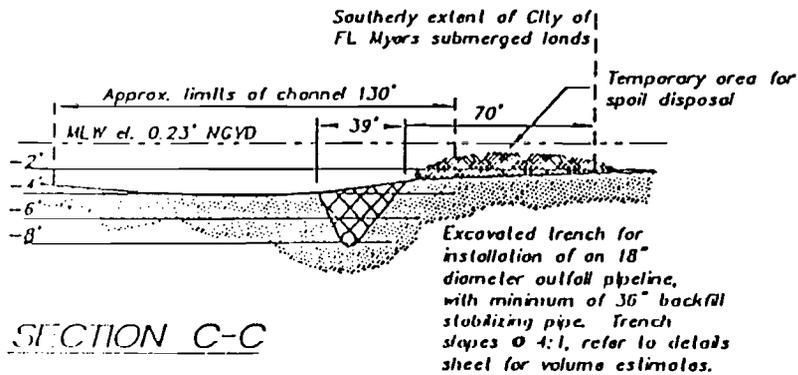
COE APPL # 89IPD-20330
 DER APPL # 361633975
 DATE (REV.) JAN. 24, 1990
 SHEET 5 of 6



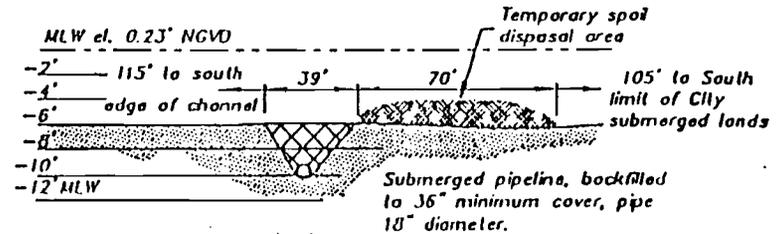
SECTION A-A



SECTION B-B



SECTION C-C



SECTION D-D

Not for construction, for permit use only.

DATE: 3/89
SHEET:

FLORIDA CITIES
WATER COMPANY

CROSS SECTION DETAILS

DRAWN BY: HJM/W
REVISIONS:

W. DEXTER BENDER
AND ASSOCIATES
1333 MONROE ST., SUITE 302
FORT MYERS, FL 33901



COE APPL # 89IPE-2033D
DER APPL #
DATE JUNE 12, 1989
SHEET 6 of 6

00224

Your signature below, as permittee, indicates that you accept and agree to comply with the terms and conditions of this permit.



(PERMITTEE) A.A. Reeves III
Exec. Vice President

April 10, 1990
(DATE)

This permit becomes effective when the Federal official, designated to act for the Secretary of the Army, has signed below.



(DISTRICT ENGINEER)
Bruce A. Malson
Colonel, U.S. Army

APR 11 1990
(DATE)

When the structures or work authorized by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, have the transferee sign and date below.

(TRANSFEREE)

(DATE)

PERMITTEE: Florida Cities Water Company
c/o W. Dexter Bender & Assoc.
1533 Hendry Street, Suite 302
Fort Myers, Florida 33901

PERMIT/CERTIFICATION
NO. 361633975

DATE OF ISSUE: September 6, 1989

EXPIRATION DATE: September 6, 1994

SPECIFIC CONDITIONS:

1. The permittee is hereby advised that Florida law states: "No person shall commence any excavation, construction, or other activity involving the use of sovereign or other lands of the state, title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund or the Department of Natural Resources under Chapter 253, until such person has received from the Board of Trustees of the Internal Improvement Trust Fund the required lease, license, easement, or other form of consent authorizing the proposed use." Pursuant to Florida Administrative Code Rule 16Q-14, if such work is done without consent, or if a person otherwise damages state land or products of state land, the Board of Trustees may levy administrative fines of up to \$10,000 per offense.
2. If historical or archaeological artifacts, such as Indian canoes, are discovered at any time within the project site the permittee shall immediately notify the district office and the Bureau of Historic Preservation, Division of Archives, History and Records Management, R. A. Gray Building, Tallahassee, Florida 32301.
3. The Fort Myers Department of Environmental Regulation office shall be notified in writing 48 hours prior to commencement of work.
4. The permittee shall take all necessary measures to ensure that turbidity does not exceed 29 NTU's above background levels outside of the limits of construction.
5. If turbidity escapes from the containment area then construction shall stop immediately and shall not commence until the turbidity subsides and steps are taken to correct the problem.
6. Prior to the commencement of construction the contractor shall submit for Departmental review and approval the method of construction which shall include the type of equipment, placement of turbidity curtains and steps to be taken to protect the grassbeds. The trenching method of excavation shall be the preferred method, however, if this is not possible alternative methods may be utilized with the written advance approval of the Department.
7. If a clam bucket is used for excavation, it shall remain in the closed position while transporting material for redeposition until the the bucket is fully submerged.
8. Steps shall be taken to maintain navigational clearance through the main entrance channel; however, where navigation will be hindered the contractor shall install directional signs and lighting to assure continued passage during construction. In the event that construction blocks navigation

PERMITTEE: Florida Cities Water Company
c/o W. Dexter Bender & Assoc.
1533 Hendry Street, Suite 302
Fort Myers, Florida 33901

PERMIT/CERTIFICATION
NO. 361633975

DATE OF ISSUE: September 6, 1989

EXPIRATION DATE: September 6, 1994

SPECIFIC CONDITIONS:

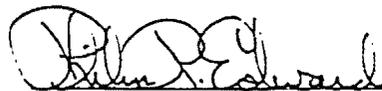
entirely the general public shall be notified seven (7) days in advance with notices published in a local paper of general circulation in the area affected, and signs erected at the site of the blockage.

9. The manatee protection criteria outlined in Attachment I to this permit shall be followed. Included shall be the placement of permanent signs and markers, approved by the Florida Department of Natural Resources, Marine Mammals Section (address No. 8 of Attachment I), within the area of the diffuser location.
10. Once the trench is refilled the disposal site and filled trench shall be returned to ambient grade.
11. The permittee shall submit a certificate of completion of the project in accordance with the permit guidelines by a professional engineer registered in the State of Florida.
12. No mixing zone shall be authorized by this permit.
13. The project shall comply with applicable State Water Quality Standards, namely:
 - 17-3.051 - Minimum Criteria for All Waters at All Times and All Places.
 - 17-3.061 - Surface Waters: General Criteria.
 - 17-3.121 - Criteria - Class III Waters - Recreation, Propagation and Management of Fish and Wildlife: Surface Waters.

Issued this 6th day of September, 1989.

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION

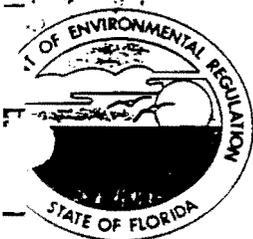
12 Pages Attached



Philip R. Edwards
Deputy Assistant Secretary

PRE/DV/mal

cc: Florida Marine Patrol, Fort Myers
DNR, Fort Myers
Lee Co. Property Appraiser
United States Army Corps of Engineers, Jacksonville (S9IPE-20330)
Matthew D. Uhle
A. Douglas Grace, Jr.



Florida Department of Environmental Regulation

South District • 2269 Bay Street • Fort Myers, Florida 33901-2896

813-332-6975

Bob Martinez, Governor

Dale Twachtmann, Secretary

John Shearer, Assistant Secretary

Philip Edwards, Deputy Assistant Secretary

AMC
RF
JE
JJ

October 30, 1990

A. A. Reeves III
Executive Vice President and
Chief Operating Officer
Florida Cities Water Company
P. O. Box 21119
Sarasota, FL 34276-4119

Re: Lee County - DW
Waterway Estates - S.T.P.
DC36-165119

Dear Mr. Reeves:

This acknowledges receipt of your correspondence dated October 25, 1990, requesting an extension for the above referenced project.

Please be advised that the subject permit is extended until September 1, 1992.

This letter must be attached to permit number DC36-165119 and becomes a part of that permit. All conditions of the permit shall remain the same.

Sincerely,

Philip R. Edwards
Deputy Assistant Secretary

PRE/BTS/jrh

cc: William D. Harrop, Jr., P.E.

00228

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV

IN THE MATTER OF)
FLORIDA CITIES WATER COMPANY)
WATERWAY ESTATES) Administrative Order No. 89-109
FT. MYERS, FL)
NPDES PERMIT NO. FL0030325)

ORDER PURSUANT TO SECTION 309
CLEAN WATER ACT

Pursuant to the authority of Section 309(a) of the Clean Water Act (the Act), 33 U.S.C. 1319, which has been delegated to me, I hereby make the following Findings of Fact and Violation and Order:

FINDINGS OF FACT

1. Florida Cities Water Company (hereinafter, the Respondent), submitted an NPDES permit application wherein it is stated that Respondent has a wastewater treatment system (Waterway Estates STP) which periodically discharges pollutants into waters of the United States.

2. The United States Environmental Protection Agency, Region IV (EPA), denied issuance of a National Pollutant Discharge Elimination System (NPDES) Permit for the above discharge location on December 8, 1986.

3. EPA issued Administrative Order No. 87-085 (wMGM) on May 11, 1987 ordering the Respondent to cease discharge no later than

September 30, 1988. The Order was amended on August 31, 1988 ordering the Respondent to cease discharge no later than November 1, 1990.

4. The Respondent submitted a new NPDES permit application for discharge at a different location than in the previous permit application.

5. EPA drafted an NPDES permit for the new discharge location on July 19, 1989.

6. The Respondent has submitted plans and specifications to the Florida Department of Environmental Regulation for improvements to the treatment facility and for discharge to the new location.

7. The Respondent continues to discharge pollutants at a location without an NPDES Permit. In accordance with Section 301(a) of the Clean Water Act, discharges of pollutants into waters of the United States are unlawful unless permitted by an NPDES permit, or specifically exempted from NPDES requirements.

8. Actual construction is dependant upon issuance of a State permit which can be delayed by administrative proceedings.

VIOLATION

The Respondent is in violation of Section 301(a) of the Clean Water Act by discharging pollutants into waters of the United States without an NPDES permit.

ORDER

Based on the foregoing Findings of Fact and Violation, and pursuant to the provisions of Section 309(a) of the Act, as amended, it is hereby ordered:

1. That the Respondent start construction to cease discharging pollutants to waters of the United States at the existing location at the earliest date practicable, and meet NPDES requirements in accordance with the schedule below. The Respondent shall report monthly on progress toward meeting this schedule. If any administrative challenge is raised to issuance of a construction permit, the monthly reports shall detail all efforts to resolve such a challenge.

<u>Activity</u>	<u>Due Date</u>
Start Construction	May 1, 1990
Complete Construction and Ceas Discharge at the Current Location	August 1, 1991
Comply with NPDES requirements at permitted location	October 1, 1991

2. This should in no way be considered a permit to discharge, however, if the Respondent does discharge to waters of the United States in violation of the Act, the Respondent's discharge of treated wastewater shall at least comply with the effluent limitations, monitoring schedule and other requirements contained in its previous permit.

3. That monitoring results obtained during each calendar month shall be summarized on a Discharge Monitoring Report Form (EPA Form 3320-1). Forms shall be submitted for each month and shall be postmarked no later than the 28th day of the month following the end of the month being reported on. Monitoring required by the State of Florida other than that specifically required by this Order shall be submitted in the same form as to the State but shall be included with Discharge Monitoring Report submissions.

4. If there is any transfer of ownership of this facility prior to completion of all requirements of this Order, then the new owner must be informed of these requirements and shall carry out the provisions. EPA shall be notified of any transfer of ownership.

5. The information required by this Order other than monitoring information shall be sent by registered mail or its equivalent to the following addresses:

Mr. John T. Marlar, Chief
Facilities Performance Branch
Water Management Division
U.S. Environmental Protection Agency
Region IV
345 Courtland Street
Atlanta, GA 30365

Mr. Phillip R. Edwards
Florida Dept of Environmental Regulation
2269 Bay St.
Ft. Myers, FL 33901

6. Administrative Order No. 87-085 (wMGM) is hereby inactivated.

7. Nothing in this Order shall be construed to prevent further enforcement of the violations stated herein, nor shall it preclude the use of Administrative Penalties or civil litigation based on violations of the Clean Water Act.

Date

A. J. Smith Jr., Acting Director
Water Management Division

PERMIT NO. FL0030325
Major Non-POTW

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IV

AUTHORIZATION TO DISCHARGE UNDER THE
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, as amended (33 U.S.C. 1251 et seq.; the "Act"),

Florida Cities Water Company
2112 Gulf Gate Drive
Sarasota, Florida 34277

is authorized to discharge from a facility located at

Waterway Estates WWTP
1667 Inlet Drive
Lee County
North Fort Myers, Florida

to receiving waters named

Caloosahatchee River

in accordance with effluent limitations, monitoring requirements and other conditions set forth herein. The permit consists of this cover sheet, Part I 4 pages, Part II 16 pages, Part III 1 page, and Part IV 1 page.

This permit shall become effective on November 1, 1989.

This permit and the authorization to discharge shall expire at midnight, September 30, 1994.

SEP 29 1989

Date Signed


Al J. Smith, Acting Director
Water Management Division

PART I

A. EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS - FINAL

1. During the period beginning on the effective date of discharge and lasting through the expiration date of this permit, the permittee is authorized to discharge from outfall 001, sanitary wastewater.

Such discharges shall be limited and monitored by the permittee as specified below:

PARAMETER	DISCHARGE LIMITATIONS			MONITORING REQUIREMENTS		
	Annual Average	Monthly Average	Daily Maximum	Measurement Frequency	Sample Type	Sample Point
Flow, MGD	--	Report	Report	Continuous	Recording Flow Meter & Totalizer	Effluent
Biochemical Oxygen Demand (5 Day)	20.0 mg/l	30.0 mg/l	60.0 mg/l	1/week	16 hr. composite	Effluent
Total Suspended Solids	20.0 mg/l	30.0 mg/l	60.0 mg/l	1/week	16 hr. composite	Effluent
Total Nitrogen, as N	--	3.0 mg/l 25.0 lb/day	--	1/week	16 hr. composite	Effluent
Total Phosphorus, as P	--	0.5 mg/l 4.2 lb/day	--	1/week	16 hr. composite	Effluent
Fecal Coliform Bacteria,	200/100ml	--	800/100ml	1/week	Grab	Effluent
Dissolved Oxygen shall not be less than 5.0 mg/l				1/week	Grab	Effluent
pH	See Item 3 on Page I-2			Continuous	Recorder	Effluent

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PART I (CONTINUATION)
EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS

2. The annual average shall be reported on the discharge monitoring report for each month and shall be submitted as required in Part III. No violations for BOD₅, TSS, and Fecal Coliform will be deemed to have occurred until data have been compiled for the first 12 months after the effective date of the permit.
3. The pH of the effluent shall not be less than 6.0 standard units nor greater than 8.5 standard units. When pH is measured continuously, pH shall not deviate outside the required range more than 1% of the time (7 hours and 26 minutes) in any calendar month and no individual excursion shall exceed 60 minutes. An "excursion" is an unintentional and temporary incident in which the pH value of discharge wastewater exceeds the range set forth in this permit.
4. Any bypass of the treatment facility which is not included in the effluent monitored above is to be monitored for flow and reported on a Discharge Monitoring Report (DMR) Form (3320-1).
5. There shall be no discharge of floating solids or visible foam in other than trace amounts.
6. The effluent shall not cause a visible sheen on the receiving water.
7. The permittee has indicated that ultraviolet disinfection will be used at this facility; therefore, a total residual chlorine (TRC) limitation has not been incorporated into this permit. The permittee shall give notice to the Permit Issuing Authority if chlorine is used at this facility for disinfection. Such notice shall be given at least 60 days prior to the use of chlorine. This paragraph is in addition to that in Part II, Page II-8, Section D, Item 1.b.
8. The effluent (100%) for outfall 001 shall not be lethal to more than 50% of the appropriate test organisms. The testing for this requirement must conform with Part IV of this permit. Lethality to more than 50% of the test organisms in a test of 48 hours duration will constitute a violation of Florida Administrative Code Section 17-4.244(3)(a) and the terms of this permit.
9. Samples taken in compliance with the monitoring requirements specified in this permit shall be taken at the nearest accessible point after final treatment but prior to the actual discharge or mixing with the receiving waters.

B. SLUDGE MANAGEMENT PRACTICES

1. The permittee must sample and analyze the sludge and report to EPA the quantitative data for the 125 priority pollutants listed in 40 CFR 122, Appendix D, Tables II and III. Qualitative data for 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) must also be submitted if the permittee knows or has reason to believe that TCDD is or may be present in the sludge.
 - a. The permittee must submit the above data within 1 year of the effective date of this permit.
2. The permittee must submit within 30 days of the effective date of this permit the sludge production volume (specify if daily or annual; if actual volume is not known, estimate the quantity of sludge being handled and so indicate) and the sludge disposal practice.
3. The permittee shall provide sludge inventory data to the State and EPA, as part of EPA's inventory updates as requested. The data should include, but not be limited to, sludge quantity and characteristics.
4. Reopener. If an applicable "acceptable management practice" or numerical limitation for pollutants in sewage sludge promulgated under Section 405(d)(2) of the Clean Water Act, as amended by the Water Quality Act of 1987, is more stringent than the sludge pollutant limit or acceptable management practice in this permit, or controls a pollutant not limited in this permit, this permit shall be promptly modified or revoked and reissued to conform to the requirements promulgated under Section 405(d)(2). The permittee shall comply with the limitations by no later than the compliance deadline specified in the applicable regulations as required by Section 405(d)(2)(D) of the Clean Water Act.
5. Notice of change in sludge disposal practice. The permittee shall give prior notice to the Regional Administrator of any change planned in the permittee's sludge disposal practice.
6. Cause for modification. 40 CFR 122.62(a)(1) provides that the following is a cause for modification but not revocation and reissuance of permits except when the permittee requests or agrees. (a) Alterations. There are material and substantial changes or additions to the permitted facility or activity which occurred after permit issuance which justify the application of permit conditions that are different or absent in the existing permit.
7. Upon review of information provided by the permittee as required by the above items, or results from an on-site inspection, the permit shall be subject to modification to incorporate appropriate requirements.

3. SCHEDULE OF COMPLIANCE

1. The permittee shall achieve compliance with the effluent limitations specified for discharges in accordance with the following schedule:

Discharge 001:

Operational level attained . . . Effective Date of Permit

2. No later than 14 calendar days following a date identified in the above schedule of compliance, the permittee shall submit either a report of progress or, in the case of specific actions being required by identified dates, a written notice of compliance or noncompliance. In the latter case, the notice shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

Part II

STANDARD CONDITIONS FOR NPDES PERMITS

SECTION A. GENERAL CONDITIONS

1. Duty to Comply

The permittee must comply with all conditions of this permit. Any permit non-compliance constitutes a violation of the Clean Water Act and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

2. Penalties for Violations of Permit Conditions

Any person who violates a permit condition is subject to a civil penalty not to exceed \$25,000 per day for each violation. Any person who negligently violates any permit condition is subject to criminal penalties of \$2,500 to \$25,000 per day of violation, or imprisonment for not more than 1 year, or both. Any person who knowingly violates permit conditions is subject to criminal penalties of \$5,000 to \$50,000 per day of violation, or imprisonment for not more than 3 years, or both. Also, any person who violates a permit condition may be assessed an administrative penalty not to exceed \$10,000 per violation with the maximum amount not to exceed \$125,000. [Ref: 40 CFR 122.41(a)]

3. Duty to Mitigate

The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.

4. Permit Modification

After notice and opportunity for a hearing, this permit may be modified, terminated, or revoked for cause including, but not limited to, the following:

- a. Violation of any terms or conditions of this permit;
- b. Obtaining this permit by misrepresentation or failure to disclose fully all relevant facts;
- c. A change in any conditions that requires either temporary interruption or elimination of the permitted discharge; or
- d. Information newly acquired by the Agency indicating the discharge poses a threat to human health or the environment.

The permittee believes that any past or planned activity would be cause for modification or revocation and reissuance under 40 CFR 122.62, the permittee must report such information to the Permit Issuing Authority. The submittal of a new application may be required of the permittee. The filing of a request by the permittee for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay any permit condition.

Toxic Pollutants

Notwithstanding Paragraph A-4, above, if a toxic effluent standard or prohibition (including any schedule of compliance specified in such effluent standard or prohibition) is established under Section 307(a) of the Act for a toxic pollutant which is present in the discharge and such standard or prohibition is more stringent than any limitation of such pollutant in this permit, this permit shall be modified or revoked and reissued to conform to the toxic effluent standard or prohibition and the permittee so notified.

Civil and Criminal Liability

Except as provided in permit conditions on "Bypassing" Section B, Paragraph B-3, and "Upsets" Section B, Paragraph B-4, nothing in this permit shall be construed to relieve the permittee from civil or criminal penalties for noncompliance.

Oil and Hazardous Substance Liability

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under Section 311 of the Act.

State Laws

Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Act.

Property Rights

The issuance of this permit does not convey any property rights of any sort, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of Federal, State, or local laws or regulations.

Onshore or Offshore Construction

This permit does not authorize or approve the construction of any onshore or offshore physical structures or facilities or the undertaking of any work in any waters of the United States.

11. Severability

The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit, shall not be affected thereby.

12. Duty to Provide Information

The permittee shall furnish to the Permit Issuing Authority, within a reasonable time, any information which the Permit Issuing Authority may request to determine whether cause exists for modifying, revoking and re-issuing, or terminating this permit or to determine compliance with this permit. The permittee shall also furnish to the Permit Issuing Authority upon request, copies of records required to be kept by this permit.

SECTION B. OPERATION AND MAINTENANCE OF POLLUTION CONTROLS

1. Proper Operation and Maintenance

The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by a permittee only when the operation is necessary to achieve compliance with the conditions of the permit.

2. Need to Halt or Reduce not a Defense

It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the condition of this permit.

3. Bypass of Treatment Facilities

a. Definitions

- (1) "Bypass" means the intentional diversion of waste streams from any portion of a treatment facility, which is not a designed or established operating mode for the facility.

(2) "Severe property damage" means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

b. Bypass not exceeding limitations.

The permittee may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Paragraphs c. and d. of this section.

c. Notice

(1) Anticipated bypass. If the permittee knows in advance of the need for a bypass, it shall submit prior notice, if possible at least ten days before the date of the bypass; including an evaluation of the anticipated quality and effect of the bypass.

(2) Unanticipated bypass. The permittee shall submit notice of an unanticipated bypass as required in Section D, Paragraph D-8 (24-hour notice).

d. Prohibition of bypass

(1) Bypass is prohibited and the Permit Issuing Authority may take enforcement action against a permittee for bypass, unless:

(a) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;

(b) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and

(c) The permittee submitted notices as required under Paragraph c. of this section.

- (2) The Permit Issuing Authority may approve an anticipated bypass, after considering its adverse effects, if the Permit Issuing Authority determines that it will meet the three conditions listed above in Paragraph d.(1) of this section.

Upsets

"Upset" means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of the permittee. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, lack of preventive maintenance, or careless or improper operation. An upset constitutes an affirmative defense to an action brought for non-compliance with such technology based permit limitation if the requirements of 40 CFR 2.41(n)(3) are met.

Removed Substances

This permit does not authorize discharge of solids, sludge, filter backwash, or other pollutants removed in the course of treatment or control of wastewaters of the United States unless specifically limited in Part 1.

SECTION C. MONITORING AND RECORDS

Representative Sampling

Samples and measurements taken as required herein shall be representative of the volume and nature of the monitored discharge. All samples shall be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other stream, body of water, or substance. Monitoring points shall not be changed without notification to and the approval of the Permit Issuing Authority.

Flow Measurements

Appropriate flow measurement devices and methods consistent with accepted scientific practices shall be selected and used to insure the accuracy and reliability of measurements of the volume of monitored discharges. The devices shall be installed, calibrated and maintained to insure that the accuracy of the measurements are consistent with the accepted capability of that type of device. Devices selected shall be capable of measuring flows with a maximum deviation of less than $\pm 10\%$ from the true discharge rates throughout the range of expected discharge volumes. Once-through condenser cooling water flow which is monitored by pump logs, or pump hour meters as specified in Part I of this permit and based on the manufacture's pump curves shall not be subject to this requirement. Guidance in selection, installation, calibration, and operation of acceptable flow measurement devices can be obtained from the following references:

- (1) "A Guide of Methods and Standards for the Measurement of Water Flow", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD catalog No. C13.10:421.)
- (2) "Water Measurement Manual", U.S. Department of Interior, Bureau of Reclamation, Second Edition, Revised Reprint, 1974, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by catalog No. 127.19/2:W29/2, Stock No. S/N 24003-0027.)
- (3) "Flow Measurement in Open Channels and Closed Conduits", U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS), Springfield, VA 22151. Order by NTIS No. PB-273 535/5ST.)
- (4) "NPDES Compliance Flow Measurement Manual", U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-77, September 1981, 135 pp. (Available from the General Services Administration (BBRC), Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, CO 80255.)

Monitoring Procedures

Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

Penalties for Tampering

The Clean Water Act provides that any person who falsifies, tampers with, knowingly renders inaccurate, any monitoring device or method required to be maintained under this permit shall, upon conviction, be punished by a fine of not more than \$10,000 per violation, or imprisonment for not more than 2 years, or both.

Retention of Records

The permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the sample, measurement, report, or application. This period may be extended by the Permit Issuing Authority at any time.

Record Contents

Records of monitoring information shall include:

- a. The date, exact place, and time of sampling or measurements;
- b. The individual(s) who performed the sampling of measurements;
- c. The date(s) analyses were performed;
- d. The individual(s) who performed the analyses;
- e. The analytical techniques or methods used; and
- f. The results of such analyses.

Inspection and Entry

The permittee shall allow the Permit Issuing Authority, or an authorized representative, upon the presentation of credentials and other documents as may be required by law, to:

- a. Enter upon the permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit.

Inspect at reasonable time any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and

- d. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

SECTION D. REPORTING REQUIREMENTS

Change in Discharge

The permittee shall give notice to the Permit Issuing Authority as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:

- a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source; or
- b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under Section D, Paragraph D-10(a).

Anticipated Noncompliance

The permittee shall give advance notice to the Permit Issuing Authority of any planned change in the permitted facility or activity which may result in noncompliance with permit requirements. Any maintenance of facilities, which might necessitate unavoidable interruption of operation and degradation of effluent quality, shall be scheduled during noncritical water quality periods and carried out in a manner approved by the Permit Issuing Authority.

Transfer of Ownership or Control

A permit may be automatically transferred to another if:

- a. The permittee notifies the Permit Issuing Authority of the proposed transfer at least 30 days in advance of the proposed transfer date;
- b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and

The Permit Issuing Authority does not notify the existing permittee of his or her intent to modify or revoke and reissue the permit. If this notice is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph b.

Monitoring Reports

See Part III of this permit.

Additional Monitoring by the Permittee

If the permittee monitors any pollutant more frequently than required by this permit, using test procedures approved under 40 CFR 136 or as specified in this permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the Discharge Monitoring Report (DMR). Such increased frequency shall also be indicated.

Averaging of Measurements

Calculations for limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Permit Issuing Authority in the permit.

Compliance Schedules

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date. Any reports of noncompliance shall include the cause of noncompliance, any remedial actions taken, and the probability of meeting the next scheduled requirement.

Twenty-Four Hour Reporting

The permittee shall orally report any noncompliance which may endanger health or the environment, within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within 5 days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause, the period of noncompliance, including the exact dates and times; and if the noncompliance has not been corrected, the anticipated time it is expected to continue, and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance. The Permit Issuing Authority may verbally waive the written report, on a case-by-case basis, when the oral report is made.

following violations shall be included in the 24 hour report when they
endanger health or the environment:

- a. An unanticipated bypass which exceeds any effluent limitation in the permit.
- b. Any upset which exceeds any effluent limitation in the permit.

Other Noncompliance

The permittee shall report in narrative form, all instances of non-compliance not previously reported under Section D, Paragraphs D-2, D-7, and D-8 at the time monitoring reports are submitted. The reports shall contain the information listed in Paragraph D-8.

Changes in Discharges of Toxic Substances

The permittee shall notify the Permit Issuing Authority as soon as it knows or has reason to believe:

- a. That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic substance(s) (listed at 40 CFR 122, Appendix D, Table II and III) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) One hundred micrograms per liter (100 ug/l);
 - (2) Two hundred micrograms per liter (200 ug/l) for acrolein and acrylonitrile; five hundred micrograms per liter (500 ug) for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter (1 mg/l) for antimony; or
 - (3) Five (5) times the maximum concentration value reported for that pollutant(s) in the application.
- b. That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant (listed at 40 CFR 122, Appendix D, Table II and III) which is not limited in the permit, if that discharge will exceed the highest of the following "notification levels":
 - (1) Five hundred micrograms per liter (500 ug/l);
 - (2) One milligram per liter (1 mg/l) for antimony; or
 - (3) Ten (10) times the maximum concentration value reported for that pollutant(s) in the permit application.

Duty to Reapply

If the permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit. The application should be submitted at least 180 days before the expiration date of this permit. The Permit Issuing Authority may grant permission to submit an application less than 180 days in advance but not later than the permit expiration date.

Where EPA is the Permit Issuing Authority, the terms and conditions of this permit are automatically continued in accordance with 40 CFR 122.6, only where the permittee has submitted a timely and complete application for a renewal permit and the Permit Issuing Authority is unable through no fault of the permittee to issue a new permit before the expiration date.

Signatory Requirements

All applications, reports, or information submitted to the Permit Issuing Authority shall be signed and certified.

a. All permit applications shall be signed as follows:

- (1) For a corporation: by a responsible corporate officer. For the purpose of this Section, a responsible corporate officer means: (1) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or (2) the manager of one or more manufacturing production facilities employing more than 250 persons or having gross annual sales or expenditures exceeding 25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- (2) For a partnership or sole proprietorship: by a general partner or the proprietor, respectively; or
- (3) For a municipality, State, Federal, or other public agency: by either a principal executive officer or ranking elected official.

b. All reports required by the permit and other information requested by the Permit Issuing Authority shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:

- (1) The authorization is made in writing by a person described above;

(2) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company. (A duly authorized representative may thus be either a named individual or any individual occupying a named position.); and

(3) The written authorization is submitted to the Permit Issuing Authority.

c. Certification. Any person signing a document under paragraphs (a) or (b) of this section shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

13. Availability of Reports

Except for data determined to be confidential under 40 CFR Part 2, all reports prepared in accordance with the terms of this permit shall be available for public inspection at the offices of the Permit Issuing Authority. As required by the Act, permit applications, permits and effluent data shall not be considered confidential.

14. Penalties for Falsification of Reports

The Clean Water Act provides that any person who knowingly makes any false material statement, representation, or certification in any record or other document submitted or required to be maintained under this permit, including monitoring reports or reports of compliance or noncompliance, or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under the Clean Water Act, shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 2 years, or both.

ION E. - DEFINITIONS

Permit Issuing Authority

Regional Administrator of EPA Region IV or his designee, unless at some time in the future the State receives authority to administer the NPDES program and assumes jurisdiction over the permit; at which time, the Director of the State program receiving the authorization becomes the issuing authority.

Act

"Act" means the Clean Water Act (formerly referred to as the Federal Water Pollution Control Act) Public Law 92-500, as amended by Public Laws 95-217, 96-576, 96-483, 97-117, and 100-4, 33 U.S.C. 1251 et seq.

Mass/Day Measurements

- a. The "average monthly discharge" is defined as the total mass of all daily discharges sampled and/or measured during a calendar month on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such month. It is therefore, an arithmetic mean found by adding the weights of the pollutant found each day of the month and then dividing this sum by the number of days the tests were reported. The limitation is identified as "Daily Average" or "Monthly Average" in Part I of the permit and the average monthly discharge value is reported in the "Average" column under "Quantity" on the Discharge Monitoring Report (DMR).
- b. The "average weekly discharge" is defined as the total mass of all daily discharges sampled and/or measured during the calendar week on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such week. It is, therefore, an arithmetic mean found by adding the weights of pollutants found each day of the week and then dividing this sum by the number of days the tests were reported. This limitation is identified as "Weekly Average" in Part I of the permit. Enter the highest weekly average of sample measurements obtained during the reporting period in the "Maximum" column under "Quantity" on the DMR.
- c. The "maximum daily discharge" is the total mass (weight) of a pollutant discharged during a calendar day. If only one sample is taken during any calendar day the weight of pollutant calculated from it is the "maximum daily discharge". This limitation is identified as "Daily Maximum", in Part I of the permit and the highest such value recorded during the reporting period is reported in the "Maximum" column under "Quantity" on the DMR.

- d. The "average annual discharge" is a rolling average equal to the arithmetic mean of the mass measured in all discharges sampled and/or measured during consecutive reporting periods which comprise one year. For parameters that are measured at least once per month, the annual average shall be computed at the end of each month and is equal to the arithmetic mean of the monthly average of the month being reported and the monthly average of each of the previous eleven months. This limitation is defined as "Annual Average" in Part I of the permit and the average annual discharge value is reported in the "Average" column under "Quantity" on the DMR.

Concentration Measurements

- a. The "average monthly concentration", other than for fecal coliform bacteria, is the sum of the concentrations of all daily discharges sampled and/or measured during a calendar month on which daily discharges are sampled and measured, divided by the number of daily discharges sampled and/or measured during such month (arithmetic mean of the daily concentration values). The daily concentration value is equal to the concentration of a composite sample or in the case of grab samples is the arithmetic mean (weighted by flow value) of all the samples collected during that calendar day. This limitation is identified as "Monthly Average" or "Daily Average" under "Other Limits" in Part I of the permit and the average monthly concentration value is reported under the "Average" column under "Quality" of the DMR.
- b. The "average weekly concentration", other than for fecal coliform bacteria, is the sum of the concentrations of all daily discharges sampled and/or measured during a calendar week on which daily discharges are sampled and measured divided by the number of daily discharges sampled and/or measured during such week (arithmetic mean of the daily concentration values). The daily concentration value is equal to the concentration of a composite sample or in the the case of grab samples is the arithmetic mean (weighted by flow value) of all the samples collected during that calendar day. This limitation is identified as "Weekly Average" under "Other Limits" in Part I of the permit. Enter the highest weekly average of sample measurements obtained during the reporting period in the "Maximum" column under "Quality" on the DMR.

The "maximum daily concentration" is the concentration of a pollutant discharged during a calendar day. It is identified as "Daily Maximum" under "Other Units" in Part I of the permit and the highest such value recorded during the reporting period is reported under the "Maximum" column under "Quality" on the DMR.

- d. The "average annual concentration", other than for fecal coliform bacteria, is a rolling average equal to the arithmetic mean of the effluent or influent samples collected during consecutive reporting periods which comprise one year. For parameters that are measured at least once per month, the annual average shall be computed at the end of each month and is equal to the arithmetic mean of the monthly average of the month being reported and the monthly average of each of the previous eleven months. This limitation is identified as "Annual Average" under "Other Limits" in Part I of the permit and the average annual concentration value is reported under the "Average" column under "Quality" on the DMR.

Other Measurements

- a. The effluent flow expressed as million gallons per day (MGD) is the 24 hour average flow averaged monthly. It is the arithmetic mean of the total daily flows recorded during the calendar month. Where monitoring requirements for flow are specified in Part I of the permit the flow rate values are reported in the "Average" column under "Quantity" on the DMR.
- b. An "instantaneous flow measurement" is a measure of flow taken at the time of sampling, when both the sample and flow will be representative of the total discharge.
- c. Where monitoring requirements for pH, dissolved oxygen or fecal coliform bacteria are specified in Part I of the permit, the values are generally reported in the "Quality or Concentration" column on the DMR.
- d. The "average annual discharge" for fecal coliform bacteria shall be calculated in the same manner as that for mass limitations (see item II.E.3.d.).

8. Types of Samples

- a. Composite Sample: A "composite sample" is a combination of not less than 8 influent or effluent portions, of at least 100 ml, collected over the full time period specified in Part I.A. The composite sample must be flow proportioned by either time interval between each aliquot or by volume as it relates to effluent flow at the time of sampling or total flow since collection of the previous aliquot. Aliquots may be collected manually or automatically.
- b. Grab Sample: A "grab sample" is a single influent or effluent portion which is not a composite sample. The sample(s) shall be collected at the period(s) most representative of the total discharge.

7. Calculation of Means

- a. Arithmetic Mean: The "arithmetic mean" of any set of values is the summation of the individual values divided by the number of individual values.
- b. Geometric Mean: The "geometric mean" of any set of values is the N^{th} root of the product of the individual values where N is equal to the number of individual values. The geometric mean is equivalent to the antilog of the arithmetic mean of the logarithms of the individual values. For purposes of calculating the geometric mean, values of zero (0) shall be considered to be one (1).
- c. Weighted by Flow Value: "Weighted by flow value" means the summation of each concentration times its respective flow divided by the summation of the respective flows.

9. Calendar Day

A "calendar day" is defined as the period from midnight of one day until midnight of the next day. However, for purposes of this permit, any consecutive 24-hour period that reasonably represents the calendar day may be used for sampling.

10. Hazardous Substance

A "hazardous substance" means any substance designated under 40 CFR Part 116 pursuant to Section 311 of the Clean Water Act.

11. Toxic Pollutants

A "toxic pollutant" is any pollutant listed as toxic under Section 7(a)(1) of the Clean Water Act.

Part III

Other Requirements

A. Reporting of Monitoring Results

Monitoring results obtained for each calendar month shall be summarized for that month and reported on a Discharge Monitoring Report Form (EPA No. 3320-1), postmarked no later than the 28th day of the month following the completed calendar month. (For example, data for January shall be submitted by February 28.) Duplicate signed copies of these, and all other reports required by Section D of Part II, Reporting Requirements, shall be submitted to the Permit Issuing Authority and the State at the following addresses:

Environmental Protection Agency Region IV Facilities Performance Branch Water Management Division 345 Courtland Street, N.E. Atlanta, GA 30365	Florida Dept. of Environmental Regulation South District Office 2269 Bay Street Fort Myers, Florida 33901-2896
---	--

B. Reopener Clauses

1. This permit shall be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitation issued or approved under Sections 301(b)(2)(C) and (D), 307(a)(2), and 405(d)(2)(D) of the Clean Water Act, as amended, if the effluent standard, limitation, or sludge disposal requirement so issued or approved:

- a. Contains different conditions or is otherwise more stringent than any condition in the permit; or
- b. Controls any pollutant or disposal method not addressed in the permit.

The permit as modified or reissued under this paragraph shall also contain any other requirements of the Act then applicable.

2. This permit shall also be modified, or alternatively, revoked and reissued at the written request of the State to incorporate any more stringent or additional requirements contained in any uncontested State permit for this facility which is issued during the term of this NPDES permit.

Part IV
Biomonitoring Program

In accordance with Part I of this permit, the permittee shall initiate the series of tests described below within 90 days of the effective date of this Part to evaluate wastewater toxicity of the discharge from outfall 001.

1. The permittee shall conduct 48-hour static toxicity tests using the Mysid shrimp (Mysidopsis bahia) and the inland silverside (Menidia beryllina) or any other species approved by EPA. Tests shall be conducted once every two months for a period of one year following the initiation of the tests and once every six months thereafter for the duration of the permit using samples of 100% effluent. Four separate grab samples shall be collected at evenly-spaced (6 hr.) intervals over a 24-hour period and used in four separate tests in order to catch any peaks of toxicity and to account for daily variations in effluent quality. Results of all tests conducted with any species shall be reported according to EPA/600/4-85/013, Section 13, Report Preparation and Data Utilization, and shall be submitted to EPA with the monthly discharge monitoring report.
2. If lethality (less than 50% survival of tests organisms in 100% effluent) is found in any test of final effluent, this will constitute a violation of this permit. The permittee will then be subject to the enforcement provisions of the Clean Water Act. In the event a violation of toxicity limits results in an enforcement action, any different or more stringent monitoring requirements imposed in that enforcement action shall apply in lieu of the requirements of this permit condition for whatever period of time is specified by EPA in the enforcement action.
3. All test organisms, procedures, and quality assurance criteria used shall be in accordance with Methods for Measuring the Acute Toxicity of Effluents to Freshwater and Marine Organisms, EPA-600/4-85-013. A standard reference toxicant quality assurance test shall be conducted concurrently with each set of toxicity tests and its results submitted with the monthly discharge monitoring report. Alternatively, if routine QA/QC reference toxicant tests are available, these tests should be submitted.

SECTION - F

**CUSTOMER COMPLAINT LIST
WASTEWATER
(Jan - Dec 1994)**

FILE NAME: BRKS.wkt
 DATE CREATED: 5/1/93
 UPDATED:
 * Answering Service

18-Jan-95

BREAKS, MISC. COMPLAINTS, ETC

LEGEND:
 B - BREAKS
 M - MISCELLANEOUS
 O - SCHEDULED OUTAGE
 S - SEWER
 U - UNSCHEDULED OUTAGE
 W - WATER (QUALITY)

COMPL #/ CALL IN	DATE	TIME	CUSTOMER	ADDRESS	TYPE	PROBLEM	AR	ACTION TAKEN	DATE	FCWC PERSONNEL	NOTIFICATION			
											HRS	DER	DATE	MAILED
6543			PAUL, WILLIAM	INLET DR, 1720	S	ODOR FROM SEWER PLANT	N	SLUDGE WAS BEING HAULED		MIKE GAVIN				
5415 *	12/04/92		---	IRS, 989	S	MANHOLE NOT COVERED	N	COVER REPLACED	12/06/93	MIKE CURRIER				
3682	05/05/93	9:50 A	HALLTREE APTS	BLDG G	S	RAW SEWAGE BACK UP	N	BLOWN FUSE; NO SPILL OUTSIDE	05/05/93	RANDY WELLS				
4007 *	06/01/93		GUNTER, MR	BIRKDALE AVE #21	S	TRUCK HIT LS #21 PANEL	N	REPAIRED PANEL; POLICE REPORT	05/30/93	DAVID KNAUS				
4041 *	06/07/93		PINE VILLAGE CARE CTR	PONDELLA RD, 991	S	RED LIGHT FLASHING & ALARM	N	BOTH PULLED, CLEANED & RESET	06/08/93	MIKE CURRIER				
4040 *	06/07/93			HIDDEN ACRES	S	ALARM & LIGHTS GOING OFF	N	BOTH PULLED, CLEANED & RESET	06/08/93	MIKE CURRIER				
4048	06/08/93	9:55 A	CINDY	HIDDEN ACRES	S	ALARM & LIGHTS	N	PULLED PUMPS; REMOVED RAGS	06/08/93	MIKE CURRIER				
4055	06/08/93	9:00 A	EMMONS, JAKE	ORANGE GROVE, 4789-12	S	BACK UP IN APARTMENT (LOCHMOOR VILLAS)	N	CUSTOMER PROBLEM; RESIDENTIAL PIPING	06/09/93	RANDY WELLS				
4053 *	06/08/93		MAHAN, KATHY	HIDDEN ACRES DR, 3868	S	PUMP STATION ALARM	N	CLOGGED VALVE; CLEANED OUT	06/09/93	MARK LAMONTAGNE				
4053 *	06/08/93		MAHAN, KATHY	HIDDEN ACRES DR, 3868	S	PUMPING STATION ALARM GOING OFF	N	CLOGGED CHECK VALVE; CLEANED	06/09/93	MARK LAMONTAGNE				
4072 *	06/14/93		MAHAN, MS	HIDDEN ACRES CIR, 3008	S	LS ALARM	N	HI LVL BRKRS TRIPPED; RESET	06/14/93	RANDY WELLS				
4078 *	06/15/93		RESNICK, MS	LAKEVIEW BLVD	S	RED LIGHT FLASHING	N	HI LVL RESET PUMPS; PUMP DOWN; OK	06/14/93	MIKE CURRIER				
4084 *	06/17/93		ANGELUCCI, MR	WHITE PLAINS	S	LS LIGHT FLASHING	N	CLOGGED W/DEBRIS; PULLED PUMPS	06/17/93	MARK LAMONTAGNE				
4127	07/01/93		STEWART, ALBERT	JAVA WAY, 878	S	HOLE IN FRONT YARD ON SEWER LINE	N	BROKEN SEWER PIPE; REPAIRED	07/06/93	MIKE CURRIER				
5529 *	07/26/93		WALTERS, DEBBIE	ORANGE GROVE, 4912	S	BLACK SOOT COMING FROM SHOWER	N	CUSTOMER SEWER BACK UP	07/24/93	MIKE CURRIER				
5542	07/27/93	8:40 A	MAHAN, KATHY	HIDDEN ACRES CIRCLE	S	LS BELL RINGING	N	PUMPS TRIPPED DUE TO STORM; RESET	07/27/93	MIKE CURRIER				
4313	08/20/93	10:35 A	DANIELS, JOHN	ORANGE GROVE, 4845	S	SEWER BACK UP	N	CUSTOMER PROBLEM; RESIDENTIAL PIPING	08/20/93	MIKE CURRIER				
4321 *	08/24/93		COMBASS, PENNY	WARNER CIRCLE	S	ALARM GOING OFF	N	HI LVL; OUTSIDE CONT/VLV OFF	08/24/93	MIKE CURRIER				
4669	09/13/93	11:30 A	LCOOT (PAM)	ST CLAIR & ORANGE GROVE	S	BROKEN MANHOLE COVER/FRAME	N	REPAIRED PUMPS	09/13/93	MIKE CURRIER				
4684 *	09/18/93		LENHART (SEC GUARD)	SCHOONER BAY CONDOS	S	LIGHT & BELL CRNR BEAU & N KEY	N	BLOWN FUSE IN PANEL; CORRECTED	09/18/93	MIKE CURRIER				
4683 *	09/18/93		SURK	NORTH KEY APARTMENTS	S	ALARM GOING OFF	N	BLOWN FUSE IN PANEL; CORRECTED	09/18/93	MIKE CURRIER				
4703	09/23/93		MORTON	ORANGE GROVE, 4151	S	NEED LOCATION OF SEWER TAP TO PAINT	N	LOCATED FOR CUSTOMER	09/23/93	MIKE CURRIER				
4752 *	10/08/93		VALENTINE, ISRAEL	GARDEN ST, 2975	S	SEWER BACKUP; BATHROOMS CLOGGED	N	NOT FCWC; LEE COUNTY	10/08/93	MIKE CURRIER				
4780	10/15/93	12:08 P	ARCHER	PONDELLA, 991	S	ALARM & LIGHT	N	HI LVL; PUMP PULLED, CLEANED; RESET	10/15/93	MIKE CURRIER				
4784 *	10/16/93		WALMART PLAZA	---	S	ALARM	N	HI LEVEL; PUMPS OKAY	10/16/93	MIKE CURRIER				
4783 *	10/16/93		WALLACE, CHERYL	DOCKWAY DRIVE	S	ALARM	N	HI LEVEL; POWER LOSS; CORRECTED	10/16/93	MIKE CURRIER				
5174	10/26/93	11:40 A	MILLER, J	ORANGE GROVE/HANCOCK	S	LIGHT FLASHING	N	HI LVL; #2 TRIPPED; PULLED; CORRECTED	10/26/93	MIKE CURRIER				
5210 *	11/10/93		JETT, ROBERT	PALM ISLAND CIR, 9499	S	2 TOILETS NOT GOING DOWN	N	CUSTOMER PROBLEM; RESIDENTIAL PIPING	11/11/93	MARK LAMONTAGNE				
5240 *	11/19/93		DREW, WALTER	SEAFAN CIRCLE	S	STRONG ODOR	N	FROM DIGESTER; HAULED SLUDGE	11/21/93	MIKE GAVIN				
5432 *	12/11/93		GUTERREZ	NORTH KEY DR, 3322	S	ALARM GOING OFF	N	FLOAT BALL FELL DWN; REHUNG ALARM BELL	12/11/93	MARK LAMONTAGNE				
5450 *	12/17/93		MATHEWS, PHIL	HALL TREE APTS	S	RED LIGHT RINGING	N	PLANNED FOR SKIMMING & CLEANING	12/17/93	MIKE CURRIER				
5444 *	12/18/93		SUMEREA, NAN	HEARTY ST, 911	S	SEWER BACKING UP	N	CUSTOMER PROBLEM; RESIDENTIAL PIPING	12/18/93	MIKE CURRIER				
5470	12/27/93	8:55 A	RESNICK	LAKEVIEW, 1751	S	ALARM GOING OFF	N	PUMPS TRIPPED OUT; RESET	12/27/93	MIKE CURRIER				
5473 *	12/30/93		MAHAN	HIDDEN ACRES CIR, 3868	S	ALARM GOING OFF	N	HI LEVEL; PUMPS PULLED; RESET	12/30/93	DAVID KNAUS				
5491	01/06/94		WALLER, GEORGE	DOCKWAY, 1750	S	SEWER ODOR	N	CHEMICALLY TREATED (W-1)	01/06/94	MIKE CURRIER				
5498	01/07/94		WALLA, CHERYL	DOCKWAY, 1750	S	ODOR FROM W-1	N	DIGESTOR PROB; HAULED SLUDGE	01/07/94	BOB DICK				
5499	01/07/94	9:50 A	TUCKER, JOHN	HARBOR LANE, 4270	S	ODOR FROM W-1	N	DIGESTOR PROB; HAULED SLUDGE	01/07/94	BOB DICK				
5407	01/07/94	8:50 A	MARTIN, MS	DOCKWAY	S	ODOR FROM W-1	N	DIGESTOR PROB; HAULED SLUDGE	01/07/94	BOB DICK				
5659	01/10/94		BETTY	NORTH KEY, 3322	S	SEWER BACK UP	N	BLOCKAGE IN GRAVITY MAIN; RODDER	01/10/94	MIKE CURRIER				
5672	01/17/94	8:45 A	MARTIN, LARRY	DOCK WAY, 1749	S	PUMP STATION HAS ODOR	N	ODORS FROM PLANT, BOB DICK W-1	01/07/94	MIKE CURRIER				
5753	01/25/94		GUTTURIEZ	NORTHKEY DRIVE	S	ALARM GOING OFF (3 CALLS)	N	CTRL PROB; CORRECTED (FLOAT BALL)	01/25/94	MIKE CURRIER				
5772	01/26/94		VICTOR, JERRY	DOCKWAY, 1740	S	STRONG ODOR	N	VISITED CUSTOMER; NO ODOR	01/26/94	MIKE HANSINGER				
5787 *	01/31/94		BAKER, TERRY	HARDY & RIDGEWAY	S	LIGHT	N	FLOAT BALL OFF HANGER; RESET	01/31/94	MIKE CURRIER				
5795	02/10/94		HANK	TROPIC TERRACE #1443	S	RATS IN SEWER	N	CUSTOMER PROBLEM	02/10/94	MARK LAMONTAGNE				
5832	02/23/94	10:10 A	BOYCE, BETTY	NORTH KEY APTS	S	BELL RINGING	N	SCHEDULED SHUT DOWN FOR TIE-IN	02/22/94	MIKE CURRIER				
5835	02/23/94	9:50 A	STOCKELL, PATTY	VINSETTA, 4510-14	S	HIT MANHOLE COVER	N	SEP RING LOOSE; REMOVED; CEMENTED	02/25/94	DAVID KNAUS				
5862 *	03/08/94		WALLA	DOCKWAY, 1750	S	TERRIBLE SEWER ODOR	N	FLOW EQUALIZATION TANK @ PLANT	03/08/94	BOB DICK				
5863	03/10/94	8:08 A	WIESNER	TROPIC TERRACE	S	PUMPING STATION MAKING NOISE	N	"OFF" SWITCH STUCK; CORRECTED	03/10/94	MIKE CURRIER				
5871 *	03/12/94		SHERIFF'S DEPT	HANCOCK & PALM	S	LS ALARM	N	HI LEVEL; TRIPPED PUMPS; RESET	03/12/94	MARK LAMONTAGNE				
5876 *	03/12/94		WAKLEY, DONALD	RIDGEWAY ESTATES	S	PLUGGED MANHOLE	N	JET RODDED SEWER MAINS	03/12/94	MARK LAMONTAGNE				
5680 *	03/13/94		WALLA & MARTIN	DOCKWAY, 1750	S	TERRIBLE SEWER ODOR	N	DEODORIZED; PUMPED DOWN W-1	03/13/94	MIKE GAVIN				
6521	03/18/94		MYERS, MR	---	S	ODORS	N	STABILIZED DIGESTER; HAULED SLUDGE	---	---				
6522	03/19/94		TUCKER	HARBOR DRIVE	S	EARTHY ODORS	N	CUT OFF AIR TO ED TANK; PUMPED DN	03/19/94	---				
6523	03/19/94		FAZZMARZ, MS	HARBOR LANE, 4273	S	ODORS FILLED HOUSE	N	PUMPED DOWN W-1	03/19/94	---				
5890 *	03/20/94		MARTIN	---	S	SMELL FROM PLANT	N	AERATED FLOW, HTH IN W-1	03/20/94	MIKE GAVIN				
6524	03/24/94		VICTOR, JERRY	---	S	NOISE & ODORS SEVERAL DAYS	N	FROM EQ TANK, TO ROGER, ODOPHOS FEED	03/24/94	---				
5907 *	03/27/94		WILSON, LAWRENCE	WILLOW CREEK	S	ALARM GOING OFF	N	PIPE IN PUMP; PULLED; BACK IN SVC	03/27/94	MIKE CURRIER				
6525	03/29/94		CLOYD, ROBERT	ORANGE GROVE, 4330	S	BAD SEWER SMELL	N	ODORS FROM GOLF COURSE (FERT)	03/29/94	MIKE MCCRUMB				
5911	03/29/94	9:08 A	CLOYD, ROBERT	ORANGE GROVE, 4330	S	BAD SEWER ODOR	N	GOLF COURSE FERTILIZER	03/29/94	S GETTLER				

65259

FILE NAME: BRKS.wk1
 DATE CREATED: 5/1/93
 UPDATED:
 * Answering Service

18-Jan-95

BREAKS, MISC. COMPLAINTS, ETC

LEGEND: B - BREAKS
 M - MISCELLANEOUS
 O - SCHEDULED OUTAGE
 S - SEWER
 U - UNSCHEDULED OUTAGE
 W - WATER (QUALITY)

COMPL #/ CALL IN	DATE	TIME	CUSTOMER	ADDRESS	TYPE	PROBLEM	AR	ACTION TAKEN	DATE	FCWC PERSONNEL	NOTIFICATION			
											HRS	DER	DATE	MAILED
5923	03/31/94		HRS (CHERYL)	CORAL GATE PLAZA	S	SEWER BACK UP; MANHOLE; PRIVATELY OWNED	N	CUSTOMER PROBLEM	03/31/94	MIKE CURRIER				
5925 *	04/02/94		MARTIN, MR	DOCK WAY, 1749	S	TERRIBLE ODOOR IN HOUSE	N	PUMPED OWN; REM TOP GREASE; MTH	04/02/94	MIKE CURRIER				
5945 *	04/08/94		PALMER	HANCOCK BR, 2307	S	ALARM GOING OFF	N	HI LEVEL (RAIN)	04/08/94	MARK LAMONTAGNE				
6507 *	04/11/94		FREDERICK, SUE	WILLOW CREEK	S	LS ALARM WENT OFF	N	PUMPS TRIPPED; REMOVED DEBRIS	04/11/94	MIKE CURRIER				
6514 *	04/13/94		LAUDICINA, TOM	HIDDEN ACRES CR, 3821	S	SEWER IN STREET	N	BLOCKAGE BTWN MASTER MH/LS; CLRD	04/13/94	DAVID KNAUS				
6529 *	04/18/94		GETRES, WILLIAM	NORTH KEY/BEAU	S	ALARM GOING OFF	N	HI LVL DUE TO RAIN; RESET ALARM	04/18/94	MIKE CURRIER				
6530 *	04/18/94		LEE SHERRIF'S OFC	N KEY & 41	S	LS LIGHT ON	N	HI LVL DUE TO RAIN	04/18/94	MIKE CURRIER				
6002	05/25/94	10:00 A	WILLIAMS	POETRY, 5841	S	SEWER BLOCKAGE	N	JET RODDED; CLEARED	05/25/94	MARK LAMONTAGNE				
6125	06/23/94		CHEN	APRIL LANE, 1021	S	SEWER PROBLEM; TOILETS CLOGGED	N	CUSTOMER PROBLEM; RESIDENTIAL PIPING	06/23/94	MIKE CURRIER				
6132 *	06/25/94		TROPIC TERRACE	TROPIC TERRACE	S	LS MAKING A LOT OF NOISE	N	PROBLEM CORRECTED	06/25/94	MIKE CURRIER				
6144	07/01/94	10:00 A	FCWC PERS	LAKEVIEW BLVD	S	LIFT STATION DOWN	N	BLOWN FUSE REPLACED; OK	07/01/94	MARK LAMONTAGNE				
6167	07/19/94	11:30 A	COUNTRY VIEW (PAULA)	750 PONDELLA	S	BACKUP	N	HI LEVEL; TRIPPED HEATERS; RESET	07/19/94	MIKE CURRIER				
7015	08/03/94	10:55 A	BONNIE	LONGFELLOW, 1979	S	SEWER PROBLEM	N	CUSTOMER PROBLEM; HOUSE PIPING	08/03/94	MARK LAMONTAGNE				
7029 *	08/09/94		MARABLE	ST CLAR, 4344	S	SEWER BACKING UP	N	CLEARED BLOCKAGE IN LATERAL	08/09/94	MIKE CURRIER				
7037 *	08/09/94		HARRIS, PAULA	PONDELLA, 750	S	ALARM GOING OFF	N	HI LEVEL; PUMPS TRIPPED OUT; RESET	08/09/94	MIKE CURRIER				
7038 *	08/09/94		-- --	PONDELLA & BARRETT	S	LIFT STATION RINGING	N	HI LEVEL; PUMPS PULLED & CLEANED	08/09/94	MIKE CURRIER				
7050 *	08/18/94		OREY	WILLOW CREEK	S	RED LIGHT ON	N	PUMPS TRIPPED OUT; RESET; OKAY	08/18/94	DAVID KNAUS				
6724 *	08/25/94		SHERIFF'S OFC	BILLY'S CREEK	S	RED LIGHT FLASHING	N	NOT FCWC; LEE COUNTY	08/25/94	MIKE CURRIER				
6726 *	08/26/94		GREER, MIKE	HANCOCK PARKWAY	S	ALARM GOING OFF	N	HI LVL; SILENCED ALARM	08/26/94	MIKE CURRIER				
6748 *	09/04/94		GUTERES, WILLIAM	NORTH KEY DRIVE	S	ALARM GOING OFF	N	CONTRACTOR'S PUMP; THERS; REHAB STA	09/05/94	GARY KING				
6767	09/13/94	10:05 A	KEITH, EVERETT	HAWAIIAN SOUTH	S	LS NOT WORKING	N	NOT FCWC; PRIVATE SYSTEM	09/13/94	MIKE CURRIER				
6812	09/30/94	8:55 A	GRINER, DARYL	WINORUSH APTS	S	SEWER BACK UP	N	CUSTOMER PROBLEM; PRIVATELY OWNED	09/20/94	MIKE CURRIER				
6832	10/07/94	3:40 P	-- --	N KEY DR, 3344	S	BAD SEWER ODOOR	N	LEVELS OKAY; NO PROBLEM DETECTED	10/07/94	MARK LAMONTAGNE				
6866	10/20/94	1:15 P	HARRIS, PAULA	PONDELLA, 750	S	BLDGS H & I BACK UP	N	CUSTOMER PROBLEM; RESIDENTIAL PIPING	10/20/94	MIKE CURRIER				
6883 *	10/29/94		SHUCKERS REST	INLET DR, 1687	S	TERRIBLE ODOOR	N	FED BIOXIDE TO REDUCE ODOOR	10/29/94	MIKE CURRIER				
6959 *	12/05/94		SHONEY'S RESTAURANT	N US 41	S	ALARM; RED LIGHT	N	HI LEVEL DUE TO RAIN	12/05/94	DAVID KNAUS				
6963 *	12/06/94	11:00 A	WOODWARD, MS	ORANGE BLOSSOM, 929	S	SEWER BACK UP	N	CUSTOMER PIPING	12/06/94	MIKE CURRIER				
6965 *	12/06/94		RODRIGUEZ, BECKY	PONDELLA, 756	S	ALARM RINGING	N	HI LVL; PUMPS PULLED, CLEANED, RESET	12/06/94	MIKE CURRIER				
6974 *	12/10/94		COUNTRY VIEW APTS	PONDELLA RD, 756	S	RED LIGHT & ALARM	N	HI LVL; PUMPS PULLED, CLEANED, RESET	12/10/94	MIKE CURRIER				
6983	12/15/94	11:00 A	-- --	N KEY DR	S	BELLS & LIGHTS AT LIFT STATION	N	HI LVL; BLOWN FUSE; CORRECTED	12/15/94	MIKE CURRIER				
6991 *	12/26/94		COUNTRY VIEW APTS	PONDELLA, 750	S	LIFT STATION GOING OFF	N	HI LVL; CLEANED PUMPS, RESET	12/26/94	MIKE CURRIER				
7053	12/29/94	2:20 P	ENGH, DAVID	HARBOR TER, 4383	S	BAD ODOOR	N	INCREASED BIOXIDE	12/29/94	MIKE McCRAUMB				

00260

SECTION-G

DESCRIPTION OF THE SERVICE AREA

WASTEWATER

IN TOWNSHIP 44 SOUTH, RANGE 24 EAST:

Section 3:

All of the south half (S-1/2) of the south-west quarter (SW-1/4) lying south of Hancock Creek, excepting the southeast quarter (SE-1/4) of the southeast quarter (SE-1/4) of the southwest quarter (SW-1/4) thereof.

All of the east half (E-1/2) of the north half (N-1/2) of the south-west quarter (SW-1/4) lying south of Hancock Creek, excepting that part of the east half (E-1/2) of the southeast quarter (SE-1/4) of the northeast quarter (NE-1/4) of the southwest quarter (SW-1/4) lying south of Hancock Creek.

Section 4:

The south half (S-1/2) of the south-east quarter (SE-1/4).

The south half (S-1/2) of the north half (N-1/2) of the southeast quarter (SE-1/4).

The south half (S-1/2) of the south half (S-1/2) of the north half (N-1/2) of the northwest quarter (NW-1/4) of the southeast quarter (SE-1/4).

The southeast quarter (SE-1/4) of the southwest quarter (SW-1/4) of the southwest quarter (SW-1/4).

The southeast quarter (SE-1/4) of the southwest quarter (SW-1/4), excepting the northwest quarter (NW-1/4) of the southeast quarter (SE-1/4) of the southwest quarter (SW-1/4).

Raul Bradtmiller
Issuing Officer

Senior Vice President
Title

IN TOWNSHIP 44 SOUTH, RANGE 24 EAST:

Section 9:

All of the section excepting the west half (W-1/2) of the west half (W-1/2) of the northwest quarter (NW-1/4). (City of Cape Coral).

Section 10:

All of the section excepting the north half (N-1/2) of the northeast quarter (NE-1/4) lying east of Hancock Creek.

Section 11:

All that portion of Section 11, being described as follows: Beginning at the northwest corner of Section 11 run east along the north line of said Section for 1,200 feet, more or less; thence run S 38° E for 550 feet, more or less; thence run east for 850 feet, more or less; thence run south for 900 feet, more or less; thence run S 38° E for 350 feet, more or less; thence run south for 350 feet, more or less; thence run S 40° E for 600 feet, more or less; to the waters of the Caloosahatchee River; thence run south westerly along said meandering waters for 950 feet, more or less; thence run westerly, along said meandering waters for 3,050 feet, more or less, to an intersection with the west line of said Section 11; thence run northerly, along said west line for 3,900 feet, more or less to the Point of Beginning.

Bearings hereinabove mentioned are assumed, based on the north line of said Section 11 to bear east.

Paul Bradtmiller
Issuing Officer

Senior Vice President
Title

Florida Cities Water Company
Lee County Wastewater
North Service Territory

Original Sheet No. 3.7

IN TOWNSHIP 44 SOUTH, RANGE 24 EAST:

Section 15:

All of that part of the section
lying northerly of the
Caloosahatchee River.

Section 16:

All of the section.

Section 21:

All lying west of the Caloosahatchee
River less the south 600 feet (City of
Cape Coral).

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Senior Vice President
Title

SECTION-H

00268

MAP OF SYSTEM