

 $\textit{DOCKET NO.:}\ 950387\text{-SU}$ - [Florida Cities Water Company - North Ft. Myers Wastewater System, Waterway Estates]

 $\it WITNESS: Prefiled Testimony of Andrew Barienbrock, Appearing On Behalf of Florida Department of Environmental Protection$

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FPSC-RECORDS/REPORTING

PREFILED TESTIMONY OF ANDREW BARIENBROCK

- 2 Q. Please state your name and business address.
- 3 A. Andrew Barienbrock, 2295 Victoria Avenue, Suite 364, Fort Myers, Florida 4 33901.
- 5 Q. Please state a brief description of your educational background and 6 experience.
- A. I have a B.S. in Zoology from the Ohio State University and an MS in Marine Biology from NOVA Southeastern University. I have been with the Department of Environmental Protection (FDEP) for four and a half years.
- 10 | Q. By whom are you presently employed?
- 11 A. I am employed by FDEP.

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- 12 | Q. How long have you been employed with FDEP and in what capacity?
- 13 A. Four and a half years. I began with the Department working in domestic
- 14 wastewater and I am currently the Environmental Manager for the Domestic
- 15 | Wastewater Compliance and Enforcement Section.
- 16 Q. What are your general responsibilities at the FDEP?
- 17 A. My responsibilities include the supervision of professional employees
- 18 responsible for conducting compliance and enforcement activities and
- 19 permitting activities relating to domestic wastewater treatment and disposal
- 20 systems, residual disposal sites, and underground injection control.
- 21 Q. Are you familiar with the Florida Cities' Waterway Estates wastewater
- 22 system located in the Lee County?
- 23 A. Yes.
- 24 Q. Does the utility have current operating or construction permits from the
- 25 Department of Environmental Protection?

- 1 | A. Yes.
- Q. Please state the issuance dates and the expiration dates of the operating or construction permits.
- 4 \mid A. This facility is operating under Operating Permit No. D036-228850 which
- 5 was issued on August 25, 1993 with an expiration date of August 25, 1998; and,
- 6 Construction Permit No. DC36-237227 issued June 2, 1994 with an expiration
- 7 date of June 2, 1997.
- 8 Q. Are the plants in compliance with FDEP issued permits?
- 9 A. No. The plant has been operating above its permitted capacity.
- 10 However, the facility has a construction permit to expand the disposal
- 11 capacity of the facility. The work on this project is almost complete and
- 12 Florida Cities should be submitting a certification of completion of
- 13 construction within 30 days. This facility is in compliance with all effluent
- 14 limits.
- 15 Q. Are the wastewater collection, treatment and disposal facilities
- 16 | adequate to serve present customers based on permitted capacity?
- 17 A. No, as explained in the previous answer.
- 18 Q. Are the treatment and disposal facilities located in accordance with
- 19 Rule 62-600, Florida Administrative Code?
- 20 A. Yes.
- 21 Q. Has FDEP required the utility to take any action so as to minimize
- 22 possible adverse effects resulting from odors, noise, aerosol drift or
- 23 | lighting?
- 24 A. Yes. The facility had been receiving odor complaints from a nearby
- 25 restaurant. The DEP, Florida Cities, and the complainant met and all parties

- $1 \mid$ agreed that in order to reduce odors, the plant would stabilize residuals late
- 2 at night and haul immediately in the early morning hours.
- 3 Q. Do the pump stations and lift stations meet FDEP requirements with
- 4 respect to location, reliability and safety?
- 5 A. Yes.
- 6 Q. Does the utility have certified operators as required by Rule 61E12-41.
- 7 | Florida Administrative Code?
- 8 | A. Yes.
- 9 Q. Is the overall maintenance of the treatment, collection, and disposal
- 10 | facilities satisfactory?
- 11 A. Yes.
- 12 Q. Does the facility meet the effluent disposal requirements of Rules
- 13 | 62-600 and 62-610, Florida Administrative Code?
- 14 A. As explained on page 2, the plant has been operating above its permitted
- 15 capacity, but is complying with all effluent limits.
- 16 Q. Are the collection, treatment and disposal facilities in compliance with
- 17 | all the other provisions of Chapter 62, Florida Administrative Code, not
- 18 previously mentioned?
- 19 A. Yes, except for the treatment plant operating above capacity as already
- 20 explained.
- 21 Q. Has the Waterway Estates' wastewater system been the subject of any
- 22 Department of Environmental Protection enforcement action within the past two
- 23 | years?
- 24 A. No.
- 25 Q. Concerning infiltration and inflow (I & I), what is the normal allowance

- 1 | recognized by the DEP?
- 2 A. The DEP allows 5 10% of the facility's permitted capacity.
 - Q. What source document does the DEP refer to in allowing this amount of
- 4 | 1 & 1?

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- 5 A. Tens State Standards and Manual of Practice #9.
- 6 Q. What circumstances would cause the DEP to vary from this normal
- 7 | allowance?
- 8 A. This allowance could be varied when the facility is in compliance with
- 9 effluent limits and when the facility was in the process of correcting the
- 10 problem.
- 11 Q. If a variation occurred, how much variation would the DEP allow?
- 12 A. The amount of variation allowed would be determined on a case by case
- 13 | basis. This would be based upon the work being done to correct or address the
- 14 problem and the effluent quality.
- 15 Q. Does the DEP believe this wastewater system has a problem with I & I?
- 16 A. At this time the facility does not appear to have a serious infiltration
- 17 problem.
- 18 Q. Do you have anything further to add?
- 19 A. No. I do not.

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