

DOCKET NO. 040384-WS - Application for Amendment to
Certificates 247-W and 189-S in Seminole County by Sanlando
Utilities Corporation.

WITNESS: Direct Testimony Of Paul J. Morrison Appearing On
Behalf Of Staff

DATE FILED: January 12, 2006

DOCUMENT NUMBER-DATE

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FPSC-COMMISSION CLERK

DIRECT TESTIMONY OF PAUL J. MORRISON

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

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

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

6 A. I received a B.S. in Biology from Florida State University in 1972. From 1972 to
7 1984, I worked for the Orange County Health Department in the Environmental Health
8 Section. I was involved with the regulation of drinking water systems, restaurants, grocery
9 stores, food processors, public swimming pools and bathing beaches, health facilities, septic
10 tanks, mobile home parks, rabies control, and environmental nuisance complaints. From 1984
11 to present, I have been working for the Florida Department of Environmental Protection with
12 the regulation of solid and industrial waste facility enforcement (1986 and 1987) and with the
13 regulation of public drinking water systems in the compliance and enforcement section (1984,
14 1985 and 1988 to present).

15 Q. By whom are you presently employed?

16 A. Florida Department of Environmental Protection (FDEP)

17 Q. How long have you been employed with the FDEP and in what capacity?

18 A. I have been employed with the FDEP since 1984 (21 years). I am an Environmental
19 Manager, involved with public drinking water systems monitoring compliance and
20 enforcement.

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

22 A. As an Environmental Manager, I supervise the public drinking water monitoring
23 compliance and enforcement section. This involves notifying systems of monitoring
24 requirements, reviewing monitoring results submitted by water systems to determine if the
25

1 results are in compliance with established rule standards, notifying systems when corrective
2 action is necessary because of unsatisfactory results, entering monitoring results into the
3 computer database, issuing and rescinding Boil Water Notices when appropriate, reviewing
4 water system malfunction reports, taking appropriate enforcement action against systems not
5 in compliance with the monitoring rules, and taking and referring drinking water complaints
6 to the appropriate County Health Department (DOH) for investigation under the DOH- FDEP
7 Interagency Agreement.

8 Q. Are you familiar with Sanlando Utilities Corporation's (Sanlando) water systems
9 (PWS ID No. 3591121) in Seminole County, particularly the Wekiva, Des Pinar and
10 Knollwood water treatment systems?

11 A. Yes, for monitoring I am responsible for the water systems in Seminole County. I
12 have also reviewed the enforcement files for the Sanlando water system.

13 Q. Does the finished water produced by the utility meet the State and Federal maximum
14 contaminant levels for primary and secondary water quality standards?

15 A. Yes.

16 Q. Does this include the lead and copper rule?

17 A. Yes.

18 Q. Has the Utility's compliance with the lead and copper rule resulted in a lessening of the
19 monitoring requirements?

20 A. Yes. Sanlando water system currently monitors for lead and copper once every three
21 years.

22 Q. Does the utility monitor for the volatile organic contaminants (VOCs) listed in Section
23 62-550.515, Florida Administrative Code F.A.C.?

24 A. Yes.

25 Q. Does the utility monitor for the synthetic organic contaminants (SOCs) listed in

1 Section 62-550.516, F.A.C.?

2 A. Yes, except for dioxin, which has a statewide waiver for monitoring unless the water
3 system is a surface water system or is a system that has been determined to be under the direct
4 influence of surface water. The Sanlando water system is neither of those.

5 Q. Do recent chemical analyses of raw and finished water, when compared to FDEP
6 regulations, suggest the need for additional treatment for the Sanlando water system?

7 A. No.

8 Q. Has the Sanlando water system been the subject of any FDEP enforcement action
9 within the past two years?

10 A. No.

11 Q. Are you familiar with the City of Longwood 's water system (PWS ID No. 3590202)
12 in Seminole County?

13 A. Yes, for monitoring I am responsible for the water systems in Seminole County. I
14 have also reviewed the enforcement files for the City of Longwood's (Longwood) water
15 system.

16 Q. Does the finished water produced by the utility meet the State and Federal maximum
17 contaminant levels for primary and secondary water quality standards?

18 A. Yes, except for the following instances. In October 2005, the Longwood water system
19 had an acute bacteriological maximum contaminant level (MCL) violation. On October 19,
20 one of the October compliance distribution bacteria samples was "total coliform" positive.
21 Longwood took the required three repeat samples (same location, upstream and downstream)
22 on November 1. The same location was total coliform positive, the downstream was absent
23 and the upstream sample was "E.coli" positive. This constitutes an acute bacteriological MCL
24 violation. Longwood officials met with FDEP on November 3 within 24 hours of becoming
25 aware of the repeat sample results and also provided notice of this acute violation as well as

1 issued a Precautionary Boil Water Notice (PBWN) by hand delivery and on the TV stations to
2 the affected approximately 200 customers on November 3 as required within 24 hours (see
3 Exhibit PJM-1). Only a portion of the Longwood water system was affected. On November
4 8, the acute violation and PBWN were rescinded after additional bacteria samples collected
5 were satisfactory. In addition, all required compliance distribution bacteria samples collected
6 in December 2005 were satisfactory.

7 The June 20, 2005 Lead result in the Primary Inorganics point of entry test results was 0.0287
8 mg/L for Water Plant 2. This exceeded the MCL for Lead of 0.015 mg/L and triggered
9 quarterly monitoring of the chemical. The system was monitored for Lead again on
10 September 21, 2005 with a result of 0.0007 mg/L. Lead testing was conducted during
11 December 2005 (as of this date, the laboratory result has not been received) and will be
12 conducted during the March and June quarters at a minimum. After the March quarterly
13 results are received, the June, September, December 2005, and March 2006 results will be
14 averaged to determine if the running annual average for Lead exceeds the MCL of 0.015
15 mg/L. There is no MCL violation until the running annual average exceeds the MCL.

16 Q. Does the finished water meet the State and Federal requirements for the Lead and
17 Copper rule?

18 A. Yes.

19 Q. Has the Utility's compliance with the lead and copper rule resulted in a lessening of the
20 monitoring requirements?

21 A. Yes. Longwood water system currently monitors for lead and copper once every three
22 years.

23 Q. Does the utility monitor for the volatile organic contaminants (VOCs) listed in Section
24 62-550.515, F.A.C.?

25 A. Yes.

1 Q. Does the utility monitor for the synthetic organic contaminants (SOCs) listed in
2 Section 62-550.516, F.A.C.?

3 A. Yes, except for dioxin, which has a statewide waiver for monitoring unless the water
4 system is a surface water system or is a system that has been determined to be under the direct
5 influence of surface water. The Longwood water system is neither of those.

6 Q. Do recent chemical analyses of raw and finished water, when compared to FDEP
7 regulations, suggest the need for additional treatment for the Longwood water system?

8 A. In the past 12 consecutive months, Well 1 (W. Bay and Ronald Reagan Boulevard) has
9 had three total coliform positive bacteria results (May 3, July 21 and October 27, 2005).
10 Therefore, FDEP required the Longwood water system to disinfect this well and conduct a 20-
11 sample bacteria well survey to determine if this well is "microbially contaminated or
12 susceptible to microbially contamination." If this is the case, then the Longwood water
13 system must provide treatment to achieve 4-log virus removal/inactivation, pursuant to Rule
14 62-555.320(12) F.A.C. At this time FDEP has not received the laboratory results of the 20-
15 sample well survey.

16 In the past 12 consecutive months, Well 2 (175 E. Warren) has had three total coliform
17 positive bacteria results (May 3 and 5, and December 22, 2005). Therefore, FDEP required
18 the Longwood water system to disinfect this well and conduct a 20-sample well survey to
19 determine if this well is "microbially contaminated or susceptible to microbially
20 contamination." If this is the case, then Longwood water system must provide treatment to
21 achieve 4-log virus removal/inactivation, pursuant to Rule 62-555.320(12) F.A.C. At this time
22 FDEP has not received the laboratory results of the 20-sample well survey.

23 Q. Has the Longwood water system been the subject of any FDEP enforcement action
24 within the past two years?

25 A. Yes, see attached Exhibit PJM-2 (Warning Letter OWL-PW-05-0001 dated February

1 21, 2005). Items 1, 2 and 3 in Exhibit PJM-2 are co-sponsored by Kimberly Dodson (FDEP).
2 The Longwood water system failed to conduct annual compliance monitoring for Nitrate and
3 Nitrite during calendar year 2004 (Item 4 in Exhibit PJM-2). The system has now returned to
4 compliance because the Nitrate and Nitrite monitoring for 2005 was completed on January 6,
5 2005. The Longwood water system did not notify its customers of its failure to monitor for
6 Nitrate and Nitrite in 2004 (Item 5 in Exhibit PJM-2). Since the 2005 monitoring was
7 completed and the system returned to compliance, FDEP did not require Longwood to do
8 public notice. At this time, this case is not yet resolved because Longwood and FDEP have
9 not signed a Consent Order.

10 Q. Do you have anything further to add?

11 A. No, I do not.

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DRINKING WATER WARNING

The City of Longwood water is contaminated with E. coli

BOIL YOUR WATER BEFORE USING

E. coli bacteria were found in the water supply on 11/2/05. These bacteria can make you sick, and are a particular concern for people with weakened immune systems.

What should I do?

The area affected is East of South Grant Street, and South of SR 434, West of Highway 17-92 and includes the Wildmere Subdivision and connections East of Highway 17-92 and North of Lake Irene Drive, South of SR 434 that are served by the City of Longwood water system.

If You Are In This Area

- **DO NOT DRINK THE WATER WITHOUT BOILING IT FIRST.** Bring all water to a boil, let it boil for one minute, and let it cool before using, or use bottled water. Boiled or bottled water should be used for drinking, making ice, brushing teeth, washing dishes, and food preparation **until further notice**. Boiling kills bacteria and other organisms in the water.
- *Fecal coliforms and E. coli are bacteria whose presence indicates that the water may be contaminated with human or animal wastes. Microbes in these wastes can cause diarrhea, cramps, nausea, headaches, or other symptoms. They may pose a special health risk for infants, young children, and people with severely compromised immune systems.*
- The symptoms above are not caused only by organisms in drinking water. If you experience any of these symptoms and they persist, you may want to seek medical advice. People at increased risk should seek advice about drinking water from their health care providers.

What happened? What is being done?

Bacterial contamination can occur when increased run-off enters the drinking water source (for example, following heavy rains). It can also happen due to a break in the distribution system (pipes), cross connections, or a failure in the water treatment process. The City has not had a failure in the water treatment process. A bacterial sample tested positive for E.Coli in this area of town.

The City is flushing the water distribution system, increasing disinfection levels, taking additional coliform bacteria samples for laboratory analysis and surveying area properties

for possible cross connections. We will inform you when tests show no bacteria and you no longer need to boil your water. We anticipate resolving the problem within a few days.

For more information, please contact Richard Kornbluh at 407-263-2388 or 180 East Warren Avenue Longwood, FL 32750. General guidelines on ways to lessen the risk of infection by microbes are available from the EPA Safe Drinking Water Hotline at 1(800) 426-4791. The City of Longwood website locate at www.ci.longwood.fl.us also contains information and instructions for boil water notices such as this one.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the City of Longwood State Water System ID#: 3590202

Date distributed: November 3, 2005



PWS CERTIFICATION OF DELIVERY OF PUBLIC NOTICE

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

I. General Information		
Public Water System (PWS) Name:	City of Langwood	
PWS ID:	3590202	
PWS Type:	<input checked="" type="checkbox"/> Community <input type="checkbox"/> Non-Transient Non-Community <input type="checkbox"/> Transient Non-Community	
PWS Owner:	City of Langwood	
Contact Person:	Richard Kornbluh	Contact Person's Title: Utilities Manager
Contact Person's Mailing Address:	180 E. Warren Ave	
City:	Langwood	State: FL Zip Code: 32750
Contact Person's Telephone Number:	407-263-2388	Contact Person's Fax Number: 407-263-2390
Contact Person's E-Mail Address:	RKornbluh@ci.langwood.fl.us	

II. Certification		
For Violation/Situation:	Rail water Notice for area between SR434 + Wildmere, S. Grant St + 17-92 including East side of 17-92 between Lake Trane + 434 + Wildmere Subdivision	
Date of Occurrence:	11/2/05	
Consultation Date:	11/3/05	
Delivery Methods:	<input checked="" type="checkbox"/> Radio/TV <input type="checkbox"/> Mail <input type="checkbox"/> Newspaper <input checked="" type="checkbox"/> Hand Delivery <input type="checkbox"/> Posting <input checked="" type="checkbox"/> Other (describe)	
Delivery Date/s:	11/3/05	11/3/05 website www.ci.langwood.fl.us

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

Signature and Date: Richard Kornbluh 11/4/05 Printed or Typed Name: Richard Kornbluh Title: Utilities Manager

01/09/2006 11:30

DRINKING WATER PROBLEM CORRECTED

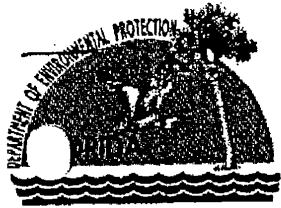
Customers of the City of Longwood water system were notified on November 3, 2005 of a problem with our drinking water and were advised to boil their water prior to drinking or household use, or use bottled water as an alternative. We are pleased to report that the problem has been corrected and that it is no longer necessary to boil your water prior to drinking or household use. We apologize for any inconvenience and thank you for your patience.

We are continuing to investigate the cause of the problem, as well as continuing our routine sampling which alerted us to the initial problem. As always, you may contact Richard Korabluk at 407-263-2388 or 180 East Warren Avenue, Longwood, FL 32750 with any comments or questions.

Please share this information with all the other people who drink this water, especially those who may not have received this notice directly (for example, people in apartments, nursing homes, schools, and businesses). You can do this by posting this notice in a public place or distributing copies by hand or mail.

This notice is being sent to you by the City of Longwood State Water System ID#:3590202
Date distributed: November 8, 2005

RF-2/23



Department of Environmental Protection

Jeb Bush
Governor

Central District
3319 Maguire Boulevard, Suite 232
Orlando, Florida 32803-3767

Colleen M. Castille
Secretary

CERTIFIED MAIL
7099 3400 0010 0525 6409

Mayor H.G. Bundy
City of Longwood
175 West Warren Street
Longwood, Florida 32750

WARNING LETTER
OWL-PW-05-0001

Seminole County - PW
City of Longwood
PWS ID No. 3590202
Operation, Maintenance, and Compliance Monitoring Violations

Dear Mayor Bundy:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter.

A review of Department records and site visits conducted on December 17 and January 11, 2005, for the above-referenced public water system indicate that violations of Florida Statutes and rules may exist at this facility. Department records and inspection findings indicate the following:

1. Repeated failure to maintain adequate disinfectant residual at the plants and throughout the distribution system at all times.
2. Failure to maintain disinfection equipment.
3. Failure to notify the Department of a failure to comply with applicable disinfection requirements.
4. Failure to conduct compliance monitoring for *nitrate* and *nitrite* during calendar year 2004.
5. Public notification may not have been accomplished as required in Rule 62-560.410, Florida Administrative Code. The supplier of water must notify all those persons served by the subject system of its failure to comply with those rules that apply to the deficiency in Item #4 above. A copy of such notice must also be provided to this office.

It is a violation for any *person* to fail to comply with the following statutes and rules:

Section 403.161(1)(b), Florida Statutes - Failure to comply with any rule or regulation adopted or issued by the Department.

Rules 62-555.320(12) and (12)(d), 62-555.350 (1), (2), (6), (6)(a), and (10), Florida Administrative Code - Disinfection requirements.

Section 403.857, Florida Statutes, and Rule 62-560.410(3)(d), Florida Administrative Code - Public notification requirements.

"More Protection, Less Process"

Printed on recycled paper.

WARNING LETTER
OWL-PW-05-0001

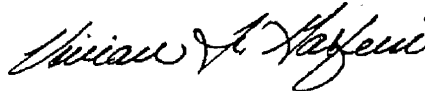
Rule 62-550.512 (1), Florida Administrative Code -- Sampling requirements for nitrate and nitrite.

You are advised that operation of a facility in violation of state statutes or rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.141 and 403.161, Florida Statutes.

You are requested to contact Ms. Kim Dodson at 407-893-3990 *within 15 days* of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(4), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Vivian F. Garfein
Director, Central District

elt

Date

February 21, 2005

VFG:kmd *RL*

cc: Seminole County Environmental Health Department
Jeff Prather, FDEP
Marie Carrasquillo, DEP Drinking Water Compliance
Kim Dodson, DEP Drinking Water Compliance/Enforcement

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for amendment to DOCKET NO. 040384-WS
Certificates 247-W and 189-S in Seminole
County by Sanlando Utilities Corporation. DATED: JANUARY 12, 2006


CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT TESTIMONY OF PAUL J. MORRISON, on behalf of the Florida Public Service Commission, has been furnished by U.S. Mail, this 12th day of January, 2006, to the following::

Rose, Sundstrom & Bentley, LLP
Martin S. Friedman, Esq. / Valerie Lord, Esq.
Sanlando Center
2180 W. State Road 434, Suite 2118
Longwood, FL 32779

Seminole County
Susan E. Dietrich, Esq.
County Attorney's Office
1101 East First Street
Sanford, FL 32771-1468

City of Longwood
Richard S. Taylor, Jr. Esq.
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Longwood, FL 32750-6547


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