

July 19, 2018

Commission Clerk
 Florida Public Service Commission
 2540 Shumard Oak Blvd.
 Tallahassee, FL 32399-0850

Re: North Peninsula Utilities Corporation Certificate No. 249 S
 Application for Staff Assisted Rate Case

Dear Commission Clerk,

On behalf of North Peninsula Utilities Corporation (NPUC or the Utility), attached is the utility's application for a Staff Assisted Rate Case (SARC).

NPUC is submitting this SARC Application to both adjust rates to provide for the current operating expenses of the Utility as well as provide for necessary capital improvements so that the Utility can continue providing an adequate level of service to its customers. **Attachment A** includes detailed estimates of work that is needed at the NPUC plant site to be able to continue providing good service to its customers. The Seabridge Wastewater Treatment Facility is located on a narrow peninsula between the Atlantic Ocean and intercostal waterway (Halifax). The weather and salt conditions have led to the corrosive environment and the Facility needs a major overhaul at this time. The area frequently experiences strong storms and the Utility has dealt with two major hurricanes in the last two years. The costs for these improvements are summarized by vendor and shown on **Table 1**, below as detailed in **Attachment A**.

NPUC is currently in the process of renewing its Florida Department of Environmental Protection (FDEP) operating permit for the next 5-year period. On July 6, 2018, FDEP issued Consent Order, OGC No. 18-0258, which will require the Utility to address many of these improvements in a timely manner. A copy of the Consent Order Notice is included as **Attachment B**.

Table 1
Costs Estimates
Capital Improvement Plan – By Vendor

Vendor	Cost
Wetherell Treatment Systems	\$ 143,779.00
American In-line Inspection	26,058.75
Riva Fence, Inc.	15,325.00
Cubert, Inc.	8,333.00
Shirah Building and Dev.	5,228.00
Misc. (10%)	19,600.00
Total	\$ 218,323.75

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COMMISSION CLERK

NPUC anticipates using a loan to finance these improvements at an interest rate of approximately 6% and a repayment term of 5 years. Based on these assumptions, interest over the life of the loan is estimated to be approximately \$35,000. To repay this total amount of approximately \$253,000 would result in an estimated monthly adjustment to rates of \$7.00 per ERC per month.

In reviewing other utilities providing wastewater service in Volusia County, NPUC monthly rate falls lower than the average rates of the other utilities based on an average water usage of 5,000 gallons per month. The results of that rate survey are shown on **Table 2**.

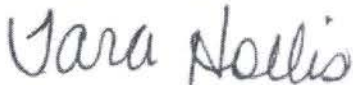
Table 2
Neighboring Utility Rate Comparison
5,000 Gallons Monthly Usage
Residential Service

Customer Class	Wastewater
North Peninsula Utilities Corporation (Flat Rate)	\$ 33.57
Neighboring Utilities	
Ormond Beach	\$ 32.08
Port Orange	\$ 33.45
New Smyrna Beach	\$ 38.96
Volusia County	\$ 44.04
Holly Hill	\$ 44.33
Daytona Beach	\$ 50.66
DeLand	\$ 53.55
Orange City	\$ 60.07
Tymber Creek Utilities, Inc.	\$ 77.18
Deltona	\$ 96.76
Average of Neighboring Utilities	\$ 53.11

If you have any questions, comments, or need additional information concerning this application, please contact Mr. Robert Hillman (NPUC) at 386.677.7847 or 386.677.7607 or Tara Hollis (NPUC Financial Consultant) at 407.255.2928 or thollis@willdan.com.

Very Truly Yours,

WILLDAN FINANCIAL SERVICES on behalf of North Peninsula Utilities Corporation



Tara L. Hollis, CPA, MBA
Principal Consultant

Cc: Robert Hillman, NPUC



**Staff Assisted Rate Case
Application**

G. List of Associated Companies and Addresses:

Peninsula Management Inc. 115 E. Granada Blvd, Ste 12, Ormond Beach, FL 32176

H. If you have retained an attorney and/or a consultant to represent the utility for this application, furnish the name(s) and address(es):

Name:

Address:

Tara Hollis, Willdan Financial Services

200 S. Orange Ave, Ste 1550, Orlando, FL 32801

II. ACCOUNTING DATA

A. Outside Accountant – **FPSC Work**

1. Name: **Tara Hollis**
2. Firm: **Willdan Financial Services**
3. Address: **200 S. Orange Ave, Ste 1550, Orlando, FL 32801**
4. Telephone: **(407) 255 2928**

B. Individual To Contact On Accounting Matters:

1. Name: **Tara Hollis**
2. Telephone: **(407) 255 2928**

C. Location of Books and Records: **115 E. Granada Blvd., Ste 12, Ormond Beach, FL 32176**

D. Have you filed an Annual Report with the Commission? Yes No

Date Last Filed: **4/28/2018**

E. Has your latest Regulatory Assessment Fee Payment been made? **Yes**
(January 30 or July 30 whichever is applicable) Jan 30 July 30

F. Basic Rate Base Data: (Most recent two years)

1. Water: N/A

	20	20
Cost of Plant In Service	\$ _____	\$ _____
Less Accumulated Depreciation	_____	_____
Less Contributed Plant	_____	_____
Net Owner's Investment	\$ _____	\$ _____

2. <u>Wastewater:</u>	2016	2017
Cost of Plant In Service	\$ 985,785	\$ 1,002,916
Less Accumulated Depreciation	<u>897,798</u>	<u>925,036</u>
Less Contributed Plant (Net)	<u>0</u>	<u>0</u>
Net Owner's Investment	<u>\$ 87,987</u>	<u>\$ 77,880</u>

G. Basic Income Statement: *(Most recent two years)*

1. <u>Water: N/A</u>	20	20
Revenues (By Class)		
a.	\$ _____	\$ _____
b.	_____	_____
c.	<u>_____</u>	<u>_____</u>
Total Operating Revenues:	<u>\$ _____</u>	<u>\$ _____</u>
Less Expenses:		
a. Salaries & Wages - Employees	_____	_____
b. Salaries & Wages - Officers, Directors, & Majority Stockholders	_____	_____
c. Employee Pensions & Benefits	_____	_____
d. Purchased Water	_____	_____
e. Purchased Power	_____	_____
f. Fuel for Power Production	_____	_____
g. Chemicals	_____	_____
h. Materials & Supplies	_____	_____
i. Contractual Services	_____	_____
j. Rents	_____	_____
k. Transportation Expenses	_____	_____
l. Insurance Expense	_____	_____
m. Regulatory Commission Expense	_____	_____
n. Bad Debt Expense	_____	_____
o. Miscellaneous Expense	_____	_____
p. Depreciation Expense	_____	_____
q. Property Taxes	_____	_____
r. Other Taxes	_____	_____
s. Income Taxes	<u>_____</u>	<u>_____</u>
Operating Income (Loss)	<u>\$ _____</u>	<u>\$ _____</u>

2. <u>Wastewater</u>		2016	2017
Revenues (By Class):		\$	\$
a. Residential		225,948	231,972
b. Commercial		5,290	5,360
c.			
Total Operating Revenues:		\$ 231,238	\$ 237,332
Less Expenses:			
a. Salaries & Wages - Employees			
b. Salaries & Wages - Officers, Directors, & Majority Stockholders			
c. Employee Pensions & Benefits			
d. Purchased Wastewater Treatment			
e. Sludge Removal Expense		18,790	29,822
f. Purchased Power		10,761	11,869
g. Fuel for Power Production			
h. Chemicals		3,260	7,115
i. Materials & Supplies		2,296	4,135
j. Contractual Services		146,300	159,368
k. Rents			
l. Transportation Expenses			457
m. Insurance Expense		2,903	2,798
n. Regulatory Commission Expense			
o. Bad Debt Expense			
p. Miscellaneous Expense		4,568	6,280
q. Depreciation Expense		26,633	27,508
r. Property Taxes		7,720	7,750
s. Other Taxes – Regulatory Assessment Fees		10,406	10,761
t. Income Taxes			
Operating Income (Loss)		\$ (2,399)	\$ (30,531)

H. Outstanding Debt:

	Creditor	Date Borrowed	Balance Due	Interest Rate	Expiration Date
1.	<u>Intercoastal 0447</u>	<u>10/30/2013</u>	<u>\$721,936</u>	<u>5.50%</u>	<u></u>
2.	<u>Intercoastal 4301</u>	<u>5/21/2014</u>	<u>218,967</u>	<u>13.24%</u>	<u></u>
3.	<u>PNC 4608</u>	<u>9/13/2012</u>	<u>17,347</u>	<u>8.75%</u>	<u></u>
4.	<u>PNC 5718</u>	<u>9/2011</u>	<u>12,542</u>	<u>8.75%</u>	<u></u>
5.	<u>Seacoast/ Floridian 7000</u>	<u>9/13/2006</u>	<u>68,896</u>	<u>7.00%</u>	<u></u>

I. Indicate Type of Tax Return Field:

- Form 1120 -Corporation
- Form 1120S -Subchapter S Corporation
- Form 1065 - Partnership
- Form 1040 - Schedule C - Individual (Proprietorship)

III. ENGINEERING DATA

A. Outside Engineering Consultant:

1. Name: **Mark Cadenhead, PE, MBA**
2. Firm: **Cadenhead Environmental Engineering Services, Inc.**
3. Address: **1982 SR 44, #201, New Smyrna Beach, FL 32168**
4. Telephone: **(904) 307 6824**

B. Individual to contact on engineering matters:

1. Name: **Mark Cadenhead, PE, MBA**
2. Telephone: **(904) 307 6824**

C. Is the utility under citation by the Department of Environmental Protection (DEP) or County Health Department? If yes, explain: **Yes.**

On July 6, 2018, the Utility was issued Consent Order OGC No. 18-0258, from the Florida Department of Environmental Protection (FDEP). This consent order identified the following violations with regard to the Seabridge Wastewater Treatment Facility:

- **The Utility failed to properly maintain the Facility. The following disrepairs were noted.**
 - **Numerous holes were noted in integral components of the wastewater treatment plants.**
 - **Plant number 3 had a broken inoperable travelling bridge.**
 - **The splitter box for the combined facility exhibited potential failure characteristics.**
- **Utility failed to submit groundwater monitoring reports for the 3rd and 4th quarter of 2017.**
- **Utility failed to monitor the wells for Sodium.**
- **Utility failed to properly address chloride exceedances in the monitoring wells.**

NPUC is working with its engineer and FDEP to address the identified items. A copy of the consent order is included as Attachment 2 to this application.

D. List any known service deficiencies and steps taken to remedy problems: **See item III C. above for Consent Order items.**

E. Name of plant operator(s) and DEP operator certificate number(s) held:

Wetherell Treatment Systems, Scott Kelley – Operator #0007365

F. Is the utility serving customers outside of its certificated area? **No**

If yes, explain: **N/A**

G. Wastewater:

1. Gallons per day capacity of treatment facilities:
 - a. Existing: **210 kgpd total, 181 kgpd licensed**
 - b. Under Construction: **N/A**
 - c. Proposed: **N/A**
2. Type and make of present treatment facilities: **Contact Stabilization, P2/P3 Extended Aeration**
3. Approximate average daily flow of treatment plant effluent: **56 kgpd**

4. Approximate length of wastewater mains:

Size (diameter):	8" VCP	8" PVC	6" Force main		
Linear feet:	10,305 +/-	10,477 +/-	5,420 +/-		

5. Number of manholes: **Approximately 87**

6. Number of lift stations: **2 lift stations operated by the utility**

7. How do you measure treatment plant effluent? **Ultrasonic Flow Meter**

8. Is the treatment plant effluent chlorinated? Yes No

If yes, what is the normal dosage rate? **5 oz / 100 gallons**

9. Tap in fees – Wastewater: \$ **0**

10. Service availability fees – Wastewater: \$ **444 or \$762 if road crossing required**

11. Note DEP Treatment Plant Certificate Number and date of expiration: **FLA 011188-003**

Number Expiration Date: **9/3/2018**

12. Total gallons treated during most recent twelve months: **19,955,000**

13. Wastewater treatment purchased during most recent twelve months: **N/A**

H. Water: **N/A**

1. Gallons per day capacity of treatment facilities:

a. Existing:

b. Under Construction:

c. Proposed:

2. Type of treatment:

3. Approximate average daily flow of treated water:

4. Source of water supply:

5. Types of chemicals used and their normal dosage rates:

6. Number of wells in service:

Total capacity in gallons per minute (gpm):

Diameter/Depth:	_____ / _____	_____ / _____	_____ / _____
Motor horsepower:	_____	_____	_____
Pump capacity (gpm):	_____	_____	_____

7. Reservoirs and/or hydropneumatic tanks:

Description:			
Capacity:			

8. High service pumping:

Motor horsepower:				
Pump capacity (gpm):				

9. How do you measure treatment plant production?

10. Approximate feet of water mains:

Size (diameter):				
Linear feet:				

11. Note any fire flow requirements and imposing government agency:

12. Number of fire hydrants in service:

13. Do you have a meter change out program? No Yes

14. Meter installation or tap in fees - Water \$ _____

15. Service availability fees - Water \$ _____

16. Has the existing treatment facility been approved by DEP? No Yes

17. Total gallons pumped during most recent twelve months:

18. Total gallons sold during most recent twelve months:

19. Gallons unaccounted for during most recent twelve months:

20. Gallons purchased during most recent twelve months:

IV. RATE DATA

A. Individual to contact on tariff matters:

1. Name: Tara Hollis
2. Telephone Number: (407) 255 2928

B. Schedule of present rates: (Attach additional sheets if more space is needed)

1. Water: **N/A**

- a. Residential Water _____
- b. General Service _____
- c. Special Contract _____
- d. Other - Specify _____

2. Wastewater:

- a. Residential Wastewater **\$33.57 flat rate per month** _____
- b. General Service **\$469.98 flat rate per month** _____
- c. Special Contract _____
- d. Other - Specify _____

C. Number of Customers: (Most recent two years)

1. Water Metered – **N/A**

	20	20
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 - a. Residential _____

b. General Service	_____	_____
c. Special Contract	_____	_____
d. Other - Specify	_____	_____
2. Water Unmetered N/A	20	20
a. Residential	_____	_____
b. General Service	_____	_____
c. Special Contract	_____	_____
d. Other - Specify	_____	_____
3. Wastewater (ERCs)	2016	2017
a. Residential	585	588
b. General Service	14	14
c. Special Contract	_____	_____
d. Other - Specify	_____	_____

V. AFFIRMATION

I, **Robert Hillman** the undersigned owner, officer, or partner of the above named public utility, doing business in the State of Florida and subject to the control and jurisdiction of the Florida Public Service Commission, certify that the statements set forth herein are true and correct to the best of my information, knowledge, and belief.

Signed  _____

Title Vice President

Notice: Section 837.06, Florida Statutes, provides that any person who knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his duty shall be guilty of a misdemeanor of the second degree.

Attachment 1

WETHERELL TREATMENT SYSTEMS

600 Hull Road
Ormond Beach, FL 32174
Phone (386) 673-4162
Fax (386) 673-7237

Proposal

June 5, 2018

North Peninsula Utilities Corp.
Attn: Mr. Bob Hillman
P.O. Box 2803
Ormond Beach, FL 32175-2803

Re: Repairs and Improvements for Seabridge Sewage Treatment Plant

Dear Mr. Hillman:

The following repairs and improvements are needed for the Seabridge sewage treatment plant just as soon as possible:

1. The three (3) way flow splitter tower that divides the incoming between the three (3) plants needs to be completely replaced. It is unsafe, badly corroded and leaks. Total cost to replace with a new tower of the same shape and design.

Total cost of new tower: \$30,341.00

Total cost of installation of new tower: \$4,988.00

2. The sludge return troughs in Plant #1 need to be completely replaced. They are badly corroded and leak sludge back into the clarifier.

Total cost for new returns sludge troughs installed: \$7,607.00

3. The top 12" to 14" of Plant #1 digester and rear tanks are badly corroded, many steel patches and holes completely through the tank structure. The present condition gives rise to the possibility of sewage leakage on the ground. To correct this problem, the top part of the plant needs to be cut off and replaced with new steel and welded out water tight.

Total cost to perform the above work: \$30,109.00

4. A new surge pump needs to be purchased to pump raw sewage to the splitter tower. Complete with a new pump stand.

Total cost installed: \$7,085.00

5. Both clarifiers need to be pumped down and have the air supply lines replaced.

Total cost installed: \$3,314.00

6. Both main lift station pump stands need to be replaced. Badly corroded.

Total cost installed: \$3,090.00

7. Two (2) new mechanical gear drives need to be purchased to operate the clarifier sludge sweeps.

Total cost installed: \$7,793.00

8. One (1) new blower motor assembly for Plant #1 complete with new air filter silencer, adjustable motor base and new equipment stand.

Total cost installed: \$5,969.00

9. Welding and steel work to Plant #2 including replacement and repair of walk way.

Total cost installed: \$9,870.00

10. Provide and install two (2) new pump equipment stands for John Anderson lift station.

Total cost installed: \$3,090.00

11. Supply and install sound control assembly to reduce and control blower sound.

Total cost installed: \$2,988.00

12. One (1) new motor-blower assembly complete for Plant #1.

Total cost installed: \$5,211.00

13. One (1) new motor-blower assembly complete for Plant #2.

Total cost installed: \$4,912.00

14. Three (3) new Gorman-Rupp pumps complete with 5 H.P. motors for emergencies, such as storms or hurricanes or mechanical breakdowns.

Total cost installed: \$17,412.00

Read and agreed to by:

North Peninsula Utilities Corp	Title	Date
Owner/agent		

Wetherell Treatment Systems, Inc.	Title	Date
Glenn Wetherell		

QUOTATION

AMERICAN IN-LINE INSPECTION, Inc.

415 Timaquan Trail.
Edgewater, Fla. 32132

Phone (386) 409-5446
Fax (386) 957-4919

Proposal Submitted To: **North Peninsula Utilities Corp.**

Phone: **386-677-7847**

Date: **06-04-18**

Street: **115 East Granada Blvd. Suite 12**

Job Name: **Seabridge Subdivision SAN I & I**

City, State, Zip Code **Ormond Beach, FL 32175**

Job Location: **Off John Anderson, Ormond Beach, FL**

ATTN: **Mr. Robert Hillman, Cell 386-299-3111**

Email/Fax: **Developershw@gmail.com**

We propose hereby to furnish the following: **4 to 5 Days of I & I SAN Service Work**

Vac Truck and CCTV/Video Crew to Clean/Desilt & CCTV/Video approximately 10,315 +/- LF of 8" existing/active mainline VPC & PVC sanitary sewer pipes. Looking for various deficiencies of infiltration, ground table water intrusion, extruding service lateral hammer taps, and pipe integrity. Our price includes all labor, equipment and workmanship to complete the project, along with a clear typed report and video of our findings. One DVD or VHS will be provided. If additional copies are needed, they can be purchased for \$25.00 each.

Clean & Video approx. 10,315 +/- LF of 8" Existing Mainline SAN Sewer Pipe @ \$2.25 per LF.....\$ 23,208.75

Any additional footage serviced will be billed per the LF rate

Actual Footage Serviced Will Be Billed Upon Completion

Average Footage Of Services Per Day 2,100 LF PLUS

Mobilization & Demobilization, per vehicle @ \$100.00 each.....(Estimated Visits 5-Days).....\$ 500.00

TOTAL ESTIMATED PRICE \$ 23,708.75

American In-Line Inspection Services Inc. Will Provide Methods Of Repairs & Pricing Upon Request

To be provided by others/the hiring contractor: Acceptable access to system to perform duties requested, permits, traffic control/MOT, water meter or clean water source, and suitable dump site for debris or transportation & environmental disposal charges will apply.

*** Please note that any downtime out of our control will be billed at an hourly rate of \$225.00 per hour Example -
Waiting on MOT to be moved, site unprepared, off-site clean water fill-ups & disposal transportation, etc.

We appreciate this opportunity to serve North Peninsula Utilities Corp.

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Please contact our office for any scheduling needs

Payment terms are Net 30 days

REPRESENTATIVE: **Walt Kush**

(386) 409-5446

Authorized Signature: _____

Date: 06-04-18

Acceptance of Proposal...The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. We understand that collection costs and attorney fees will be recovered if contract is not paid in full.

Authorized Signature: _____

Date: _____

QUOTATION

AMERICAN IN-LINE INSPECTION, Inc.

415 Timaquan Trail.
Edgewater, Fla. 32132

Phone (386) 409-5446
Fax (386) 957-4919

Proposal Submitted To: **North Peninsula Utilities Corp.**

Phone: **386- 677-7847**

Date: **06-04-18**

Street: **115 East Granada Blvd. Suite 12**

Job Name: **Sanitary Manhole Repair**

City, State, Zip Code: **Ormond Beach, FL 32175**

Job Location: **3214 John Anderson, Ormond Beach, FL**

ATTN: **Mr. Robert Hillman, Cell 386-299-3111**

Email/Fax: **Developershwa@gmail.com**

We propose to perform the following:

Manhole Repair Crew to cut down one (1) existing palm tree, remove root ball growth from entering the top of the sanitary manhole system, plug off the upstream and downstream portions of system, dig around the manhole to reset the frame top to its original location and stabilize. Our price includes all labor, equipment, material and workmanship to complete the project.

*****American In-Line Inspection will not remove the tree debris from the back yard*****

Manhole Repair Crew to perform structural manhole rehab.....\$ 2,200.00

Mobilization, Set-up & Demobilization @ \$150.00 each.....\$ 150.00

Total Price \$ 2,350.00

To be provided by others/The Hiring Company: Acceptable access to system to perform duties requested.

We appreciate this opportunity to serve North Peninsula Utilities Corp.

Note: This proposal may be withdrawn by us if not accepted within 30 days.
Please contact our office for any scheduling needs
Payment terms are Net 30 days

REPRESENTATIVE: **Walt Kush**

(386) 409-5446

Authorized Signature: _____

Date: **06-04-18**

Acceptance of Proposal..The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above. We understand that collection costs and attorney fees will be recovered if contract is not paid in full.

Authorized Signature: _____

Date: _____

Riva Fence, Inc.

916 NORTH US #1 Unit #10
CLEARING@GMAIL.COM
ORMOND BEACH, FLORIDA 32174
PHONE: (386) 673-0711 - FAX: (386) 676-0702

DATE 5-11-18
FAX # _____
TELEPHONE NUMBER 299-3111
JOB LOG NO _____

PROPOSAL TO North Peninsula Utilities
ADDRESS _____
LOCATION Sea Breeze
Doc Williams

SPECIFICATIONS: All work will be performed in a workmanlike manner and in accordance with standard practice. All posts set in concrete.

Total Height <u>4'6"</u>	Top Rail	<input checked="" type="checkbox"/> 2 1/2" O.D.	KEY	Top Rail	<u>1 5/8" O.D.</u>
Post Spaced <u>6' x 10'</u>	Line Post	<input checked="" type="checkbox"/> 1 3/4" O.D.	Fence to be erected	Line Post	<u>2" O.D.</u>
Style Fence <u>Mid WJ</u>	End Post	<input checked="" type="checkbox"/> 2 1/2" O.D.	Existing Gate Installation <input checked="" type="checkbox"/>	End Post	<u>2 1/2" O.D.</u>
Gauge <input type="checkbox"/> 9 <input checked="" type="checkbox"/> 11 <input type="checkbox"/> 12	Corner Post	<input type="checkbox"/> 2 1/2" O.D.	Existing Fence X X X X X	Corner Post	<u>2 1/2" O.D.</u>
Knuckled <input type="checkbox"/>	Walk Gate Post	<input type="checkbox"/> 2 1/2" O.D.	Walk Gate Post	Walk Gate Post	<u>X O.D.</u>
Safeguard <input type="checkbox"/> <u>XXX</u>	Drive Gate Posts	<input type="checkbox"/> 2 1/2" O.D.	Drive Gate Posts	Drive Gate Posts	<u>3" O.D.</u>
TERMS	Gate Frames	<input type="checkbox"/> 1 1/2" O.D.	Additional Specifications	Gate Frames	<u>1 5/8" O.D.</u>
Cash Upon Completion <input type="checkbox"/>					

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
	Complete Fence With/Without Top Rail		
	Complete Fence With/Without Top Rail		
	16" O.D. Terminal Post		
	16" O.D. Terminal Post		
	4" Wide Single Siding Walk Gates		
	4" Wide Double Siding Drive Gates		
	Custom Fence		
	See On		

New Fence Various Locations

- 1) Entrance gate & fence west side of compound new 14' gate & posts 40' 6' chain link \$1975.00
- 2) Various areas of repairs 300 LF of 4' chain link fence \$3100.00
- 3) 500' 6' wood stockade fence around plant removal & haul old. \$10,250.00

TOTAL CONTRACT PRICE
Doc Williams
ACCEPTED

Building permits, location of property lines and damage to underground objects or utilities are the owner's responsibility. If payment is not made as specified the company reserves the right to repossess all material delivered to or installed on the job. This proposal becomes a contract when accepted by both parties. 1.5% interest will be charged per month on accounts over 30 days. Collection costs and attorney fees, if any will be added.

Cubert, Inc

P.O. Box 787
BUNNELL, FL. 32110

Phone: 386.313.2629 / Fax: 386.313.2657

DATE : 06/19/18

PROPOSAL SUBMITTED TO: NPU

ATTENTION: Bob

STREET:

JOB NAME:

CITY, STATE AND ZIP CODE: Ormond Bch , FL

JOB LOCATION:

Office: (386)

ARCHITECT: NA

Fax: (386)

DATE OF PLANS: NA

We hereby submit specifications and estimates for:

Item	Quantity	Unit	Amount
1. MOB	1	LS	\$125.00
2. Asphalt Demo	3360	SF	\$1,008.00
3. Base Allowance	1	LD	\$400.00
4. Grade Work	1	LS	\$300.00
5. Asphalt 1.5"	373	SY	\$6,500.00

			\$8,333.00

Exclusions: Permits , Bonds , Impact fee or fee of any kind , survey , curb , sidewalk , landscaping , irrigation , unmarked utilities , ETC.

Work to Include : install silt fence around seawall , import fill and install , grade for sod and install

We Propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of: Eight thousand three hundred thirty three and 00 (\$8,333.00).

Payment to be made as follows: 15 days upon receipt. After 30 days 1.5% interest will be assisted for late payment.

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the Estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Acceptance of Proposal – The above prices, specifications, and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: _____

Authorized Signature: _____

Signature: _____

Note: This proposal may be withdrawn by us if not accepted Within 30 days.

Signature: _____

Shirah Building and Dev
77 Concord Drive
Ormond Beach Fla 32176
Shirahbuilding@gmail.com
386-290-8018

Estimate

Number E150

Date 6/22/2018

Bill To

NORTH PENINSULA UTILITIES
16 SEABRIDGE DRIVE
ORMOND BEACH, FL, 32176

Project

PUMP HOUSE

Description	Amount
Materials and labor to remove and replace 38 lineal ft of 4x8 T1-11 siding with hardie board siding on exterior of building.	\$3,789.54
Materials and labor to remove and replace 1 square of rolled roofing with new drip edge.	\$650.00
Materials and labor to prime and paint new siding.	\$789.00

Amount Due \$5,228.54

Total \$5,228.54

Attachment 2



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 6, 2018

Robert Hillman, President
North Peninsula Utilities Corporation
Seabridge Drive
Ormond Beach, FL 32176
developershw@gmail.com

Re: Seabridge WWTF
DW Facility ID #FLA011188
Volusia County
OGC File No. 18-0258

Dear Mr. Hillman:

Enclosed is a Consent Order ("Order") prepared by the Department for resolution of the referenced enforcement case. Please review this document and within 20 days of receipt, either: 1) return a signed copy to the Department or 2) provide comments and suggested changes. Once fully executed, a copy of the final document will be forwarded to you.

Should you have any questions or comments, please contact Dr. Phil Kane at 407-897-4156 or via e-mail at phil.kane@dep.state.fl.us.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

Aaron Watkins, Assistant Director
Central District

Enclosure: Consent Order, OGC No. 18-0258

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT)
OF ENVIRONMENTAL PROTECTION)
)
v.)
)
NORTH PENINSULA UTILITIES)
CORPORATION)
_____)

IN THE OFFICE OF THE
CENTRAL DISTRICT

OGC FILE NO. 18-0258

CONSENT ORDER

This Consent Order ("Order") is entered into between the State of Florida Department of Environmental Protection ("Department") and North Peninsula Utilities Corporation ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's air and water resources and to administer and enforce the provisions of Chapter 403, Florida Statutes ("F.S."), and the rules promulgated and authorized in Title 62, Florida Administrative Code ("F.A.C."). The Department has jurisdiction over the matters addressed in this Order.
2. Respondent is a person within the meaning of Section 403.031(5), F.S.
3. Respondent is the owner and is responsible for the operation of the Seabridge Wastewater Treatment Facility, 0.210 million gallons per day (MGD) three-month average daily flow (TMADF) wastewater treatment facility with reclaimed water and two rapid infiltration basins (RIBs) ("Facility"). The Facility is operated under Wastewater Permit No. FLA011188-003 ("Permit"), which was issued on September 4, 2013 and will expire on September 3, 2018. The Facility is located at Seabridge Drive, Parcel ID 321605000001, Ormond Beach in Volusia County, Florida, Parcel ID ("Property"). Respondent owns the Property on which the Facility is located.

4. The Department finds that the following violation(s) occurred:
- a) Respondent failed to properly maintain the facility, in violation of Chapter 62-620.610(7) F.A.C., which requires the Respondent to properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used to achieve compliance with the conditions of this permit. The following disrepairs were noted during an inspection conducted by Department staff on March 20, 2018:
 - i. Numerous holes were noted in integral components of the wastewater treatment plants.
 - ii. Plant number 3 had a broken inoperable travelling bridge.
 - iii. The splitter box for the combined facility exhibited potential failure characteristics.
 - b) Respondent failed to submit groundwater monitoring reports for the 3rd and 4th quarter of 2017, in violation of Chapter 62-600.680 (1)(a) F.A.C. which requires Respondent submit Discharge Monitoring Reports to the Department in accordance with the frequencies specified on the Discharge Monitoring Report forms attached to the wastewater permit.
 - c) Respondent failed to monitor the wells for Sodium, a required parameter in the permit, in violation of Permit Condition III.B.1.,2. and 5.
 - d) Respondent failed to properly address chloride exceedances in the monitoring wells, in violation of Permit Condition III.B.1.,2., and 5.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

ORDERED:

5. Respondent shall comply with the following corrective actions within the below stated time periods:
- a) Within 30 days of the effective date of this Order, Respondent shall retain the services of a professional engineer, registered in the State of Florida, to accomplish all of the following:

i. Evaluate the Facility, including the effluent disposal system, associated collection system and groundwater monitoring plan, to discover the cause or potential causes of the non-compliance.

ii. Design modifications of the Facility, including the effluent disposal system, collection systems and monitoring plan to ensure the Facility will function in full and consistent compliance with all applicable rules of the Department.

iii. Complete an application for a Department wastewater permit to construct the modifications developed pursuant to subparagraph 5(a)(ii) of this paragraph, if such a permit is required.

iv. Oversee the construction of any modifications to the Facility.

v. Submit to the Department a Certification of Completion, prepared and sealed by a professional engineer registered in the State of Florida, stating that modifications to the Facility, including the effluent disposal system and collection system, have been constructed in accordance with the provisions of the Permit.

vi. Contact Dr. Phil Kane, before initiating the treatment system evaluation described in subparagraphs 5(a)i. of this paragraph.

vii. In the event the Department requires additional information to process the permit application described in subparagraph 5(a)(iii) above, provide a written response containing the information requested by the Department within 30 days of the date of the request.

b) Within 180 days of the effective date of this Order, Respondent shall submit a complete application for a Department wastewater permit to construct and or implement the modifications and monitoring plan revisions developed pursuant to subparagraphs 5(a)(ii) of this Order.

c) Within 365 days of the effective date of the wastewater permit issued in accordance with subparagraph 5(b) above, Respondent shall complete construction of the modification(s) developed pursuant to subparagraph 5(a) and submit a Certification of Completion, prepared and sealed by a professional engineer registered in the State of Florida,

stating that modifications to the Facility, including the effluent disposal system and collection system, have been constructed in accordance with the provisions of the Permit.

d) Immediately implement preventative measures to ensure system failure does not occur due to deteriorating facility components while the process of reconstruction is under way, including, but not limited to the following:

- i. Repair the holes and corrosion in the tanks.
- ii. Repair the travelling bridge at plant number 3.
- iii. Repair or replace the damaged splitter box.
- iv. Repair the clarifier skimmer at plant number 3.

e) Beginning immediately, submit quarterly groundwater monitoring reports by the due date established in the Permit according to the schedule in the following table:

SAMPLE PERIOD	REPORT DUE DATE
January - March	April 28
April - June	July 28
July - September	October 28
October - December	January 28

f) Immediately begin sampling and reporting Sodium in all ground water monitoring reports as required by the Facility's Permit.

g) Every calendar quarter after the effective date of this Order and continuing until all corrective actions have been completed, Respondent shall submit to the Department a written report containing information about the status and progress of projects being completed under this Order, information about compliance or noncompliance with the applicable requirements of this Order, including construction requirements and effluent limitations, and any reasons for noncompliance. These reports shall also include a projection of the work Respondent will perform pursuant to this Order during the 12-month period which will follow the report. Respondent shall submit the reports to the Department within 30 days of the end of each quarter.

6. Notwithstanding the time periods described in the paragraphs above, Respondent shall complete all corrective actions required by paragraph 5 within 545 days of the effective date of this Order and be in full compliance with Rule 620, F.A.C., regardless of any intervening events or alternative time frames imposed in this Order, other than those excused delays agreed to by the Department, as described in paragraph 14 of this Order.

7. Within 90 days of the effective date of this Order, Respondent shall submit a written estimate of the total cost of the corrective actions required by this Order to the Department. The written estimate shall identify the information the Respondent relied upon to provide the estimate.

8. Within 60 days of the effective date of this Order, Respondent shall pay the Department \$500.00 in settlement of the regulatory matters addressed in this Order. This amount has been assessed for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order.

9. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph 5 of this Order. The Department may demand stipulated penalties at any time after violations occur. Respondent shall pay stipulated penalties owed within 30 days of the Department's issuance of written demand for payment, and shall do so as further described in paragraphs 10 or 11, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order.

10. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order is final

and effective filed with the Clerk of the Department before ability to make online payment is available.

11. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Aaron Watkins, Department of Environmental Protection, Central District 3319 Maguire Blvd., Suite 232 Orlando, Florida 32803.

12. Respondent shall allow all authorized representatives of the Department access to the Facility and the Property at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes administered by the Department.

13. In the event of a sale or conveyance of the Facility or of the Property upon which the Facility is located, if all of the requirements of this Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the Facility or Property, (a) notify the Department of such sale or conveyance, (b) provide the name and address of the purchaser, operator, or person(s) in control of the Facility, and (c) provide a copy of this Order with all attachments to the purchaser, operator, or person(s) in control of the Facility. The sale or conveyance of the Facility or the Property does not relieve Respondent of the obligations imposed in this Order.

14. If any event, including administrative or judicial challenges by third parties unrelated to Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of Respondent and could not have been or cannot be overcome by Respondent's due diligence. Neither economic circumstances nor the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines shall be considered circumstances beyond the control of Respondent (unless the cause of the contractor's late performance was also beyond the contractor's control). Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department by the next working day and shall, within seven calendar days notify the Department in writing of (a) the

anticipated length and cause of the delay, (b) the measures taken or to be taken to prevent or minimize the delay, and (c) the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended. The agreement to extend compliance must identify the provision or provisions extended, the new compliance date or dates, and the additional measures Respondent must take to avoid or minimize the delay, if any. Failure of Respondent to comply with the notice requirements of this paragraph in a timely manner constitutes a waiver of Respondent's right to request an extension of time for compliance for those circumstances.

15. The Department, for and in consideration of the complete and timely performance by Respondent of all the obligations agreed to in this Order, hereby conditionally waives its right to seek judicial imposition of damages or civil penalties for the violations described above up to the date of the filing of this Order. This waiver is conditioned upon Respondent's complete compliance with all of the terms of this Order.

16. This Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law. Entry of this Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

17. The Department hereby expressly reserves the right to initiate appropriate legal action to address any violations of statutes or rules administered by the Department that are not specifically resolved by this Order.

18. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation, and criminal penalties.

19. Respondent acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this Order. Respondent also acknowledges and waives its right to appeal the terms of this Order pursuant to section 120.68, F.S.

20. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

21. The terms and conditions set forth in this 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 Order constitutes a violation of section 403.161(1)(b), F.S.

22. This Consent Order is a final order of the Department pursuant to section 120.52(7), F.S., 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.

23. Rules referenced in this Order are available at <https://softlive.dep.state.fl.us/ogc/ogc/content/rules>

FOR THE RESPONDENT:

Robert L. Hillman
President

Date

DONE AND ORDERED this _____ day of _____, 2018, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Aaron Watkins
Assistant Director, Central District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,
receipt of which is hereby acknowledged.

Clerk

Date

Copies furnished to:

Lea Crandall, Agency Clerk
Mail Station 35

DW_CO (REV. 06/09)