

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

In re: Application for Certificates)
to provide Water and Wastewater) DOCKET NO. 961321-WS
Service in Clay County by Point)
Water and Sewer, Inc.)

TESTIMONY OF KRISTEN A. SMELTZER
ON BEHALF OF
THE POINT PROPERTY OWNERS ASSOCIATION, INC.

Q. Please state your name and address.

A. My name is Kristen A. Smeltzer and my business address
is 7825 Baymeadows Way, Suite 200 B, Jacksonville,
Florida 32256.

Q. By whom are you employed?

A. The Florida Department of Environmental Protection
("FDEP").

Q. How long have you been employed by the FDEP and its
predecessors?

A. I have worked for FDEP and its predecessor, the Florida
Department of Environmental Regulation, since September
1, 1988.

Q. What is your position with the FDEP?

A. My present position is Professional Engineer II. I am
the Compliance and Enforcement Supervisor for Domestic
Waste Section in the Northeast District. I am responsible
for overseeing the section which conducts annual
inspections of wastewater treatment plants and also

- 1 follows up on the results of the inspections and plant
2 operations.
- 3 Q. How many counties are included in the Northeast
4 District of the FDEP?
- 5 A. Eighteen counties, including Clay, Duval, Nassau, and
6 St. Johns Counties, are completely within the Northeast
7 District. In addition, there is a portion of one other
8 county in the Northeast District.
- 9 Q. Please identify where you received your undergraduate
10 degree and the area of concentration of your studies?
- 11 A. I received my undergraduate degree in 1986 from Iowa
12 State in Civil Engineering.
- 13 Q. Are you currently board or state certified as an
14 engineer?
- 15 A. Yes. I have been a registered professional engineer in
16 the State of Florida since 1993.
- 17 Q. Have you ever testified as an expert witness in a court
18 or administrative proceeding in the State of Florida?
- 19 A. Yes.
- 20 Q. Have you held any previous positions with the FDEP?
- 21 A. Yes. I started as an inspector in the Drinking Water
22 Section and worked my way from Engineer I to Engineer
23 III. In 1993, I transferred to the Domestic Waste
24 Section.
- 25

1 Q. Are you familiar with the FDEP's procedures and
2 practices concerning the construction and operation of
3 wastewater treatment plants and collection systems?

4 A. Yes.

5 Q. Are you familiar with the wastewater treatment plant
6 currently providing wastewater service to the Point
7 Property Owners Association and Whitney's Marina
8 located in Clay County ("Point Plant")?

9 A. Yes. On behalf of the FDEP, I oversee its annual
10 inspection and enforcement actions, if needed. My
11 section also monitors the operation of the wastewater
12 treatment plant by overseeing the review of the monthly
13 operation reports for the plant.

14 Q. Please describe the Point Plant.

15 A. It is a Class D package treatment plant with a 15,000
16 GPD capacity. It uses an outfall line to the St. Johns
17 River for disposal. It provides a secondary treatment
18 level.

19 Q. Are you familiar with the area requested by PWS for its
20 certificated service area ("Requested Area")

21 A. Yes. I have been to the plant site and the surrounding
22 area.

23 Q. Is there a current operating permit for the Point
24 Plant?

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- 1 A. No. It has expired. Point Water & Sewer, Inc. ("PWS"),
2 did not file an application 180 days prior to the
3 expiration date of this previous permit.
- 4 Q. Please describe the usual methods for the disposal of
5 treated effluent.
- 6 A. There are three (3) major methods for disposing of
7 treated effluent: land application, surface water
8 discharge and injection.
- 9 Q. Which methods of effluent disposal does the FDEP prefer
10 and why?
- 11 A. All things being equal, land application is best.
12 However, you need to look at the site.
- 13 Q. Are you aware that Clay County Utility Authority
14 ("Authority") has service mains in the vicinity of the
15 Requested Area?
- 16 A. Yes.
- 17 Q. Are you familiar with the service mains and wastewater
18 treatment plants ("WWTP") of the Authority?
- 19 A. Yes.
- 20 Q. Which Authority WWTP would serve the Requested
21 Territory?
- 22 A. The Fleming Island WWTP.
- 23 Q. Does the Authority have current operating permits for
24 its WWTPS?
- 25 A. Yes.

- 1 Q. Does the Authority's Fleming Island WWTP have capacity
2 to serve the Requested Area?
- 3 A. Yes.
- 4 Q. Is there any written policy statement of the FDEP that
5 you are aware of which indicates a preference for
6 connection of these types of package plants to the
7 regional wastewater system, where feasible?
- 8 A. Not that I am aware of.
- 9 Q. Are you aware of any unwritten policy of FDEP
10 preferring connection to the regional system?
- 11 A. Yes. It is certainly a preference of the FDEP
12 Northeast District Office that package plants be
13 connected to the regional system, where feasible. From
14 a regulatory standpoint, the merging of small package
15 plants into the larger regional system reduces the risk
16 of compliance and health problems resulting from
17 mechanical breakdowns and obsolescence of the
18 individual package plants. The package plants
19 typically have a limited design life and will
20 experience a greater likelihood of mechanical failure
21 and resulting non-compliance as time goes on.
- 22 Q. What is the basis for your opinions in this testimony?
- 23 A. My experience in the overseeing of wastewater treatment
24 plants and collection systems for the FDEP.
- 25 Q. Does this complete your testimony.

1 | A. Yes it does.
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