



UTILITIES, INC.

2514 Aloha Place
Holiday, Florida 34691
(813) 937-4275

ORIGINAL

November 25, 1997

Blanca S. Bayo, Director
Division of Records and Reporting
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 960545-WS; Investigation of Aloha Utilities, Inc.
in Pasco County.

Dear Ms. Bayo:

This letter is a follow-up to information provided to the Commission at the November 4th PSC Agenda Conference in the above referenced docket on the water quality investigation. This investigation has been ongoing and before the Commission since April of 1996. I attended the recent Agenda Conference and understood the Commission was to finally dispose of this matter once and for all. There has been indepth and exhaustive research of the facts by the Commission Staff, Aloha, DEP and others. The Commission voted instead to continue this investigation based primarily on three allegations, two of which came from letters submitted by Representative Fasano's aide and one from Mr. Goldberg, a customer of the Utility.

ACK _____
AFA _____
APP _____

These allegations which led to the Commission's decision not to adopt the Staff Recommendation, which was based upon the extensive evidence already accumulated, and finalize this case, were as follows:

1. A letter from Mr. and Mrs. Francis Clark, which Mr. Fasano's aide alleged stated that those individuals who reside in the Trinity Oaks Development were experiencing the black water problems in their home piped with CPVC rather than copper.

2. A letter from Ms. Southby, which Mr. Fasano's aide alleged stated that that individual who resides in the Trinity Oaks Development was experiencing the black water problems in her home piped with CPVC rather than copper.

OPC _____
RCH _____
SEC _____
WAS _____
OTH _____

DOCUMENT NUMBER-DATE

12199 DEC-15

FPSC-RECORDS/REPORTING

Blanca S. Bayo, Director
November 25, 1997
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3. A claim by Mr. Goldberg that Dr. Richard Garrity, Director of the DEP Southwest District Office in Tampa, had only just become aware of the black water problems in the Seven Springs service area.

The purpose of this letter is to advise you that the statements made in the letters of Mr. and Ms. Clark and Ms. Southby, and the allegations made by Representative Fasano's aide about the nature of those letters have been thoroughly investigated and found to be untrue. Both homes contain extensive if not exclusively copper water piping. I have attached hereto, a detailed discussion, including a synopsis of the investigation performed and photographs of the piping in both of these customers' homes to support my findings.

The allegations concerning Dr. Garrity's lack of involvement as presented to the Commission by Mr. Goldberg are also without foundation. I personally have been in contact with Dr. Garrity on numerous occasions, have sent and received correspondence from him to both Aloha Utilities as well as correspondence to customers and Representative Fasano. It is readily clear from this written information alone that Dr. Garrity is very well informed on this subject and has repeatedly investigated allegations and taken the position that the Utility is doing everything it is supposed to be doing and is in compliance with all state and federal standards. I have attached a sampling of various correspondence dating back to April of 1996, which readily demonstrate Dr. Garrity's extensive involvement on these issues and full understanding of them.

I trust that the members of the Commission and its Staff will review this information in detail. It is unfortunate that after expenditure of over \$200,000 to date by this Utility company to address these water quality issues, as well as costs to the DEP, and the Public Service Commission and its Staff, in order to address these water quality issues, that this matter is allowed to drag on and the expenditures to mount even more. Ultimately, the customers of the Utility will have to pay through their rates for this unprecedented investigation despite early and continuing representations by the Florida Department of Environmental Protection that the Utility is doing all that it is obligated to do, and everything within its power to address these issues.

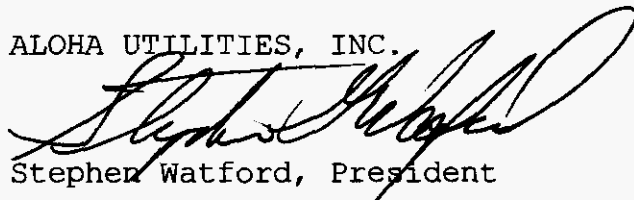
Blanca S. Bayo, Director
November 25, 1997
Page 3

I would hope that this matter could be brought back before the Commission so that the Commission can again review the three factors which apparently formed the basis for the Commission's decision to continue this investigation. In light of the facts presented here, we would like to see the Commission reconsider the Staff's recent recommendation and decide to bring this matter to a conclusion rather than continue the waste of substantial additional monies based upon untrue allegations such as those presented at the November 4th Agenda Conference.

The Utility is more than willing to survey its customers to find out the extent to which some of these customers continue to have various concerns with the Utility service. We will also continue to pursue other solutions that may become known to correct the copper corrosion problem some customers are experiencing. We will continue to make that information available to our customers, so they can make an informed decision as to what options they have, short of each customer having to repipe their home. However, the facts concerning the Utility's meeting its responsibilities and the Utility's action in attempting to assist the customers is unrefuted and unrefutable. This case should therefore come to a close and the Staff Recommendation as originally submitted to the Commission should be adopted with the exception of the issue on the need for "pH" adjustment as discussed at the Agenda Conference. Further proceedings and accumulation of cost are no longer in any way beneficial to the general body of ratepayers of Aloha Utilities and the continued pursuit of this matter serves no rational purpose.

Sincerely,

ALOHA UTILITIES, INC.



Stephen Watford, President

ORIGINAL

ALOHA UTILITIES, INC.
Result of Investigation of Water Quality
Complaint of Mr. and Mrs. Clark

On November 6th, I received from the Staff the letters presented to the PSC by Representative Fasano's aide at the November 4th Agenda Conference. Dave Porter, P.E., and I went first to the home of Mr. and Mrs. Clark and then to the home of Mrs. Southby to investigate the allegations contained in the letters. These customers live on the same street, Silver Mist Place, in the Trinity Oaks Subdivision, about 4 or 5 houses apart. Upon arrival, both customers reported identical problems in their sunken tubs in their master bedrooms.

Mr. and Mrs. Clark's home has no PVC piping in the plumbing system. It is plumbed totally in copper piping. This is consistent with the all previous findings of Aloha, the DEP Staff and the PSC Staff that copper corrosion is the cause of any "black" water problems being experienced by some customers.

Mr. Clark told us that the complaint letter was specifically solicited from him for "Representative Fasano to use at the hearing." He told us that he was asked by Ms. Porter of the Trinity Oaks Homeowners Association to rewrite the letter 3 or 4 times before it was found acceptable for its intended purpose.

We took extensive photographs of the Clark's home, which are attached for your reference. When asked why they thought they had PVC piping in their homes, Mr. Clark said he was told that he had PVC pipe. Mr. Clark looked at his letter and pointed out that he didn't say that he had all PVC pipe. He then pointed at the plastic sewer pipe hooked to his sink drain stating that he did have PVC pipe, just not PVC drinking water pipe.

As you can see from the photos, the homes' entire plumbing system is under slab and is 100% copper water piping. The Clark's have never filed a complaint with Aloha. In the photos you can also see a water softener in use at Mr. Clark's home.

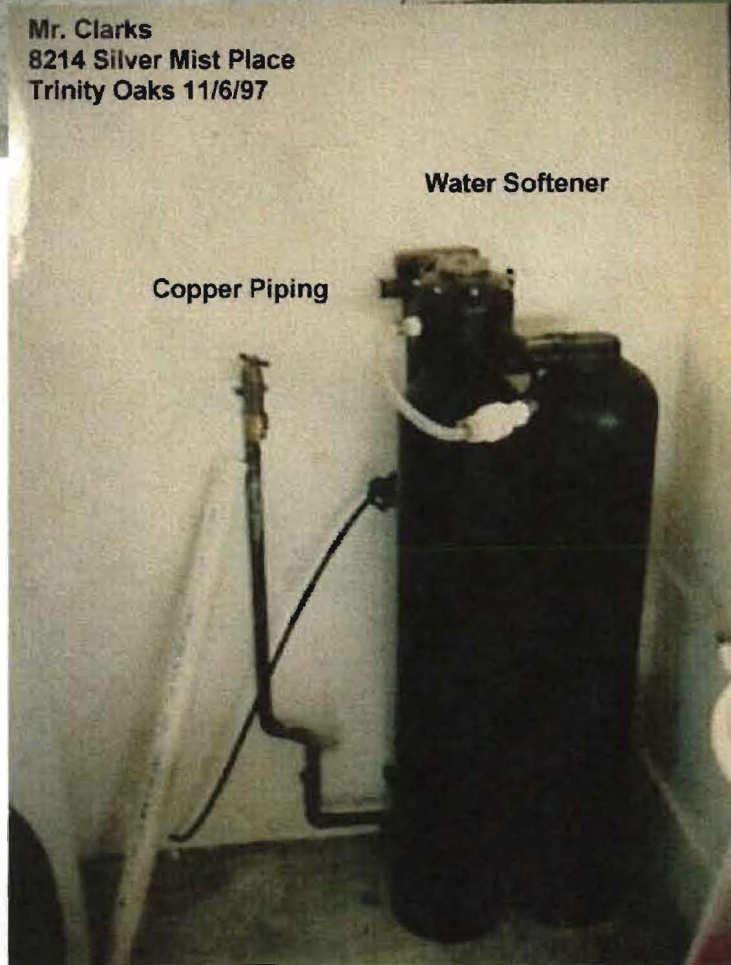
When Mr. Porter and I were in Mr. Clark's home, we saw the discolored water. A photo of the water from their home is included. As you can see, the hot water in his Jacuzzi tub was discolored. When the hot water tap was opened, the discolored water lasted for 5 to 10 seconds, then was perfectly clear. Mr. Clark stated that this one faucet was the only place they experienced the discoloration. A photo of the cold water coming into his home, as well as a cold water sample drawn from the cold water side of the hot tub is included. As you can see, the cold water was perfectly clear.

Mr. Clark stated he had never complained because the problem just wasn't bad enough for him to worry about. He stated, "It is no big deal." Mr. Clark also stated that when the letter was being solicited from him, he had been told that several hundred of his neighbors had done the same thing and that was the only reason he went along with it.

DOCUMENT NUMBER-DATE
12199 DEC-15
FPSC-RECORDS/REPORTING



Mr. Clarks
8214 Silver Mist Place
Trinity Oaks 11/6/97



Water Softener

Copper Piping

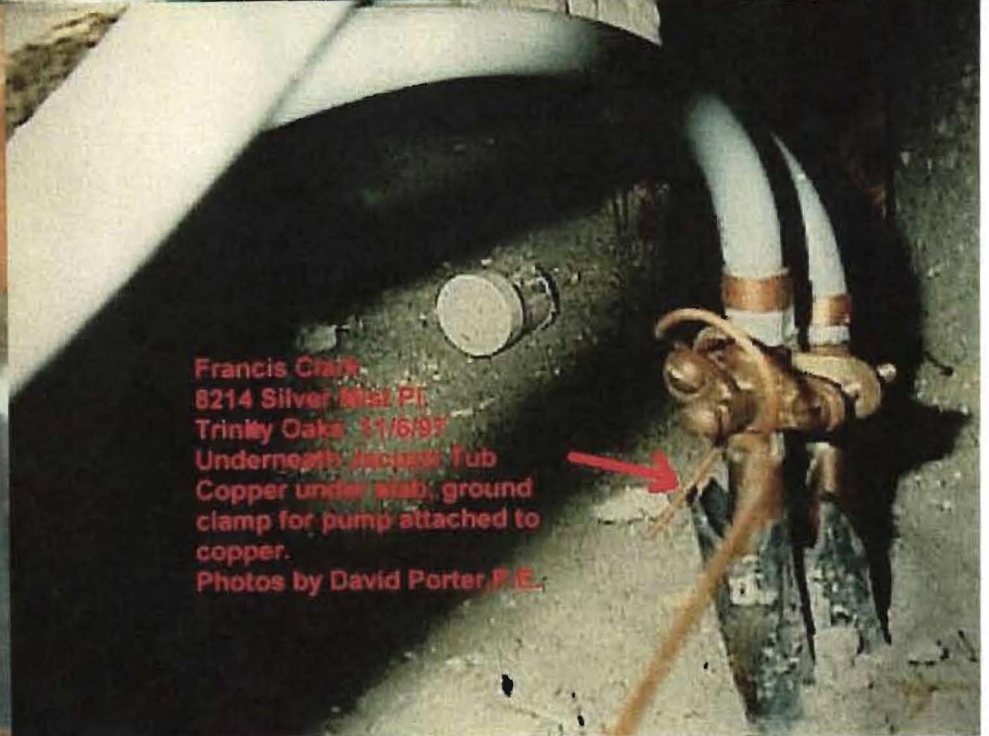
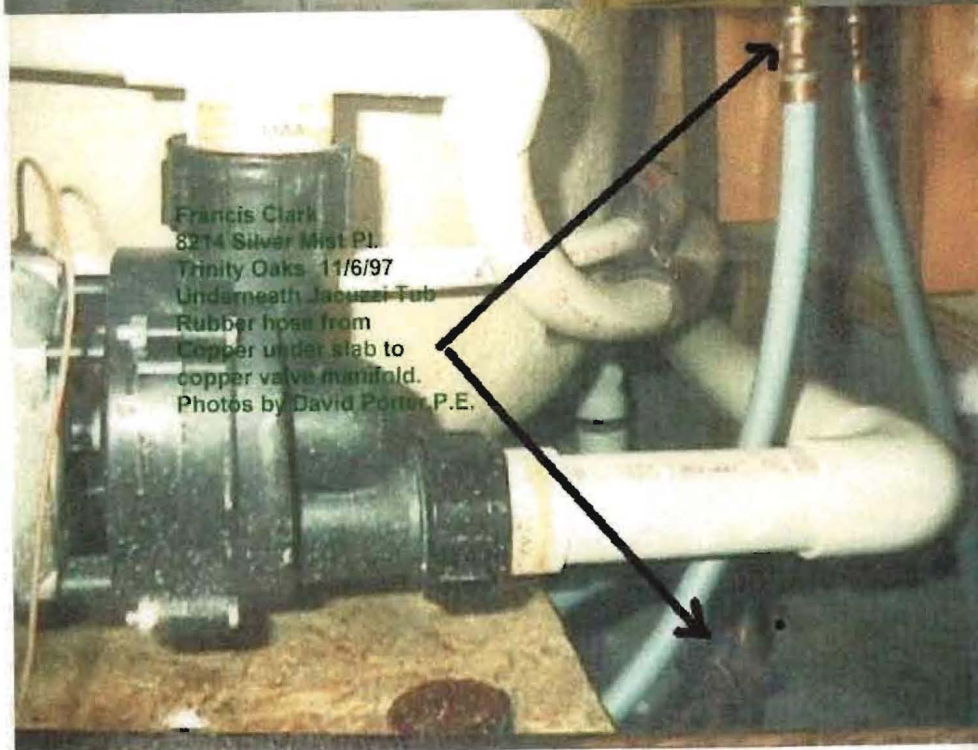
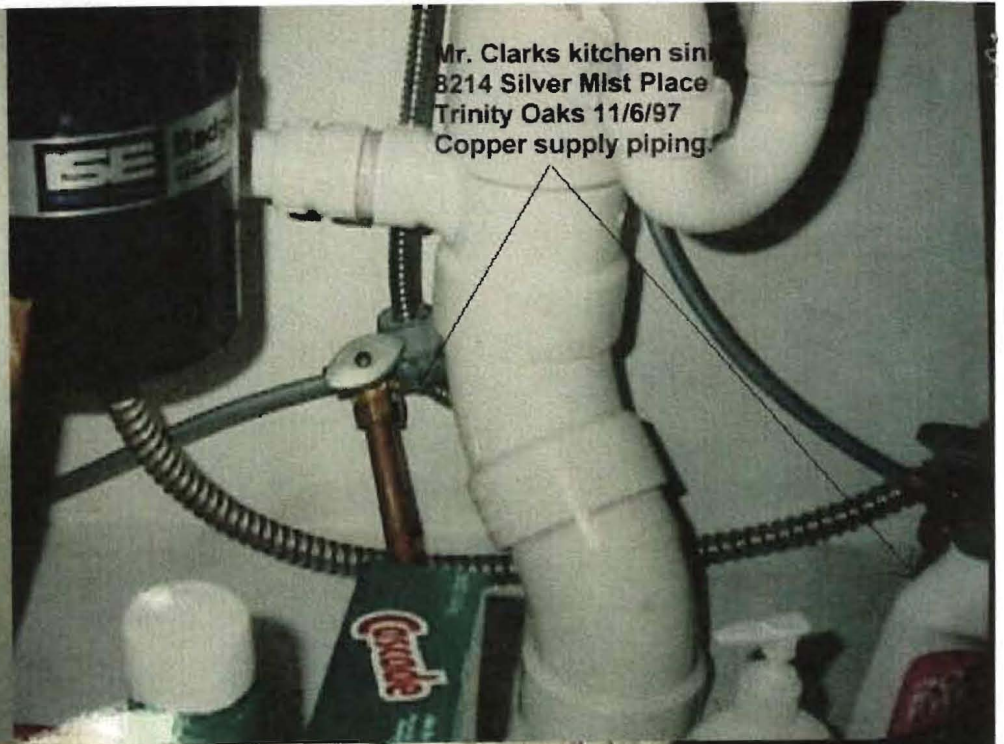


Francis Clark
8214 Silver Mist Pl
Trinity Oaks 11/6/97

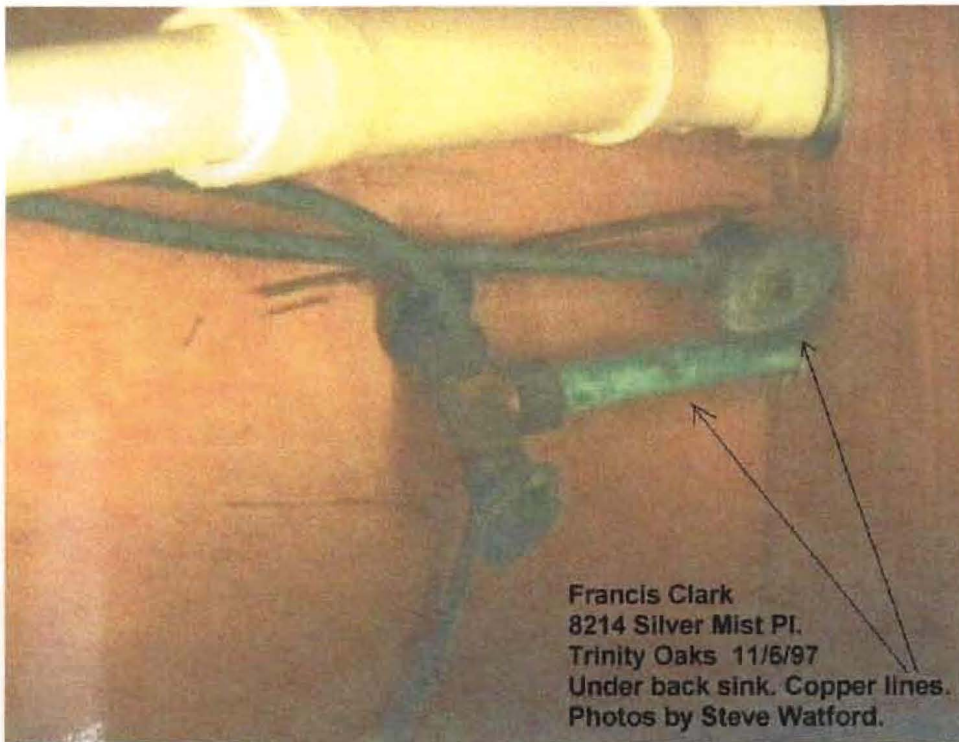
Copper Piping

Water softener

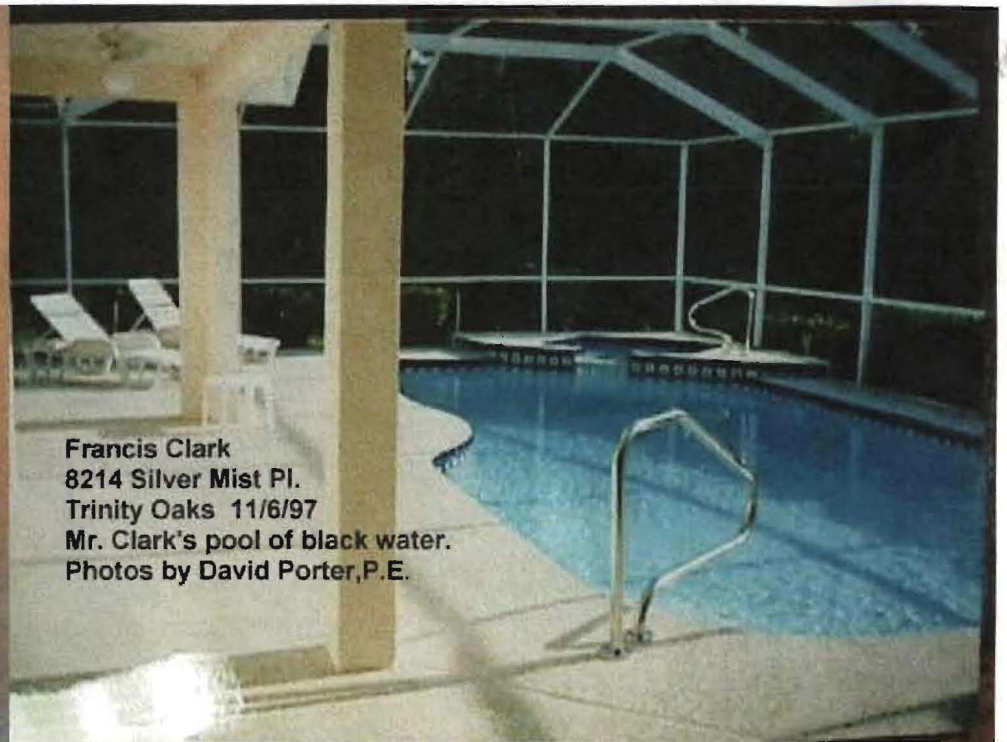
Francis Clark, 8214 Silver Mist Place, Trinity Oaks 11/6/97



Francis Clark, 8214 Silver Mist Place, Trinity Oaks 11/6/97



Francis Clark
8214 Silver Mist Pl.
Trinity Oaks 11/6/97
Under back sink. Copper lines.
Photos by Steve Watford.



Francis Clark
8214 Silver Mist Pl.
Trinity Oaks 11/6/97
Mr. Clark's pool of black water.
Photos by David Porter, P.E.

8214 Silver Mist Place
Trinity Oaks 11/6/97
Cold Water



Francis. Clark
8214 Silver Mist Place
Trinity Oaks 11/6/97
Hot Water/Hot tub



Francis. Clark
8214 Silver Mist Place
Trinity Oaks 11/6/97
Cold Water at meter



Francis. Clark
8214 Silver Mist Place
Trinity Oaks 11/6/97
Hot Water/Hot tub



ALOHA UTILITIES, INC.
Result of Investigation of Water Quality
Complaint of Mrs. Southby

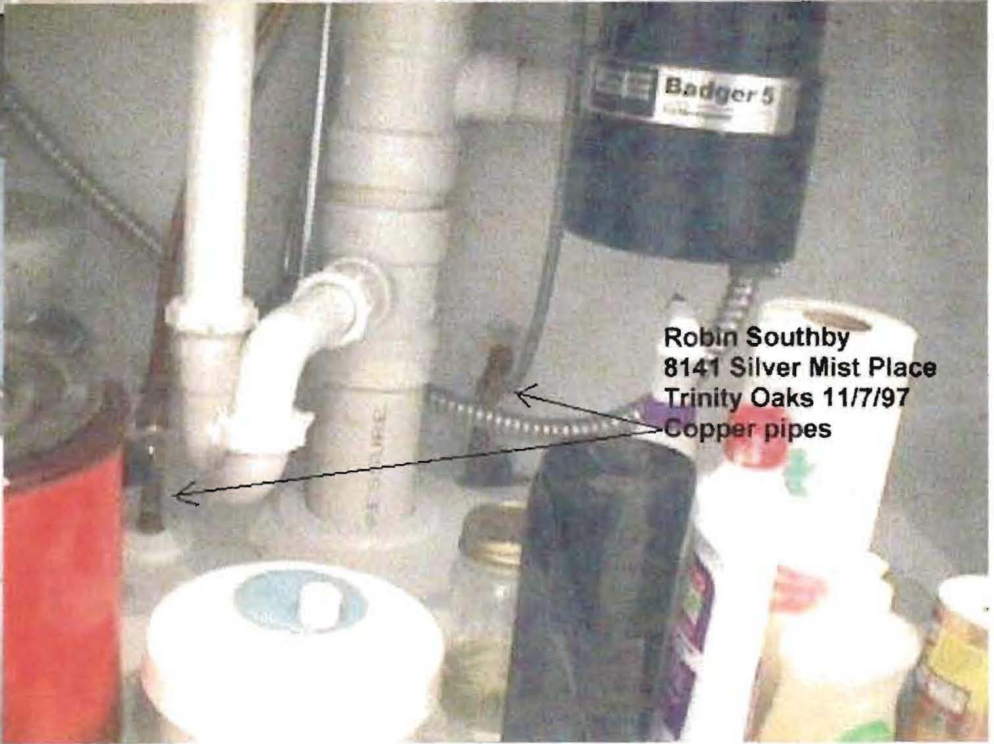
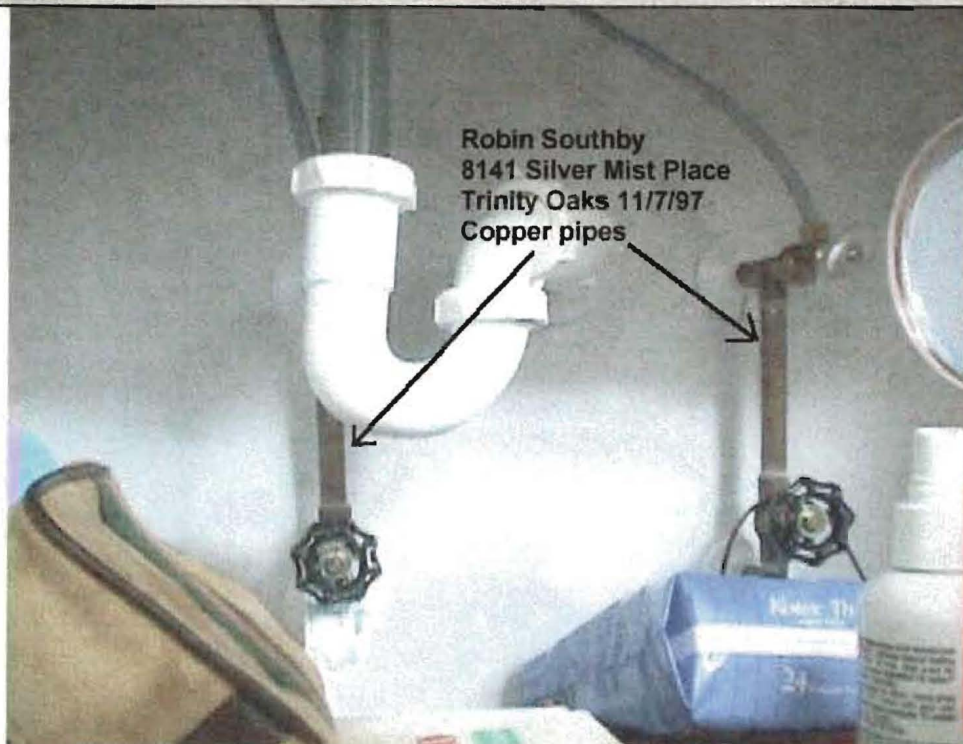
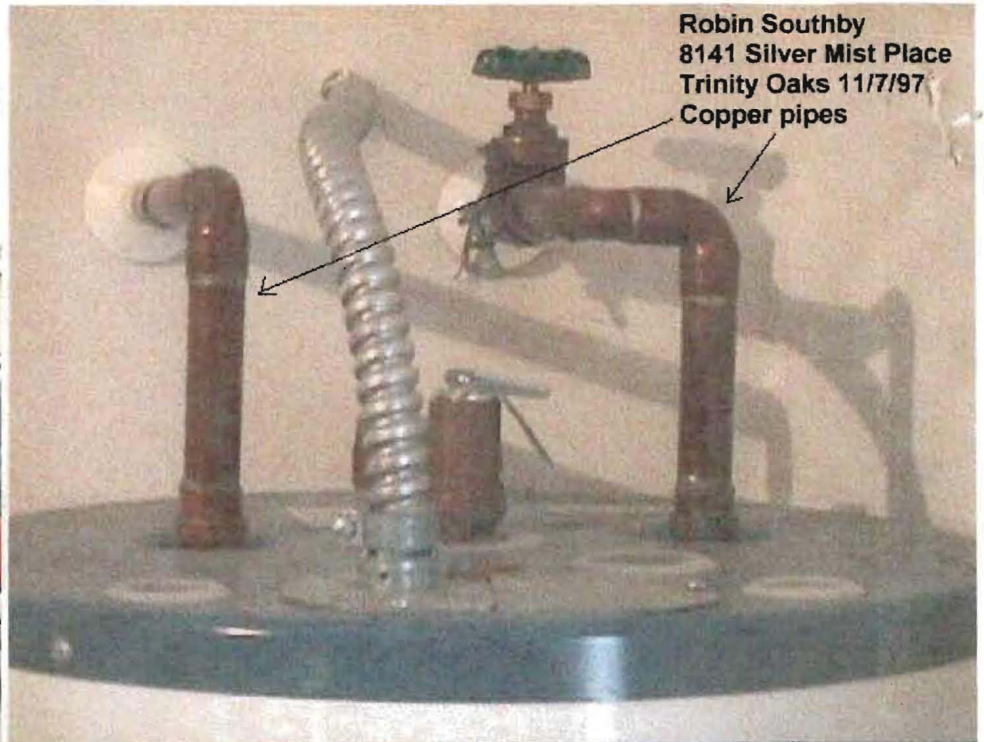
On November 6th, I received from the Staff the letters presented to the PSC by Representative Fasano's aide at the November 4th Agenda Conference. Dave Porter, P.E., and I went first to the home of Mr. and Mrs. Clark and then to the home of Mrs. Southby to investigate the allegations contained in the letters.

As with the Clark's home, Mrs. Southby's home has no PVC piping in the plumbing system. It is plumbed totally in copper piping, again consistent with all previous findings of Aloha, the DEP Staff and the PSC Staff regarding copper corrosion in the service area.

Mrs. Southby also told us that her letter was solicited by Ms. Porter of the Trinity Oaks Homeowners Association for Representative Fasano to use at the PSC.

We took extensive photographs of Mrs. Southby's home, which are attached for your reference. Mrs. Southby also said that she was told she had PVC pipes. As you can see from the photos, the homes' entire plumbing system is under slab copper piping. Mrs. Southby has also never previously filed a complaint with Aloha.

Mrs. Southby's situation is similar to the Clark's, however, when her hot water was checked, it was clear, as was the water coming into the home. She stated that the only place she intermittently experienced the discoloration was in her hot water line going to her sunken tub. We also learned something else from Mrs. Southby. The builder that constructed her home and the Clark's, installs a water softener in every home. The builder then contacts the customer after three months asking if they wish to pay for the softener or if the builder should remove the unit. Mrs. Southby elected not to keep the water softener, and recently had her's removed, as indicated in the photo. However, based upon what we know about the formation of copper sulfide, the copper pipe together with a temporary use of a softening unit could be enough to initiate the corrosion process in a home, and allow it to continue after the softener is removed. However, our inspection revealed no visible copper sulfide in Mrs. Southby's water after removal of the softener, where Mr. Clark's did.

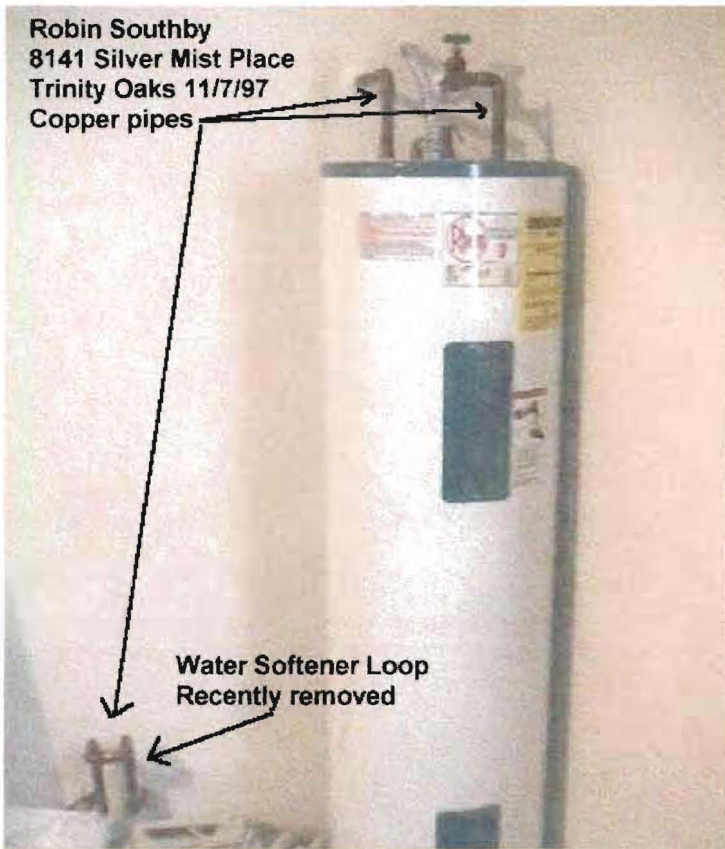


Robin Southby, 8141 Silver Mist Place, Trinity Oaks 11/7/97

He then goes on to state again, that Aloha is in compliance with the Department's rules and regulations. The newspaper article also mentions that it was discussed at the meeting that there were homeowners with PVC pipe that were experiencing the problem. This appears to be the same homes that Mr. Fasano's aide represented as having just come forward the night before the agenda conference. If Mr. Fasano had seen fit to allow Aloha representatives to attend the meeting, or advise PSC Staff of this issue, these homes could have been investigated and the issue addressed prior to the November 4th Agenda Conference. Instead, Mr. Fasano preferred to surprise everyone with these inaccurate allegations at the Agenda Conference. In our view, this was done solely for the purpose of confusing this Commission and delaying these proceedings and ultimately increasing the cost that the customers of Aloha will bear in this proceeding.

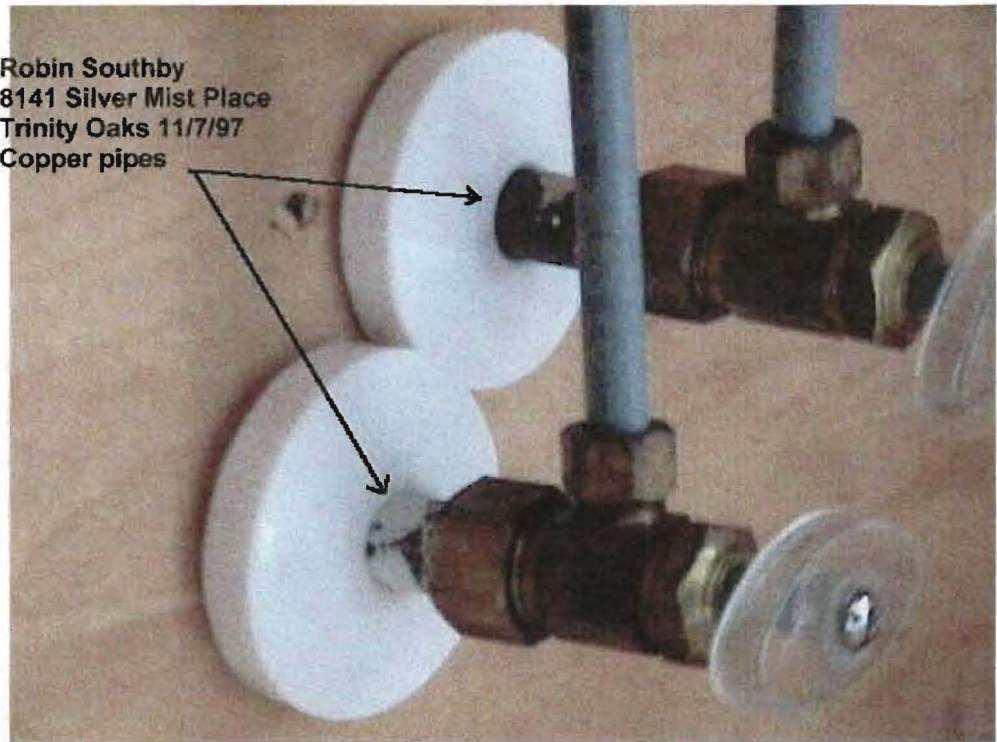
I have enclosed several other letters from Dr. Garrity to various persons over the past 13 months showing his intimate knowledge of the issues in this case and repeated position that the Utility is in full compliance with water quality regulations.

Robin Southby
8141 Silver Mist Place
Trinity Oaks 11/7/97
Copper pipes



Water Softener Loop
Recently removed

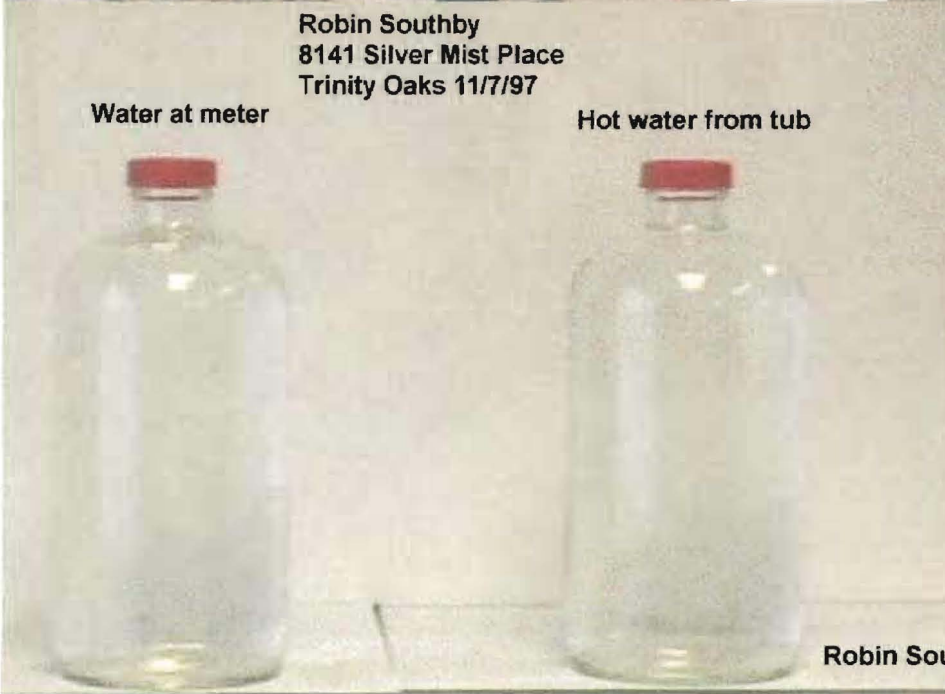
Robin Southby
8141 Silver Mist Place
Trinity Oaks 11/7/97
Copper pipes



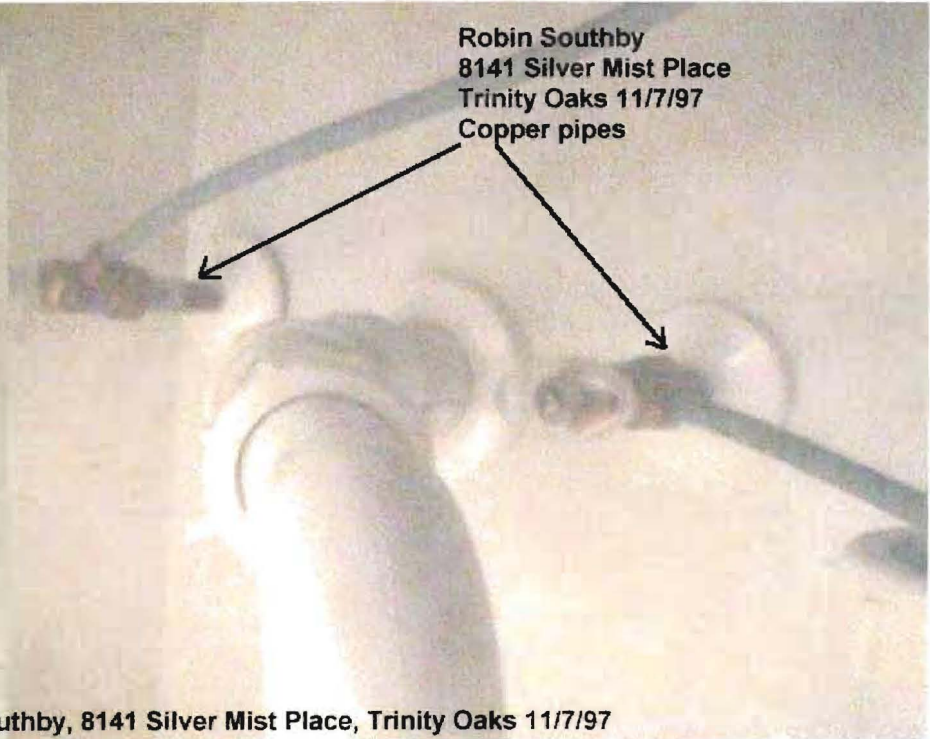
Water at meter

Hot water from tub

Robin Southby
8141 Silver Mist Place
Trinity Oaks 11/7/97



Robin Southby
8141 Silver Mist Place
Trinity Oaks 11/7/97
Copper pipes



Robin Southby, 8141 Silver Mist Place, Trinity Oaks 11/7/97

ALOHA UTILITIES, INC.

Information Concerning Dr. Garrity's
Knowledge of Water Quality Issue

The second item identified by Commissioner Clark as a basis for her motion not to adopt the Staff Recommendation on November 4th was the allegation by Mr. Goldberg that Dr. Garrity, had only recently become aware of the water quality concerns at Aloha. This basis was quite disturbing, given the fact that it came from Mr. Goldberg and other residents present, and included an inaccurate representation of a recent newspaper article. Commissioner Clark seemed to understand the problem with relying on such information when she stated she doesn't believe everything she reads in the newspaper.

The article that was being referred to and which these customers displayed at the November 4th Agenda Conference was one with Dr. Garrity's picture from the October 28th edition of the St. Pete Times, Pasco Edition. A copy of this article is enclosed. This article covered a meeting held at Rep. Fasano's office on October 27th. This is the same meeting concerning Aloha water quality issues that Rep. Fasano refused to admit Mr. Jenkins and me, despite our having received notice of the meeting from Dr. Garrity on behalf of DEP Secretary Wetherell (letters enclosed). There were approximately 10 or 12 homeowners present, along with Dr. Garrity and Mike Hickey of DEP, Dr. Marc Yacht and Ken Swann of the Pasco County Health Department, Senator Jack Latvala, and newspaper reporters and photographers.

Nowhere in the article does it state that Dr. Garrity just became aware of the problem. There is no statement in the article that addresses when Dr. Garrity became aware of the problem. There are several noteworthy statements that do bear repeating. First, the opening sentence of the article confirms the position of the DEP that Aloha is meeting all water quality standards. It states, "The county's top health official and the region's top environmental regulator say Aloha Utilities' water meets quality standards." As far back as October 14, 1996, in a letter from Dr. Garrity to Mr. Fasano (copy enclosed) Dr. Garrity stated that,

"The Drinking Water staff of the Southwest District office have been involved in water quality complaints (water discoloration) for the above mentioned utility since January of this year. We have since, in an unprecedented effort to help in the solution of this problem, appeared at different forums including the Public Service Commission meetings, collected and analyzed samples, coordinated with other entities like the West Coast Regional Water Supply Authority laboratory personnel and consulted with in-house staff as well as outside consultants and industry representatives."

TO CONTACT US
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PASCO TIMES

TUESDAY ■ OCTOBER 28, 1997

SO
AN EDITION OF
St. Petersburg Times

'I wouldn't want to drink it'

■ That is the opinion of two experts, who tell representatives of homeowners' associations that Aloha Utilities water does meet quality standards.

By JO BECKER
Times Staff Writer

NEW PORT RICHEY — The county's top health official and the region's top environmental regulator say Aloha Utilities' water meets quality standards.

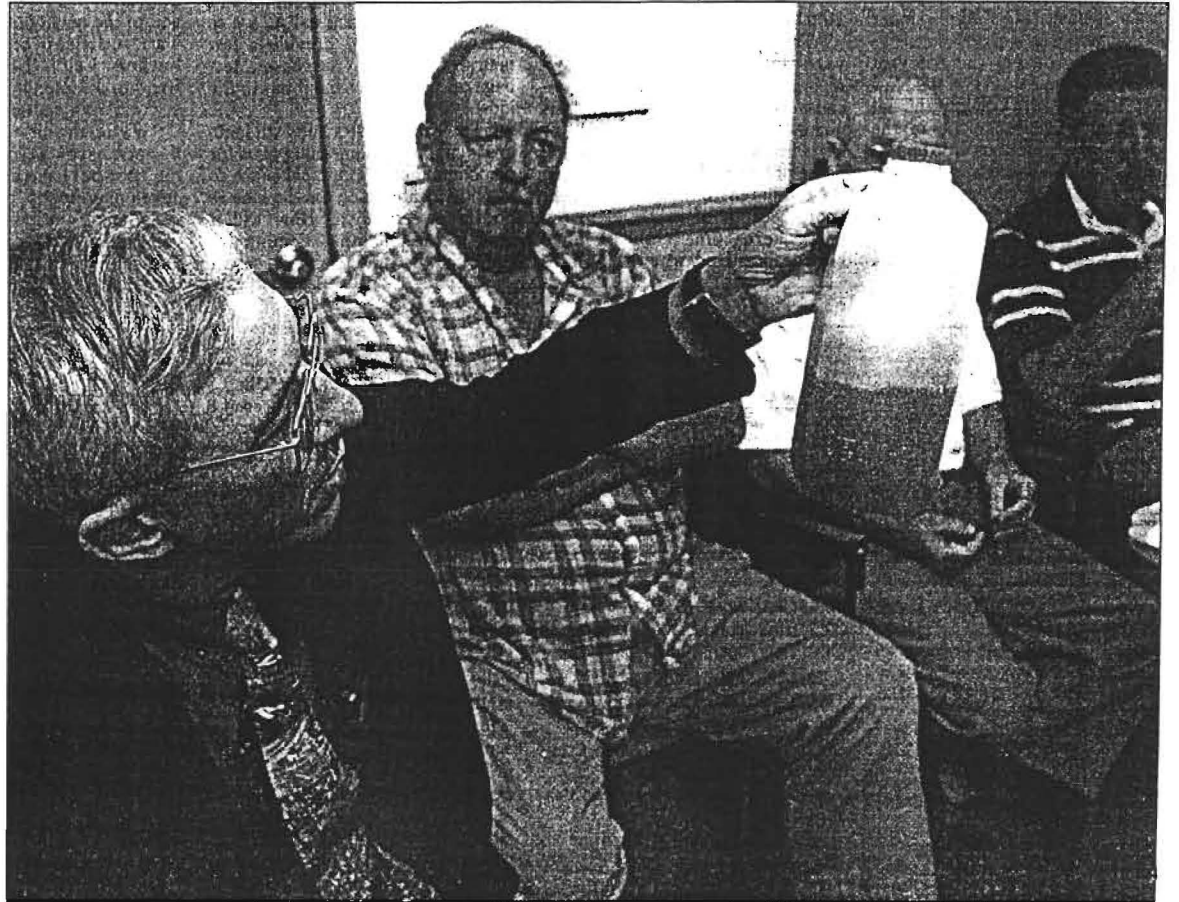
But they wouldn't down a glass of it on even the hottest of days.

"I wouldn't want to drink it," Dr. Rick Garrity, head of the state Department of Environmental Protection office in Tampa, told representatives from more than a dozen homeowners' associations served by Aloha.

"I wouldn't want to declare the water unhealthy," agreed Dr. Marc Yacht, head of Pasco County's Health Department. "But I, like Rick, wouldn't drink it."

Their comments came at a meeting Monday held at state Rep. Mike Fasano's office. Fasano, an Aloha customer, has been representing other Aloha customers who have long complained that their water is discolored, foul-smelling and filled with sediment.

A report released last week by the staff of the state Public Service Commission laid most of the blame for the problem on copper piping in customers' homes. The report recommended that homeowners replace copper piping and, to help the problem of copper corrosion, the report recom-



Times photo — BOBBY SANCHEZ

Dr. Rick Garrity, head of the state Department of Environmental Protection office in Tampa, examines a jug of water brought in by residents served by Aloha Utilities. The meeting was at the office of state Rep. Mike Fasano.

mended that Aloha be ordered to adjust pH levels in the water.

The PSC is expected to vote Nov. 4 on that recommendation.

But Fasano, R-New Port Richey, and representatives from more than a dozen homeowner associations who attended the meeting said the problem starts at Aloha's water treatment plant and its wells.

Several of the homeowner association presidents said people with plastic piping have experienced problems. One said that people have complained to him that their water meters are turning black.

"That's long before the copper pipes," said Henry Wells.

Fasano also pointed out that the PSC staff report acknowledged that investigators remain "perplexed" that some cus-

tomers experienced the problem while others do not.

"It can't just be the copper piping," Fasano said. "Pasco County (Utilities) serves tens of thousands of customers, the majority of them I presume with copper piping, and they're not getting these problems."

Aloha from Page 1

Aloha Utilities serves about 7,200 residential customers in southwest Pasco.

Aloha president Stephen Watford said during a telephone interview that Fasano refused him entrance to Monday's meeting. The water that enters his customers' homes is "crystal clear," according to Watford, and test after test has shown that it meets all lead and copper standards.

"It remains clear to us that Rep. Fasano is playing political games rather than really trying to find a solution to the problem," Watford said. "To us it appears that Rep. Fasano is trying to use the power of his office to influence the Department of Environmental Protection to sanction Aloha Utilities, despite repeated statements by the (agency) that Aloha's water meets state water quality standards."

Yacht suggested that if the water was meeting agency standards, perhaps those standards ought to be changed.

And, Yacht said, the Public Service Commission might want to look at reducing the amount of hydrogen sulfide in the water by forcing Aloha to either add more chlorine to the water or to push air through it as a way to remove gases.

Kenneth Swann, who works under Yacht, agreed. He said the problems Aloha customers are experiencing cropped up after two new wells were opened between 1992 and 1993. Hydrogen sulfide, which can irritate skin, is found in ground water in this area.

Garrity, at the urging of both Fasano and Sen. Jack Latvala, R-Palm Harbor, promised to do more spot checks of the water.

"If there's a problem, it's a problem of proving that they are not meeting standards so we can go in there



Times photo — BOBBY SANCHEZ

Mick Radford, vice president of the Council of Neighborhood Associations, makes a point at Monday's meeting.

and force them to do something," he said.

The group promised to meet monthly to try to solve the problem. Garrity said he would like to invite Aloha to attend the meetings.

"I think Aloha wants to find a solution," he said. "This problem has gone on long enough."

show coordinator. Florence Barnett and Esther Chotiner are co-chairwomen. Etta Satinoff is in charge of food preparation assisted by spouses.

Tickets are \$6.50. For tickets and information, call 846-7695 or 856-1786 or the center at 847-3814.

Maryland Club hosts fall picnic

The Suncoast Maryland Club is hosting a fall picnic Wednesday at Fred Howard Park, Shelter 6, Tarpon Springs.

A catered luncheon will be served at noon, followed by bingo games. Participants should bring a gift item for a prize.

For information, call club president Jack Cockey at 942-4170.

Jasmine Lakes plans Halloween affair

The Jasmine Lakes Community Club is sponsoring a Halloween-Costume Party on Friday at the clubhouse, 7137 Jasmine Blvd., Port Richey.

Doors will open at 5 p.m. Admission is \$3. Participants should bring a brown food bag and their own beverage.

Monti Audino from Southeast Keyboard Hall will play dance music from 6:30 to 7:30 p.m. with recorded tapes played from 7:30 to 8:30 p.m. Costumes are optional. Prizes will be awarded for the best

The Hillandale Glengarry Association is hosting a dance Wednesday at the house, 6333 Langston Ave., Port Richey.

A roast beef dinner will be served at 6 p.m. followed by dancing from 7 to 9 p.m. Cost is \$6 for reservations by 11 a.m. Wednesday or \$7 at the door. Call 842-1485 or 848-9203.

Catholic Daughters plan card party

The Catholic Daughters of the Americas are sponsoring a card party and hot luncheon from 12 to 4 p.m. Wednesday at the Parish Hall of St. Vincent de Paul in Port Richey.

Tickets are \$5 and are available by calling 938-1680.

Legion post holds Halloween party

The American Legion Post 335 is sponsoring a Halloween party from 7 to 11 p.m. Friday at the post, 11421 Osc Drive, New Port Richey.

A cash prize will be awarded for the best costume. There will be a first- and second-place winner.

Billy Bagwell will provide the music. Snacks will be served. Dinner, featuring coffee, fried steak or fish, will be served from 5 to 7 p.m. For information, call 868-3445.



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

January 30, 1996

Mr. Stephen Watford, Vice President
Aloha Utilities, Inc.
2514 Aloha Place
Holiday, FL 34691

Re: Seven Springs
PWS-ID# 6512214
Pasco County

Dear Mr. Watford:

In response to on-going complaints of discolored (black) water in the service area of the Chelsea Place subdivision, the Department is requesting the sampling of the following parameters over the next 30 days in that service area:

- 1) Total Dissolved Solids (TDS)
- 2) Sulfate
- 3) Copper
- 4) Odor
- 5) Color

The Department does not want to limit the scope of this testing, therefore, the sampling of other parameters that may contribute to discolored (black) water but not listed here is encouraged. Attached is a sampling pool of sixteen homeowners who have volunteered to participate. Sample four different residents per week, preferably from inside service taps, during the next four weeks for a total of sixteen sites. Submit a copy of these results as they become available. However, copies of all results should be received no later than 10 days after the conclusion of the sampling event.

Please note, the Department is also conducting it's own monitoring of the above listed sites for the parameters listed in this correspondence and will provide copies of those results to you as they become available. If you have any questions or comments, please do not hesitate to contact me at (813) 744-6100 ext. 462.

Respectfully,

Peter Screnock
Environmental Specialist II
Drinking Water Section

Enclosure
cc: Pasco CPHU
Chelsea Place Homeowners Association

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

DUPLICATE



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

October 14, 1996

Miko Fasano, State Representative, District 54
8217 Massachusetts Ave.
New Port Richey, FL 34653

Re: Water Quality Issues - Aloha Utilities, Inc.

Dear Mr. Fasano:

Thank you for bringing your concerns to my attention.

The Drinking Water staff of the Southwest District office have been involved in water quality complaints (water discoloration) for the above mentioned utility since January of this year. We have since, on an unprecedented effort to help in the solution of this problem, appeared at different forums including the Public Service Commission meeting, collected and analyzed samples, coordinated with other entities like the West Coast Regional Water Supply Authority laboratory personnel and consulted with in-house staff as well as outside consultants and industry representatives.

To this point, the result of this investigation indicates that the utility is in compliance with all water quality standards in our rules and regulations except for copper. Additionally, there is no indication of a health risk associated with this discoloration, however, it is aesthetically unpleasant. The utility has initiated a corrosion control program, which consists of the addition of a corrosion inhibitor in their distribution system, to reduce copper concentration below the rule's action level. The effectiveness of this program has yet to be demonstrated as this is a slow process and requires time. By initiating this program, the utility is considered to be in compliance with our rules and regulations. The only reason the Department's employee declined to drink the water samples offered as exhibits was because of their unknown origins (i.e. hot water heater, toilet bowl, etc.).

In an extra effort to help we are planning to gather additional information and schedule meetings with the utility on a continuous basis until the problem ceases to exist. These meetings will explore every possible alternative and solution to the problems. Hence, we cannot honor your request to conduct spot checks without utility notification.

Please rest assured that like you, we believe that the safety, health and welfare of the residents in our state is of the utmost importance. If you have any questions or need additional information, please call me at (813) 744-6100, ext. 352.

Sincerely,



Richard D. Garrity, Ph.D.
Director of District Management

RDG/ptr

cc: Michael S. Hickey, P.E.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

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Department of Environmental Protection

Aloha File
DUPLICATE

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

November 1, 1996

Representative Mike Fasano
8217 Massachusetts Avenue
New Port Richey, FL 34653

Dear Representative Fasano:

This is to reply to your, October 29, 1996, correspondence.

Chapter 403, Florida Statutes gives the DEP the authority to inspect and sample regulated facilities, except private residences at reasonable times for the purpose of ascertaining compliance with the regulations of the Department. Inspection or sampling pursuant to this section can only be conducted after either consent from the owner or person in charge or an inspection warrant is obtained. It is the policy of this office to give reasonable notice to facility owners when appropriate, to arrange for entry to facilities that are not open to the public. In the case of sampling ground water at a water plant, prior notice should not provide an opportunity to alter the chemical makeup of the source water.

Notice of the sampling event was given to Mr. Watford's office on, October 28, 1996. As you know, he was in Tallahassee at the time. The afternoon of October 29, 1996, Mr. Watford called the Tampa office and granted permission to sample the facility. I do not believe there was an intentional act by Aloha Utilities to obstruct the Departments sampling on the morning of the October 29, 1996, but rather a communications problem occurred.

Department representatives are scheduled to sample Aloha Utilities source water Monday morning, November 4, 1996. We will contact you with the results of both sampling events as soon as we receive them from the Department's laboratory.

If you have any questions feel free to contact me at 813/744-6100 extension 352.

Sincerely,

Richard D. Garrity
Director of District Management
Southwest District

RDG/

cc: Steven Watford

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Department of Environmental Protection

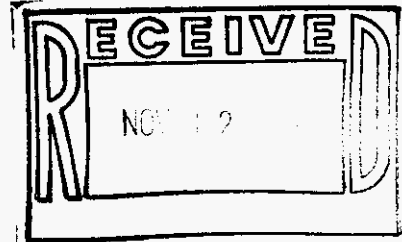
Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

November 7, 1996

Steve G. Watford
Aloha Utilities, Inc.
2514 Aloha Place
Holiday, Fl 34691



Re: Well Testing

Dear Mr. Watford:

This is to reply to your October 30, 1996 correspondence.

I believe the attached letter to Representative Fasano addresses your concerns regarding access to Aloha Utilities' wells for sampling by the Department. Additionally Mr. Michael S. Hickey, P.E., Water Facilities Administrator and Mr. Pedro L. Rivera, P.E., Drinking Water Program Manager telephoned you on October 31, 1996 in response to your call to my office to discuss this matter.

We believe that extenuating circumstances lead to our lack of access to sample the source water on Oct. 29, 1996. As you know, Department representatives sampled Aloha Utilities' wells on Nov. 4, 1996. It has been our experience that access to your utility has always been granted. We will notify you of the sample results upon receipt of the analysis from the Department's Laboratory.

If you have any additional questions concerning this matter free to contact this office.

Sincerely

A handwritten signature in cursive script, appearing to read "Michael S. Hickey for".

Richard D. Garrity, Ph.D.
District of District Management

CC: file



Steve Watford

Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

August 29, 1997

Mr. Jim Goldberg
Water Committee Chairman
Wyndtree Master Association
1251 Trafalgar Drive
New Port Richey, FL 34655

Re: Letter of July 28, 1997 to
The Honorable Virginia B. Wetherell

Dear Mr. Goldberg:

I have been asked by Secretary Wetherell to respond to your recent letter.

We are continuing to investigate the black water issue with the intention to bring it to resolution. Our investigation has included both water reactions in the public water supply system and the private plumbing systems including home treatment devices.

Specifically, the well water is essentially copper free, lead free and passes through non-metallic (PVC) water mains, thus there is copper and lead free water being served to the customers. The water quality standards for copper and lead are 1.0 and 0.015 mg/l respectively. Only the lead standard is health related.

Also, the Manual of Small Public Water Supply Systems, EPA 570/9-91-003 has a section on Household Water Treatment. It states, "...softening may add sodium to the drinking water. Softening only the hot water, leaving the cold drinking water untreated, will avoid this problem. Softening may also make the water more corrosive, and possibly increase the levels of metals like lead and copper in the water. Occasional "flushing" of water at the tap will help solve the second problem."

The October 29, 1996 informational sampling referred to in our letter of July 10, 1997 is consistent with the above EPA statement. The "cold" untreated water sample collected at 7633 Albocor Drive showed a copper content of 0.418 milligrams per liter (mg/l). The "cold" homeowner treated (softener) water sample collected at 1251 Trafalgar Drive was 8.810 mg/l.

Mr. Jim Goldberg
Letter of July 28, 1997
Page Two

Our letter of July 10, 1997 referred to these samples and the associated two "hot" water samples exceeding the water quality standard of 1.0 mg/l for copper. By regulation this standard only applies to the finished water provided to the distribution system. As stated earlier the finished water is essentially copper and lead free and thus fully meets the standard.

As part of our investigation we are reviewing the article "Water Discoloration, Cause and Fix" in detail. This week we are conferring with professionals from two major counties, our headquarters and our local district office. All have extensive experience with public water supplies. The county officials have addressed copper corrosion problems for their entire service areas and the others have implemented the lead and copper rule statewide.

We are also participating on a statewide panel which is addressing copper corrosion on a statewide basis. We are there to contribute from our experience and to learn from the experience of others.

We will follow your recommendation for unannounced visits as practical. Scheduling visits to witness flushing and getting access to secured water utility facilities needs some degree of coordination.

For further clarification or voicing of concerns please feel free to contact WIC. Dunn at the above listed address or by phone at 813/744-6100, ext. 314.

Very truly yours



Richard D. Garrity, Ph.D.
Director of District Management
Southwest District

RDG/wdr

cc: Virginia B. Wetherell

Oct 23 '97 10:24 P.01/01



Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

October 23, 1997

John R. Jenkins, P.A.
Rose, Sundstrom & Bentley, LLP
2548 Blairstone Pines Drive
Tallahassee, Florida 32301

Dear Mr. Jenkins:


Secretary Wetherell has requested I respond to your September 26th letter.

In reference to Representative Mike Fasano's September 11th letter I will be meeting with him on behalf of the Secretary on October 27th.

The Secretary's office has requested the Southwest District Office continue to serve as the primary contact point regarding matters pertaining to Aloha Utilities.

Mike Hickey, Southwest District Water Facilities Administrator and I remain available to meet with you or Mr. Watford to discuss any new or relative information regarding Aloha Utilities.

Sincerely,


Richard D. Garrity, PhD.
Director of District Management

Enclosure

cc: Mr. Stephen Watford

Post-It® Fax Note	7871	Date	10/23/97	# of pages	1
To	JOHN R. JENKINS, P.A.	From	CELE FEATHERZUSKI		
Company	ROSE, SUNDRUM & BENTLEY, LLP	On	DEP		
Phone #	850-877-6555	Phone #	813-744-6000X364		
Fax #	850-656-4029	Fax #			

- HARD COPY TO FOLLOW

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JOHN L. WHARTON

MAILING ADDRESS
POST OFFICE BOX 1867
TALLAHASSEE, FLORIDA 32302-1867
TELECOPIER (800) 898-1020

October 24, 1997

Richard D. Garrity, PhD.
Deputy Assistant Secretary,
Department of Environmental
Protection, Southwest District
3804 Coconut Palm Drive
Tampa Florida, 33619

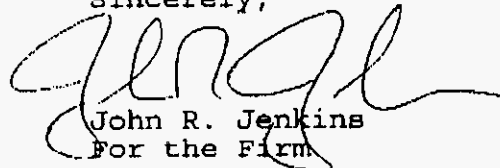
Re: Aloha Utilities, Inc.;
Our File No. 26038.17

Dear Dr. Garrity:

Thank you for your October 23 letter on behalf of Secretary Wetherell to coordinate meetings regarding Aloha Utilities' water quality issues. My client will plan on attending the October 27 meeting at 3:30 with Representative Fasano and Department personnel to update you on recent events related to Seven Springs water quality and obtain any new information which may be provided by other parties. We will coordinate with Mike Hickey in that regard.

Thank you for your continued assistance in this matter.

Sincerely,


John R. Jenkins
For the Firm

JRJ:sn

cc: Secretary Virginia B. Wetherell
Representative Michael Fasano
Mike Hickey, P.E.
Mr. Stephen Watford

LAW OFFICES

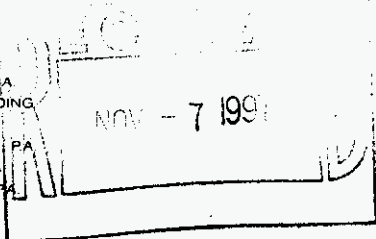
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MAILING ADDRESS
POST OFFICE BOX 1567
TALLAHASSEE, FLORIDA 32302-1567
TELECOPIER (850) 656-4029

November 3, 1997

Ms. Virginia Wetherell, Secretary
Florida Department of
Environmental Protection
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Aloha Utilities, Inc.
Our File No. 26038.14

Dear Secretary Wetherell:

Thank you for your response through Dr. Garrity to my September 26th letter regarding Representative Mike Fasano's request that your office take action against Aloha Utilities, Inc. for copper corrosion problems being experienced by customers in two subdivisions in Aloha's seven springs service area.

Pursuant to the enclosed letter from Dr. Richard Garrity, a meeting took place on Monday, October 27, at the offices of Representative Fasano to address Aloha Utilities' water quality issues. Attendees at that meeting included:

Representative Mike Fasano
State Senator Jack Latvala
Dr. Richard Garrity, DEP Tampa District Director
Mike Hickey, DEP Tampa
Kenneth Swann, Pasco County DOH
Dr. Mark Yacht, Pasco County DOH
Approximately 10 homeowner association representatives
Jo Becker, St. Pete Times

Steve Watford, President of Aloha Utilities, and I arrived at the meeting with the just-released Public Service Commission Staff Recommendation regarding Aloha water quality, and were prepared to discuss this and other matters related to the copper corrosion issue. Representative Fasano refused to allow us into the meeting, which turned out to be not a substantive discussion of copper corrosion problems and solutions, but another political "photo-op" for Representative Fasano at the expense of Aloha Utilities, and to a lesser extent, the Department.

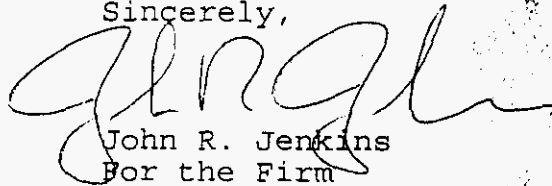
Ms. Virginia Wetherell
November 3, 1997
Page 2

The inappropriateness of Representative Fasano's actions aside, many systems in Florida experience and deal with copper corrosion. Now that Aloha has identified the "black" water problem, it is implementing proven water industry technology to address it, and working with the Department, PSC Staff, and other utilities to examine other possible solutions. In the face of Representative Fasano's repeated attempts to use the power of his office to influence the Department's regulatory and enforcement activities, my client wants only to be held to the same standard as other permittee's in the State regarding water quality matters.

For your information, I am enclosing a copy of the PSC Staff Recommendation which I was not able to provide to Dr. Garrity, and which I think provides a thorough discussion of the problem and the economic and water quality impacts of possible solutions.

The professionalism of your Tampa staff has been evident over the past 18 months in dealing with this copper corrosion problem. We look forward to working with you toward a solution which is acceptable to the Department, the customers experiencing the copper corrosion problem, and the thousands of other Aloha water customers.

Sincerely,



John R. Jenkins
For the Firm

JRJ:sn

cc: Mr. Steve Watford
Richard Garrity, Ph.D.