



# Public Service Commission

## -M-E-M-O-R-A-N-D-U-M-

---

**DATE:** February 15, 1999  
**TO:** Division of Records and Reporting  
**FROM:** Patricia Brady, Division of Water and Wastewater *pb bsmgaw/fl*  
**RE:** Docket No. 980731-WS, Application for certificates to provide water and wastewater service in Charlotte County by Hunter Creek Utilities, LLC.

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Please add to the docket file the attached letter and attachments dated February 9, 1999 from Mr. Mark Charneski, Florida Department of Environmental Protection. Mr. Charneski's letter was in response to staff's December 11, 1998 request for information on the status of the utility's water systems. Thank you.

**Attachment**

cc: Division of Legal Services (Ferguson)

- ACK \_\_\_\_\_
- AFA \_\_\_\_\_
- APP \_\_\_\_\_
- CAF \_\_\_\_\_
- CMU \_\_\_\_\_
- CTR \_\_\_\_\_
- EAG \_\_\_\_\_
- LEG \_\_\_\_\_
- LIN \_\_\_\_\_
- OPC \_\_\_\_\_
- RCH \_\_\_\_\_
- SEC   1
- WAS \_\_\_\_\_
- OTH \_\_\_\_\_

DOCUMENT NUMBER-DATE  
**02313** FEB 22 1999  
 FPSC-RECORDS/REPORTING



Jeb Bush  
Governor

# Department of Environmental Protection

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

David B. Struhs  
Secretary

February 9, 1999

The Director c/o Patricia Brady  
Division of Records and Reporting  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, Florida 32399-0850

**RECEIVED**  
FEB 11 1999  
Florida Public Service Commission  
Division of Water and Wastewater

Re: Charlotte County - PW  
River's Edge WTP  
AKA Hunter Creek Utilities, LLC  
Docket Number: 980731-WS  
PWS I.D. Number: 5084074  
Application for certificate to provide  
water and wastewater service in  
Charlotte County

Dear Director:

This letter is in response to your letter requesting information concerning the above referenced facility. Below please find the answers to your numbered questions and enclosed please find the information you requested.

### QUESTIONS:

1. The water treatment plant is rated at 0.030 MGD. The major limiting factors include the well production, number of reverse osmosis trains in operation, size of pumps used.
2. The utility has been placed on Public Notice for high radiological results, specifically the last four quarters have averaged 8.75 picocuries per liter. The maximum allowed is 5 picocuries per liter. To date, the corrective action taken has been ineffective. The DEP is considering initiating formal enforcement action.

Continued . . .

MAIL ROOM  
ADMINISTRATIVE  
FEB 11 8 34 AM '99  
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*"Protect, Conserve and Manage Florida's Environment and Natural Resources"*

*Printed on recycled paper.*

Page Two  
February 9, 1999


3. No, there are no other unresolved issues. See enclosed inspection and the utilities response.
4. The Department is not expected to reissue the Reverse Osmosis concentrate treatment and disposal permit until January 10, 2000.

Requests for Documents

1. A copy of the original construction permit is not in our general file. There may not have been one.
2. See enclosed copy of the utility's RO Concentrate Treatment and Disposal Permit.
3. See enclosed letter notifying the utility of the radiological maximum contaminant level violation and their requirements.
4. See enclosed , "Summary Report for Interim Modifications to the Rivers Edge Water Treatment Plant" an letter from A & A Engineering.
5. See enclosed letters.

If I can be of further assistance please call 941-332-6975.

Sincerely,

  
\_\_\_\_\_  
Mark Charneski  
Environmental Specialist III

MAC  
Enclosures

# The Florida Department of Environmental Protection

invites you to



## The Environment and the Millennium Bug: Are you prepared?

Naturalist John Muir once said, "When one tugs at a single thing in nature, he finds it attached to the rest of the world."

Ensuring Y2K compliance is necessary to prevent adverse impacts to the environment. If you have not already started a Y2K compliance program you are running out of time.

By attending this presentation you will learn ways to set up a Y2K compliance program which can prevent environmental problems **IF YOU ACT NOW.**

### Who should attend?

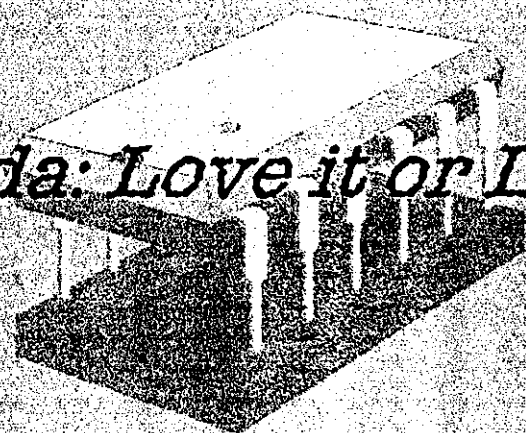
- Facilities with DEP permits for:
  - Air;
  - Water;
  - Wastewater; or
  - Waste;
- Small businesses that have not addressed the Y2K problem.

**SOUTH DISTRICT OFFICE**  
PO BOX 2459  
Fort Myers Florida 33902-2549

Phone (941) 332-6975  
Fax (941) 332-6969

Laura Comer  
Pollution Prevention Coordinator  
(941) 332-6975 X 170  
Email: Comer\_L@ftm1.dep.state.fl.us

*Florida: Love it or Lose it*



**CHARLOTTE COUNTY**  
**EDISON COMMUNITY COLLEGE**  
**CLASSROOM BLDG. ROOM 101**  
**PUNTA GORDA**  
**FEBRUARY 15, 1999 7:00 P.M.**

**COLLIER COUNTY**  
**NORRIS COMMUNITY CENTER**  
**755 8TH AVENUE SOUTH**  
**NAPLES**  
**FEBRUARY 17, 1999 7:00 P.M.**

**HENDRY COUNTY**  
**HENDRY COUNTY COURTHOUSE COMPLEX**  
**25 E. HICKPOOCHEE DRIVE, ROOM A-148**  
**LABELLE**  
**FEBRUARY 18, 1999 7:00 P.M.**

**HIGHLANDS COUNTY**  
**AGRICULTURAL CIVIC CENTER**  
**HWY 27 (SOUTH OF SEBRING) CONFERENCE ROOM #1**  
**SEBRING**  
**FEBRUARY 25, 1999 7:00 P.M.**

**LEE COUNTY**  
**STATE REGIONAL SERVICE CENTER**  
**2295 VICTORIA AVENUE, ROOM 165-D**  
**LEE**  
**FEBRUARY 22, 1999 7:00 P.M.**

**MONROE COUNTY**  
**STATE REGIONAL SERVICE CENTER**  
**2796 OVERSEAS HIGHWAY, ROOM 105**  
**MARATHON**  
**FEBRUARY 25, 1999 7:00 P.M.**

RECEIVED

OCT - 9 1998

D.E.P. - South District

**SUMMARY REPORT**

**FOR**

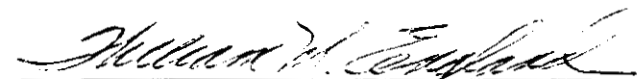
**INTERIM MODIFICATIONS TO THE**

**RIVERS EDGE WATER TREATMENT PLANT**

**October 5, 1998**

609-452-0580

Prepared by:  
**A & A Engineering**  
741 Alexander Road  
Princeton, NJ 08540



William M. England, PE  
Florida License No. 44577

## **INTRODUCTION**

The existing water treatment plant located at River's Edge is a 0.030 MGD (16 hours) rated plant. The plant generally consists of two wells, (rated at 50 gpm each), pH adjustment, 10 micron filters, antiscalent injection, reverse osmosis membrane filtration, degassifier, chlorine addition and final pH adjustment. The plant is designed to operate automatically. Wells are operated on an alternating cycle.

Currently, the system is experiencing higher levels of radium than permitted in the finish water product. A & A Engineering has been retained to coordinate the necessary interim modifications to the facility required to immediately reduce the radium levels in the finished product.

## **CURRENT OPERATION**

Currently the plant is operating in a satisfactory manner with the exception of the higher than permissible radium levels. The facility currently serves 36 units and a population of 70, as noted in Monthly Operating Reports filed with the Florida Department of Environmental Protection. Average annual daily use is 5,000 gpd, based on actual flow records, which equals to approximately 72 gallons per capita per day. Based upon this flow value at the permitted capacity of the plant if 30,000 gallons per day, the facility could serve approximately 208 units.

In order to determine a proposed solution for the radium problem, raw water from each well was tested for certain parameters (see Appendix 1). Based on the test results, the need for immediate action, and the relative small size of the population to be served, the following interim action is proposed by the owner:

## **PROPOSED INTERIM MODIFICATIONS**

### **A) Test Reverse Osmosis Membranes**

Each of the two reverse osmosis membranes has been tested for their ability to reduce Radium 226, 228. As soon as the results are received, the worst filter will be taken off-line until a replacement filter or new reverse osmosis filter system is selected and installed.

### **B) Well No. 1**

This well has the highest reading for Radium 226. This well will be taken off-line until the reverse osmosis filters are replaced.



**C) Additional Storage**

As an additional improvement to the system, an additional 5,000 gallon finish water tank will be added. This tank is to be installed parallel to the existing tank and be outfitted with new level controls. The new tank will be placed in service upon acceptable bacteria testing and permission from the Florida Department of Environmental Protection to place the tank on-line.

The existing 5,000 gallon tank will be taken off-line, inspected, reconditioned, and reconnected to the water system upon completion of the disinfection processes, receipt of clean bacteria reports, and permission from the Florida Department of Environmental Protection to place this tank back in service.

**D) Reverse Osmosis Discharge Line**

Florida Department of Environmental Protection is urging reverse osmosis plant operators to modify their waste discharge locations. In this case, the discharge point is suggested by Florida Department of Environmental Protection to be the lake immediately behind the plant. A new discharge line and diffuser (*similar to the current installation*) will be constructed.



# **APPENDIX I**

FILE 97-264  
 ACTION MMG  
 INFO FE  
 INFO \_\_\_\_\_  
 INFO \_\_\_\_\_



Customer: AVATAR UTILITY SERVICES, INC.  
 4837 SWIFT ROAD

Report Date: 09/10/98  
 Page: 1

Customer Project: RIVER'S EDGE

Labid: 98/ 1371/ 6407  
 Sample#: 11371

Station#/Location: 1 WELL #1

Sample Date/Time: 08/26/1998 14:30

Analysis	Result	Units	Analysis Date	MDL	Method	*DQ Code
LAB PH	7.64	Units	08/26/98	0.01	EPA 150.1	
CHLORIDE	383	mg/L	08/28/98	4.4	EPA 325.2	
HARD-CaCO3	401	mg/L	09/10/98	0.4	EPA 130.2	
TOT. DISS. SOLIDS	881	mg/L	09/03/98	5.	EPA 160.1	
HYDROGEN SULFIDE (H2S) (CALC)	< 1.	mg/L	08/26/98	1.	EPA 4500-S-F	U
TOTAL SULFIDE	< 1.	mg/L	08/26/98	1.	EPA 376.1	U
COLOR (Color Units)	4.	Co-Pt	08/26/98	1.	EPA 110.2	
TURBIDITY	< 0.1	NTU	08/26/98	0.1	EPA 180.1	
IRON	< 0.04	mg/L	09/02/98	0.04	EPA 236.1	U

NOTE: \* See Attached Sheet for Data Qualifier Codes  
 Reported results not valid without accompanying signature page.

Post-it Date # of pages  
 Fax Note 9-10-98 1  
 To BILL ENGLAND  
 Fax 609 452-9254  
 From Barbara at Avatar  
 Phone 941 927-1455

Environmental Quality Laboratory, Inc.

EQL Environmental Services, Inc.

1009 TAMAMI TRAIL PORT CHARLOTTE, FLORIDA 33953 • PH 941-625-3137 • FX 941-629-7467



97-264  
WME  
FE

Customer: AVATAR UTILITY SERVICES, INC.  
4837 SWIFT ROAD

Report Date: 09/10/98  
Page: 2

Customer Project: RIVER'S EDGE

Labid: 98/ 1371/ 6407  
Sample#: 11372

Station#/Location: 2 WELL #2

Sample Date/Time: 08/26/1998 14:30

6.5-8.5

Analysis	Result	Units	Analysis Date	MDL	Method	*DQ Code
LAB PH	7.57	Units	08/26/98	0.01	EPA 150.1	
CHLORIDE	574.	mg/L	08/28/98	8.4	EPA 325.2	
HARD-CaCO3	526.	mg/L	09/10/98	0.4	EPA 130.2	
TOT. DISS. SOLIDS	1340.	mg/L	09/03/98	5.	EPA 160.1	
HYDROGEN SULFIDE (H <sub>2</sub> S) (CALC) <	1.	mg/L	08/26/98	1.	EPA 4900-S-F	U
TOTAL SULFIDE	1.88	mg/L	08/26/98	1.	EPA 375.1	
COLOR (Color Units)	4.	Co-Pt	08/26/98	1.	EPA 110.2	
TURBIDITY <	0.1	NTU	08/26/98	0.1	EPA 180.1	
IRON	0.048	mg/L	09/02/98	0.04	EPA 236.1	

NOTE: \* See Attached Sheet for Data Qualifier Codes  
Reported results not valid without accompanying signature page.

Postcard  
 Fax Note  
 Date: 9-10-98 # of pages: 3  
 To: BILL ENGLAND  
 Fax: 609 452-9254  
 From: Barbara at Avatar  
 Phone: 941 927-1455

Environmental Quality Laboratory, Inc.

EQL Environmental Services, Inc.

1009 TAMiami TRAIL, PORT CHARLOTTE, FLORIDA 33953 • PH 941-625-3137 • FX 941-629-7467



COLLECTION AND ANALYSIS INFORMATION

Labid: 98/ 1371/ 6407

Report Date: 09/10/98

Report To: AVATAR UTILITY SERVICES, INC.

Sample#	Coll. Date	Coll. Time	Bac-T Analyzed Date	Analyzed Time
11371	08/26/98	14:30	08/26/98	17:00
11372	08/26/98	14:30	08/26/98	17:00



BACTERIOLOGICAL ANALYSIS

Customer: AVATAR UTILITY SERVICES, INC.  
4837 SWIFT ROAD

Page: 1  
Report Date: 09/10/98

Customer Project: RIVER'S EDGE

Labid: 98/1371/ 6407

Sample Date: 08/26/1998

Sample Time: 14:30

Parameter: TOTAL COLIFORM

Sta.	Samp. Location	Sample#	Value #/100ml	DQ Code	Note
1	WELL #1	11371	<	1	Non-Coliform Present
2	WELL #2	11372	<	1	Non-Coliform Present

Note: See Attached Sheet for Data Qualifier (DQ) Codes.

September 16, 1998

AVATAR UTILITY SERVICES, INC.  
4837 SWIFT ROAD  
SUITE 200  
SARASOTA FL 34231

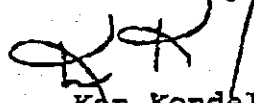
Cust. Proj: RIVER'S EDGE

Attached are the results from 2 sample(s) received by the Environmental Quality Laboratory for analysis. The EQ Lab identification number is 98/1371/ 6387; please refer to this number when requesting information regarding these data. Also, this letter should be attached to any data submitted by you to regulatory agencies.

The Laboratory has an approved FDEP Comprehensive Quality Assurance Plan (#870264) which specifies the procedures used in the analyses of the above referenced samples. In addition, the Laboratory is certified by FDOH for the analysis of environmental and drinking water samples (#285086 & 85116) respectively. These certification numbers should be referenced when attesting to regulatory agencies regarding the protocols of the analytical procedures used.

The Environmental Quality Laboratory is pleased to have served you and hopes to meet any future laboratory needs you may have.

Sincerely,



Ken Kondel  
Laboratory Operations Manager

PUBLIC DRINKING WATER CHEMICAL ANALYSIS

Customer: AVATAR UTILITY SERVICES, INC.

Report Date: 09/16/1998

Customer Project: RIVER'S EDGE

Page: 1

Location Code: 1 WELL #1

Labid: 98/1371/ 6387

Sample Date: 08/25/1998

Sample#: 11308

RADIOCHEMICAL ANALYSIS (pCi/l)  
62-550.310 (S)  
(PWS033)

Parameter ID	NAME	Sample Number	Analysis Result	Analysis Method	Analysis Date	Error	LAB ID
4020	RADIUM 226	11308	30.000	EPA 903.1	09/08/98	+/- 1.00	84252
4030	RADIUM 228	11308	1.500	ESRP Ra-05	09/03/98	+/- 0.50	84252



PUBLIC DRINKING WATER CHEMICAL ANALYSIS

Customer: AVATAR UTILITY SERVICES, INC.

Report Date: 09/16/1998

Customer Project: RIVER'S EDGE

Page: 2

Location Code: 2 WELL #2

Labid: 98/1371/ 6387

Sample Date: 08/25/1998

Sample#: 11309

RADIOCHEMICAL ANALYSIS (pCi/l)  
62-550.310(5)  
(PWS033)

Parameter ID	NAME	Sample Number	Analysis Result	Analysis Method	Analysis Data	Error	LAB ID
4020	RADIUM 226	11309	17.200	EPA 903.1	09/09/98	+ - 0.70	84252
4030	RADIUM 228	11309	1.200	EERF Ra-05	09/03/98	+ - 0.60	84252



Lawton Chiles  
Governor

# Department of Environmental Protection

# FILE

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Virginia B. Wetherell  
Secretary

November 23, 1998

Mr. John Leonette  
River's Edge  
1601 Hunter Creek Drive  
Punta Gorda, Florida 33982

**RECEIVED**  
FEB 11 1999  
Florida Public Service Commission  
Division of Water and Wastewater

Re: Charlotte County - PW  
River's Edge WTP  
PWS I.D. Number: 5084074

Dear Mr. Leonette:

Thank you for your permit application to modify the referenced public drinking water system. Please note that temporary removal of a reverse osmosis membrane or well from service to correct a maximum contaminant level violation does not require a permit. Please implement your corrective action plan as soon as possible. After any modification of the plant collect bacteriological samples from the entry point to the distribution system for two consecutive days and submit the results to the Department for approval. The Department recommends that a precautionary boil water notice be issued to the affected population until the satisfactory results are approved by the Department. In addition, after implementing your corrective action plan, please collect samples from the entry point to the distribution system for radiological, inorganics, and secondary contaminants and submit the results to the Department postmarked no later than January 22, 1999. Please ensure that the corrective action for the radiological maximum contaminant level violation is completed and approved for use no later than January 22, 1999.

Please note that failure to meet the above deadline may result in enforcement action which may include civil penalties. If you have any questions, please contact me at the letterhead address or call 941-332-6975, extension 110. All correspondence should include the system name and PWS I.D. number.

Sincerely,

Gary A. Maier  
Professional Engineer III

GAM/MAC  
cc: William M. England, P.E.



Lawton Chiles  
Governor

# Department of Environmental Protection

# FILE

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Virginia B. Wetherell  
Secretary

November 16, 1998

Mr. John Leonette  
River's Edge  
1601 Hunter Creek Drive  
Punta Gorda, Florida 33982

Re: Charlotte County - PW  
River's Edge WTP  
PWS I.D. Number: 5084074

**RECEIVED**  
FEB 11 1999  
Florida Public Service Commission  
Division of Water and Wastewater

Dear Mr. Leonette:

Thank you for your permit application to modify the referenced public drinking water system. Please note that repair or replacement of reverse osmosis membranes does not require a permit. Please implement your corrective action plan as soon as possible. After replacement of the membranes collect bacteriological samples from the entry point to the distribution system for two consecutive days and submit the results to the Department for approval. The Department recommends that a precautionary boil water notice be issued to the affected population until the satisfactory results are approved by the Department. Please ensure that this corrective action for the radiological maximum contaminant level violation is completed and approved for use no later than January 22, 1999.

Please note that a permit is required for the construction of a new storage tank. This too requires Department approval prior to placing it into service. (See enclosed)

If you have any questions, please contact me at the letterhead address or call 941-332-6975, extension 110. All correspondence should include the system name and PWS I.D. number.

Sincerely,

Gary A. Maier  
Professional Engineer III

GAM/MAC  
Enclosure  
cc: William M. England, P.E.

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



Lawton Chiles  
Governor

# Department of Environmental Protection

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Virginia B. Wetherell  
Secretary

## REMINDER TO CLEAR SYSTEM BEFORE PLACING IT INTO SERVICE

After construction of the drinking water system and prior to placing the water system into use, you must submit the following items to the Department for approval:

- a. Certified record drawings of the system signed and sealed by engineer of record;
- b. Engineer's Certification of Completion of Construction and Request for Letter of Release, submitted on DEP form 62-555.900(9) signed by the engineer and the utility or the person accepting responsibility for the maintenance of the water system;
- c. Satisfactory analysis results from bacteriological samples collected on two consecutive days, immediately downstream of the water plant and at least one sample from the beginning and end of each new main or branch line. In case of long water mains one sample shall be collected every 1000 feet along the main;

**(Bacteriological results submitted that are over 30 days old, or missing the residual chlorine and pH levels will be rejected by the Department and replacement sample results will be required before the Department will issue a clearance letter).**

- d. Any additional chemical analyses necessary for the clearance of the system. (See specific conditions of the permit)

Please note: If the bacteriological samples above were collected prior to replacement of a temporary backflow preventor or temporary construction meter with a final connection, then additional bacteriological sampling is required. Upon completion of the final connection, collect a bacteriological sample immediately downstream of the connection and submit the bacteriological results to the Department. Immediate service can be provided if a precautionary boil water notice is issued for areas down stream of the connection, until one day of satisfactory bacteriological results have been obtained. (Two consecutive days of satisfactory bacteriological results are required following any unsatisfactory result.

**If you have any questions, please call Mary Havener at 941-332-6975.**

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*Printed on recycled paper.*



Lawton Chiles  
Governor

# Department of Environmental Protection

# FILE

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549

Virginia B. Wetherell  
Secretary

December 4, 1998

Mr. John Leonette  
Whispering Pines  
902 Whispering Pines  
Bloomberg, New York 12721

Re: Charlotte County - PW  
River's Edge WTP  
PWS I.D. Number: 5084074  
Public Notice Overdue

RECEIVED  
FEB 11 1999  
Florida Public Service Commission  
Division of Water and Wastewater

Dear Mr. Leonette:

This is a follow up to our correspondence of June 19, 1998 (copy enclosed) in which you were requested to provide the Department with quarterly proof of public notice for radiological maximum contaminant level violation.

Please follow the procedures for issuance of the public notice as previously directed (see enclosed) and submit the both of the required proofs of public notice to the Department no later than December 31, 1998, and quarterly thereafter until the violation has been corrected.

Please note that you have until January 22, 1999 to provide the corrective action for the radiological maximum contaminant level violation.

In order to avoid a potentially serious non-compliance situation, please ensure that you respond to this letter in a timely manner. If you have any questions, please contact Mark Charneski at the letterhead address or call 941-332-6975.

Sincerely,

Gary Maier  
Professional Engineer III

GAM/MAC

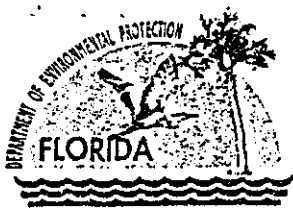
Enclosure

cc: Mr. Dominick Petrizzo (w/enclosure)

Mr. Kyle James (w/enclosure)

Mr. Allen Slater (w/enclosure)

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



Department of  
Environmental Protection **FILE**

Lawton Chiles  
Governor

SOUTH DISTRICT  
Post Office Box 2549  
Fort Myers, FL 33902-2549  
(941) 332-6975

Virginia B. Wetherell  
Secretary

June 19, 1998

Mr. John Leonette  
Whispering Pines  
902 Whispering Pines  
Bloomberg, New York 12721

Re: Charlotte County - PW  
River's Edge WTP  
PWS I.D. Number: 5084074  
Radium 226 & 228 MCL Violation

Dear Mr. Leonette:

This letter acknowledges receipt of the drinking water analyses results for the Radiological samples collected on April 23, 1998. A review of our records indicates that the Maximum Contaminant Level (MCL) for combined Radium 226 and Radium 228 may have been exceeded, since the average concentration of the four most recent consecutive quarterly samples is 7.05 picoCuries per liter (pCi/L). Rule 62-550.310, Florida Administrative Code (F.A.C.), identifies 5.0 pCi/L as the MCL for combined Radium 226 and Radium 228.

In accordance with Rule 62-550.500(8), F.A.C., if an analysis indicates that the level of any primary contaminant exceeds the specified MCL, the supplier of water shall: 1. Begin quarterly monitoring in the next calendar quarter, 2. Notify the public (pursuant to F.A.C. Rule 62-560.410), and 3. Take corrective action as approved by the Department.

Please continue quarterly monitoring for radiological contaminants at this time. The next quarterly sample for radiological contaminants should be collected from the entry point to the distribution system no later than SEPTEMBER 30, 1998. Compliance with the Maximum Contaminant Levels for radiological contaminants shall be determined based upon the running annual average of the analyses results of the four most recent consecutive quarterly samples. Samples collected in consecutive calendar quarters, shall be collected at least 30 days apart from each other, and the laboratory results shall be submitted to the Department within 10 days following the end of each calendar quarter, at the latest.

Continued . . .

Public notification shall be accomplished by publication in a DAILY newspaper of general circulation in the area served by the water system. If the water system's service area is not served by a daily newspaper of general circulation, the notice should be published in a WEEKLY newspaper of general circulation in the service area. Please note that the newspaper may not be one which is used exclusively for the publication of legal notices.

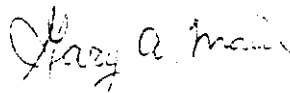
An example notice has been enclosed for your convenience. The notice includes the minimum required information that must be used without changes. You may add additional factual information to the notice if you choose. Please note, that this Public Notice must be published by JULY 3, 1998, and the proof of Public Notice (notarized affidavit preferred) must be submitted to the Department postmarked no later than JULY 13, 1998. Please also note that the public notification procedure (newspaper publication) will have to be repeated during each calendar quarter, for as long as the violation exists. The submittal of proof of public notice to the Department, will also have to be repeated for each calendar quarter, for as long as the violation exists.

IN ADDITION to publishing the violation in a newspaper, if the violation has not been corrected within 45 days, the public notice must be mailed (by direct mail or with the water bill) OR hand delivered to each customer served by the water system. Public notification by mailing/hand delivery shall also be repeated during each calendar quarter, for as long as the violation exists.

Finally, please submit a plan of corrective action to the Department postmarked no later than AUGUST 19, 1998. Please note, that the plan of corrective action shall specifically identify the steps which shall be taken to meet the standard for radiological contaminants, as well as completion dates for each activity identified. If modification or replacement of your treatment plant or source is necessary, a permit must be obtained from this agency prior to making any changes. Please be advised that the plan of corrective action must also be approved by the Department.

If you have any questions, please contact Patty Baron at the letterhead address or call (941) 332-6975.

Sincerely,



---

Gary A. Maier  
Professional Engineer

GAM/PB/klm  
Enclosures

cc: Mr. Dominick Petrizzo  
Mr. Kyle James  
Mr. Allen Slater  
Mr. Robert Vincent Charlotte County DOH



AFFIDAVIT OF PUBLIC NOTICE

RIVER'S EDGE WTP

PWS I.D. Number: 5084074

The undersigned hereby certifies that the attached public notice was mailed on \_\_\_\_\_, 1998, to all customers served by the RIVER'S EDGE water treatment plant, in accordance with Florida Administrative Code Rule 62-560 and the instructions provided.

\_\_\_\_\_  
Signature of Water System Representative\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\*Attach letter of authorization if other than owner or corporate officer.

Sworn to and subscribed before me at \_\_\_\_\_ County,

this \_\_\_\_\_ day of \_\_\_\_\_ 1998.

\_\_\_\_\_  
Notary Public

My Commission Expires:

# **PROOF OF PUBLIC NOTICE INSTRUCTIONS** **for RIVER'S EDGE WATER TREATMENT PLANT**

## **STEP 1:**

Publish the public notice by **JULY 3, 1998**, (and every 90 days thereafter for as long as the violation exists) in a newspaper of general circulation, other than a newspaper established primarily for the publication of legal notices. Submit an Affidavit of Publication from the newspaper with a copy of the public notice to the Department by **JULY 13, 1998**, (and every 90 days thereafter for as long as the violation exists).

**IN ADDITION TO PUBLICATION IN THE NEWSPAPER, IF YOU HAVE NOT BEEN NOTIFIED BY THE DEPARTMENT IN WRITING THAT THE VIOLATION HAS BEEN SATISFACTORILY CORRECTED WITHIN 45 DAYS, YOU MUST ALSO MAIL/HAND DELIVER THE PUBLIC NOTICE TO ALL CUSTOMERS SERVED BY THE WATER SYSTEM.**

## **STEP 2:**

Mail/Hand deliver a copy of the enclosed public notice by **AUGUST 3, 1998**, (and every 90 days thereafter for as long as the violation exists), to each customer served by the water system. Submit proof of public notice (enclosed affidavit preferred), along with a copy of the actual notice which was mailed/hand delivered, to the Department by **AUGUST 13, 1998**, (and every 90 days thereafter for as long as the violation exists).

Please ensure that the affidavit of public notice is notarized before it is submitted to the Department.

**\*\*\* (NOTE: THE PUBLIC NOTICE MUST BE DISTRIBUTED AS OUTLINED ABOVE, AND THE HEALTH INFORMATION SECTION MUST BE USED WITHOUT CHANGES. FAILURE TO DISTRIBUTE THE PUBLIC NOTICE AS INSTRUCTED ABOVE, OR ALTER THE HEALTH INFORMATION SECTION IS A VIOLATION OF F.A.C. RULE 62-560.)\*\*\***

If you have any questions please call PATTY BARON at 941-332-6975

# DRINKING WATER PUBLIC NOTICE

## RIVER'S EDGE WATER TREATMENT PLANT

### SITUATION:

Recent tests show that samples from the River's Edge water system contain a Radiological (Radium 226 and Radium 228) concentration higher than that which is allowed by the Department of Environmental Protection. The laboratory analyses results for the four most recent consecutive quarterly samples, indicate a combined Radium 226 and Radium 228 concentration of 7.05 picoCuries per liter (pCi/L). The drinking water standard for combined Radium-226 and Radium-228, is a four quarter running average of 5.0 pCi/L.

### HEALTH INFORMATION:

The United States Environmental Protection Agency (EPA) and the State of Florida Department of Environmental Protection (DEP) set drinking water standards and have determined that combined Radium-226 and Radium-228 is a health concern at certain levels of exposure. Long term exposure to concentrations above the drinking water standard may include an increased risk of anemia, cataracts, fractured teeth and cancer (especially bone cancer). Drinking water which meets this standard is associated with little or none of this risk and should be considered safe.

### GENERAL INFORMATION:

The source of the contamination is unknown at this time. However, the most common sources of Radium in drinking water are naturally occurring mineral deposits. Radium is normally found at very low levels in soil, water, rocks, coal, plants, and food. Additional testing is being conducted to confirm the above results. At this time, the supplier of water is required to conduct quarterly monitoring for radiological contaminants. Quarterly monitoring shall continue, until the analyses results of the four most recent consecutive quarterly samples indicates that the Maximum Contaminant Level is no longer exceeded.

### ADDITIONAL INFORMATION:

For more information please contact \_\_\_\_\_ at \_\_\_\_\_, or contact the Department of Environmental Protection, Potable Water Compliance/Enforcement Section, at 941-332-6975.

**RECEIVED**  
**FEB 11 1999**  
Florida Public Service Commission  
Division of Water and Wastewater

September 1, 1998

Mr. Louis P. LeMaire  
Dept. of Environmental Protection  
PO BOX 2549  
Fort Myers, FL. 33902-2549

MR. Dominick Petrizzo  
General Mgr Rivers Edge  
PWS ID NUMBER 5084074

Dear Mr. LeMaire

The deficiency (Inadequate certified operator coverage) has been corrected. Avator will provide a certified operator in accordance with F.A.C. rule 62-555.350, 62-602 and 62-699.

Sincerely  
  
Dominick Petrizzo

Entered PWS  
10/5/98 LPO



Lawton Chiles  
Governor

# Department of Environmental Protection

# FILE

South District  
P.O. Box 2549  
Fort Myers, Florida 33902-2549  
(941) 332-6975

Virginia B. Wetherell  
Secretary

July 29, 1998

Mr. John Leonette  
Whispering Pines  
902 Whispering Pines  
Bloomberg, New York 12721

Re: Charlotte County - PW  
River's Edge  
PWS I.D. Number: 5084074  
Compliance Inspection Report

Dear Mr. Leonette:

Enclosed is your copy of the recently completed Compliance Inspection Report for the referenced public drinking water system.

The deficiency listed in the Report, may be a violation of Rules 62-550 and 62-555, F.A.C. Please correct the deficiency as soon as possible and notify the Department in writing of corrective actions completed, postmarked no later than August 28, 1998. If the deficiency cannot be corrected by that date, please submit a written request for a time extension that proposes specific deadlines to complete the corrective action.

Recommendations may also be included in the Report. Recommendations are not requirements of State law. They are provided as guidelines towards optimizing water treatment plant operation.

If you have any questions, please contact me at the letterhead address or call 941-332-6975. All correspondence must include the system name and PWS I.D. number.

Sincerely,

Louis P. LeMaire  
Engineer III

LPL/dd

Enclosures

cc: Mr. Dominick Petrizzo  
Mr. Kyle James  
Mr. Allen Slater

### WATER TREATMENT PLANT COMPLIANCE INSPECTION REPORT

Plant name: River's Edge County: Charlotte PWS: 5084074 Phone:(941)637-5757  
Address: 1601 Hunter Creek Drive, Punta Gorda, Fl 33982

Owner name: Mr. John Leonette  
Owner address: Whispering Pines, 902 Whispering Pines  
Bloomberg, NY 12721

Contact: Allen Slater Phone: (941)927-1455

This inspection date: July 9, 1998 Last C.I. date: July 23, 1997  
Last sanitary survey date: August, 15, 1996  
PWS Type:  Community  Non-Transient Non-Community  Non-Community

Service area characteristics: Residential Community  
No. of service connections: 45  
Served population: 90

#### OPERATION & MAINTENANCE

Certified operator:  Yes  No  N/A  
Required Coverage is? 1 hr/day, 5 days/wk, 1 visit each weekend day  
Operator & certification class-number: Allen Slater "C" 6801  
O&M log:  yes  no  
Condition of Plant? Good-Fair Improving

#### WELLS:

Number of wells: 2  
6' x 6' x 4" pad  yes  no  
Sanitary seal.....  OK  no  
Raw water tap:  yes  no  
 not smooth nosed  
Check valve.....  yes  no  
Fence/housing....  yes  no  
Sanitary Hazards  yes  no  
  
Auxiliary power..  yes  no  N/A  
Tested weekly?  yes  no  
Monthly?  yes  no

DESIGN CAPACITY: 0.045 mgd  
STORAGE CAPACITY: 0.030 mg

#### CHLORINATION

Chlorinator type:  Gas  Hypo  
Cl<sub>2</sub> residual: Plant: 0.9 mg/l  
Remote: 0.9 mg/l  
Location: Clubhouse  
Gas cylinder scale.....  yes  no  
Gas cylinder chained.....  yes  no  
Adequate air-pak.....  yes  no  
Adequate ventilation.....  yes  no  
Dual chlorination.....  yes  no  
Auto-switchover.....  yes  no  
Alarm .....  yes  no

PRESSURE: Plant: 40 psi  
Remote: 20+ psi

AERATION: Y Type: Degassifier Condition: OK

OTHER TREATMENT PROCESSES: Sulfuric Acid; Anti scalant; Sodium Hydroxide; Reverse Osmosis

OTHER

Flow measuring device:

X meter  elapsed time clock  none

Backflow prevention devices: X yes  no

Cross-connections observed?  yes X no

(G) Ground (C) Clearwell (E) Elevated  
(B) Bladder (H) Hydropneumatic/flow-through

Tank type	G(6)	H		
Capacity (gals)	5,000(6)	3,500		
Gravity drain	N	Y		
By-pass piping	Y	Y		
Pressure gauge	N/A	Y		
On/Off pressure	"	Y		
Sight glass	"	Y		
Fittings for sight glass	"	Y		
Air release valve	"	Y		
Pressure relief valve	"	Y		
Access padlocked	N	N		

DEFICIENCIES:

1) Inadequate certified operator coverage - All community public (and non-transient non-community) water systems must provide adequate certified operator coverage in accordance with F.A.C. Rule 62-555.350, 62-602 and 62-699.

RECOMMENDATIONS:

1. The overall condition of the WTP has improved significantly - Continue your preventive maintenance program, continue to paint portions and to clean the area of the Water Treatment System. "The supplier of water shall maintain in good condition all equipment," Rule F.A.C. 62-555.350(1).

2. The Department recommends Monthly inspections of all Finished Water Storage Tanks. We frequently observe debris, insects, frogs etc. in the storage tanks.

We believe that it would be a good practice to climb these tanks monthly, check all screening, hatchways, and open for a look at the water inside to evaluate the cleanliness of the product.



3. The Department recommends a periodic inspection program for the finished water storage tanks. American Water Works Association (AWWA) D101-53 (R1979) states "all water tanks should be thoroughly inspected at intervals of not more than five (5) years," and cleaned, painted or repaired if required. Please advise the Department in writing of any inspection or cleaning,

Inspector Louis P. LeMaire

 Title

Engineer III

Date 7/16/98

Approved by:

 Title

P.E. Administrator

Date 7/29/98

# A & A ENGINEERING

741 Alexander Road  
Princeton, New Jersey 08540

(609) 452-0580

FAX: (609) 452-9254

August 24, 1998

Florida Department of Environmental Protection  
PO Box 2549  
Fort Myers, FL 33902-2549

ATTN: Ms. Patty Baron

RE: **RIVER'S EDGE WATER TREATMENT PLANT (97-264)**  
**PUNTA GORDA, FLORIDA**  
**PWS ID NO. 5084074**

**RECEIVED**  
FEB 11 1999  
Florida Public Service Commission  
Division of Water and Wastewater

Dear Ms. Baron:

On behalf of the owners of the above referenced plant, please be advised that the following action is planned to identify and quantify the source of the radiological elevations and the necessary remediation measures:

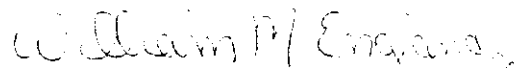
1. The following tests have been ordered for each well: pH, hardness, iron, chlorides, TDS, H<sub>2</sub>S, turbidity, Clean Bact T, color and Radium 226/228. All tests will be taken at the well head and will represent the water quality of each well.
2. Upon receipt of all testing data, we will prepare an engineering package in conjunction with Atlantic Filter Company at West Palm Beach, Florida for review and approval by your office. This package will present the data gathered and the resultant changes to the plant that are required. This report is anticipated to be available in 45 days.
3. If it is determined that an ion exchange system is appropriate for elimination of the radiological levels, the system improvement will be installed within 60 days from approval for installation.

I trust this information is acceptable. We are proceeding based upon the above schedule. If this procedure requires modification, please contact me at (609) 452-0580.

Thank you for your cooperation.

Very truly yours,

A & A ENGINEERING



William M. England, PE

CC: John Leonette  
Fred Esposito

J bill baron - water treatment plant



# Department of Environmental Protection

FILE

Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901-3881

Virginia B. Wetherell  
Secretary

New Mailing Address  
PO Box 2549  
Ft. Myers, FL 33902-2549

April 21, 1998

RECEIVED  
FEB 11 1999  
Florida Public Service Commission  
Division of Water and Wastewater

Mr. John Leonette  
River's Edge  
1601 Hunter Creek Drive  
Punta Gorda, Florida 33982

Re: Charlotte County - PW  
River's Edge  
PWS I.D. Number: 5084074  
Radiological MCL Violation

Dear Mr. Leonette:

This letter acknowledges receipt of the drinking water analysis results for the radium 226 and radium 228 sample collected on March 11, 1998. The results indicate that the Maximum Contaminant Level (MCL) for combined radium 226 and radium 228, specified in Florida Administrative Code (F.A.C.) Rule 62-550.310, has been exceeded.

In accordance with F.A.C. Rule 62-550.500(8), if an analysis indicates that the level of any primary contaminant exceeds the specified MCL, the supplier of water shall begin quarterly monitoring in the next calendar quarter, notify the public pursuant to F.A.C. Rule 62-560.410, and take corrective action as approved by the Department. The first quarterly sample for radium 226 and radium 228 shall be collected from the entry to the distribution system no later than June 30, 1998. Samples shall be collected each calendar quarter thereafter. Samples taken in consecutive quarters shall be taken at least 30 days apart. The samples shall be analyzed by a Department of Health certified drinking water laboratory and the results shall be submitted to the Department within 10 days of the end of each calendar quarter.

Please submit a plan for corrective action postmarked no later than July 21, 1998. If modification or replacement of your treatment plant or source is necessary, a permit must be obtained from this agency prior to making any changes. Any required permit applications and fees must also be submitted to the Department postmarked no later than August 21, 1998.

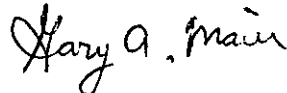
Continued...

Page 2  
River Edge  
April 21, 1998

In addition, public notice in accordance with F.A.C. Rule 62-560 is required. Enclosed for your convenience is an example notice which includes the minimum required information that must be used without changes. You may add additional information to the notice if you choose. Proof of public notice must be submitted to the Department as indicated in the enclosed public notice instruction package. The public notice must remain posted and be redistributed every 90 days until the violation has been corrected.

If you have any questions, please contact Mark Charneski at (941) 332-6975.

Sincerely,



---

Gary A. Maier  
Professional Engineer

GAM/MAC/dj

cc: Charlotte County Department of Health (w/enclosures)  
Mr. Dominick Petrizzo (w/enclosures)  
Mr. Kyle James (w/enclosures)

# DRINKING WATER PUBLIC NOTICE

## River's Edge

### SITUATION:

Recent tests show that samples from the River's Edge water system contain a combined radium-226 and radium-228 concentration higher than allowed by the Department of Environmental Protection. The annual sample collected on March 11, 1998 showed that the water contained a combined radium-226 and radium-228 concentration of 7.5 +/- 0.8 picocuries per liter (pCi/l). The drinking water standard for combined radium-226 and radium-228 is a four quarter average of 5.0 pCi/l.

### HEALTH INFORMATION: RADIUM-226 AND RADIUM-228

The United States Environmental Protection Agency (EPA) and the State of Florida Department of Environmental Protection (DEP) set drinking water standards and have determined that combined radium-226 and radium-228 is a health concern at certain levels of exposure. Long term exposure to concentrations above the drinking water standard may include an increased risk of anemia, cataracts, fractured teeth and cancer (especially bone cancer). Drinking water which meets this standard is associated with little or none of this risk and should be considered safe.

### GENERAL INFORMATION:

The source of the contamination is unknown at this time. However, the most common sources of radium in drinking water are naturally occurring mineral deposits. Radium is normally found at very low levels in soil, water, rocks, coal, plants, and food. Additional testing is being conducted to confirm the above results. The supplier of water is also required to continue quarterly monitoring until the standard is consistently met for one year. Corrective action will be required if the contamination is confirmed.

### ADDITIONAL INFORMATION:

For more information please contact Mr. Dominick Petrizzo at 637-5757 or contact the Department of Environmental Protection, Potable Water Compliance/Enforcement Section, at 941-332-6975.

# **PROOF OF PUBLIC NOTICE INSTRUCTIONS**

## **for River's Edge**

**Please complete the affidavit of public notice entirely. Use additional sheets if necessary. Post the public notice in a conspicuous location in a public access area and hand deliver the public notice by May 5, 1998 (and every 90 days thereafter) to all users of the water system. Also, obtain the signatures of all persons receiving the public notice. Attach a copy of the notice and signature list to this form and submit it to the Department by May 12, 1998 (and every 90 days thereafter).**

**Please ensure that the affidavit of public notice is notarized before it is submitted to the Department.**

**\*\*\* (NOTE: THE PUBLIC NOTICE MUST BE DISTRIBUTED AS OUTLINED ABOVE AND THE HEALTH INFORMATION SECTION MUST BE USED WITHOUT CHANGES. FAILURE TO DISTRIBUTE THE PUBLIC NOTICE AS INSTRUCTED ABOVE OR ALTER THE HEALTH INFORMATION SECTION IS A VIOLATION OF F.A.C. RULE 62-560.)\*\*\***

**If you have any questions please call Patty Baron or Mark Charneski at  
941-332-6975**

**AFFIDAVIT OF PUBLIC NOTICE**

**River's Edge**

**PWS I.D. Number: 5084074**

The undersigned hereby certifies that the attached public notice was posted and distributed on \_\_\_\_\_, 1998 to all customers of River's Edge in accordance with Florida Administrative Code Rule 62-560 and the instructions provided.

\_\_\_\_\_  
Signature of Water System Representative\*

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\*Attach letter of authorization if other than owner or corporate officer.

Sworn to and subscribed before me at \_\_\_\_\_ County,

this \_\_\_\_ day of \_\_\_\_\_ 1998.

\_\_\_\_\_  
Notary Public

My Commission Expires:



RESIDENTS SIGN BELOW

I certify that I have received or read the attached public notice.

NAME	DATE	ADDRESS OR LOT #
1.	_____	_____
2.	_____	_____
3.	_____	_____
4.	_____	_____
5.	_____	_____
6.	_____	_____
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Page Three  
Proof of Public Notice for River's Edge

NAME	DATE	ADDRESS OR LOT #
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USE EXTRA PAGES IF REQUIRED



# Department of Environmental Protection

Lawton Chiles  
Governor

South District  
2295 Victoria Avenue, Suite 364  
Fort Myers, Florida 33901-3881

**RECEIVED**  
FEB 11 1999  
Florida B. Wetherell  
Secretary  
Florida Public Service Commission  
Division of Water and Wastewater

**PERMITTEE:**

River's Edge, Inc.  
1601 Hunter Creek Drive  
Punta Gorda, FL 33982

**CHARLOTTE COUNTY - IW**

**PERMIT NUMBER:** FL0042412  
**ISSUE DATE:** January 10, 1996  
**EXPIRATION DATE:** January 10, 2001  
**FACILITY LD. NO. :** FL0042412  
PATS278436

**FACILITY:**

River's Edge RO Water Treatment Plant  
1601 Hunter Creek Drive, Punta Gorda  
Latitude: 27° 00' 35"N Longitude: 81° 58' 24"W

This permit is issued under the provisions of Chapter 403, Florida Statutes and applicable rules of the Florida Administrative Code and constitutes authorization to discharge to waters of the state under the National Pollutant Discharge Elimination System. The above named permittee is hereby authorized to operate the facilities shown on the application and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**WASTEWATER FACILITY AND TREATMENT DESCRIPTION:**

This is a reverse osmosis drinking water treatment plant concentrate treatment and disposal system. EPA has designated this facility as a minor facility. The system has a design flow of 0.017 MGD, a maximum daily wastewater flow of 0.0074 MGD and an annual average flow of 0.004 MGD. The system consists of a forced draft aerator for removal of hydrogen sulfide and addition of dissolved oxygen, a multipoint discharge plenum to facilitate rapid mixing and associated pumps and piping.

**EFFLUENT DISPOSAL/USE**

The effluent from the treatment system is discharged via a single outfall numbered 001 to Hunter Creek, which is classified as class III surface waters of the State. Hunter Creek varies from fresh to marine seasonally depending on rainfall levels in it's drainage basin. Mixing Zones are established for specific conductance, chlorides, combined radium and gross alpha. The mixing zones extend fifteen feet upstream and downstream from the discharge plenum. The system is as described in application number 279075, previous permit applications and in associated documents by Maury Denneler, P.E. of ABS & Associates, Inc. and others.

**IN ACCORDANCE WITH:** The limitations, monitoring requirements and other conditions set forth in this permit.

**PERMITTEE:**

River's Edge, Inc.

**PERMIT NUMBER:**

FL0042412

**ISSUE DATE:**

January 10, 1996

**EXPIRATION DATE:**

January 10, 2001

**FACILITY I.D. NO:**

FL0042412

PATS278436

**I. Effluent Limitations and Monitoring Requirements****A. Surface Water Discharges**

1. During the period beginning on the issue date and lasting through the expiration date of this permit, the permittee is authorized to discharge from Outfall 001, treated reverse osmosis drinking water treatment plant concentrate. Such discharge shall be limited and monitored by the permittee as specified below:

The effluent shall be sampled after final treatment but prior to discharge to the receiving waters in accordance with the following:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Avg.	Daily Max.	Other (specify)	Frequency	Sample Type	Sample Point
Flow 50050		0.017 MGD		continuous	meter	20077
Dissolved Oxygen 00300			Minimum 5.0 mg/l	once/month	grab	20077
pH 00400		8.5 S.U.	Minimum 6..5 S.U.	once/month	grab	20077
Hydrogen Sulfide 71875		0.04 mg/l		once/month	grab	20077

The receiving waters shall be sampled at the upstream edge of the fifteen foot mixing zone in accordance with the following:

Parameters (units)	Discharge Limitations			Monitoring Requirements		
	Monthly Avg.	Daily Max.	Other (specify)	Frequency	Sample Type	Sample Point
Chlorides 00940		REPORT		once/quarter	grab	20075
Specific Conductance 00095		REPORT		once/quarter	grab	20075

**PERMITTEE:**

River's Edge, Inc.

**PERMIT NUMBER:**

FL0042412

**ISSUE DATE:**

January 10, 1996

**EXPIRATION DATE:**

January 10, 2001

**FACILITY I.D. NO.:**

FL0042412

PATS278436

The receiving waters shall be sampled at the downstream edge of the fifteen foot mixing zone in accordance with the following:

Parameters (units)	Limitations			Monitoring Requirements		
	Monthly Avg.	Daily Max.	Other (specify)	Frequency	Sample Type	Sample Point
Chlorides 00940	-----	See 2. Below	-----	once/quarter	grab	20074
Specific Conductance 00095	-----	See 3. Below	-----	once/quarter	grab	20074
Gross Alpha Particle Activity 80029	-----	15 pCi/l	-----	once/quarter	grab	20074
Combined Radium 226 & 228 11503	-----	5 pCi/l	-----	once/quarter	grab	20074

2. If the chloride concentration of the upstream chloride sample is 1,500 mg/l or greater: Chlorides shall not be more than 10% above that concentration.
3. If the chloride concentration of the upstream chloride sample is less than 1,500 mg/l: Specific Conductance shall not exceed 1,275 micromhos/cm or 50% above background levels as determined by the upstream specific conductance sample.
4. The direction of flow of Hunter Creek shall be determined before each sampling event in order to determine the upstream and downstream sampling points.
5. Mixing zones are established for specific conductance, chlorides, combined radium 226 & 228 and gross alpha particle activity. The mixing zones extend fifteen feet upstream and downstream from the discharge plenum.
6. The sampling requirements and limits specified in this permit shall be in effect for the duration of this permit, unless notified otherwise by the permit issuing authority.
7. There shall be no discharge of floating solids or visible foam in other than trace amounts.
8. The discharge shall not cause a visible sheen on the receiving water.

**PERMITTEE:**

River's Edge, Inc.

**PERMIT NUMBER:**

FL0042412

**ISSUE DATE:**

January 10, 1996

**EXPIRATION DATE:**

January 10, 2001

**FACILITY I.D. NO:**

FL0042412

PATS278436

**B. Other Methods of Disposal or Recycling**

1. There shall be no discharge of industrial wastewater from this facility to ground or surface waters, except as authorized by this permit.

**C. Other Limitations and Monitoring and Reporting Requirements**

1. The Department is currently conducting a study into the causes of reverse osmosis concentrate toxicity to certain marine organisms. At the conclusion of this study, a requirement for effluent toxicity monitoring may be added to this permit.
2. Monitoring results obtained for each calendar month shall be summarized for that month and reported on Discharge Monitoring Report (DMR) Forms 62-620.910(10) (copies of which are attached) postmarked no later than the 28th day of the month following the completed calendar month. For example, data for January shall be submitted by February 28. Signed copies of the DMRs shall be submitted to the address specified below:

**Florida Department of Environmental Protection  
Wastewater Facilities Regulation Section, Mail Station 3551  
Twin Towers Office Building  
2600 Blair Stone Road  
Tallahassee, Florida 32399-2400**

If no discharge occurs during the reporting period, sampling requirements of this permit do not apply. The statement "No discharge" shall be written on the DMR form. If, during the term period of this permit, the facility ceases to discharge, the Department shall be notified immediately upon cessation of discharge. Such notification shall be in writing.

3. Unless specified otherwise in this permit, all other reports and notifications required by this permit, including twenty-four hour notifications, shall be submitted to or reported to, as appropriate, the South District Office of the Department at the address specified below:

**Florida Department of Environmental Protection  
Industrial Wastewater Section  
2295 Victoria Avenue, #364  
Fort Myers, FL 33901-3881**

4. Grab samples shall be collected during periods of minimal treatment plant pollutant removal efficiencies or maximum hydraulic and/or pollutant loading.
5. The permittee shall provide safe access points for obtaining representative samples which are required by this permit.
6. The permittee shall ensure that all laboratory analytical data submitted to the department as required by this permit is from a laboratory which has a currently valid and Department-approved Comprehensive Quality Assurance Plan (ComQAP) [or a ComQAP pending approval] for all parameters being reported as required by Chapter 62-160, Florida Administrative Code.
7. If there is no discharge from the facility on a day scheduled for sampling, the sample shall be collected on the day of the next discharge.

**PERMITTEE:**  
River's Edge, Inc.

**PERMIT NUMBER:** FL0042412  
**ISSUE DATE:** January 10, 1996  
**EXPIRATION DATE:** January 10, 2001  
**FACILITY I.D. NO:** FL0042412  
PATS278436

8. Any bypass of the treatment facility which is not included in the monitoring specified in I.A.1 is to be monitored for flow and all other required parameters. For parameters other than flow, at least one grab sample per day shall be monitored. Daily flow shall be monitored or estimated, as appropriate, to obtain reasonable data. All monitoring results shall be reported on the appropriate DMR.

**II. Industrial Sludge Management Requirements - N/A**

**III. Groundwater Monitoring Requirements - N/A**

**IV. Other Land Application Requirements - N/A**

**V. Operation and Maintenance Requirements**

**A. Operation of Treatment and Disposal Facilities**

1. The permittee shall ensure that the operation of this facility is as described in the application and supporting documents.
2. The operation of the pollution control facilities described in this permit shall be under the full time supervision of a person who is qualified by formal training and/or practical experience in the field of water pollution control.

**B. Record keeping Requirements:**

The permittee shall maintain the following records on the site of the permitted facility and make them available for inspection:

1. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;
2. Copies of all reports, other than those required in items 1. and 6. of this section, required by the permit for at least three years from the date the report was prepared, unless otherwise specified by Department rule;
3. Records of all data, including reports and documents used to complete the application for the permit for at least three years from the date the application was filed, unless otherwise specified by Department rule;
4. A copy of the current permit;

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5. A copy of any required record drawings;
6. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date on the logs or schedule

C. Emergencies

1. In the event of an emergency, the permittee shall contact the Department by calling (904)413-9911. During normal business hours, the permittee shall also call (941)332-6975.

**VI. Compliance Schedules and Self-imposed Improvement Schedules**

1. The permittee shall achieve compliance with the conditions of this permit on the issue date of this permit and as specified in any future revisions of this permit.

**VII. Other Specific Conditions**

A. Specific Conditions Applicable to all permits

1. Drawings, plans, documents or specifications submitted by the permittee, not attached hereto, but retained on file at this office, are made a part hereof.
2. If significant historical or archaeological artifacts are discovered at any time within the project site, the permittee shall immediately notify the District Office and the Bureau of Historic Preservation, Division of Archives, History and Records Management, R.A. Gray Building, Tallahassee, Florida 32301.
3. Where required by Chapter 471 (P.E.) or Chapter 492 (P.G.) Florida Statutes, applicable portions of reports to be submitted under this permit, shall be signed and sealed by the professional(s) who prepared them.
4. This permit satisfies Industrial Wastewater program permitting requirements only and does not authorize operation of this facility prior to obtaining any other permits required by local, state or federal agencies.

B. Duty to Reapply

1. The permittee shall submit an application to renew this permit at least 180 days before the expiration date of this permit.
2. The permittee shall apply on the appropriate form listed in Rule 62-620.910, F.A.C., and in the manner established in Rules 62-620.400 through 62-620.460, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C.
3. An application filed in accordance with subsections 1. and 2. of this part shall be considered timely and sufficient. When an application for renewal of a permit is timely and sufficient, the existing permit shall not expire until the Department has taken final action on the application for renewal or until the last day for seeking judicial review of the agency order or a later date fixed by order of the reviewing court.



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4. The late submittal of a renewal application shall be considered timely and sufficient for the purpose of extending the effectiveness of the expiring permit only if it is submitted and made complete before the expiration date.

**C. Specific Conditions Related to Existing Manufacturing, Commercial, Mining, and Silviculture Wastewater Facilities or Activities**

1. Existing manufacturing, commercial, mining, and silvicultural wastewater facilities or activities that discharge into surface waters shall notify the Department as soon as they know or have reason to believe:
- (a) That any activity has occurred or will occur which would result in the discharge, on a routine or frequent basis, of any toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels :
1. One hundred micrograms per liter,
  2. Two hundred micrograms per liter for acrolein and acrylonitrile; five hundred micrograms per liter for 2,4-dinitrophenol and for 2-methyl-4,6-dinitrophenol; and one milligram per liter for antimony,
  3. Five times the maximum concentration value reported for that pollutant in the permit application, or
- (b) That any activity has occurred or will occur which would result in any discharge, on a non-routine or infrequent basis, of a toxic pollutant which is not limited in the permit, if that discharge will exceed the highest of the following levels:
1. Five hundred micrograms per liter,
  2. One milligram per liter for antimony,
  3. Ten times the maximum concentration value reported for that pollutant in the permit application, or

**VIII. General Conditions**

**A.**

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit are binding and enforceable pursuant to Chapter 403, Florida Statutes. Any permit noncompliance constitutes a violation of Chapter 403, Florida Statutes, and is grounds for enforcement action, permit termination, permit revocation and reissuance, or permit revision. [62-620.610(1), FAC]
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviations from the approved drawings, exhibits, specifications or conditions of this permit constitutes grounds for revocation and enforcement action by the Department. [62-620.610(2), FAC]
3. As provided in Subsection 403.087(6), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor authorize any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit or authorization that may be required for other aspects of the total project which are not addressed in this permit. [62-620.610(3), FAC]
4. This permit conveys no title to land or water, does not constitute state recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title. [62-620.610(4), FAC]

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5. This permit does not relieve the permittee from liability and penalties for harm or injury to human health or welfare, animal or plant life, or property caused by the construction or operation of this permitted source; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department. The permittee shall take all reasonable steps to minimize or prevent any discharge, reuse of reclaimed water, or residuals use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. *[62-620.610(5), FAC]*
6. If the permittee wishes to continue an activity regulated by this permit after its expiration date, the permittee shall apply for and obtain a new permit. *[62-620.610(6), FAC]*
7. The permittee shall at all times properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used by the permittee to achieve compliance with the conditions of this permit. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit. *[62-620.610(7), FAC]*
8. This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit revision, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition. *[62-620.610(8), FAC]*
9. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, including an authorized representative of the Department and authorized EPA personnel, when applicable, upon presentation of credentials or other documents as may be required by law, and at reasonable times, depending upon the nature of the concern being investigated, to
  - a. Enter upon the permittee's premises where a regulated facility, system, or activity is located or conducted, or where records shall be kept under the conditions of this permit;
  - b. Have access to and copy any records that shall be kept under the conditions of this permit;
  - c. Inspect the facilities, equipment, practices, or operations regulated or required under this permit; and
  - d. Sample or monitor any substances or parameters at any location necessary to assure compliance with this permit or Department rules.*[62-620.610(9), FAC]*
10. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data, and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except as such use is proscribed by Section 403.111, Florida Statutes, or Rule 62-620.302, Florida Administrative Code. Such evidence shall only be used to the extent that it is consistent with the Florida Rules of Civil Procedure and applicable evidentiary rules. *[62-620.610(10), FAC]*
11. When requested by the Department, the permittee shall within a reasonable time provide any information required by law which is needed to determine whether there is cause for revising, revoking and reissuing, or terminating this permit, or to determine compliance with the permit. The permittee shall also provide to the Department upon request copies of records required by this permit to be kept. If the permittee becomes aware of relevant facts that were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be promptly submitted or corrections promptly reported to the Department. *[62-620.610(11), FAC]*
12. Unless specifically stated otherwise in Department rules, the permittee, in accepting this permit, agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time

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- for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-302.500, F.A.C., shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard. [62-620.610(12), FAC]
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-5.052, F.A.C. [62-620.610(13), FAC]
  14. This permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department. [62-620.610(14), FAC]
  15. The permittee shall give the Department written notice at least 60 days before inactivation or abandonment of a wastewater facility and shall specify what steps will be taken to safeguard public health and safety during and following inactivation or abandonment. [62-620.610(15), FAC]
  16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300, 62.420 or 62.620.450, F.A.C., as applicable, at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.300 for minor modifications to the permitted facility. A revised permit shall be obtained before construction begins except as provided in Rule 62-620.300, F.A.C. [62-620.610(16), FAC]
  17. The permittee shall give advance notice to the Department of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. The permittee shall be responsible for any and all damages which may result from the changes and may be subject to enforcement action by the Department for penalties or revocation of this permit. The notice shall include the following information:
    - a. A description of the anticipated noncompliance;
    - b. The period of the anticipated noncompliance, including dates and times; and
    - c. Steps being taken to prevent future occurrence of the noncompliance.[62-620.610(17), FAC]
  18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapter 62-160 and 62-601, F.A.C., and 40 CFR 136, as appropriate.
    - a. Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10).
    - b. If the permittee monitors any contaminate more frequently than required by the permit, using Department approved test procedures, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR.
    - c. Calculations for all limitations which require averaging of measurements shall use an arithmetic mean unless otherwise specified in this permit.
    - d. Any laboratory test required by this permit for domestic wastewater facilities shall be performed by a laboratory that has been certified by the Department of Health and Rehabilitative Services (DHRS) under Chapter 10D41, F.A.C., to perform the test. In domestic wastewater facilities, on-site tests for dissolved oxygen, pH, and total chlorine residual shall be performed by a laboratory certified to test for those parameters or under the direction of an operator certified under Chapter 61E12-41, F.A.C.
    - e. Under Chapter 62-160, F.A.C., sample collection shall be performed by following the protocols outlined in "DER Standard Operating Procedures for Laboratory Operations and Sample Collection Activities" (DER-QA-001/92). Alternatively, sample collection may be performed by an organization who has an approved Comprehensive Quality Assurance Plan (CompQAP) on file with the Department. The CompQAP shall be approved for collection of samples from the required matrices and for the required tests. [62-620.610(18), FAC]

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19. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule detailed elsewhere in this permit shall be submitted no later than 14 days following each schedule date. [62-620.610(19), FAC]
20. The permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain: a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.
- a. The following shall be included as information which must be reported within 24 hours under this condition:
1. Any unanticipated bypass which causes any reclaimed water or the effluent to exceed any permit limitation or results in an unpermitted discharge,
  2. Any upset which causes any reclaimed water or the effluent to exceed any limitation in the permit,
  3. Violation of a maximum daily discharge limitation for any of the pollutants specifically listed in the permit for such notice, and
  4. Any unauthorized discharge to surface or ground waters.
- b. If the oral report has been received within 24 hours, the noncompliance has been corrected, and the noncompliance did not endanger health or the environment, the Department shall waive the written report. [62-620.610(20), FAC]
21. The permittee shall report all instances of noncompliance not reported under Conditions VIII A. 18. and 19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Condition VIII. A. 20. of this permit. [62-620.610(21), FAC]
22. Bypass Provisions.
- a. Bypass is prohibited, and the Department may take enforcement action against a permittee for bypass, unless the permittee affirmatively demonstrates that:
- (1). Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage; and
  - (2). There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
  - (3). The permittee submitted notices as required under Condition VIII A. 22. b. of this permit.
- b. If the permittee knows in advance of the need for a bypass, it shall submit prior notice to the Department, if possible at least 10 days before the date of the bypass. The permittee shall submit notice of an unanticipated bypass within 24 hours of learning about the bypass as required in Condition VIII A. 20. of this permit. A notice shall include a description of the bypass and its cause; the period of the bypass, including exact dates and times; if the bypass has not been corrected, the anticipated time it is expected to continue; and the steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass.
- c. The Department shall approve an anticipated bypass, after considering its adverse effect, if the permittee demonstrates that it will meet the three conditions listed in Condition VIII. A. 22. a. through 3. of this permit.
- d. A permittee may allow any bypass to occur which does not cause reclaimed water or effluent limitations to be exceeded if it is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of Condition VIII. A. 22. a. through c. of this permit. [62-620.610(22), FAC]

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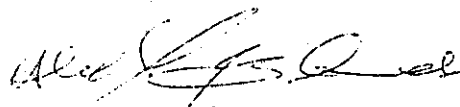
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23. Upset Provisions

- a. A permittee who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed contemporaneous operating logs, or other relevant evidence that:
- (1). An upset occurred and that the permittee can identify the cause(s) of the upset;
  - (2). The permitted facility was at the time being properly operated;
  - (3). The permittee submitted notice of the upset as required in Condition VIII. A. 20. of this permit; and
  - (4). The permittee complied with any remedial measures required under Condition IX. A. 5. of this permit.
- b. In any enforcement proceeding, the permittee seeking to establish the occurrence of an upset has the burden of proof.
- c. Before an enforcement proceeding is instituted, no representation made during the Department review of a claim that noncompliance was caused by an upset is final agency action subject to judicial review.  
[62-620.610(23), FAC]

Issued this 10th day of January, 1996.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Abdul B. Ahmadi, Ph.D., P.E.  
Water Facilities Administrator

ABA/CRD/klm