



Department of Environmental Protection

Jeb Bush
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

April 23, 1999

Joseph R. Borda, President
Lindrick Service Corporation
Post Office Box 1176
New Port Richey, Florida 34656-1176

980242-SU

Edward G. Coppock
Director of Engineering Services
H2O Utility Services, Inc.
1817 U.S. Highway 19
Holiday, Florida 34691

RECEIVED
APR 28 1999
Florida Public Service Commission
Division of Water and Wastewater

Re: Lindrick Service Corporation ("LSC") Consent Order
OGC Case No. 98-0025
Letters of April 13 from LSC, and April 20, 1999 from H2O

Dear Messrs. Borda and Coppock:

In response to your referenced letters to me, the Department does not agree with your conclusions and rationale in regard to the monthly \$8000.00 payments due to DEP from LSC. As stated in DEP's letter of April 6, 1999, LSC should continue to make the payments due pursuant to the terms of the LSC Consent Order. According to our records to date, the \$8000.00 monthly payment due on April 19, 1999 has not been received. Pursuant to paragraph 14 of the LSC Consent Order, "failure to timely make any payment will allow the Department, at its discretion, to accelerate the balance which shall become immediately due". Also, pursuant to paragraph 15, LSC is liable for stipulated \$100.00 per day penalties for failing to timely comply with the \$8000.00 payment due date.

Ed, thank you for providing the four graphs in your correspondence. It does indeed appear to reveal from the information provided in the graphs that the chlorides are decreasing and LSC will achieve the May 19th deadline. However, DEP would like to evaluate the graphs summarizing chloride sampling for the entire period of sampling, including after the pump station is in operation, until the LSC Wastewater Collection System Rehabilitation Project is complete. From the data provided in your April 20th letter, DEP is unable to understand how you conclude that the LSC wastewater flows would have been diverted to the City of New Port Richey before March 19, if the DEP permit would have been issued by February 10th.

DEP is appreciative of the efforts to complete the wastewater diversion by the May 19th deadline. You are correct in your understanding that the Domestic Wastewater Section will support a request for a partial clearance to place the pump station on-line.

- AFA _____
- APP _____
- CAF _____
- CMU _____
- CTR _____
- EAG _____
- LEG _____
- MAS _____
- OPC _____
- RRR _____
- SEC _____
- WAW _____
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FPSC-RECORDS/REPORTING

Joseph R. Borda
Edward G. Coppock
Lindrick Service Corporation
OGC Case No. 98-0025
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If there are any questions, please do not hesitate to telephone me at 813-744-6100 extension 392.

Sincerely,



Thomas Gucciardo
Environmental Manager
Compliance Assurance and Enforcement
Domestic Wastewater

cc: Richard Garrity, DEP, Tampa
Ed Snipes, DEP, Tampa
David MacColeman, DEP, Tampa
Ilia Herrera, DEP, Tallahassee
Joseph Borda, LSC
William Malloy, LSC
Helen McNeil, LSC
Linda Miedwig, Borda Engineers
Jake Varn, LSC attorney
Gary Deremer, H2O Utilities
Tom O'Neill, City of New Port Richey
Lee Monroe, PSC