

RECEIVED-FPSC
07 AUG 21 PM 3:12
COMMISSION
CLERK

DOCKET NO.: 060368-WS - Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia and Washington Counties by Aqua Utilities Florida, Inc.

WITNESS: Direct Testimony of Peter H. Burghardt, Environmental Specialist, Appearing on Behalf of the Staff of the Florida Public Service Commission.

DATE FILED: August 21, 2007

CMP _____
COM 5
CTR 1
ECR _____
GCL _____
OPC _____
RCA _____
SCR _____
SGA _____
SEC _____
OTH _____

DOCUMENT NUMBER - DATE

07415 AUG 21 07

FPSC - COMMISSION CLERK

DIRECT TESTIMONY OF PETER H. BURGHARDT

- 1
- 2 Q. Please state your name and business address.
- 3 A. Peter H. Burghardt, Florida Department of Environmental Protection, 13051 North
- 4 Telecom Parkway , Tampa, Florida 33637.
- 5 Q. Please state a brief description of your educational background and experience.
- 6 A. I received a BA in Biology, University of South in Florida 1980. From 1982 to 1990, I
- 7 was an Environmental Health Specialist with the Pasco County Health Department.
- 8 From 1990 to date I am an Environmental Specialist with the FDEP's Domestic
- 9 Wastewater Program performing all aspects of the duties related to the Domestic
- 10 Wastewater's compliance and enforcement activities.
- 11 Q. By whom are you presently employed?
- 12 A. Florida Department of Environmental Protection (FDEP).
- 13 Q. How long have you been employed with the FDEP and in what capacity?
- 14 A. I have been employed for 16 years, since October 31, 1990, as a Domestic Wastewater
- 15 Program Environmental Specialist performing compliance and enforcement activities.
- 16 Q. What are your general responsibilities at the FDEP?
- 17 A. I inspect Wastewater Treatment Facilities (WWTFs) to ensure compliance with the
- 18 Department's rules and the facility's permit. Also, I draft inspection letters, confer
- 19 with utility managers, operators, and engineers to effect corrective action. As
- 20 applicable, I also initiate, negotiate and draft enforcement actions, where required by
- 21 the Department, to compel compliance.
- 22 Q. Are you familiar with Aqua Utilities Florida, Inc.'s (utility) wastewater treatment
- 23 system in Sumter County, particularly The Woods?
- 24 A. Yes.
- 25 Q. Does the utility have appropriate current permits from the FDEP?

DOCUMENT ID: FDEP-DATE

07415 AUG 21 5

- 1 A. Yes.
- 2 Q. Does the system have a valid operating permit?
- 3 A. Yes.
- 4 Q. Please state the issuance date and the expiration date of any Domestic Wastewater
5 permits.
- 6 A. FDEP Permit No. FLA013500 was issued June 19, 2006 and expires June 18, 2011.
- 7 Q. Is the utility in compliance with its permits?
- 8 A. Yes, the plant is in substantial compliance with its permit.
- 9 Q. Are the wastewater collection, treatment and disposal facilities adequate to serve
10 present customers based on permitted capacity?
- 11 A. The treatment and disposal systems appear adequate. The collection system was not
12 evaluated.
- 13 Q. Has FDEP required the utility to take any action so as to minimize possible adverse
14 effects resulting from odors, noise, aerosol drift or lighting?
- 15 A. No.
- 16 Q. Do pump stations and lift stations meet FDEP requirements with respect to location,
17 reliability and safety?
- 18 A. Yes.
- 19 Q. Does the utility have certified operators as required by Chapter 62-602, Florida
20 Administrative Code?
- 21 A. Yes.
- 22 Q. Is the overall maintenance of the treatment, collection, and disposal facilities
23 satisfactory?
- 24 A. Yes.
- 25 Q. Does the utility meet all applicable technology based effluent limitations (TBELS) and

1 water quality based effluent limitations (WQBELS)?

2 A. Yes for TBELS. WQBELS are not applicable

3 Q. Does the facility meet the effluent disposal requirements of Rules 62-611 and 62-

4 600.530, Florida Administrative Code (F.A.C.)?

5 A. Yes, for Rule 62-600.530, F.A.C.; however, Rule 62-611, F.A.C. is not applicable.

6 Q. Are the collection, treatment and disposal facilities in compliance with all other

7 provisions of Chapter 62, Florida Administrative Code, not previously mentioned?

8 A. The main lift station was in compliance, the remainder of the collection system was not

9 inspected. The bottoms of both of the effluent disposal ponds were graded at a slope

10 that caused effluent to pond in the western portions of both effluent disposal ponds. In

11 its June 15, 2005 letter, Aqua Utilities Florida, Inc. indicated that the grading and

12 leveling of the pond bottoms was to be completed by September 30, 2005. At the time

13 of the Department's most recent inspection on June 14, 2007, this work was not

14 performed.

15 Q. Has the utility been the subject of any FDEP enforcement action within the past two

16 years?

17 A. No.

18 Q. Do you have anything further to add?

19 A. No, I do not.

20

21

22

23

24

25

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Application for increase in water and wastewater rates in Alachua, Brevard, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

DOCKET NO. 060368-WS


DATED: AUGUST 21, 2007

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the DIRECT TESTIMONY OF PETER H. BURGHARDT has been served by U.S. Mail to Kenneth A. Hoffman and Marsha E. Rule, Esquires, Rutledge, Ecenia, Purnell & Hoffman, P. A., P.O. Box 551, Tallahassee, FL 32302-0551, on behalf of AQUA UTILITIES FLORIDA, INC., and that a true and correct copy thereof has been furnished to the following by U. S. Mail, this 21st day of August, 2007:

Stephen Burgess & Stephen Reilly, Esquires
Office of Public Counsel
c/o The Florida Legislature
111 W. Madison Street, Room 812
Tallahassee, FL 32399-1400

Cecilia Bradley, Esquire
Office of the Attorney General
The Capitol – PL01
Tallahassee, FL 32399-1050



ROSANNE GERVASI
SENIOR ATTORNEY
FLORIDA PUBLIC SERVICE COMMISSION
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850
(850) 413-6224