

# REQUEST TO ESTABLISH DOCKET

(Please type or print. File original *plus* 1 copy with CLK.)

RECEIVED  
10 JUN 18 AM 10:17  
COMMISSION  
CLERK

Date:	6/18/2010	Docket No.:	100334-WU
1. From Staff / Division:	Ecr		
2. OPR:	Walden		
3. OCR:			
4. Suggested Docket Title:	Notice of abandonment <sup>of</sup> <u>water system</u> by San Sebastian Water, LLC in Brevard County, FL		
5. Program/Module/Submodule Assignment:	B, I, b		
6. Suggested Docket Mail List.			
a. Provide NAMES/ACRONYMS, if registered company.		<input type="checkbox"/> Provided as an Attachment	
Company Code, if applicable:	Parties (include address, if different from MCD):	Representatives (name and address):	
WU388	Mike Coffey, Manager		
b. Provide COMPLETE NAME AND ADDRESS for all others. (match representatives to companies)			
Company Code, if applicable:	Interested persons, if any, (include address, if different from MCD):	Representatives (name and address):	
7. Check one:	<input checked="" type="checkbox"/> Supporting Documentation Attached		<input type="checkbox"/> To be provided with Recommendation
Comments:			

DOCUMENT NUMBER (CAN)

05082 JUN 18 2010

FPSC-COMMISSION CLERK

Tom Walden

100334-WU

**From:** Hess, Nathan [Nathan.Hess@dep.state.fl.us]  
**Sent:** Monday, June 14, 2010 10:07 AM  
**To:** ssebastianwater@peoplepc.com  
**Cc:** Tom Walden; 'Martens, Richard H'; 'davidw\_accurate@bellsouth.net'; Dodson, Kim; Phillips, Reggie; Lott, Richard  
**Subject:** RE: San Sebastian Water  
**Attachments:** 3054170\_SAN SEBASTIAN WOODS\_PbAL\_100427\_ENG\_OC.PDF; RE: San Sebastian Replacement Well

Mr. Coffey,

We have reviewed our records regarding the San Sebastian Woods community drinking water system (PWS ID no. 3054170) and have found the following outstanding items that require your attention:

1. Lead and Copper Tap Sampling. We have been working with you and your operator to try and resolve an October 2009 lead action level exceedance. You have continued to claim that one of the highest sites is not fed by your system but you have not provided reasonable assurance to the Department that this is true. In order to accept your claim, the following must be completed:

A. Provide a signed letter from the resident stating that she was using her private well at the time of sampling.

B. Demonstrate that resident's water is coming from her private well by shutting off the water at the main and see if she still has water. A witness from DOH or DEP should be on-site for the demonstration OR provide documentation that there is a lock on the meter that prevents the flow of utility water into the resident's home.

C. Provide documentation that an appropriate back flow prevention assembly is in place and testing conducted OR document a physical disconnect.

D. The resident needs to be notified of the results ASAP. If it has been shown that the water is coming from the resident's well and not from the utility, that can be explained along with the notification.

In the event the above criteria are not satisfied, the steps in the attached letter must be followed.

2. Well Permitting. The new well constructed in 2009 has not been formally approved by the Department. In order to approve the well, the following must be submitted in accordance with the attached May 13, 2009 e-mail:

A. St. Johns River Water Management District well construction permit.

B. Well Completion Report showing the well depth to be same as the abandon well.

C. Results of a 20 sample well survey.

D. Results of required primary and secondary chemical sampling.

You may contact me at 407-893-3988 if you have any questions. Thank you.

6/18/2010

-Nathan Hess

*The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.*

From: ssebastianwater@peoplepc.com [mailto:ssebastianwater@peoplepc.com]  
Sent: Tuesday, June 08, 2010 12:12 PM  
To: Hess, Nathan  
Subject: San Sebastian Water

Nathan Hess,

Attached is the Abandonment Notice which was sent to Tom Walden (PSC), Dick Martens (Brevard County Utilities) and Scott Knox (Brevard County Attorney). I've also sent you a list of issues currently in need of attention which I also sent to Tom and Dick. Thank you for any assistance in this matter!

Mike Coffey  
321-508-7723

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6/18/2010

## Tom Walden

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**From:** Lott, Richard [Richard.Lott@dep.state.fl.us]  
**Sent:** Wednesday, May 13, 2009 1:26 PM  
**To:** 'ssebastianwater@peoplepc.com'  
**Cc:** Dodson, Kim; Phillips, Reggie  
**Subject:** RE: San Sebastian Replacement Well

I am inclined to accept as a "like for like" replacement but could you send me a copy of the items below?

-----Original Message-----

**From:** ssebastianwater@peoplepc.com [mailto:ssebastianwater@peoplepc.com]  
**Sent:** Wednesday, May 13, 2009 12:02 PM  
**To:** Lott, Richard  
**Subject:** San Sebastian Replacement Well

Hello Richard,

After our conversation on the phone I went to the water treatment plant and measured the distance from the abandoned well head to the new well head. The distance is 19 feet. The new well head is only 6 feet from the existing piping and the electrical is already done. All we have left to do is install a ball valve and flow meter.

We have the Permit from SJRWMD

We have the Well Completion Report showing the well depth to be same as the abandoned well

We have the results of 21 days of Coliform Bacteria sampling, all of which passed.

We have the results of the primary, s and secondary, s that are required.

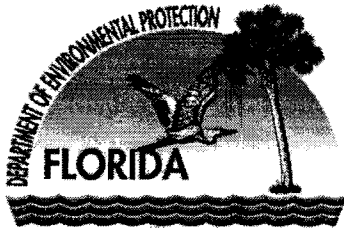
We are currently operating on one well and would like to have this new well on line as soon as possible. If we can do this without the time and expense involved in acquiring a permit it would be very much appreciated.

Thank you for your time,

Mike Coffey  
Manager  
San Sebastian Water  
PWS# 3051470  
(321) 508-7723

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# Florida Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

VIA EMAIL  
SSEBASTIANWATER@PEOPLEPC.COM

April 27, 2010

San Sebastian Water, LLC  
Attention: Mike Coffey  
P.O. Box 432  
Melbourne, FL 32902-0432

OCD-PW-CE-10-0266

Brevard County - PW  
PWS Name: San Sebastian Woods  
PWS ID Number: 3054170

Dear Mr. Coffey:

This acknowledges receipt of the October 2009 test results for the lead and copper monitoring period June through September 2009. Please note in the future samples taken out of the sampling period may be rejected.

The results indicate that the **action level for lead has been exceeded**. By the Code of Federal Regulations (C.F.R.), title 40, part 141, sections 80 through 91, and DEP Rule 62-550.800, Florida Administrative Code (F.A.C.), you shall now do the following:

1. Public Notice:
  - a. Notify each participant whose samples exceeded the action level of 0.015 mg/L for lead. (3870 10<sup>th</sup> Street - 0.016 mg/L and 3920 10<sup>th</sup> Street- 0.027 mg/l).
  - b. Include the mandatory federal language as an insert in each customer's water utility bill at least once every 12 months subsequent to exceeding the lead action level so long as the lead action level continues to be exceeded. Indicate any possible corrective measures and/or health effects.
  - c. Submit the attached Lead Public Education Program Report and a copy of information supplied to participants and customers (e.g. public notice, brochure and/or EPA public education flyer public notice) to DEP no later than **May 5, 2010**. In the future, all notifications should be done no later than 60 days after system is notified of exceeding samples.
2. Collect and test **one** distribution sample and **all** point(s) of entry to the distribution for water quality parameters (pH, temperature, conductivity, calcium, alkalinity, lead and copper. Silica and orthophosphate must also be tested, if used in daily treatment). This must be done **twice**, about four weeks apart, within the June through September 2009 monitoring period.

*"More Protection. Less Process"*  
[www.dep.state.fl.us](http://www.dep.state.fl.us)

EPA regulations require that water quality parameters be collected within the same monitoring period in which the system exceeds the action level for lead or copper. However, since the June through September 2006 monitoring period has elapsed, DEP will accept these results late. Submit results to DEP as soon as results are received.

3. Perform a desk-top evaluation and submit recommendations for optimal corrosion control treatment, including steps taken to determine the recommendations, to DEP as soon as possible, but no later than **June 23, 2010**.

Section 141.86 (d) (1) of 40 C.F.R. states that a small system shall monitor during each six-month monitoring period until the system meets the lead and copper action levels during two (2) consecutive six-month monitoring periods. The next monitoring periods for routine tap sampling are January through June 2010 and **July through December 2010**. Samples should be collected from the same sites as the previous monitoring periods and the results submitted to the Department no later than July 10, 2010 and January 10, 2010 respectively.

**Failure to meet the deadlines outlined in this letter without approval from DEP may result in enforcement action.**

You may contact me at (407) 894-7555, extension 2298, or Florida Rural Water Association at (850) 668-2746, if you have any questions. Your continued cooperation in the drinking water program is appreciated.

Sincerely,



Echo N. Goodner  
Environmental Specialist II

ENG:eng  
Attachment

cc: Mike Coffey, Manager of San Sebastian Woods [MCOFFEYINSPECTIONS@YAHOO.COM]  
Accurate Utilities, Inc., Operator [DAVIDW\_ACCURATE@BELLSOUTH.NET]  
Anthony Makielski, Brevard County Health Department [Anthony\_Makielski@doh.state.fl.us]  
David Hanna, Florida Rural Water Association [dvdhanna@bellsouth.net]

Tom Walden

100334-WU

**From:** ssebastianwater@peoplepc.com  
**Sent:** Monday, June 07, 2010 6:02 PM  
**To:** Tom Walden  
**Subject:** Abandonment Notice SSW

**Attachments:** abandonmentnotice.docx



abandonmentn  
ce.docx (12 KB)

Tom Walden,

Please see the attached Abandonment Notice.

Thank you for your help and please keep me informed as how to proceed.

Mike Coffey  
321-508-7723

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**SAN SEBASTIAN WATER LLC.**

**P.O. BOX 432**

**MELBOURNE FL 32902**

**772-664-0598**

June 7, 2010

**Notice of Abandonment**

San Sebastian Water, LLC., 8800 7<sup>th</sup> Street, Micco, FL 32976, pursuant to Section 367.165, Florida Statutes, hereby notices the Florida Public Service Commission and Brevard County of the abandonment of its water system in Brevard County, effective 60 days from the date of this notice.

The utilities books and records are located at, 8800 7<sup>th</sup> Street, Micco, FL 32976.

The utility is being abandoned because the utility owner no longer wishes to be a utility.

The utility is in good standing with the DEP.

Dated this 7<sup>th</sup> day of June, 2010

San Sebastian Water, LLC.

Mike Coffey, Manager, P.O. Box 432, Melbourne, FL 32902

(321) 508-7723