

State of Florida



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** September 16, 2011  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Melissa C. Jones-Alexis, Regulatory Analyst II, Division of Economic Regulation *mkj*  
**RE:** Docket No. 110023-WS, Application for certificates to provide water and wastewater service in Lake County by MFL Utility Systems, L.L.C.

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Please add the attached Florida Department of Environmental Protection compliance documentation with regard to MFL Utility Systems, L.L.C.'s water and wastewater facilities to the above-reference docket. Thank you.

Attachment

cc: ECR (Walden)  
GCL (Young)

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FPSC-COMMISSION CLERK



# Department of Environmental Protection

Jeb Bush  
Governor

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

Colleen Castille  
Secretary

## STATE OF FLORIDA DOMESTIC WASTEWATER FACILITY PERMIT

**PERMITTEE:**

MHC DeAnza Financing Limited Partnership

**PERMIT NUMBER:** FLA010657  
**PA FILE NUMBER:** FLA010657-005-DW2P  
**ISSUANCE DATE:** August 15, 2006  
**EXPIRATION DATE:** August 13, 2011

**RESPONSIBLE AUTHORITY:**

Mr. David W. Fell  
Vice President of General Partnership  
28050 US Highway 19 North  
Suite 400  
Clearwater, FL 33761

(727) 797-7674

**FACILITY:**

Mid-Florida Lakes WWTF  
201 Forest Drive  
off of S.R. 44  
Leesburg, FL 34788  
Lake County  
Latitude: 28° 52' 19" N Longitude: 81° 46' 20" W

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and applicable rules of the Florida Administrative Code (F.A.C.). 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:

**TREATMENT FACILITIES:**

An existing 0.180 MGD three month average daily flow (TMADF) permitted capacity extended aeration activated sludge secondary domestic wastewater treatment plant consisting of flow equalization, aeration, clarification, chlorination and aerobic digestion of residuals.

**REUSE:**

**Land Application:** An existing 0.180 MGD TMADF permitted capacity slow-rate restricted public access system (R-001). R-001 consists of a sprayfield with a total wetted area of 10 acres located approximately at latitude 28° 52' 19" N, longitude 81° 46' 20" W.

**IN ACCORDANCE WITH:** The limitations, monitoring requirements and other conditions set forth in Pages 1 through 15 of this permit.

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**I. RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS**

**A. Reuse and Land Application Systems**

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the permittee is authorized to direct reclaimed water to Reuse System R-001. Such reclaimed water shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.B.6:

Parameter	Units	Max/Min	Reclaimed Water Limitations				Monitoring Requirements			
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number	Notes
Flow, in conduit or thru treatment plant	MGD	Maximum	-	-	-	-	5 Days/Week	Flow meters	FLW-1	See Cond. I.A.3., 4.
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	20	30	45	60	Every Two Weeks	8-hour flow proportioned composite	EFA-1	
Solids, Total Suspended	MG/L	Maximum	20	30	45	60	Every Two Weeks	8-hour flow proportioned composite	EFA-1	
Coliform, Fecal	#/100 ML	Maximum	See Permit Condition I.A. 5.				Every Two Weeks	Grab	EFA-1	
Total Residual Chlorine (For Disinfection)	MG/L	Minimum	-	-	-	0.5	5 Days/Week	Grab	EFA-1	See Cond. I.A.6.
pH	SU	Range	-	-	-	6.0 to 8.5	5 Days/Week	Grab	EFA-1	
Nitrogen, Nitrate, Total (as N)	MG/L AS N	Maximum	-	-	-	12.0	Every Two Weeks	8-hour flow proportioned composite	EFA-1	See Cond. I.A.7.

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2. Reclaimed water samples shall be taken at the monitoring site locations listed in Permit Condition I. A. 1. and as described below:

Monitoring Location Site Number	Description of Monitoring Location
EFA-1	Chlorine contact chamber effluent
FLW-1	Flow meter and Parshall flume

3. The three-month average daily flow to land application system R-001 shall not exceed 0.180 MGD.
4. Flow meters shall be utilized to measure flow and calibrated at least annually. *[62-601.200(17) and .500(6)]*
5. The arithmetic mean of the monthly fecal coliform values collected during an annual period shall not exceed 200 per 100 mL of reclaimed water sample. The geometric mean of the fecal coliform values for a minimum of 10 samples of reclaimed water, each collected on a separate day during a period of 30 consecutive days (monthly), shall not exceed 200 per 100 mL of sample. No more than 10 percent of the samples collected (the 90th percentile value) during a period of 30 consecutive days shall exceed 400 fecal coliform values per 100 mL of sample. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. Note: To report the 90th percentile value, list the fecal coliform values obtained during the month in ascending order. Report the value of the sample that corresponds to the 90th percentile (multiply the number of samples by 0.9). For example, for 30 samples, report the corresponding fecal coliform number for the 27th value of ascending order. *[62-610.410 and 62-600.440(4)(c)]*
6. A minimum of 0.5 mg/L total residual chlorine must be maintained for a minimum contact time of 15 minutes based on peak hourly flow. *[62-610.410 and 62-600.440(4)(b)]*
7. Nitrate nitrogen (NO<sub>3</sub>) concentration in the water discharged to the land application system shall not exceed 12.0 mg/L, or as required to comply with Rule 62-610.510, F.A.C. *[62-610.510]*

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**I. RECLAIMED WATER AND EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTS (cont.)**

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

1. During the period beginning on the issuance date and lasting through the expiration date of this permit, the treatment facility shall be limited and monitored by the permittee as specified below and reported in accordance with condition I.B.6:

Parameter	Units	Max/Min	Limitations				Monitoring Requirements				Notes
			Annual Average	Monthly Average	Weekly Average	Single Sample	Monitoring Frequency	Sample Type	Monitoring Location Site Number		
BOD, Carbonaceous 5 day, 20C	MG/L	Maximum	-	Report	-	-	Every Two Weeks	8-hour flow proportioned composite	INF-1	See Cond. I.B.3.	
Solids, Total Suspended	MG/L	Maximum	-	Report	-	-	Every Two Weeks	8-hour flow proportioned composite	INF-1	See Cond. I.B.3.	
Percent Capacity, (TMADF/Permitted Capacity) x 100	PER CENT	Maximum	-	Report	-	-	Monthly	Calculated	FLW-1		

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2. Samples shall be taken at the monitoring site locations listed in Permit Condition I. B. 1 and as described below:

Monitoring Location Site Number	Description of Monitoring Location
FLW-1	Flow meter and Parshall flume
INF-1	Raw influent to surge tank

3. Influent samples shall be collected so that they do not contain digester supernatant or return activated sludge, or any other plant process recycled waters. [62-601.500(4)]
4. Parameters which must be monitored as a result of a surface water discharge shall be analyzed using a sufficiently sensitive method to assure compliance with applicable water quality standards and effluent limitations in accordance with 40 CFR (Code of Federal Regulations) Part 136. All monitoring shall be representative of the monitored activity. [62-620.320(6)]
5. The permittee shall provide safe access points for obtaining representative influent, reclaimed water, and effluent samples which are required by this permit. [62-601.500(5)]
6. Monitoring requirements under this permit are effective on the first day of the second month following permit issuance. Until such time, the permittee shall continue to monitor and report in accordance with previously effective permit requirements, if any. During the period of operation authorized by this permit, the permittee shall complete and submit to the Department's Central District Office Discharge Monitoring Reports (DMRs) in accordance with the frequencies specified by the REPORT type (i.e., monthly, toxicity, quarterly, semiannual, annual, etc.) indicated on the DMR forms attached to this permit. Monitoring results for each monitoring period shall be submitted in accordance with the associated DMR due dates below.

REPORT Type	Monitoring Period	Due Date
Monthly or Toxicity	first day of month – last day of month	28 <sup>th</sup> day of following month
Quarterly	January 1 - March 31 April 1 – June 30 July 1 – September 30 October 1 – December 31	April 28 July 28 October 28 January 28
Semiannual	January 1 – June 30 July 1 – December 31	July 28 January 28
Annual	January 1 – December 31	January 28

DMRs shall be submitted for each required monitoring period including months of no discharge. The permittee shall make copies of the attached DMR form(s) and shall submit the completed DMR form(s) to the Department's Central District Office at the address specified in Permit Condition I.B. 9 by the twenty-eighth (28th) of the month following the month of operation.

[62-620.610(18)][62-601.300(1), (2), and (3)]

7. During the period of operation authorized by this permit, reclaimed water or effluent shall be monitored annually for the primary and secondary drinking water standards contained in Chapter 62-550, F.A.C., (except for asbestos, color, and corrosivity). Twenty-four hour composite samples shall be used to analyze reclaimed water or effluent for the primary and secondary drinking water standards. These monitoring results shall be reported to the Department's Central District Office annually on the DMR. During years when a permit is not renewed, a certification stating that no new non-domestic wastewater dischargers have been added to the collection system since the last reclaimed water or effluent analysis was conducted may be submitted in lieu of the report. The annual reclaimed water or effluent analysis report or the certification shall be completed and submitted in a timely manner so as to be received by the Department's Central District Office by April 10 of each year. Approved analytical methods identified in Rule 62-620.100(3)(i), F.A.C., shall be used for the analysis. If no method is included for a parameter, methods specified in Chapter 62-550, F.A.C., shall be used. [62-601.300(4)][62-601.500(3)][62-610.300(4)]
8. The permittee shall submit an Annual Reuse Report using DEP Form 62-610.300(4)(a)2. on or before January 1 of each year. [62-610.870(3)]

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9. Unless specified otherwise in this permit, all reports and other information required by this permit, including 24-hour notifications, shall be submitted to or reported to, as appropriate, Lake County Water Resource Management and the Department's Central District Office at the address specified below:

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

Phone Number - (407) 894-7555  
FAX Number - (407) 897-2966

All FAX copies shall be followed by original copies. All reports and other information shall be signed in accordance with the requirements of Rule 62-620.305, F.A.C. [62-620.305]

## II. RESIDUALS MANAGEMENT REQUIREMENTS

1. The method of residuals use or disposal by this facility is transport to Central Process Residuals Management Facility or disposal in a Class I or II solid waste landfill.
2. The permittee shall be responsible for proper treatment, management, use, and land application or disposal of its residuals. [62-640.300(5)]
3. The permittee shall not be held responsible for treatment, management, use, or land application violations that occur after its residuals have been accepted by a permitted residuals management facility with which the source facility has an agreement in accordance with Rule 62-640.880(1)(c), F.A.C., for further treatment, management, use or land application. [62-640.300(5)]
4. Disposal of residuals, septage, and other solids in a solid waste landfill, or disposal by placement on land for purposes other than soil conditioning or fertilization, such as at a monofill, surface impoundment, waste pile, or dedicated site, shall be in accordance with Chapter 62-701, F.A.C. [62-640.100(6)(k)3 & 4]
5. If the permittee intends to accept residuals from other facilities, a permit revision is required pursuant to Rule 62-640.880(2)(d), F.A.C. [62-640.880(2)(d)]
6. The permittee shall keep hauling records to track the transport of residuals between facilities. The hauling records shall contain the following information:

### Source Facility

1. Date and Time Shipped
2. Amount of Residuals Shipped
3. Degree of Treatment (if applicable)
4. Name and ID Number of Residuals Management Facility or Treatment Facility
5. Signature of Responsible Party at Source Facility
6. Signature of Hauler and Name of Hauling Firm

### Residuals Management Facility or Treatment Facility

1. Date and Time Received
2. Amount of Residuals Received
3. Name and ID Number of Source Facility
4. Signature of Hauler
5. Signature of Responsible Party at Residuals Management Facility or Treatment Facility

These records shall be kept for five years and shall be made available for inspection upon request by the Department. A copy of the hauling records information maintained by the source facility shall be provided upon delivery of the residuals to the residuals management facility or treatment facility. The permittee shall report to the Department within 24 hours of discovery any discrepancy in the quantity of residuals leaving the source facility and arriving at the residuals management facility or treatment facility. [62-640.880(4)]

7. Storage of residuals or other solids at the permitted facility shall require prior written notification to the Department. [62-640.300(4)]

**III. GROUND WATER REQUIREMENTS**

**Construction Requirements**

Section Construction Requirements is not applicable to this facility.

**Operational Requirements**

- For the Part II land application system(s), all ground water quality criteria specified in Chapter 62-520, F.A.C., shall be met at the edge of the zone of discharge. The zone of discharge for this project shall extend horizontally 100 feet from the application site or to the facility's property line, whichever is less, and vertically to the base of the surficial aquifer. [62-520.200(23)][62-522.400 and 62-522.410]
- The ground water minimum criteria specified in Rule 62-520.400 F.A.C., shall be met within the zone of discharge. [62-520.400 and 62-520.420(4)]
- During the period of operation authorized by this permit, the permittee shall sample ground water in accordance with this permit and the approved ground water monitoring plan prepared in accordance with Rule 62-522.600, F.A.C. [62-522.600][62-610.412]
- The following monitoring wells shall be sampled in accordance with the monitoring frequencies specified in Permit Condition III.5. for Reuse System R-001. Quarterly sampling must be reasonably spaced to be representative of potentially changing conditions.

Facility MW Name	Permit Builder MW ID	WAFR Number	Monitoring Location Site Number	Depth (Feet)	Aquifer Monitored	Well Type	New or Existing
<b>Sprayfield</b>							
B. G.	MWB-1	4299	3035A13522	30	Shallow	Background	Existing
I-1	MWI-1	4298	3035A13523	16	Shallow	Intermediate	Existing
I-2	MWI-2	4297	3035A13524	18	Shallow	Intermediate	Existing
C-1	MWC-1	4296	3035A13525	18	Shallow	Compliance	Existing
C-2	MWC-2	4295	3035A13526	20	Shallow	Compliance	Existing

MWB = Background; MWI = Intermediate; MWC = Compliance

[62-522.600][62-610.412]

- The following parameters shall be analyzed for each of the monitoring well(s) identified in Permit Condition(s) III. 4:

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to Feet, NGVD	Report	FEET	Grab	Quarterly
Nitrogen, Nitrate, Total (as N)	10	MG/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	500	MG/L	Grab	Quarterly
Chloride (as Cl)	250	MG/L	Grab	Quarterly
Coliform, Fecal	4	#/100ML	Grab	Quarterly
pH	6.5-8.5	SU	Grab	Quarterly
Turbidity	Report	NTU	Grab	Quarterly

[62-522.600(11)(b)] [62-601.300(3), 62-601.700, and Figure 3 of 62-601][62-601.300(6)] [62-520.300(9)]

- If the concentration for any constituent listed in Permit Condition III. 5. in the natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative natural background quality shall be the prevailing standard. [62-520.420(2)]

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7. In accordance with Part D of Form 62-620.910(10), water levels shall be recorded before evacuating wells for sample collection. Elevation references shall include the top of the well casing and land surface at each well site (NGVD allowable) at a precision of plus or minus 0.1 foot. [62-610.412(2)(c)]
8. Analyses shall be conducted on unfiltered samples, unless filtered samples have been approved by the Department's Central District Ground Water Section as being more representative of ground water conditions. [62-520.300(9)]
9. Ground water monitoring parameters shall be analyzed in accordance with Chapter 62-601, F.A.C. [62-620.610(18)]
10. Ground water monitoring test results shall be submitted on Part D of Form 62-620.910(10). A completed Certification Page shall accompany each quarter of monitoring data. For reuse or land application projects, results shall be submitted with the DMR for each month listed in the following schedule. The submitted results shall be for each year during the period of operation allowed by this permit in accordance with Permit Condition I.B.9. [62-522.600(10) and (11)(b)] [62-601.300(3), 62.601.700, and Figure 3 of 62-601] [62-620.610(18)]

SAMPLE PERIOD	REPORT DUE DATE
January - March	April 28
April - June	July 28
July - September	October 28
October - December	January 28

11. If any monitoring well becomes damaged or cannot be sampled for some reason, the permittee shall notify the Department's Central District Ground Water Section immediately and a written report shall follow within seven days detailing the circumstances and remedial measures taken or proposed. Repair or replacement of monitoring wells shall be approved in advance by the Department's Central District Ground Water Section. [62-522.600][62-4.070(3)]

#### IV. ADDITIONAL REUSE AND LAND APPLICATION REQUIREMENTS

##### Part II Slow-Rate/Restricted Access System(s) (R-001)

1. Advisory signs shall be posted around the site boundaries to designate the nature of the project area. [62-610.418(1)]
2. Routine aquatic weed control and regular maintenance of storage pond embankments and access areas are required. [62-610.414(8)]
3. The annual average hydraulic loading rate to the sprayfield with a total wetted area of 10 acres shall be limited to a maximum of 4.64 inches per week. The hydraulic loading rate shall not produce surface runoff or ponding of the applied reclaimed water. [62-610.423(3) and (4)]
4. The crops or vegetation shall be periodically harvested and removed from the project area. [62-610.310(3)(d) and 62-610.419(1)(b)]
5. Dairy cattle whose milk is intended for human consumption shall not be allowed on the project area for a period of 15 days after the last application of reclaimed water. No restrictions are imposed on the grazing of other cattle. [62-610.425]
6. Irrigation of edible food crops is prohibited. [62-610.426]
7. Overflows from emergency discharge facilities on storage ponds shall be reported as an abnormal event to the Department's Central District Office within 24 hours of an occurrence. The provisions of Rule 62-610.800(9), F.A.C., shall be met. [62-610.800(9)]

#### V. OPERATION AND MAINTENANCE REQUIREMENTS

1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of a(n) operator(s) certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category III, Class C facility and, at a minimum, operators with appropriate certification must be on the site as follows:

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A Class C or higher operator 1/2 hour/day for 5 days/week and one visit each weekend. The lead operator must be a Class C operator, or higher.

*[62-620.630(3)] [62-699.310] [62-610.462]*

2. An operator meeting the lead operator classification level of the plant shall be available during all periods of plant operation. "Available" means able to be contacted as needed to initiate the appropriate action in a timely manner. *[62-699.311(1)]*
3. The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. *[62-600.405(5)]*
4. The application to renew this permit shall include a detailed operation and maintenance performance report prepared in accordance with Rule 62-600.735, F.A.C. *[62-600.735(1)]*
5. The permittee shall maintain the following records and make them available for inspection on the site of the permitted facility:
  - a. Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation and 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;
  - b. Copies of all reports required by the permit for at least three years from the date the report was prepared;
  - c. 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;
  - d. Monitoring information, including a copy of the laboratory certification showing the laboratory certification number, related to the residuals use and disposal activities for the time period set forth in Chapter 62-640, F.A.C., for at least three years from the date of sampling or measurement;
  - e. A copy of the current permit;
  - f. A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.;
  - g. A copy of the facility record drawings;
  - h. Copies of the licenses of the current certified operators; and
  - i. Copies of the logs and schedules showing plant operations and equipment maintenance for three years from the date of the logs or schedules. The logs shall, at a minimum, include identification of the plant; the signature and certification number of the operator(s) and the signature of the person(s) making any entries; date and time in and out; specific operation and maintenance activities; tests performed and samples taken; and major repairs made. The logs shall be maintained on-site in a location accessible to 24-hour inspection, protected from weather damage, and current to the last operation and maintenance performed.

*[62-620.350]*

## VI. SCHEDULES

Section VI is not applicable to this facility.

## VII. INDUSTRIAL PRETREATMENT PROGRAM REQUIREMENTS

This facility is not required to have a pretreatment program at this time. *[62-625.500]*

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### VIII. OTHER SPECIFIC CONDITIONS

1. The permittee shall apply for renewal of this permit at least 180 days before the expiration date of the permit using the appropriate forms listed in Rule 62-620.910, F.A.C., including submittal of the appropriate processing fee set forth in Rule 62-4.050, F.A.C. The existing permit shall not expire until the Department has taken final action on the application renewal in accordance with the provisions of 62-620.335(3) and (4), F.A.C. *[62-620.335(1)-(4)]*
2. Florida water quality criteria and standards shall not be violated as a result of any discharge or land application of reclaimed water or residuals from this facility. *[62-610.850(1)(a) and (2)(a)]*
3. In the event that the treatment facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affects neighboring developed areas at the levels prohibited by Rule 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the permitted facilities) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department. Additionally, the treatment, management, use or land application of residuals shall not cause a violation of the odor prohibition in Rule 62-296.320(2), F.A.C. *[62-600.410(8) and 62-640.400(6)]*
4. The deliberate introduction of stormwater in any amount into collection/transmission systems designed solely for the introduction (and conveyance) of domestic/industrial wastewater; or the deliberate introduction of stormwater into collection/transmission systems designed for the introduction or conveyance of combinations of storm and domestic/industrial wastewater in amounts which may reduce the efficiency of pollutant removal by the treatment plant is prohibited, except as provided by Rule 62-610.472, F.A.C. *[62-604.130(3)]*
5. Collection/transmission system overflows shall be reported to the Department in accordance with Permit Condition IX. 20. *[62-604.550] [62-620.610(20)]*
6. The operating authority of a collection/transmission system and the permittee of a treatment plant are prohibited from accepting connections of wastewater discharges which have not received necessary pretreatment or which contain materials or pollutants (other than normal domestic wastewater constituents):
  - a. Which may cause fire or explosion hazards; or
  - b. Which may cause excessive corrosion or other deterioration of wastewater facilities due to chemical action or pH levels; or
  - c. Which are solid or viscous and obstruct flow or otherwise interfere with wastewater facility operations or treatment; or
  - d. Which result in the wastewater temperature at the introduction of the treatment plant exceeding 40°C or otherwise inhibiting treatment; or
  - e. Which result in the presence of toxic gases, vapors, or fumes that may cause worker health or safety problems.*[62-604.130(5)]*
7. The treatment facility, storage ponds, rapid infiltration basins, and/or infiltration trenches shall be enclosed with a fence or otherwise provided with features to discourage the entry of animals and unauthorized persons. *[62-610.418(1)] [and 62-600.400(2)(b)]*
8. Screenings and grit removed from the wastewater facilities shall be collected in suitable containers and hauled to a Department approved Class I landfill or to a landfill approved by the Department for receipt/disposal of screenings and grit. *[62-701.300(1)(a)]*
9. The Permittee shall provide verbal notice to the Department as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The Permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department in a written report within 7 days of the sinkhole discovery. *[62-4.070(3)]*

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10. The permittee shall provide adequate notice to the Department of the following:
- Any new introduction of pollutants into the facility from an industrial discharger which would be subject to Chapter 403, F.S., and the requirements of Chapter 62-620, F.A.C. if it were directly discharging those pollutants; and
  - Any substantial change in the volume or character of pollutants being introduced into that facility by a source which was identified in the permit application and known to be discharging at the time the permit was issued.

Adequate notice shall include information on the quality and quantity of effluent introduced into the facility and any anticipated impact of the change on the quantity or quality of effluent or reclaimed water to be discharged from the facility.

*[62-620.625(2)]*

#### IX. GENERAL CONDITIONS

- 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)]*
- 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)]*
- As provided in subsection 403.087(7), 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)]*
- 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)]*
- 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)]*
- 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)]*
- 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)]*
- 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)]*

FACILITY: Mid-Florida Lakes WWTF  
PERMITTEE: MHC DeAnza Financing Limited Partnership

PERMIT NUMBER: FLA010657  
EXPIRATION DATE: August 13, 2011

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)]*

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)]*
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)]*
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 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)]*
13. The permittee, in accepting this permit, agrees to pay the applicable regulatory program and surveillance fee in accordance with Rule 62-4.052, F.A.C. *[62-620.610(13)]*
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)]*
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)]*
16. The permittee shall apply for a revision to the Department permit in accordance with Rules 62-620.300 and the Department of Environmental Protection Guide to Wastewater Permitting at least 90 days before construction of any planned substantial modifications to the permitted facility is to commence or with Rule 62-620.325(2) 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)]*

FACILITY: Mid-Florida Lakes WWTF  
PERMITTEE: MHC DeAnza Financing Limited Partnership

PERMIT NUMBER: FLA010657  
EXPIRATION DATE: August 13, 2011

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)]*

18. Sampling and monitoring data shall be collected and analyzed in accordance with Rule 62-4.246, Chapters 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), or as specified elsewhere in the permit.
  - b. If the permittee monitors any contaminant 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. Except as specifically provided in Rule 62-160.300, F.A.C., any laboratory test required by this permit shall be performed by a laboratory that has been certified by the Department of Health Environmental Laboratory Certification Program (DOH ELCP). Such certification shall be for the matrix, test method and analyte(s) being measured to comply with this permit. For domestic wastewater facilities, testing for parameters listed in Rule 62-160.300(4), F.A.C., shall be conducted under the direction of a certified operator.
  - e. Field activities including on-site tests and sample collection shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in Chapter 62-160, F.A.C.
  - f. Alternate field procedures and laboratory methods may be used where they have been approved in accordance with Rules 62-160.220 and 62-160.330, F.A.C.

*[62-620.610(18)]*

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)]*
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 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,

FACILITY: Mid-Florida Lakes WWTF  
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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. Oral reports as required by this subsection shall be provided as follows:
1. For unauthorized releases or spills of treated or untreated wastewater reported pursuant to subparagraph a.4 that are in excess of 1,000 gallons per incident, or where information indicates that public health or the environment will be endangered, oral reports shall be provided to the Department by calling the STATE WARNING POINT TOLL FREE NUMBER (800) 320-0519, as soon as practical, but no later than 24 hours from the time the permittee becomes aware of the discharge. The permittee, to the extent known, shall provide the following information to the State Warning Point:
    - a) Name, address, and telephone number of person reporting;
    - b) Name, address, and telephone number of permittee or responsible person for the discharge;
    - c) Date and time of the discharge and status of discharge (ongoing or ceased);
    - d) Characteristics of the wastewater spilled or released (untreated or treated, industrial or domestic wastewater);
    - e) Estimated amount of the discharge;
    - f) Location or address of the discharge;
    - g) Source and cause of the discharge;
    - h) Whether the discharge was contained on-site, and cleanup actions taken to date;
    - i) Description of area affected by the discharge, including name of water body affected, if any; and
    - j) Other persons or agencies contacted.
  2. Oral reports, not otherwise required to be provided pursuant to subparagraph b.1 above, shall be provided to the Department within 24 hours from the time the permittee becomes aware of the circumstances.
- c. 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)]*

21. The permittee shall report all instances of noncompliance not reported under Permit Conditions IX. 17., 18. and 19. of this permit at the time monitoring reports are submitted. This report shall contain the same information required by Permit Condition IX. 20 of this permit. *[62-620.610(21)]*
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 Permit Condition IX. 22. b. of this permit.

FACILITY: Mid-Florida Lakes WWTF  
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PERMIT NUMBER: FLA010657  
EXPIRATION DATE: August 13, 2011

- 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 Permit Condition IX. 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 Permit Condition IX. 22. a. 1. 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 provisions of Permit Condition IX. 22. a. through c. of this permit.

[62-620.610(22)]

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 Permit Condition IX. 20. of this permit; and
  - 4. The permittee complied with any remedial measures required under Permit Condition IX. 5. of this permit.
- b. In any enforcement proceeding, the burden of proof for establishing the occurrence of an upset rests with the permittee.
- 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)]

Executed in Orlando, Florida.

STATE OF FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION

  
Dennise Judy  
Program Manager  
Domestic Waste

DATE: August 14, 2006

RECEIVED  
MAR 03 2010  
DEP Central Dist.

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT )  
OF ENVIRONMENTAL PROTECTION )  
vs. )  
EQUITY LIFESTYLE PROPERTIES, INC. )  
d/b/a MID-FLORIDA LAKES YACHT )  
CLUB )  

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IN THE OFFICE OF THE  
CENTRAL DISTRICT

OGC FILE NO. 09-3388

**CONSENT ORDER**

This Consent Order ("Order") is entered into between the State of Florida Department of Environmental Protection ("Department") and Equity Lifestyle Properties, Inc. ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to protect Florida's water resources and to administer and enforce the provisions of the Florida Safe Drinking Water Act, Sections 403.850, *et seq.*, Florida Statutes ("F.S."), and the rules promulgated and authorized in Title 62, Florida Administrative Code ("F.A.C."). The Department has jurisdiction over the matters addressed in this Order.
2. Respondent is a person within the meaning of Section 403.852(5), F.S.
3. Respondent is an Illinois for-profit corporation registered to do business in the State of Florida and the owner of Mid-Florida Lakes Yacht Club, a community public water system, PWS No. 3350825 ("System"), located at 201 Forest Drive, Leesburg, in Lake County, Florida ("Property").

4. The Department finds and Respondent admits that Respondent is in violation of Rule 62-550.310(3), F.A.C, which establishes the maximum contaminant levels ("MCLs") for total trihalomethanes ("TTHMs") as 0.080 milligrams per liter ("mg/L") and the five haloacetic acids ("HAA5s") as 0.060 mg/L. The running annual average results for samples collected from the System on January 14, 2009, June 17, 2009, August 12, 2009, and December 4, 2009 and analyzed for TTHMs and HAA5s are 0.101375 mg/L and 0.068525 mg/L.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:

a) Within 60 days of the effective date of this Order, Respondent shall retain the services of a professional engineer, registered in the State of Florida, to evaluate the System and submit an application, along with any required application fees, to the Department for a permit to construct any modifications needed to address the MCL violation(s).

b) If the Department requires additional information, modifications, or specifications to process the permit application described in subparagraph (5)(a), above, the Department will issue a written request for information ("RFI") to Respondent. Respondent shall submit the requested information in writing to the Department within 30 days of receipt of the request. Respondent shall provide all information requested in any additional RFIs issued by the Department within 30 days of receipt of each request. Within 60 days of the Department's receipt of the application

described in subparagraph (5)(a), above, Respondent shall provide all information necessary to complete the application.

c) Within 90 days of issuance of any required permit described in subparagraphs (5)(a), above, Respondent shall complete the permitted modifications and submit a Certification of Completion, prepared and sealed by a professional engineer registered in the State of Florida, along with all supporting documentation. Respondent shall not place the System modifications into service until Respondent receives written Department clearance.

d) If the approved modifications are determined by the Department to be inadequate to resolve the MCL violation(s), the Department will notify Respondent in writing. Within 30 days of receipt of such written notification from the Department, Respondent shall submit an alternate proposal to address the MCL violation(s). Respondent shall provide all information requested in any RFIs issued by the Department within 15 days of receipt of each request. Within 60 days of the date the Department receives the proposal required by this subparagraph, Respondent shall provide all information necessary to complete the application for modification.

e) Respondent shall continue to sample quarterly for TTHMs and HAA5s, in accordance with Rule 62-550.514(2), F.A.C., until the running annual average is no more than 0.060 mg/L and 0.045 mg/L for TTHMs and HAA5s, respectively, or until the quarterly running annual averages remains below 0.080 mg/L and 0.060 mg/L, respectively, for four consecutive quarters, at which time Respondent shall return to its regular required monitoring, in accordance with Chapter 62-550, F.A.C. Respondent shall submit all sampling results to the Department within 10 days following the month in which the samples were taken or within 10 days following Respondent's receipt of the results, whichever is sooner.

f) Respondent shall continue to issue public notices regarding the MCL violation(s) described above every 90 days, as required by Rule 62-560.410(1), F.A.C., or until the Department determines that the System is in compliance with all MCLs. Respondent shall submit certification of delivery of public notices, using DEP Form 62-555.900(22), F.A.C., to the Department within 10 days of issuing each public notice.

g) Respondent shall submit written quarterly updates on the status of the permitted modifications following the issuance of the permit to modify the System. Updates shall be submitted to the Department within 10 days following the end of each calendar quarter until the modifications are complete and cleared for service.

6. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$8,500.00 in settlement of the regulatory matters addressed in this Order. This amount includes \$8,000.00 for civil penalties and \$500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The civil penalties are apportioned as follows: \$4000.00 for two violations of Rule 62-550.310(3), F.A.C., and Section 403.121(3)(a), F.S.

7. In lieu of making cash payment of \$8,000.00 in civil penalties as set forth in paragraph 6, above, Respondent may elect to off-set this amount by implementing a pollution prevention ("P2") project, which must be approved by the Department. A P2 project must be a source reduction, waste minimization, or on-site recycling project. The offset will be at least 1.0 times the penalty amount. This means that for every dollar owed in civil penalties, Respondent must pay \$1.00 towards the P2 project. If Respondent chooses to implement a P2 project, Respondent shall notify the Department of its election by certified mail within 15 days of the effective date of this Order.

a) If Respondent elects to implement a P2 project as provided in paragraph (8), then Respondent shall comply with all of the requirements in Exhibit A.

Notwithstanding the election to implement a P2 project, Respondent must pay the remaining \$500.00 in costs within 30 days of the effective date of this Order.

8. Respondent agrees to pay the Department stipulated penalties in the amount of \$200.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph(s) (5)(a),(b),(c),(d),(e),(f) and (g) of this Order. The Department may demand stipulated penalties at any time after violations occur. Respondent shall pay stipulated penalties owed within 30 days of the Department's issuance of written demand for payment, and shall do so as further described in paragraph 8, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to the civil penalties agreed to in paragraph 6 of this Order.

9. Respondent shall make all payments required by this Order by cashier's check or money order. Payment instruments shall be made payable to the "Department of Environmental Protection" and shall include both the OGC number assigned to this Order and the notation "Ecosystem Management and Restoration Trust Fund."

10. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Andrea Aviles, FDEP, Drinking Water Department, Department of Environmental Protection, Central District, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803.

11. Respondent shall allow all authorized representatives of the Department access to the Facility and the Property at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes administered by the Department.

12. In the event of a sale or conveyance of the Facility or of the Property upon which the Facility is located, if all of the requirements of this Order have not been fully

satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the Facility or Property, (a) notify the Department of such sale or conveyance, (b) provide the name and address of the purchaser, operator, or person(s) in control of the Facility, and (c) provide a copy of this Order with all attachments to the purchaser, operator, or person(s) in control of the Facility. The sale or conveyance of the Facility or the Property does not relieve Respondent of the obligations imposed in this Order.

13. If any event, including administrative or judicial challenges by third parties unrelated to Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of Respondent and could not have been or cannot be overcome by Respondent's due diligence. Neither economic circumstances nor the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines shall be considered circumstances beyond the control of Respondent (unless the cause of the contractor's late performance was also beyond the contractor's control). Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department by the next working day and shall, within seven calendar days notify the Department in writing of (a) the anticipated length and cause of the delay, (b) the measures taken or to be taken to prevent or minimize the delay, and (c) the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended. The agreement to extend compliance must identify the provision or provisions extended, the new compliance date or dates, and the additional measures Respondent must take to avoid

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or minimize the delay, if any. Failure of Respondent to comply with the notice requirements of this paragraph in a timely manner constitutes a waiver of Respondent's right to request an extension of time for compliance for those circumstances.

14. The Department, for and in consideration of the complete and timely performance by Respondent of all the obligations agreed to in this Order, hereby conditionally waives its right to seek judicial imposition of damages or civil penalties for the violations described above up to the date of the filing of this Order. This waiver is conditioned upon Respondent's complete compliance with all of the terms of this Order.

15. This Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law. Entry of this Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

6. The Department hereby expressly reserves the right to initiate appropriate legal action to address any violations of statutes or rules administered by the Department that are not specifically resolved by this Order.

17. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation, and criminal penalties.

18. Respondent acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this Order. Respondent also acknowledges and waives its right to appeal the terms of this Order pursuant to section 120.68, F.S.

19. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

20. The terms and conditions set forth in this Order may be enforced in a court of competent jurisdiction pursuant to sections 120.69 and 403.121, F.S. Failure to comply with the terms of this Order constitutes a violation of section 403.161(1)(b), F.S.

21. This Order is a final order of the Department pursuant to section 120.52(7), F.S., and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, F.S. Upon the timely filing of a petition, this Order will not be effective until further order of the Department.

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, F.S. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in this Order.

The petition for administrative hearing must contain all of the following information:

- a) The OGC Number assigned to this Order;
  - b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
  - c) An explanation of how the petitioner's substantial interests will be affected by the Consent Order;
-

- d) A statement of when and how the petitioner received notice of the Consent Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Consent Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Consent Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Consent Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the Department of Environmental Protection, Central District, 3319 Maguire Boulevard, Suite 232, Orlando, Florida 32803. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, F.S. Before the deadline for filing a petition, a person whose substantial interests are affected by this Order may choose to pursue mediation as an alternative remedy under section 120.573, F.S.

Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, F.S., and Rule 62-110.106(12), F.A.C.

22. Rules referenced in this Order are available at  
<http://www.dep.state.fl.us/legal/Rules/rulelistnum.htm>.

FOR THE RESPONDENT:

2/2/10  
Date

K. Kroot  
Kenneth Kroot, Senior Vice President  
Equity Lifestyle Properties, Inc.

DONE AND ORDERED this 9th day of March, 2010, in Orlando Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Vivian F. Garfein  
Vivian F. Garfein  
Director, Central District

Filed, on this date, pursuant to section 120.52, F.S., with the  
designated Department Clerk, receipt of which is hereby acknowledged.

A. Salonde  
Clerk

3/9/2010  
Date

Copies furnished to:

Lake County Health Department  
Florida Utility Group  
Lea Crandall, Agency Clerk, DEP Office of General Counsel



Exhibit A

**Pollution Prevention Projects**

**I. Introduction**

1. Pollution Prevention ("P2") is a process improvement that reduces the amount of pollution that enters the environment by conserving resource (including water, raw materials, chemicals, and energy) use, or by reducing waste (including domestic and industrial wastewater, solid and hazardous waste, and air emissions). A P2 Project ("Project") must reduce pollution or waste within the process beyond what is required by federal, state, or local law, in order to be eligible for civil penalty offset under this Order. For every creditable \$1.00 spent on the Department approved P2 Project, Respondent shall receive a credit of \$1.00 against the portion of the civil penalty that can be offset. Whereas P2 Projects are evaluated on the basis of the amount of pollution they eliminate, P2 Projects usually have the added benefit of reducing production and disposal costs and regulatory oversight.

2. A P2 Project can be classified as source reduction, waste minimization, and on-site recycling. Source reduction provides the greatest P2 benefit, while on-site recycling provides the least. These categories are defined further below.

3. Because P2 Projects must be designed to reduce waste at the facility, P2 Projects do not include Projects that involve off-site recycling. In addition, P2 Projects do not involve treatment prior to discharge, or disposal by landfilling or incineration.

**A. Source Reduction**

1. A source reduction Project replaces materials or processes that produce pollution with materials or processes that cause less pollution. The ideal situation is to produce goods or services with no pollution. Source reduction has the most benefit for the environment among the P2 Project options and usually requires the greatest change in the production process.

**B. Waste Minimization**

1. A waste minimization Project reduces the generation of unusable by-products (air emissions, wastewater, or solid or liquid wastes). Waste minimization strategies involve reducing resource use and minimizing waste generation on site that result in a net decrease in the release of chemicals to the environment.

**C. On-Site Recycling**

1. On-site recycling Projects reuse materials that are the source of pollution. Process materials are reused directly or indirectly in the original or some other process within the facility.

**II. The P2 Project Approval Process**

1. In order to adequately evaluate the P2 Project options, the Department must understand the facility processes, material use, waste streams, options available, Projects proposed, and estimated waste and cost savings.

2. The P2 Project is typically implemented in a five-step process. First, Respondent must prepare and obtain the approval of a P2 Opportunity Assessment ("Assessment"). Second, Respondent must prepare and obtain the approval of a P2 Project Plan ("Project Plan") based upon the findings in the Assessment. Third, Respondent must construct or implement the approved Project Plan. Fourth, Respondent must submit a P2 Final Report ("Final Report") to the Department that summarizes the P2 modifications or improvements, benefits, and allowable costs. Finally, the Department approves or disapproves the offset of the penalty. All of these steps and the timeframes are discussed in detail below.

**A. P2 Opportunity Assessment**

1. Within 30 days of the effective date of this Order, Respondent shall submit an Assessment to the Department for review and approval. The Assessment provides the basis for identifying, comparing, and evaluating P2 opportunities at the facility. The Assessment should be divided into two sections:

a. An audit of current facility practices and their associated waste streams, that shall identify where improvements can be made and provide a baseline for measuring changes, and

b. A complete evaluation of all available options for improvement regardless of their feasibility, a feasibility determination and an environmental determination of acceptable options. These options are then evaluated for economic and technical practicality, and environmental benefit.

2. The Assessment shall include a table by which all the processes can be compared. The table shall include brief descriptions of the processes, P2 options, resources consumed, waste streams, and P2 benefits. The table shall be supplemented by more in-depth descriptions that will allow the Department to evaluate the P2 options for each process. Because the P2 Project will be evaluated by the amount of pollutants removed from the environment, the comparative units shall be in weight per unit time or volume per unit time. Concentrations are not appropriate units. The time unit used to calculate the amount of pollutants removed should be sufficiently large to average out abnormalities. All waste should be considered, including solid and hazardous wastes, wastewater, and air emissions. Raw materials, water, chemicals, and energy use should be similarly examined.

3. The *Current Facility Practices* section of the Assessment shall include:

a. Location and name of the facility and a brief description of what is done there;

b. Contact information for personnel who provided information, analysis, background data, or expertise for the Assessment;

c. Identification and description of processes or operations producing waste streams;

d. Mass balances that identify and quantify input materials for each process, materials consumed during each process, and waste streams produced from each process;

- e. Simple flow charts or diagrams for each process; and
  - f. Supporting documentation such as waste profile sheets.
4. The *Improvement Options Evaluation* section of the Assessment shall include a comprehensive list of the following P2 options and their corresponding considerations for each process that produces a waste stream:
- a. Process Elimination - Can an acceptable product be achieved without this process?
  - b. Process Substitution - Can an acceptable product be achieved with a cleaner process?
  - c. Input Material Substitution - Can a less polluting chemical or substance be used in the process?
  - d. Waste Reduction - Can the process be run with less waste?
  - e. In-process Recycling/Reuse - Can used process materials be used instead of virgin materials in the same process?
  - f. Out-process Recycling/Reuse - Can used process materials, instead of virgin materials, be reused in another process within the facility?
  - g. Waste Segregation - Will the segregation of wastes result in any usable waste products?
  - h. Improved Maintenance - Can facility operations be run more efficiently with improved equipment maintenance?
  - i. Improved Operational Procedures and/or Scheduling - Will improving facility operational procedures and/or scheduling reduce the generation of waste?
  - j. Improved Equipment Layout, Piping and or Automation - Will upgrading facility process equipment reduce the generation of waste?
5. The *Pollution Prevention Opportunity Assessment* section of the Assessment shall also consider and record all P2 options. This consideration shall include:
- a. A description of each process;
-

- b. A description of any P2 option considered for each process;
- c. The technical feasibility of each P2 option;
- d. The approximate cost of implementing process modifications or changes;
- e. A quantitative description of the materials and wastes to be reduced;
- f. A quantitative description of any waste streams that will increase;
- g. Other benefits such as economic return; and
- h. Supporting documentation such as Material Safety data Sheets (MSDSs), material purchasing and use records, waste stream analytical test results, recycling, treatment or disposal records, or vendor information on proposed new equipment.

6. The Department will review the Assessment and either approve or disapprove with comments. If the Department disapproves the Assessment, Respondent shall resubmit the Assessment within 30 days of disapproval that is responsive to the comments. If after one re-submittal the Assessment is not approved or if Respondent does not resubmit, Respondent shall pay the balance of the allowable amount of the civil penalty in accordance with this Order.

**B. P2 Project Plan**

1. Within 60 days of approval of the Assessment, Respondent shall submit a detailed Project Plan based on the approved Assessment, particularly section 2 of the Pollution Prevention Opportunity Assessment. The Project Plan shall describe in detail the current operation of the particular process that will be part of the P2 Project. The process description will aid in the Project's design and provide a benchmark for measuring the Project's success. The Project Plan shall include four sections: Background Information, Project Description, Environmental and Economic Benefits, and a Schedule for Implementation.

2. The *Background Information* section of the Project Plan shall include the following:

- a. Flow diagram of the process;

- b. Mass balance of the process; and
- c. Current operating costs including material procurement, maintenance, operation, utilities, and waste disposal, costs.

3. The *Project Description* section of the Project Plan shall include the following:

- a. Description of process modifications;
- b. Any modifications to the flow diagram;
- c. Mass balance for the new processes;
- d. Itemized costs of implementing the Project including the design, capital equipment, installation, testing, training, and total Project cost;
- e. Costs of operating and maintaining the Project once it is complete; and
- f. Documentation that supports the costs such as vendor literature and price quotes, research, endorsements.

4. The *Environmental and Economic Benefits* section of the Project Plan shall describe in detail for each material use and waste stream eliminated or reduced, and for each material use and waste stream created or increased:

- a. Type of material or waste;
- b. Mass (weight or volume) reduction/increase in materials and wastes per unit time;
- c. Mass (weight or volume) reduction/increase in materials and wastes per unit of production;
- d. Method of material re-use/waste management;
- e. Expected financial incentives and monetary gains; and
- f. Supporting documentation.

5. The *Schedule for Implementation* section of the Project Plan shall contain a brief discussion of the steps necessary to implement the Project and expected dates of completion. The schedule shall include milestones, anticipated problems and options,



and the Project completion date. The implementation should take no longer than six months from approval of the Project Plan.

6. The Department will review the Project Plan and either approve or disapprove with comments. If the Department disapproves the Project Plan, Respondent shall resubmit a Project Plan within 30 days of disapproval that is responsive to the comments. If after one re-submittal the Project Plan is not approved or if Respondent does not resubmit, Respondent shall pay the balance of the allowable amount of the civil penalty in accordance with this Order.

**C. Implementation of the P2 Project Plan**

1. Within 30 days of approval of the P2 Project Plan, Respondent shall begin implementation of the P2 Project in accordance with the approved schedule.

**D. Progress and Final Reports**

1. Within 90 days of approval of the Project Plan, Respondent shall submit a progress report to the Department that describes Respondent's progress in implementing the P2 Project and meeting the requirements in the Project Plan and includes a list of equipment ordered, purchased, and/or installed.

2. Within 180 days of approval of the Project Plan, Respondent shall submit to the Department a Final Report that includes the following:

a. An update on the information required in the *Environmental and Economic Benefits* section of Project Plan;

b. A description of the methods used to quantify wastes; and

c. An expense report, receipts, and other documents itemizing costs expended on preparing and implementing the Project, which are described in section E below.

3. The Department shall review the Final Report and determine:

a. Whether the Project has been implemented in accordance with the approved P2 Project Plan; and

b. Which expenses apply toward pollution prevention credits.

4. If the P2 Project Plan is approved by the Department and properly implemented, a \$1.00 pollution prevention credit for each \$1.00 spent on applicable costs will be applied against the portion of the civil penalty that can be offset.

**E. Final Accounting and Civil Penalty Offset**

1. The following costs are allowable to offset the allowable amount of the civil penalty:

- a. Preparation of the P2 Project;
- b. Design of the P2 Project;
- c. Installation of equipment for the P2 Project;
- d. Construction of the P2 Project;
- e. Testing of the P2 Project;
- f. Training of staff concerning the implementation of the P2 Project; and
- g. Capital equipment needed for the P2 Project.

2. The following costs shall not apply toward P2 credit:

- a. Costs incurred in conducting a waste audit;
- b. Maintenance and operation costs involved in implementing the P2 Project;
- c. Monitoring and reporting costs;
- d. Salaries of employees who perform their job duties;
- e. Costs expended to bring the facility into compliance with current law,

rules and regulations;

- f. Costs associated with a P2 Project that is not implemented;
- g. Costs associated with a P2 Project that has not been approved by the

Department; and

- h. Legal costs.

3. If any balance remains after the entire P2 credit is applied to the allowable portion of the civil penalty, Respondent shall pay the difference within 30 days of written notification by the Department to Respondent that the balance is due.

4. The Department may terminate the P2 Project at any time during the development or implementation of it, if Respondent fails to comply with the requirements in this document, act in good faith in preparing and implementing the Project, or develop and implement the P2 Project in a timely manner. Respondent may terminate the P2 Project at any time during its development or implementation.

5. If the P2 Project is terminated for any reason, Respondent shall pay the full balance of the allowable portion of the civil penalty within 30 days of written demand by the Department.

6. Any public statement, oral or written, in print, film, or other media, made by Respondent making reference to the P2 Project Plan shall include the following language, "This Project was undertaken in connection with the Florida Department of Environmental Protection for violations of Florida's environmental laws."



# 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 E-MAIL

karen\_doiron@equitylifestyle.com

November 4, 2010

Ms. Karen Doiron  
Equity Lifestyle Properties, Inc.  
5100 West Lemon Street, Suite 308  
Tampa, FL 33609

OCD-PW-SS-10-0842

Lake County – PW  
Mid-Florida Lakes Yacht Club  
PWS ID Number 3350825

Dear Ms. Doiron:

This confirms a visit to the subject public water system on November 3, 2010, by Nathan Hess to conduct a sanitary survey inspection. A copy of the sanitary survey inspection report is enclosed for your reference and records.

Deficiencies found during the sanitary survey and in Department records are listed in the enclosed report. These deficiencies shall be corrected in order to return to compliance with *Florida Administrative Code* (F.A.C.) Rules 62-550, 62-555, 62-560 and 62-602.

Please correct the indicated deficiencies, and notify the Department in writing that the deficiencies have been corrected, **no later than January 3, 2011**. (You may use the attached response form to indicate the corrective actions taken.)

If you have any questions, please contact Nathan Hess by e-mail at [Nathan.Hess@dep.state.fl.us](mailto:Nathan.Hess@dep.state.fl.us), or by phone at (407) 894-7555, extension 2276.

Sincerely,

Kim Dodson, Program Manager  
Drinking Water Compliance and Enforcement

KMD/njh  
Enclosures

cc: Lee Cain, ESI [[leecain.esi@gmail.com](mailto:leecain.esi@gmail.com)]  
Nathan Hess, DEP Drinking Water Compliance and Enforcement

State of Florida  
 Department of Environmental Protection  
 Central District  
**SANITARY SURVEY REPORT**

Plant Name MID-FLORIDA LAKES YACHT CLUB County Lake PWS ID # 3350825  
 Plant Location 201 Forest Drive, Leesburg, FL 34788 Phone 352-589-8300  
 Owner Name Equity Lifestyle Properties Inc. Phone 813-282-6754  
 Owner Address 5100 West Lemon Street, Suite 308, Tampa, FL 33609  
 Contact Person Karen Doiron Title Environmental Engineer Phone 813-282-6754  
 This Survey Date 11/03/10 Last Survey Date 1/29/08 Last Compliance Inspection Date 2/24/09

**PWS TYPE:** Community

**PLANT CATEGORY & CLASS:** 4C

**MAX-DAY DESIGN CAPACITY:** 1,209,000 gpd

**PWS STATUS:** Approved

WC35-0080502-005 and WC35-0080502-006, for a new well and chloramine treatment are not yet cleared.

**TREATMENT PROCESSES IN USE**

Aeration, hypochlorination.

**SERVICE AREA CHARACTERISTICS**

Mobile Home Park.  
 Food Service:  Yes  No  N/A  
 Number of Service Connections 1,226  
 Population Served 3,065 Basis: Operator

**OPERATION & MAINTENANCE LOG:** Yes

Location WWTP Office  
 Comments \_\_\_\_\_

**CERTIFIED OPERATOR:** Yes

Operator(s) & Certification Class-Number:  
Richard Hamm C-16488

Hrs/day: Required 1 Actual 1  
 Days/wk: Required 5+2 Actual 5+2  
 Non-consecutive Days?  Yes  No  N/A  
 Comments \_\_\_\_\_

**MONTHLY OPERATION REPORTS (MORs)**

MORs submitted regularly?  Yes  No  N/A  
 Data missing from MORs?  No  Yes  N/A  
 Average Day (from MORs) 293,271 gpd  
 Maximum Day (from MORs) 635,000 gpd 5/10  
 Comments \_\_\_\_\_

Flow Measuring Device Flow Meter  
 Meter Size & Type 8" ABB and 8" Water Specialties  
 Date Last Calibrated 3/16/10

**RAW WATER SOURCE**

GROUND; Number of Wells 2  
 PURCHASED from PWS ID # \_\_\_\_\_  
 Emergency Water Source \_\_\_\_\_  
 Emergency Water Capacity \_\_\_\_\_

**STANDBY POWER SOURCE:** Yes

Source Kohler Diesel  
 Capacity of Standby (kW) 250  
 Switchover:  Automatic  Manual  
 Hrs Operated Under Load 1 hr/wk.

What equipment does it operate?

Well Pumps All  
 High Service Pumps All  
 Treatment Equipment All

Satisfy avg. daily demand?  Yes  No  Unknown  
 Audio-visual alarm?  Yes  No  
 Comments \_\_\_\_\_

**PLANS AND MAPS**

Coliform Sampling Plan  Yes  No  N/A  
 D/DBP Monitoring Plan  Yes  No  N/A  
 Lead and Copper Plan  Yes  No  N/A  
 Distribution System Map  Yes  No  N/A  
 Emergency Response Plan  Yes  No  N/A  
 Comments \_\_\_\_\_

**PREVENTIVE MAINTENANCE/O&M**

Operation & Maintenance Manual  Yes  No  
 Preventive Maintenance Program  Yes  No  
 Flushing Program  Yes  No  N/A  
     Records  Yes  No  N/A  
 Isolation Valve Exercise  Yes  No  N/A  
     Records  Yes  No  N/A

Comments Flushing and valve records need to be organized to ensure proper flushing occurs.

**CROSS CONNECTION CONTROL**

# BFPAs 3 # Tested 2  
 WWTP RPZ Yes Date Tested 9/2/10  
 Written Plan Yes Date 2008  
 Comments \_\_\_\_\_

**GROUND WATER SOURCE**

Well Number (Florida Unique Well ID #)	2 (AAF4580)	3 (AAL6052)		
Year Drilled	1973	2010		
Depth Drilled	345'	421'		
Drilling Method	Rotary	Rotary		
Type of Grout	Unknown	Neat cement		
Static Water Level	12'	11'		
Pumping Water Level	Unknown	Unknown		
Design Well Yield	1,800 gpm	1,500 gpm		
Test Yield	Unknown	1,700 gpm		
Actual Yield (if different than rated capacity)	1,700 gpm	1,500		
Strainer	Unknown	Unknown		
Length (outside casing)	130'	283'		
Diameter (outside casing)	12"	12"		
Material (outside casing)	Black iron	Black iron		
Well Contamination History	None	None		
Is inundation of well possible?	No	No		
6' X 6' X 4" Concrete Pad	Yes	Yes		
SET BACKS	Septic Tank	N/A	N/A	
	Reuse Water	N/A	N/A	
	WW Plumbing	>100'	>100'	
	Other Sanitary Hazard	None observed	None observed	
PUMP	Type	Vertical turbine	Vertical turbine	
	Manufacturer Name	Berkeley	Goulds	
	Model Number	Unknown	12FDLO	
	Rated Capacity (gpm)	1,700	1,500	
	Motor Horsepower	75	50	
Well casing 12" above grade?	Yes	Yes		
Well Casing Sanitary Seal	OK	OK		
Raw Water Sampling Tap	Yes	Yes		
Above Ground Check Valve	Yes	Yes		
Security	Yes	Yes		
Well Vent Protection	Yes	Yes		

**COMMENTS** Well 3 has not yet been cleared for service.

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**CHLORINATION (Disinfection)**

Type:  Gas  Hypo  
 Make ChemTech Capacity          \* gpd  
 Chlorine Feed Rate          \*  
 Avg. Amount of Cl<sub>2</sub> gas used          N/A  
 Chlorine Residuals: Plant 1.61 Remote 1.10  
 Remote tap location Spray fields  
 DPD Test Kit:  On-site  With operator  
                    None  Not Used Daily  
 Injection Points Into aerator.  
 Booster Pump Info           
 Comments 120 gpd ChemTech set to 75%.  
80 gpd ChemTech set to 80%.  
Ammonia - 85 gpd Stenner. Goal is 4:1 ratio.

Chlorine Gas Use Requirements	YES	NO	Comments
Dual System	<input type="checkbox"/>	<input type="checkbox"/>	
Auto-switchover	<input type="checkbox"/>	<input type="checkbox"/>	
Alarms:			
Loss of Cl <sub>2</sub> capability	<input type="checkbox"/>	<input type="checkbox"/>	
Loss of Cl <sub>2</sub> residual	<input type="checkbox"/>	<input type="checkbox"/>	
Cl <sub>2</sub> leak detection	<input type="checkbox"/>	<input type="checkbox"/>	
Scale	<input type="checkbox"/>	<input type="checkbox"/>	
Chained Cylinders	<input type="checkbox"/>	<input type="checkbox"/>	
Reserve Supply	<input type="checkbox"/>	<input type="checkbox"/>	
Adequate Air-pak	<input type="checkbox"/>	<input type="checkbox"/>	
Sign of Leaks	<input type="checkbox"/>	<input type="checkbox"/>	
Fresh Ammonia	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
Ventilation	<input type="checkbox"/>	<input type="checkbox"/>	
Room Lighting	<input type="checkbox"/>	<input type="checkbox"/>	
Warning Signs	<input type="checkbox"/>	<input type="checkbox"/>	
Repair Kits	<input type="checkbox"/>	<input type="checkbox"/>	
Fitted Wrench	<input type="checkbox"/>	<input type="checkbox"/>	
Housing/Protection	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**AERATION (Gases, Fe, & Mn Removal)**

Type Cascade Capacity 1,500 gpm  
 Aerator Condition Poor  
 Visible Algae Growth Yes  
 Protective Screen Condition Intact  
 Frequency of Cleaning Quarterly  
 Date Last Inspected/Cleaned May 2010  
 Comments         

**STORAGE FACILITIES**

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

Tank Type/Number	G		
Capacity (gal)	62,000		
Material	Steel		
Gravity Drain	Yes		
By-Pass Piping	Yes		
Protected Openings	Yes		
Sight Glass or Level Indicator	Yes		
PRV/ARV	N/A		
Pressure Gauge	N/A		
On/Off Pressure	Unknown		
Access Secured	Yes		
Access Manhole	Yes		
Tank Sample Tap Location	On tank		
Date of Inspection	Unknown		
Date of Cleaning	Unknown		

Comments Tank was installed in 2006.  
 \_\_\_\_\_  
 \_\_\_\_\_

**HIGH SERVICE PUMPS**

Pump Number	1	2	
Type	Centrifugal	Centrifugal	
Make	Berkeley	Berkeley	
Model	B237PL6E	B237PL6E	
Capacity (gpm)	750	750	
Motor HP	30	30	
Date Installed	1972	1972	

Comments           
 \_\_\_\_\_  
 \_\_\_\_\_

**DEFICIENCIES:**

**1. Failure to comply with the maximum contaminant levels (MCLs) for total trihalomethanes (TTHMs) and total haloacetic acids (five) (HAA5s).**

The running annual average for TTHMs exceeded the MCL since the 3<sup>rd</sup> quarter of 2009. The running annual average for HAA5s exceeded the MCL during the 4<sup>th</sup> quarter of 2009 and the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> quarters of 2010.

Permit WC35-0080502-006 to install chloramine treatment was issued on August 2, 2010. This inspection confirms the completion of construction and it is anticipated that a clearance request will be received shortly.

**2. Failure to issue public notice as required for violations of the disinfection byproducts MCL.**

Public notice for the first quarter of 2010 was provided late.

**3. Failure to maintain PWS components:**

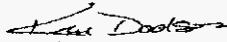
- The chlorine pumps appear to be leaking and need maintenance.
- The aerator is in poor condition and needs to be cleaned.

Suppliers of water shall keep all necessary public water system components in operation and shall maintain such components in good operating condition so the components function as intended. [Rule 62-555.350(2), F.A.C.]

**COMMENTS/REMINDERS:**

- Prior to placing the chloramine treatment system installed under permit WC35-0080502-006 into service, public notification must be provided to residents in accordance with Rule 62-555.350(10)(c), F.A.C.
- When the chloramine treatment system is placed into service, close attention must be paid to maintaining an adequate 0.6 mg/L combined chlorine residual throughout the distribution system. The combined chlorine residual is calculated by deducting the free chlorine residual from the total chlorine residual. Additionally, proper distribution system maintenance must be provided to ensure continued success of the chloramine system in reducing disinfection byproduct levels.
- The consumer confidence report (CCR) must be delivered to consumers and the Department no later than July 1, annually, and certification of delivery of the CCR must be submitted to the Department no later than August 10, annually.

Inspector  Title Env. Supervisor II Date 11/3/10

Approved by  Title Environmental Manager Date 11/4/10





# Florida Department of Environmental Protection

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

Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Hershel T. Vinyard, Jr.  
Secretary

January 19, 2011

EQUITY LIFESTYLES PROPERTIES INC  
5100 WEST LEMON STREET  
SUITE 308  
TAMPA FL 33609

OCD-C-WW-11-0054

ATTENTION BRAD NELSON  
REGIONAL VICE PRESIDENT - OPERATIONS

Lake County - DW  
Mid Florida Lakes WWTF  
Wastewater Facility - Permit No. FLA010657  
Noncompliance Letter

Dear Mr. Nelson:

On December 21, 2010, Department personnel conducted a routine inspection of the above-referenced facility. A copy of the inspection report is attached for your review. Please note the groundwater items listed below which need to be addressed:

1. The total dissolved solids (TDS) and chloride results do not appear to be correct for well MWI-2 because the chloride result of 67 milligrams per Liter (mg/L) is greater than the TDS result of 36 mg/L for the third quarter of 2010. Please confirm these are the correct results.
2. The groundwater elevation reported for well MWC-2 for the third quarter of 2010 was 8.77 feet above the top of casing elevation. This appears to be an error. Please submit the correct groundwater elevation.

The Department requests a written response addressing the items listed above within 14 days from the date of this letter. Your response should include an explanation of any corrective actions that have either been taken or that you plan to take. Please note that this letter and report, being part of the Department's investigation, is preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. Groundwater questions should be directed to Marsha Johnson at (407) 893-3308, Ext. 2275. Please direct any other questions to Jenny Farrell at (407) 893-3313, or via e-mail: [jenny.e.farrell@dep.state.fl.us](mailto:jenny.e.farrell@dep.state.fl.us).

Sincerely,

Gary P. Miller  
Program Manager  
Wastewater Compliance/Enforcement

GM/jef/ar

Enclosure: Inspection Report

cc: Lake County Water Resource Management, [scatasus@lakecounty.gov](mailto:scatasus@lakecounty.gov)  
Anil Desai, Program Manager, Ground Water Section, [anil.desai@dep.state.fl.us](mailto:anil.desai@dep.state.fl.us)  
Karen Doiron, ELS Environmental Engineer, [karen.doiron@equitylifestyle.com](mailto:karen.doiron@equitylifestyle.com)

## FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

## WASTEWATER COMPLIANCE INSPECTION REPORT

## FACILITY AND INSPECTION INFORMATION @ = Optional

Name and Physical Location of Facility		WAFR ID:	County	Entry Date/Time
Mid Florida Lakes WWTF		FLA010657	Lake	12/21/2010 11:33:00 AM
201 Forest Drive off of S.R. 44			Phone	Exit Date/Time
Leesburg, FL 34788				12/21/2010 12:05:00 PM
Name(s) of Field Representatives(s)	Title	Email	Phone	
Mark Mitchell	ELS Properties			
Name and Address of Permittee or Designated Representative		Title	Phone	@ Operator Certification #
Brad Nelson		Vice President	(352)589-8300	
Equity Lifestyles Properties Inc.				
5100 W Lemon Street Suite 308		Email		
Tampa, FL 33609				

Inspection Type	C	E	I		Samples Taken(Y/N): N	@ Sample ID#: N/A	Samples Split (Y/N): N/A
<input checked="" type="checkbox"/> Domestic		<input type="checkbox"/> Industrial			Were Photos Taken(Y/N): Y	@ Log book Volume : EIP	@ Page N/A

## FACILITY COMPLIANCE AREAS EVALUATED

IC = In Compliance; NC = Out of Compliance; SC = Significant out of Compliance; NA = Not Applicable; NE = Not Evaluated  
 Significant Non-Compliance Criteria Should be Reviewed when Out of Compliance Ratings Are Given in Areas Marked by a "♦"

	PERMITS/ORDERS		SELF MONITORING PROGRAM		FACILITY OPERATIONS		EFFLUENT/DISPOSAL
IC	1. ♦ Permit	NE	3. Laboratory	NC	6. Facility Site Review	NC	9. ♦ Effluent Quality
NA	2. ♦ Compliance Schedules	IC	4. Sampling	IC	7. Flow Measurement	IC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	IC	8. ♦ Operation & Maintenance	IC	11. Residuals/Sludge
						NC	12. Groundwater
NA	14. Other:					NE	13. ♦ SSO Survey

Facility and/or Order Compliance Status:	<input type="checkbox"/> In-Compliance	<input checked="" type="checkbox"/> Out-Of-Compliance	<input type="checkbox"/> Significant-Out-Of-Compliance
Recommended Actions: Noncompliance Letter			

Name(s) and Signature(s) of Inspector(s)	District Office/Phone Number	Date
Jenny Farrell <i>Jenny E. Farrell</i>	CD/ (407)893-3313	01/18/2011
Signature of Reviewer	District Office/Phone Number	Date
David Smicherko <i>David Smicherko</i>	CD/ (407)893-3313	January 18, 2011

Single Event Violation Codes(s):
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## INSPECTION SUMMARY

**Facility Name:** Mid Florida Lakes

**Facility ID:** FLA010657

**Inspection Type:** CEI

**Date:** 12/21/2010 12:05:00 PM

### FACILITY BACKGROUND:

**Address:** 199 Forest Dr, Leesburg, FL 34788 - 2648, Lake County

**Permit Information:** Wastewater Permit issued: 8/15/2006, and expires: 8/14/2011

**Treatment Summary:** Extended Aeration Sewage Treatment Plant W/Effluent To Holding Pond & Sprayfield

**Permitted Capacity:** 0.18

### 1. Permit: IN COMPLIANCE

1.1 Observation: A copy of the permit was onsite and available to plant personnel.

Additional Comments: This permit is due to expire on August 13, 2011. The permit renewal application must be received by the Department on or before February 13, 2011.

### 2. Compliance Schedules: NOT APPLICABLE

### 3. Laboratory: NOT EVALUATED

### 4. Sampling: IN COMPLIANCE

4.1 Observation: Calibrations were performed correctly.

Additional Comments: According to onsite records the total residual chlorine (TRC) and pH meters were verified daily. The TRC gels were last verified in 11/2010.

4.2 Observation: Please see specific comment

Additional Comments: Influent and effluent compositors were on-site and located at the proper monitoring locations.

### 5. Records and Reports: OUT OF COMPLIANCE

5.1 Observation: *General* - A copy of the current laboratory certification was available at the time of the inspection (62-620.350(1) F.A.C.).

Additional Comments: Samples are analyzed by Advanced Environmental Laboratory.

5.2 Observation: *General* - Operators' certifications were current and available on-site.

5.3 Observation: *General* - The certified operator's daily logbook was complete.

Additional Comments: The logbook was pre-numbered, bound, and contained sufficient operation/maintenance entries.

5.4 Observation: *General* - A copy of the Operation and Maintenance Manual as required by Chapter 62-600, F.A.C. was available to plant personnel.

5.5 Observation: *General* - Please see specific comment

Additional Comments: The DMR paperwork review was from February 2010 through July 2010, not all DMRs were received in a timely manner, see below:

- **The February 2010 DMR was received by the Department on 03/29/2010; this DMR was due on or before 03/28/2010.**

**On the April 2010 DMR the pH minimum was reported as 7.5 su on Part A and was 7.0 su on Part B.**

5.6 Observation: *General* - Please see specific comment

Additional Comments: The RPZ was last inspected and tested on 09/02/2010.

## INSPECTION FINDINGS

5.7 Observation: *General* - Please see specific comment

Additional Comments: The Annual Reuse Report was received by the Department on January 3, 2011.

The Department last received a certification, stating that no new non-domestic wastewater dischargers have been added to the collection system since the last reclaimed water or effluent analysis was conducted, in lieu of the report in January 25, 2010.

5.8 Observation: *General* - Please see specific comment

Additional Comments: Malfunction reports have been submitted to the Department during this review period as required.

### 6. Facility Site Review: **OUT OF COMPLIANCE**

6.1 Observation: *General* - The facility grounds were secured properly.

6.2 Observation: *Backflow Prevention* - A reduced pressure zone backflow prevention device was in place on the potable water supply line.

6.3 Observation: *Headworks* - Screening and grit are being collected in suitable containers.

6.4 Observation: *SurgeTanks* - Please see specific comment

Additional Comments: **Some matting of debris was noted in the third surge tank.**

6.5 Observation: *AerationBasins/Act.Sludge* - The contents in the aeration chambers appeared to be adequately mixed.

6.6 Observation: *Blowers/Motors* - The blower was operational at the time of the inspection.

Additional Comments: The blowers are located in an enclosure.

6.7 Observation: *Clarifiers* - Please see specific comment

Additional Comments: Both clarifiers were operating as designed. The weirs were clean and level.

6.8 Observation: *Disinfection* - Please see specific comment

Additional Comments: Sodium hypochlorite is introduced at the end of the parshall flume, which is located prior to the chlorine contact chamber (CCC). The CCC contained slightly turbid effluent and no evidence of solids.

6.9 Observation: *Digesters* - The tank contents in the aerobic digester were well mixed.

### 7. Flow Measurement: **IN COMPLIANCE**

7.1 Observation: The copy of the flow calibration report is current and satisfactory.

Additional Comments: According to onsite paperwork the flow meter was last calibrated on June 7, 2010.

### 8. Operation and Maintenance: **IN COMPLIANCE**

8.1 Observation: *General* - Please see specific comment

Additional Comments: The facility grounds were well maintained.

### 9. Effluent Quality: **OUT OF COMPLIANCE**

9.1 Observation: A review of the Discharge Monitoring Reports revealed the following effluent exceedance:

Additional Comments: The DMR review period was from February 2010 through July 2010.

**February 2010-Fecal coliform maximum was reported as 20,000 fcc/100 mL's, which exceeded the 800 fcc/100 mL's permit limit.** This exceedance was acknowledged on the DMR and the Department was notified properly in writing.

### 10. Effluent Disposal: **IN COMPLIANCE**

10.1 Observation: *General* - The lined holding pond appeared to be well maintained

10.2 Observation: *General* - Advisory signs were posted around the disposal site indicating the nature of the project area.

10.3 Observation: *General* - The fence surrounding the effluent disposal site provided adequate access control (62-610.518(10) F.A.C.)

## INSPECTION FINDINGS

11. **Residuals/Sludge:** IN COMPLIANCE

11.1 **Observation:** *General* - Please see specific comment

**Additional Comments:** Biosolids were last hauled to A-Able Septic Services RMF on December 1, 2010.

12. **Groundwater Quality:** OUT OF COMPLIANCE

12.1 **Observation:** A review of the ground water files for the facility indicates the following deficiencies:

**Additional Comments:** The total dissolved solids (TDS) and chloride results do not appear to be correct for well MWI-2 because the chloride result of 67 milligrams per Liter (mg/L) is greater than the TDS result of 36 mg/L for the third quarter of 2010. Please confirm these are the correct results.

The ground water elevation reported for well MWC-2 for the third quarter of 2010 was 8.77 feet above the top of casing elevation. This appears to be an error. Please submit the correct ground water elevation.

13. **SSO Survey:** NOT EVALUATED

14. **Other:** NOT APPLICABLE



# Florida Department of Environmental Protection

Central District  
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Rick Scott  
Governor

Jennifer Carroll  
Lt. Governor

Herschel T. Vinyard, Jr.  
Secretary

VIA E-MAIL

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OCD-PW-CE-11-0252

Lake County - PW  
Mid-Florida Lakes Yacht Club  
PWS ID # 3350825  
Consent Order – OGC Case No. 09-3388  
Case Closure

Dear Ms. Doiron:

The above-referenced enforcement case is closed by this office effective March 9, 2011. Department records indicate that the Consent Order requirements have been met. Our records show that the running annual average of total trihalomethanes (TTHMs) and haloacetic acids (five) (HAA5s) results are below the maximum contaminant levels (MCLs).

Public notice is no longer required, because the levels for TTHMs and HAA5s are currently below the MCLs. Please continue to conduct routine (annual) monitoring for TTHMs and HAA5s. The next annual compliance monitoring for TTHMS and HAA5s shall be conducted during **July through September 2011**.

Thank you for your cooperation. You may contact Nathan Hess at (407) 893-3988, should you have any further questions.

Sincerely,

Christianne C. Ferraro, P.E.  
Program Administrator  
Water Resource Management

March 16, 2011

Date

CCF/njh

cc: Lee Cain, ESI [LEECAIN.ESI@GMAIL.COM]  
Lea Crandall, Agency Clerk, DEP Office General Counsel  
Nathan Hess, DEP Drinking Water Compliance and Enforcement