

State of Florida



## Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

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

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**DATE:** May 4, 2015  
**TO:** Carlotta S. Stauffer, Commission Clerk, Office of Commission Clerk  
**FROM:** Penelope D. Buys, Engineering Specialist III, Division of Engineering *PDB*  
**RE:** Docket No. 140135-WS - Application for increase in water/wastewater rates in Pasco County by Labrador Utilities, Inc.

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Please place the following documents in the docket file.

## Penny Buys

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**Subject:** FW: Docket No. 140060 - Sanlando Utilities/ Docket No. 140135 - Labrador Utilities  
**Attachments:** Sanlando Wekiva WWTP Consent Order 15-0039.pdf; Exhibit 4.22 Sodium aluminate costs.xlsx; 4-29 Leadership Meeting Allocation.pdf; 2013 Rate Case Cap Time.xlsx

**From:** Martin S. Friedman [mailto:mfriedman@ff-attorneys.com]  
**Sent:** Thursday, April 30, 2015 8:32 PM  
**To:** Keino Young; Truitt, John; Andrew Maurey  
**Cc:** John Hoy ; Patrick Flynn ; Darrien Pitts; Christie H. Kincaid; Debbie Swain; Cynthia Yapp  
**Subject:** Docket No. 140060 - Sanlando Utilities/ Docket No. 140135 - Labrador Utilities

Keino,

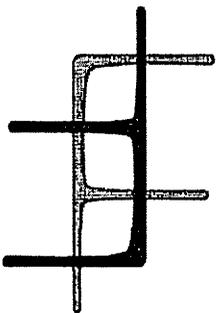
Pursuant to my telephone conference with Andrew Maurey, the following are Sanlando Utilities and Labrador Utilities comments regarding certain issues in the Staff Recommendations :

- Rate Case Expense (Issue 15; Issue 13): The Staff recommends disallowing in-house cap time saying that the Utilities did not adjust salaries and therefore it was double counted. However, the salaries included in the TY were **net** of rate case expense (“RCE”) cap time for that year. In other words, the Utilities did not include total salaries but rather reduced them for RCE cap time which included work on rate cases during the TY. Please see the attached schedules. The Commission should include in-house RCE of \$43,700 for Sanlando, and \$23,845 for Labrador. Alternatively, those amount must be added to salaries. It is not appropriate to reduce salaries for RCE cap time, and also exclude such amounts from RCE.
- Sanlando Property Taxes (Issue 16): The Staff made two incorrect assumptions regarding the 2014 property tax bills. First, Staff “believes the primary cause of the increase in property tax is an increase in the assessed value due to plant additions.” Of the approximately \$62,000 increase between 2013 and 2014, approximately \$18,000 was attributable to a new tax imposed by the MSBU. The second error was to ignore the property taxes that will be imposed based upon the pro forma plant. The amount requested in the MFRs did not include the 2014 tax increase which included for the first time the MSBU taxes of approximately \$18,000. Plus the 2014 taxes were based on 2013 assets which would not have included any of the proforma plant additions included in this rate case. Thus, real estate taxes should be increased by the current millage rate of 15.529 multiplied by the \$3,520,718 amount of the pro forma plant for a total of \$54,674.
- Sanlando Chemicals (Issue 14): The Staff is recommending a denial of Sanlando’s estimated \$83,290 increase in chemical expense as a result of the expected DEP reduction in the loading rate in Sanlando’s percolation ponds, based upon what Staff perceives as the “uncertainty” of the changes. The attached “Exhibit 4.22, Sodium aluminate costs.xlsx” was provided in response to Staff Data Request #4. It identifies the annualized operating expense incurred by Sanlando in order to meet FDEP-mandated effluent limits for Total Phosphorus as identified in its current NPDES Operating Permit, which was submitted with the MFR’s. The attached Sanlando Wekiva WWTP Consent Order 15-0039 identifies that the use of the on-site percolation ponds will be drastically reduced if not eliminated entirely from the Operating Permit as a result of the violations that occurred in 2014 at the Wekiva WWTP. The perc ponds, currently permitted at 0.400 mgd on an annual average day basis, currently provide only a small fraction of the disposal capacity required at the Wekiva Plant that is permitted at 2.900 mgd by FDEP

and which has an average daily flow of approximately 2.0 mgd. The reduction in the allowed per pond application rate to some lesser amount will require that sodium aluminate be used year round in order to insure that the concentration of Total Phosphorus in the effluent is always less than 0.4 mg/L in order to allow treated effluent to be discharged into Sweetwater Creek **at any time** without incurring a permit violation. The use of the per ponds will be limited to short time intervals at best. In the Test Year, sodium aluminate was applied to the treatment process at the Wekiva WWTP approximately 33% of the time at a cost of about \$10,411 per month. In order to comply with the Operating Permit at all times, and because there is a three to seven day lag time between the time that sodium aluminate is first added and the reduction in Total Phosphorus below the permit limit as well as a requirement that the plant effluent be sampled weekly for Total Phosphorus concentration, sodium aluminate must be added on a continuous basis throughout the year resulting in a projected increase of \$83,290 in chemical expense compared to the expense incurred during the Test Year. See paragraphs 4(b-d) and 5(d) of the Consent Order and Exhibit 4.22, Sodium aluminate costs.

- Leadership Conference Expenses (Issue 14): The \$3,654 in Sanlando and \$259 in Labrador were disallowed because of what Staff perceives as a failure to provide the detail invoices. In the Staff's Fourth Data Request it asked for "a breakdown by vendor, amount and allocation of the total expenses associated with this meeting." That information is exactly what the Utilities provided (see attached file titled "4-29 Leadership Meeting Allocation.pdf." The Utilities provided the detail related to the \$46,000 that was referenced in the DR. Those payments were to the Rosen Hotel for the conference facilities, food and lodging and a separate payment to a restaurant for an off-site group dinner. The data request did not ask for any invoices. Since the Utilities provided the documentation requested these amounts should be included in the revenue requirement.
  
- Please do not hesitate to contact me should you have any questions.
  - o Regards, Marty

**MARTIN S. FRIEDMAN, ESQ.**  
*Shareholder*



**friedman  
friedman**  
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Line	Invoice	GL Invoice Total	Vendor	Amount	Allocation amount to Sanlando
1	490996	1,000.00	Rosen Centre Hotel	1,000.00	78.90
2	510169	9,252.41	Rosen Centre Hotel	9,252.41	730.02
3	510169	3,500.00	Rosen Centre Hotel	3,500.00	276.15
4	518336	5,503.60	Cuba Libre Restaurant	5,503.60	434.23
5	518336	10,771.45	Rosen Centre Hotel	10,771.45	849.87
6	531836	7,810.00	Rosen Centre Hotel	7,810.00	616.21
7	531836	7,810.00	Rosen Centre Hotel	7,810.00	616.21

2013

Company	1	2	3	4	5	6	7	8	9	10	11	12	Total
110	2,282	3,309	2,317	3,146	408	96	72	729					12,359
117	1,471	4,880	1,871	288									8,510
119		254											254
121	4,221	1,040	2,232	586									3,858
122		3,969	6,293	3,956	408	96	72						19,016
126				788	480								1,268
127				1,074									1,074
128		3,027	2,174	523	720								6,444
131				279									279
150				4,745	7,216	3,849	6,684	12,935	5,992	10,162	8,862	11,405	71,850
151			508	888	261								1,657
182	5,727	11,961	5,220	4,638	8,158	11,349	11,248	8,587	10,660	14,323	12,946	6,633	111,448
183	1,934	5,945	10,767	11,691	4,816	3,121	494	596					39,364
191	8,833												8,833
Lake Palcid						2,070	630	986	130	46	2,228	1,491	7,581
Cypress Lakes								4,332	11,198	8,438	11,653	7,615	43,237
UIF	16,903	19,715	4,662	7,185	3,508	3,706	11,692	4,642	1,743	225	1,888	84	75,953
Sanlando	884	82	159										1,125
Pennbrooke	215												215
288	1,120		200			1,120							2,440
300	7,622	3,740	2,640	3,855	2,348	617	131						20,953
315	280	58											338
316				2,087	1,296	898							4,281
317				3,131	2,832	5,367	1,176	6,784	6,646	6,596	4,781	859	38,171
333	269	127	1,433	2,894	356	165	191	24	191	653	261		6,564
345					1,120	8,947	5,788	8,115	6,634	3,886	4,792	10,284	49,566
356			1,437	754	3,037	4,657	621	2,259	1,560	192	93	840	15,449
400		3,902	3,813	5,284	2,326	4,552	8,294	5,807	12,148	19,130	8,129	204	73,588
401	4,568	1,480	1,246	3,600	8,073	11,985	21,450	24,089	16,781	10,504			103,777
403			1,877	2,083	3,791	9,225	14,776	12,170	11,195	4,290			59,408
406	13,459		39					812					14,311
453	10,726	16,906	18,716	12,286	10,829	2,416	1,950						73,828
Florida Cost Center		82		552	288	1,266		570					2,758
Total	80,515	80,477	67,404	76,511	62,271	73,115	87,654	93,435	84,877	78,446	55,634	39,415	879,754

**2013 Test Year**

**For ALL UI**

Total Net UI Salaries(All Companies/Regions)	22,108,985.21
Total UI Captime(6165)	4,628,843.11
Total UI CapTime (Offset to 2907) related to RC	879,754.10
Total UI CapTime (Offset to 2907) related to RC FL Only	130,868.73

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT )	IN THE OFFICE OF THE
OF ENVIRONMENTAL PROTECTION )	CENTRAL DISTRICT
)	
v. )	OGC FILE NO. 15-0039
)	
SANLANDO UTILITIES CORPORATION )	
_____ )	

CONSENT ORDER

This Consent Order ("Order") is entered into between the State of Florida Department of Environmental Protection ("Department") and Sanlando Utilities Corporation ("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 air and water resources and to administer and enforce the provisions of Chapter 403, 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 403.031(5), F.S.
3. Respondent is the owner and is responsible for the operation of the Wekiva Hunt Club WWTF ("Facility"), a 2.90 MGD annual average daily flow activated sludge domestic wastewater facility consisting of three contiguous package wastewater treatment plants (0.97 MGD each) connected in parallel, filtration and high level disinfection with wet weather back up surface water disposal to Sweetwater Creek (0.87 MGD permitted capacity), four rapid infiltration basins (RIBs) comprising 338,000 square feet of bottom surface (0.4 MGD of reuse capacity), and a 2.6 MGD public access reuse system that provides reclaimed water to the Wekiva Hunt Club Community and Golf Course, medians, Lake Brantley Nursery, with reuse interconnects with the City of Altamonte Springs, and the City of Apopka ("Facility"). The

Facility is operated under NPDES Wastewater Permit No. FL0036251 ("Permit"), which was issued on March 31, 2011, will expire on March 30, 2016, and which was revised on: May 24, 2011; May 21, June 28, and December 26, 2012; and March 26, June 5, July 3, and November 4, 2014. The Facility is located at 144 Ledbury Drive, Longwood, in Seminole County, Florida ("Property"). Respondent owns the Property on which the Facility is located.

4. The Department finds that the following violation(s) occurred:

a) On November 23, 2014, there was an unauthorized discharge of an estimated 750,000 gallons of untreated domestic wastewater into Sweetwater Creek, a Class III surface water, in violation of Section 403.088(1), Florida Statute.

b) On November 29, 2014, there was an unauthorized discharge of an estimated 1,000,000 gallons of treated wastewater effluent due to a berm breach at the northeast corner of RIB #1. The wastewater was treated in conformance with the permit limits established for discharge to the RIBs. The wastewater flowed north into the wetlands located between the Facility and Sweetwater Creek. This water was not treated sufficiently to meet the permit required standards established for surface water discharge in violation of Section 403.088(1), Florida Statute.

c) On December 2, 2014, an unauthorized discharge from the previously decommissioned underdrain from the RIBs was observed by Department personnel. The discharge flowed into the wetlands between the facility and Sweetwater Creek to the north of RIB #1 in violation of Rule 62-600.740(2), Florida Administrative Code.

d) On December 2, 2014, daylighting was observed originating from the north side of RIB #1 by Department personnel in violation of Rule 62-600.740(2), Florida Administrative Code.

e) On December 2, 2014, Department personnel observed that RIB #s 2, 3, and 4 were not being properly operated and maintained, in violation of Rule 62-610.523(4), Florida Administrative Code.

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 30 days of the effective date of this Order, Respondent shall retain the services of a professional engineer, registered in the State of Florida.

b) Within 120 days of the effective date of this Order, Respondent shall complete and submit to the Department an Engineering Evaluation Report (EER) for the RIBs and underdrain system. This EER shall include a review of the last mounding analysis performed and, if deemed necessary, a new mounding analysis.

c) Within 270 days of Department approval of the EER the Respondent shall complete any work necessary to cease discharges from the underdrain and bring the RIBs into compliance with Permit conditions so that they may be operated at permitted capacities to preclude lateral transmission through the berms or adverse effects on adjacent properties.

d) Alternatively, within 90 days of Department approval of the EER, the Respondent may elect to submit a request for a permit modification to re-rate the RIBs at a lower capacity deemed reasonable based on the EER so that they may be operated at modified capacities to preclude lateral transmission through the berms or adverse effects on adjacent properties. This alternative does not alleviate the need to cease discharges from the underdrain system. Should the Respondent opt for this alternative, any Department requests for additional information to process the permit application shall be responded to, in writing, within 30 days.

6. Every calendar quarter after the effective date of this Order and continuing until all corrective actions have been completed, Respondent shall submit to the Department a written report containing information about the status and progress of projects being completed under this Order, information about compliance or noncompliance with the applicable requirements of this Order, including construction requirements and effluent limitations, and any reasons for noncompliance. These reports shall also include a projection of the work Respondent will perform pursuant to this Order during the 12-month period

which will follow the report. Respondent shall submit the reports to the Department within 30 days of the end of each quarter.

7. Notwithstanding the time periods described in the paragraphs above, Respondent shall complete all corrective actions required by paragraph 5 within 540 days of the effective date of this Order and be in full compliance with Chapter 62, F.A.C., regardless of any intervening events or alternative time frames imposed in this Order.

8. Within 90 days of the effective date of this Order, Respondent shall submit a written estimate of the total cost of the corrective actions required by this Order to the Department. The written estimate shall identify the information the Respondent relied upon to provide the estimate.

9. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$7,500 in settlement of the regulatory matters addressed in this Order. This amount includes \$6,500 for civil penalties and \$1,000 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The civil penalty in this case includes 3 violations that each warrant a penalty of \$2,000.00 or more.

10. Respondent shall make all payments required by this Order by cashier's check, money order or on-line payment. Cashier's check or money order 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." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldpeportal.com/go/pay/>. It will take a number of days after this order is final and effective filed with the Clerk of the Department before ability to make online payment is available.

11. In lieu of making cash payment of \$7,500 in civil penalties as set forth in Paragraph 9, Respondent may elect to off-set the amount of \$6,500 by implementing a Pollution Prevention (P2) Project, as set forth in Exhibit A, which must be approved by the Department. 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 minimizing waste generation (including domestic and industrial wastewater, solid and hazardous waste, and air emissions). A P2 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. 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. Within 30 days of the effective date of this Order, Respondent must pay a total of \$1,000 for costs and expenses incurred by the Department, during the investigation of this matter, and the preparation and tracking of this Order.

12. If Respondent elects to implement a P2 Project as provided in Paragraph 11, Respondent shall submit a completed P2 Project Plan (Plan) within 180 days of the effective date of this Order. The Plan must be completed using Exhibit A, "P2 Project Plan" template.

13. In the event the Department requires additional information to process the Plan described in Paragraph 11, Respondent shall provide a modified Plan containing the information requested by the Department within 30 days of the date of the request.

14. 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.

15. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Aaron Watkins, Environmental Manager, Compliance Assurance Program, Department of Environmental Protection, 3319 Maguire Blvd, Suite 232, Orlando, FL 32803.

16. 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.

17. 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.

18. 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 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. 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.

25. 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.

26. This Consent 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 Consent Order will not be effective until further order of the Department.

27. Respondent shall publish the following notice in a newspaper of daily circulation in Seminole County, Florida. The notice shall be published one time only within 30 days of the effective date of the Order. Respondent shall provide a certified copy of the published notice to the Department within 10 days of publication.

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NOTICE OF CONSENT ORDER

The Department of Environmental Protection (“Department”) gives notice of agency action of entering into a Consent Order with Sanlando Utilities Corporation pursuant to section 120.57(4), Florida Statutes. The Consent Order addresses the unauthorized discharges at 144 Ledbury Drive, Longwood, in Seminole County, Florida. The Consent Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the Department of Environmental Protection, 3319 Maguire Blvd, Suite 232, Orlando, FL 32803.

Persons who are not parties to this Consent 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, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department’s final action may be different from the position it has taken in the Consent Order.

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

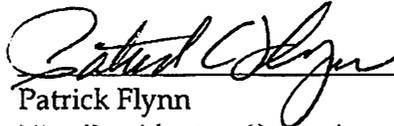
- a) The OGC Number assigned to this Consent Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner’s representative, if any, which shall be the address for service purposes during the course of the proceeding;

- 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 3319 Maguire Blvd, Suite 232, Orlando, FL 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, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. 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, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

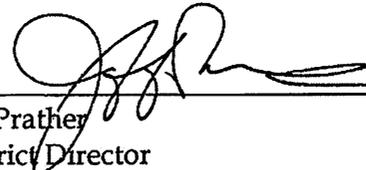
28. Rules referenced in this Order are available at <http://www.dep.state.fl.us/legal/Rules/rulelist.htm>

FOR THE RESPONDENT:

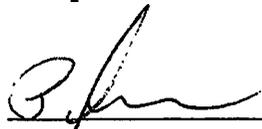
 4/2/15 \_\_\_\_\_  
Patrick Flynn Date  
Vice President of Operations, Sanlando Utilities Corp.

DONE AND ORDERED this 7<sup>th</sup> day of April, 2015, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
\_\_\_\_\_  
Jeff Prather  
District 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.

  
\_\_\_\_\_  
Clerk

4-7-2015  
\_\_\_\_\_  
Date

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35

[This template is to be used as a Long Form Consent Order Exhibit when regulatory corrective actions, or P2 Projects require time to be resolved or developed. This template must be completed to describe P2 Projects once identified. The document must be approved prior to P2 Project implementation. The Plan must contain the following information.]

**Exhibit A**

**P2 Project Plan (Plan)**

*(Note: Provide the information specified and delete existing text within parentheses)*

(Facility Name)  
 (Address)  
 (Telephone)  
 (Preparer Name/Title)

**A. Project Description:** (Summarize P2 Projects selected. Describe the processes or operations to be modified, and the specific changes to be made. Include details such as the specific equipment to be installed, materials to be substituted, and the actual changes to be made to processes or operations. Include manufacturer or vendor information, and specifications.)

**B. Environmental and Economic Benefits:** (Explain why and how each Project proposed constitutes P2.

Specify how each material, chemical, water and energy is saved, and from which processes or operations. Specify how each solid and hazardous waste, industrial wastewater and air emissions are generated, the waste type, and from which processes or operations. **Describe generally in paragraph format.**

Estimate the *annual* savings in *resources* - raw materials, chemicals, water, and energy at the process or operation front end. Estimate the *annual* reductions in *wastes* - solid and hazardous waste, wastewater, and air emission reductions at the process or operation back end.

Figures quoted should represent weights or volumes annually, and should be equalized for production rate changes. Associated cost savings should be included. **Describe specifically using the tables provided.**

Complete the first table for each per Project individually. Add or average corresponding figures from each Project table to complete the Plan table, *for multiple Projects.*)

<i>(Project Name)</i>							
<b>Annual Resource Consumption Comparison</b>							
Item	Quantity Used (gal/lb/kwh-specify)			Purchasing Cost (\$)			Percent (%) Reduction
	Before	After	Reduction	Before	After	Reduction	
Water							
Chemicals							

Materials							
Energy							
Total Annual Cost Savings =							
<b>Annual Waste Generation Comparison</b>							
Item	Quantity Generated (gal/lb/tons-specify)			Disposal Cost (\$)			Percent (%) Reduction
	Before	After	Reduction	Before	After	Reduction	
Hazardous Waste							
Industrial Wastewater							
Solid Waste							
Air Emissions							
Total Annual Cost Savings =							
Total Annual Avoided Cost Savings =							

<i>Summary of All P2 Projects</i>							
<b>Annual Resource Consumption Comparison</b>							
Item	Quantity Used (gal/lb/kwh-specify)			Purchasing Cost (\$)			Percent (%) Reduction
	Before	After	Reduction	Before	After	Reduction	
Water							
Chemicals							
Materials							
Energy							
Total Annual Cost Savings =							
<b>Annual Waste Generation Comparison</b>							
Item	Quantity Generated (gal/lb/tons-specify)			Disposal Cost (\$)			Percent (%) Reduction
	Before	After	Reduction	Before	After	Reduction	
Hazardous Waste							
Industrial Wastewater							
Solid Waste							
Air Emissions							
Total Annual Cost Savings =							
Total Annual Avoided Cost Savings =							

C. **Project Cost:** (Include per Project the itemized, subtotal and Project total costs. A projected payback period in months or years needs to be included.)

Provide a grand total cost for all Projects and an averaged projected payback period, *for multiple Projects.* Use list or table format for all.)

D. **Implementation Schedule:** (Provide a brief discussion of the steps necessary to implement the Projects and expected time frames for completion. A table or list format is preferred. The schedule shall include a list of milestones with dates, or timeframes based on Plan approval date, including Progress and Final Report submittals. Provide a description of any anticipated problems and options. *The implementation should take no longer than six months to complete.*)

E. **Project Reporting:**

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

2. Within 180 days of approval of the Plan, the Respondent shall submit to the Department a P2 Project Final Report that includes the following.

a. A confirmation that the information presented in Sections A-C of the Summary is unchanged, or an updated version with the sections changed appropriately. A statement that the Project(s) was/were implemented successfully. An explanation of any problems encountered and corrections applied.

b. Attached expense reports, receipts, purchasing instruments and other documents itemizing costs expended on preparing and implementing the Project.

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

a. Whether the project was properly implemented; and

b. Which expenses apply toward pollution prevention credits.

4. 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.

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

i. Preparation of the P2 Project;

ii. Design of the P2 Project;

iii. Installation of equipment for the P2 Project;

iv. Construction of the P2 Project;

v. Testing of the P2 Project;

vi. Training of staff concerning the implementation of the P2 Project; and

vii. Capital equipment needed for the P2 Project.

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

i. Costs incurred in conducting a waste audit;

ii. Maintenance and operation costs involved in implementing the P2 Project;

iii. Monitoring and reporting costs;

iv. Salaries of employees who perform their job duties;

v. Costs expended to bring the facility into compliance with current law, rules and regulations;

vi. Costs associated with a P2 Project that is not implemented;

vii. Costs associated with a P2 Project that has not been approved by the

Department; and

viii. Legal costs.

c. 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 the Respondent that the balance is due.

5. The Department may terminate the P2 Project at any time during the development or implementation of it, if the 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. The Respondent may terminate the P2 Project at any time during its development or implementation.

Sanlando Utilities Corporation  
Docket No. 140060-WS  
Exhibit 4.22  
March 12, 2015  
Data source: MFR's, Chemical Schedule

CO	BU	OBJ	DESCRIPTION	TY	DOC	DATE	DEBIT	LT	PC	DOC	DATE	Sodium Aluminate		Net
												lbs	Unit Price	
255	255101	5490	C&S CHEMICALS INC.	PV	514497	2/21/2013	10,580.00	AA	P	514497	2/21/2013	45,954	\$ 0.23	\$ 10,569.42
255	255101	5490	C&S CHEMICALS INC.	PV	516723	4/26/2013	10,580.00	AA	P	516723	4/26/2013	45,250	\$ 0.23	\$ 10,407.50
255	255101	5490	C&S CHEMICALS INC.	PV	534380	7/12/2013	10,263.98	AA	P	534380	7/12/2013	44,626	\$ 0.23	\$ 10,263.98
255	255101	5490	C&S CHEMICALS INC.	PV	546106	8/30/2013	10,580.00	AA	P	546106	8/30/2013	45,236	\$ 0.23	\$ 10,404.28
Total sodium aluminate purchases in 2013 (4months' supply)												181,066		\$ 41,645.18
Annualized sodium aluminate expense														\$ 124,935.54
Difference														\$ 83,290.36