

Ms. Stauffer,  
Mr. Murphy and

Dear PSC Associates, RECEIVED-FPSC

Please find enclosed pictures of Little Gasparilla Island Water Utility's water plant. Mr. Jack Boyer is planning on replacing this long time poorly maintained structure with a \$343,000 building now that the Interconnect with Charlotte County Utility has been in operation for over a year (Feb. 14, 2015). It is completely unnecessary to build a large new building (larger than most homes on the island) when it will be utilized so little for customer benefit. The customers of course will be paying for it in rate increases however Mr. Boyer no longer is producing water at the plant but rather buying it from Charlotte County and reselling it to his customers.

Mr. Boyer does not maintain the water system as is shown in the pictures. There are un-lidded meters everywhere, plus broken valve covers. At the north end of the island there is a four foot pipe sticking out of the ground held together by Duct Tape! There are other pipes just sticking up haphazardly out of the ground at various locations. A meter box cover is around a contraption that sticks out of the ground on the lawn of the Placida Beach Condos. Notice the meter and open pipe that is on the lane by the water plant (Grande Ave).

There have been two water main breaks that we know of, January 26 and February 29. Mr. Boyer did not notify his customers that

2

they should boil their drinking water for 24 hours afterwards. Only a few ladies in the Hideaway Bay Condos in the book club passed the word to their members.

Of note, is that on the February 29th break, one lady in the Condos was dying her hair red. When she attempted to wash the dye out there was no water! She went to the office/clubhouse to see if there was a way to access water. Being none, other homeowners had to bring her bottled water so she could wash the dye out. It was very embarrassing for her!

Later after 1:00pm, the water came back on. The lady received a note with a bottle of RED WINE that said "To the Redhaired Lady, Sorry about the hairy situation." It was from Mr. Jack Boyer. He is making a joke about the whole thing, yet never notified all the other customers who experienced the water outage that they should boil their water. This is unbelievable and unforgivable. Serious health problems could result as his pipes are in the sandy lanes and the island is on septic systems!

Please investigate the fact that Mr. Boyer is not a certified plumber and that he was fined \$6,000 in October 2015 by Charlotte County because he admitted to Code Enforcement that he had hooked up three homes illegally. It is illegal because first he is owner of the company, second he is not a certified plumber and third he did not secure permits nor have inspections as

is required by Charlotte County. When code <sup>3</sup> Enforcement checked, they found that Mr. Boyer had used the wrong kind of pipes and valves! It all had to be redone by a certified plumber.

Then on December 29, 2015, when Mr. Boyer was spoken to about his illegal hook-ups and being fined, he told four homeowners and two Charlotte County Health Department representatives who were sampling water, that he had hooked up 100 homes! If he admitted to Code Enforcement that he did three, what about the other 97? According to the PSC docket 136052, Mr. Boyer has agreed to have inspections of all customer hookups before he is allowed to provide water. None but the three illegal hookups have been documented, and his water has been flowing since February 2015!

This statement about hooking up 100 homes should certainly have a large impact when calculating the number of customers he has now and definitely needs to be taken into consideration when the Phase II rates are being considered in June 2016.

According to PSC records of customers receiving rebates on their water bills due to Mr. Boyer starting the Phase I rates before the Interconnect actually was in service, he had 420 customers who received rebates in May and 15 more in June. That would make a

total of 435. Yet in the PSC documenta-  
tion papers for the hearing extending  
his time to complete his new building  
and the Phase II rates to begin in Dec-  
ember 2015, it states he has approximately  
371 customers, quite a difference. Also  
he has hooked up many more homes since  
then due to the County Commission's ruling  
about wells and cisterns.

Please investigate also if Mr. Boyer has  
even been cleared for service by the  
Department of Environmental Protection to  
provide potable water service. A public  
water system is prohibited from deliver-  
ing water service to a customer through  
a water main that has not been cleared  
for service by the DEP. The DEP has told  
two homeowners that the project is not  
complete. Please see the attached from  
Megan Mills, Permitting Administrator of the  
South District of the DEP. It is from the  
Florida Administrative Code 62-555.345  
regarding certification of Construction  
Completion and Clearance for Public Water  
System Components.

This letter is being submitted by a group  
of Little Gasparilla homeowners, some customers  
and others who will have to become customers in  
five years. We wish to remain anonymous as  
we fear repercussions from Mr. Boyer, who  
we feel is very unethical.

Respectfully submitted and  
Thank you for your attention to our  
concerns.

Let me know if you have any additional questions.

Thank you,

**Megan Mills**

Permitting Program Administrator – South District  
Department of Environmental Protection  
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P.O. Box 2549  
Fort Myers, Florida 33902-2549  
Direct phone: 239.344.5670  
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Paperless Communications

General Mail: [SouthDistrict@dep.state.fl.us](mailto:SouthDistrict@dep.state.fl.us)  
ERP Applications: [SD\\_ERP\\_Permit@dep.state.fl.us](mailto:SD_ERP_Permit@dep.state.fl.us)  
ERP Permit Compliance Submittals: [FTMerp\\_compliance@dep.state.fl.us](mailto:FTMerp_compliance@dep.state.fl.us)

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**62-555.345 Certification of Construction Completion and Clearance for Public Water System Components.**

Except as allowed under subsection 62-555.340(5), F.A.C., or by special permit condition established in accordance with paragraph 62-555.533(2)(f), F.A.C., no public water system (PWS) components constructed or altered under a permit granted by the Department shall be placed into permanent operation without prior Department approval, or clearance, as described below.

(1) Upon completing, or substantially completing, the construction of new or altered PWS components, and before placing the components into operation for any purpose other than disinfection, testing for leaks, or testing equipment operation, the permittee shall submit to the appropriate Department of Environmental Protection (DEP) District Office or Approved County Health Department one copy of a completed certification of construction completion using Form 62-555.900(9), Certification of Construction Completion and Request for Clearance to Place Permitted PWS Components into Operation, hereby adopted and incorporated by reference, effective August 28, 2003. Copies of this form are available from the Department of Environmental Protection, Drinking Water Section, M.S. 3520, 2600 Blair Stone Road, Tallahassee, Florida 32399-2400. This certification shall be accompanied by one copy of the following information:

(a) The portion of record drawings showing deviations from the DEP construction permit, including the approved preliminary design report or drawings and specifications, if there are any deviations from said permit. (Note that it is necessary to submit a copy of only the portion of record drawings showing deviations and not a complete set of record drawings.)

(b) Bacteriological test results, including a sketch or description of all bacteriological sampling locations, demonstrating compliance with subsection 62-555.315(6), F.A.C., or Rule 62-555.340, F.A.C., if any of the new or altered PWS components must be disinfected and bacteriologically surveyed or evaluated per said subsection or said rule.

(c) Analytical test results demonstrating compliance with Part III of Chapter 62-550, F.A.C., or subsection 62-524.650(2), F.A.C., if any of the new or altered PWS components are necessary to achieve, or affect, compliance with said part or said subsection.

(d) A completed Form 62-555.900(20), New Water System Capacity Development Financial and Managerial Operations Plan, as incorporated into Rule 62-555.357, F.A.C., if the new or altered PWS components were constructed under a permit issued by the

Department before the effective date of Rule 62-555.525, F.A.C., (9-22-99) and create a "new system" as described under subsection 62-555.525(1), F.A.C.

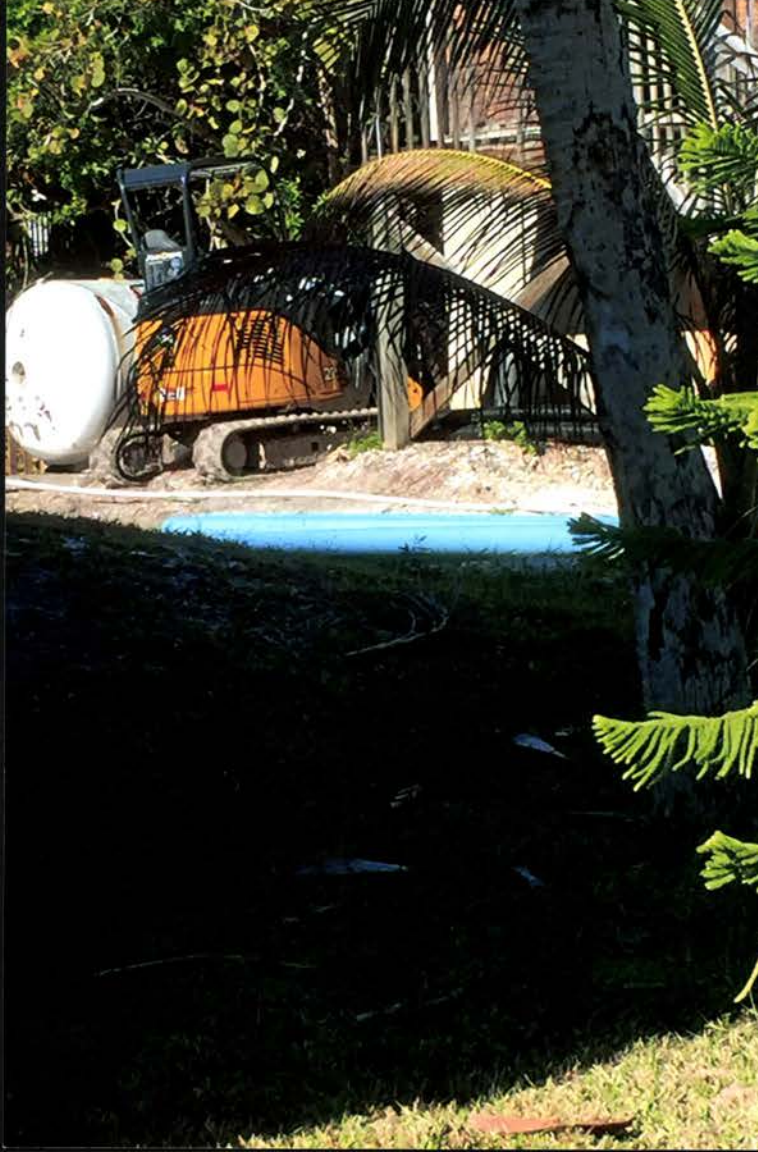
(e) Any other information required by conditions in the DEP construction permit.

(2) Within 14 days after receiving a certification of construction completion for PWS components constructed or altered under a general permit, the Department shall review the certification. If the Department finds anything that will prevent the new or altered components from functioning in compliance with Chapters 62-550 and 62-555, F.A.C., or if the Department finds that the new or altered components will cause, or contribute to, a PWS's noncompliance with Chapter 62-550 or 62-555, F.A.C., the Department shall issue to the permittee, within the aforementioned 14-day review period, a written request for corrective action and for resubmittal of the certification after the corrective action is completed.

(3) Within 30 days after receiving a certification of construction completion for PWS components constructed or altered under a specific permit, the Department shall review the certification and, if the new or altered components create a "new system" as described under subsection 62-555.525(1), F.A.C., shall inspect the "new system." If the Department finds anything that will prevent the new or altered components from functioning in compliance with Chapters 62-550 and 62-555, F.A.C., if the Department finds anything that will prevent a "new system" from functioning in compliance with Chapters 62-550, 62-555, 62-560, and 62-699, F.A.C., or if the Department finds that the new or altered components will cause, or contribute to, an existing PWS's noncompliance with Chapter 62-550 or 62-555, F.A.C., the Department shall issue to the permittee, within the aforementioned 30-day review/inspection period, a written request for corrective action and for resubmittal of the certification after the corrective action is completed.

(4) Within 14 days after receiving a satisfactory certification of construction completion for PWS components constructed or altered under a general permit and within 30 days after receiving a satisfactory certification of construction completion for PWS components constructed or altered under a specific permit, the Department shall issue written approval, or clearance, to place the new or altered components into permanent operation. The Department shall issue the clearance to the permittee and shall provide a copy of the clearance to the PWS supplying water to the new or altered components if said PWS is not the permittee.

(5) Suppliers of water shall ensure that permittees have obtained written clearance from the Department before suppliers of water turn on water service to permittees.



West side of water plant

Backhoe and  
water tank





West side of water  
plant



Front wall of water plant



Front of plant



Front of Plant





Frant



Front



Front view of  
plant



Front





Front



Trash on eastside



East side of Plant



East side





East side of Plant.



East side



East side

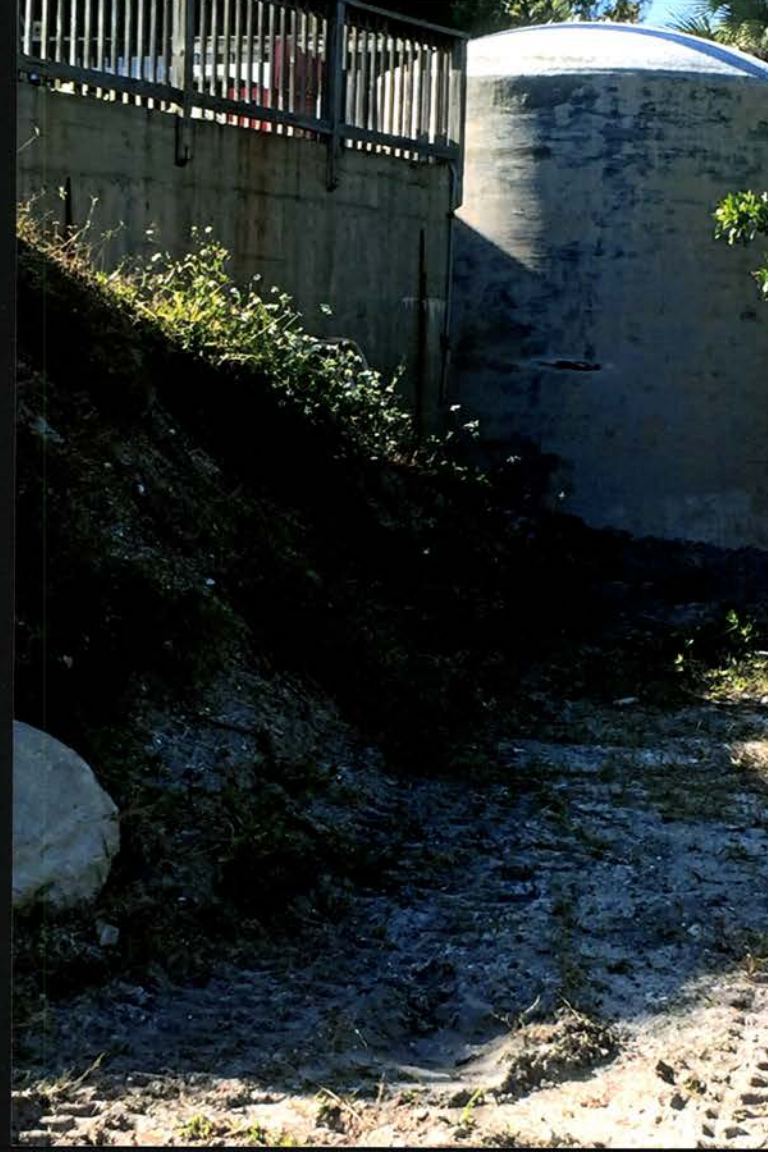


East side





East side with  
water tank in rear



Water tank



side of plant  
water tank  
company truck



Water tank





Meter, Pipe and ?  
at end of road  
by water plant



End of road  
by water plant



meter cover with  
? at Placida  
Condos



meter at condos





uncared for  
water meter  
(lid to side)



Water filled  
meter - no lid



Water meter -  
No lid.

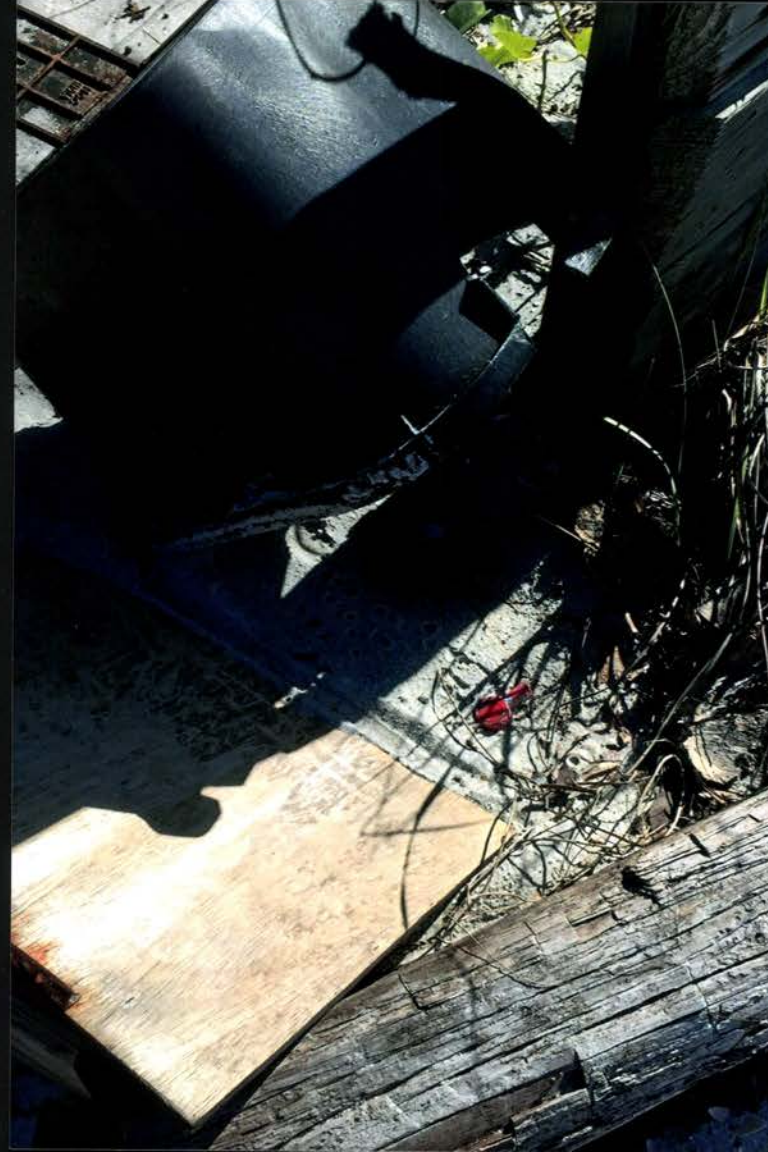


No lid on  
water meter





no lid on meter



Cover not  
Secured over  
Water meter



Cover not over  
meter



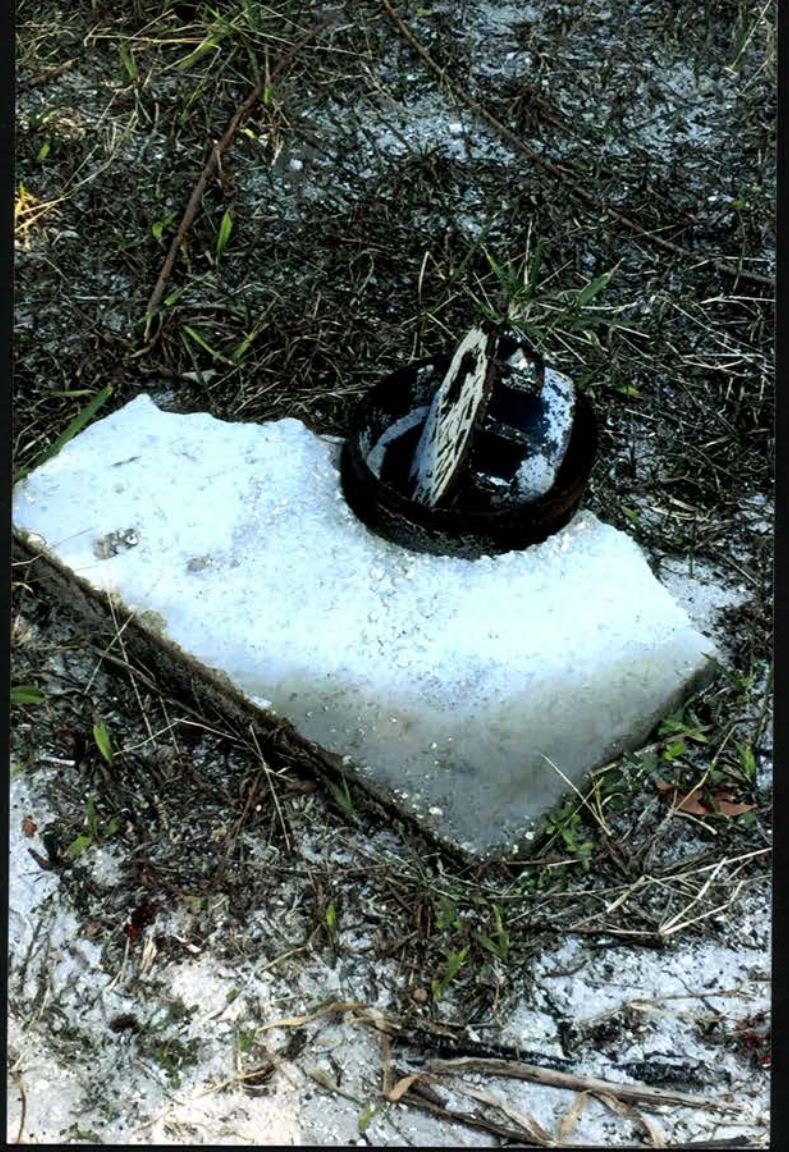




Mater cover ajan



Uncared for



Uncared for  
meter? value?



Pipe with duct  
tape at north  
end of island





Duct taped  
pipe



Duct taped pipe



Duct taped  
pipe



Pipes sticking  
out of ground  
at north end  
of island





Pipe sticking  
out of ground  
at north end  
of island



Pipes at north  
end of island