

FLORIDA UTILITY SERVICES 1, LLC  
5911 TROUBLE CREEK RD.  
NEW PORT RICHEY, FL. 34652  
863-904-5574

August 8, 2019, 2019

Commission Clerk  
Florida Public Service Commission  
2540 Shumard Oak Blvd.  
Tallahassee, FL. 32399

RE: Docket # 20180202. Application for a Staff Assisted Rate Case by  
West Lakeland Wastewater, LLC in Polk County.

Dear Commission Clerk:

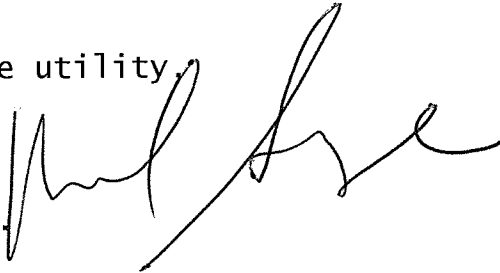
Please place the following in the above Docket file.

I have attached a copy of the latest DEP Compliance Evaluation  
Inspection report letter of July 26, 2019.

Please Note Page 4 of 6, paragraph 6.1.

On behalf of the utility,

Mike Smallridge

A handwritten signature in black ink, appearing to read "Mike Smallridge", written over a horizontal line.



# FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office  
13051 North Telecom Parkway #101  
Temple Terrace, Florida 33637-0926

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Noah Valenstein**  
Secretary

July 26, 2019

Mike Smallridge, Receiver  
3580 Lazy Lake Drive South  
Lakeland, Florida 33801  
[utilityconsultant@yahoo.com](mailto:utilityconsultant@yahoo.com)

Re: Compliance Evaluation Inspection  
Village of Lakeland WWTF  
Facility ID No. FLA013009  
Polk County

Dear Mr. Smallridge:

A Compliance Evaluation Inspection was conducted at the above-referenced facility on July 17, 2019. Under the authority of Section 403.061, Florida Statutes (F.S.). During this inspection, possible non-compliance was observed under Florida Administrative Codes F.A.C 62-600 and F.A.C 62-620. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

We request you review the items of concern noted and respond in writing within 15 days of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed,
2. Provide the requested information, or information that mitigates the concerns or demonstrates them to be invalid, or
3. Arrange for the case manager to visit your facility to discuss the items of concern.

It is the Department's desire that you are able to adequately address the aforementioned issues so that this matter can be closed. Your failure to respond promptly may result in the initiation of formal enforcement proceedings.

The Department appreciates the facility's efforts to maintain this system in compliance with state and federal rules. Should you have any questions or comments, please contact Steven Ivanov at (813) 470-5933 or via e-mail at [steven.ivanov@FloridaDEP.gov](mailto:steven.ivanov@FloridaDEP.gov).

Sincerely,



Erica Peck  
Environmental Manager  
Compliance Assurance Program  
Southwest District  
Florida Department of Environmental Protection

Enclosure: Inspection Report

ec: [Jlove1509@gmail.com](mailto:Jlove1509@gmail.com)  
[jennifer@constaflow.com](mailto:jennifer@constaflow.com)  
[nicholas@constaflow.com](mailto:nicholas@constaflow.com)  
[Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov)  
[steven.ivanov@floridadep.gov](mailto:steven.ivanov@floridadep.gov)

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
**WASTEWATER COMPLIANCE INSPECTION REPORT**

Facility Name and Physical Address Village of Lakeland WWTF 3580 Lazy Lake Drive South Lakeland, FL 33801	WAFR ID FLA013009  Facility Phone # (352)302-7406	County Polk	Entry Date 7/17/2019  Exit Date 7/17/2019	Entry Time 09:25 AM  Exit Time 10:41 AM														
<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 10%;">LAT</td> <td style="width: 10%;">28</td> <td style="width: 10%;">°</td> <td style="width: 10%;">02</td> <td style="width: 10%;">'</td> <td style="width: 10%;">15</td> <td style="width: 10%;">"</td> </tr> <tr> <td>LONG</td> <td>81</td> <td>°</td> <td>53</td> <td>'</td> <td>10</td> <td>"</td> </tr> </table>					LAT	28	°	02	'	15	"	LONG	81	°	53	'	10	"
LAT	28	°	02	'	15	"												
LONG	81	°	53	'	10	"												

Name(s) of Field Representatives(s) and Title Jackie Love, Maintenance Chris Nichols, Operator	Operator Certification # NA 0023671	Email Jlove1509@gmail.com chris@constaflow.com	Phone N/A (863)965-2599
--	---	--	-------------------------------

Name & Address of Permittee / Designated Rep. Mike Smallridge 15827 Cedar Elm Terrace Land O' Lakes, FL 34638	Title Receiver	Email <a href="mailto:utilityconsultant@yahoo.com">utilityconsultant@yahoo.com</a>	Phone (352)302-7406
--	-------------------	---	------------------------

Inspection Type	C	E	I	Samples Taken(Y/N): N	Sample ID#:	Samples Split (Y/N) :
-----------------	---	---	---	-----------------------	-------------	-----------------------

Domestic     Industrial

FACILITY COMPLIANCE AREAS EVALUATED							
IC = In Compliance; MC = Minor Out of 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	IC	6. Facility Site Review	MC	9. ♦ Effluent Quality
NA	2. ♦ Compliance Schedules	NE	4. Sampling	IC	7. Flow Measurement	MC	10. ♦ Effluent Disposal
		MC	5. ♦ Records & Reports	IC	8. ♦ Operation & Maintenance	IC	11. Biosolids
						NA	12. ♦ Groundwater
NA	14. Other					NC	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
--	--	--	--

<b>Recommended Actions: Please review the following inspection report.</b>		
Name(s) and Signature(s) of Inspector(s) Steven Ivanov  <i>Steven Ivanov</i>	District Office/Phone Number SWD (813)470-5933	Date 7/17/2019
Name and Signature of Reviewer Erica Peck  <i>Erica Peck</i>	District Office/Phone Number SWD (813)470-5906	Date 7/24/2019

### Single Event Violations (\*SNC SEVs)

Check for Yes	Evaluation Area	Description	Finding Description	Finding ID
<input type="checkbox"/>	Permit	Effluent Violations - Unapproved Bypass	Wastewater was diverted from a portion of the treatment process without department approval.	UNBY
<input type="checkbox"/>	*Permit	Permit Violations - Discharge Without a Valid Permit	The facility was operating without a permit or with an expired permit.	UPHI
<input type="checkbox"/>	Permit	Permit Violations - Failure to Submit Timely Permit Renewal Application	The permittee failed to submit an application to renew the existing permit at least 180 days prior to expiration.	PFSA
<input type="checkbox"/>	Laboratory	Management Practice Violations - Laboratory Not Certified	The laboratory was not certified by the National Environmental Laboratory Accreditation Conference (NELAC).	LNCE
<input type="checkbox"/>	Sampling	Monitoring Violations - Analysis not Conducted	The facility failed to collect and/or analyze samples as required by permit or enforcement action.	ANCV
<input type="checkbox"/>	Sampling	Monitoring Violations - Failure to Monitor for Toxicity Requirements	The facility failed to collect and/or analyze routine or follow-up toxicity samples.	FTOX
<input type="checkbox"/>	Records and Reports	Management Practice Violations - Failure to Develop Adequate SPCC Plan	The facility failed to develop or maintain their Spill Prevention Control and Countermeasures (SPCC) plan.	FSPC
<input type="checkbox"/>	Records and Reports	Management Practice Violations - Failure to Maintain Records	The facility failed to maintain records for the required retention period.	FMRR
<input type="checkbox"/>	Records and Reports	Reporting Violations - Failure to Notify	The permittee failed to notify the department of any event or activity that requires notification as required by permit or rule.	RSWP
<input type="checkbox"/>	Records and Reports	Reporting Violations - Failure to Submit DMRs	The permittee failed to submit any DMR required by rule, permit, or enforcement action in a timely manner.	FDMR
<input type="checkbox"/>	Records and Reports	Reporting Violations - Failure to submit required report (non-DMR, non-pretreatment)	The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs.	FRPT
<input type="checkbox"/>	Facility Site Review	Management Practice Violations - Improper Land Application (non-503, non-CAFO)	The land application system was not being maintained.	LASN
<input type="checkbox"/>	Flow Measurement	Monitoring Violations - No Flow Measurement Device	The facility failed to install a flow measurement device, an approved flow measurement device, or a working flow measurement device.	NOFL
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - Improper Operation and Maintenance	The facility failed to follow their operation and maintenance plan/manual.	IONM
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - Inflow/Infiltration (I/I)	The facility had an inflow and infiltration problem causing collection system issues and/or operational issues.	ININ
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - No Licensed/Certified Operator	The facility was being operated without a certified operator or by an operator that is not licensed for the size of plant.	ONCO
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent acute toxicity has been documented through follow-up tests.	EATX
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent chronic toxicity has been documented through follow-up tests.	ECTX
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent acute or chronic toxicity has been documented in the effluent through the use of routine and follow-up tests.	ETOX
<input type="checkbox"/>	Effluent Quality	Effluent Violations - Narrative Effluent Violation	The facility violated a permit or enforcement narrative effluent limit.	XNEV
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Reported Fish Kill	The facility had a discharge of wastewater that resulted in a fish kill.	XFSH
<input type="checkbox"/>	Sanitary Sewer Overflow Survey	WW SSO - Failure to Maintain Records or Meet Record Keeping Requirements	The facility failed to keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system.	SSO2
<input type="checkbox"/>	Sanitary Sewer Overflow Survey	WW SSO - Failure to monitor	The facility failed to collect and/or analyze bacteriological samples for sewage spills that reached surface waters.	SSO3
<input type="checkbox"/>	Sanitary Sewer Overflow Survey	WW SSO - Failure to report violation that may endanger public health 122.41(1)(7)	The facility failed to report a sewage spill within 24 hours of discovery.	SSO4
<input type="checkbox"/>	Sanitary Sewer Overflow Survey	WW SSO - Improper Operation and Maintenance	The facility failed to perform routine preventative maintenance to keep the collection/transmission system in good working order.	SSO5

**Facility Treatment Summary:** An existing 0.07 MGD Three-Month Rolling Average Daily Flow (3MRADF), Type III, contact stabilization domestic wastewater treatment plant with disposal to an existing 0.07 MGD annual average daily flow permitted capacity rapid infiltration basin system, R-001.

**1. ♦Permit:** In-Compliance

Current Permit available on-site?	Yes
Date Permit issued	01/11/2015
Date Permit Expires	01/10/2025
Permit Renewal Application due by	07/14/2024
Administrative or Judicial Orders?	N/A

**2. ♦Compliance Schedules:** Not Applicable

Compliance Schedule in Permit met?	Not Applicable
Compliance Schedules in Order are being met?	Not Applicable

**3. Laboratory:** Not Evaluated

Contract Lab Name and Certification #	Mid Florida Laboratory, 5934
Facility DOH Certification #	E84567

**4. Sampling:** Not Evaluated

Sampling conducted during inspection?	No
Sampling observed during inspection?	No
Sampling conducted at locations identified by the permit?	Yes
Safe access to sampling locations?	Yes

**5. ♦Records and Reports:** Minor-Out-Of-Compliance

Documents/Records reviewed	Time frame
Discharge Monitoring Reports (DMRs)	From 07/01/2018 to 07/01/2019
Permit	Current
Flow Calibration	Current 01/16/2019
Backflow (RPZ) Certification	See Deficiency
Operator License	Current
Operator Logbook	Current and Complete
Laboratory Certification	Current
O&M Manual	Current
Biosolids Hauling Records	Hauled on (07/02/2019)

5.1 Deficiency:

The following records were not available at the time of inspection:

1. Backflow (RPZ) Certification

Rule/Permit Reference:

Rule 62-620.350, Florida Administrative Code (F.A.C.), unless the permit specifically indicates an alternative location, the permittee shall maintain the following records on the site of the permitted facility or activity and make them available for inspection:

(1) Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, 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;

Corrective Action: Within 15 days of the date of this letter, submit the following:

1. A copy of the most recent backflow certification to the Department. Backflow preventers must be calibrated annually.

**6. Facility Site Review:** In-Compliance

6.1 Observation:

The facility grounds are well-maintained, fenced and locked. Signs were present but were covered by black cloth. The maintenance staff indicated they will post the signage on the outside of the black cloth. No odors were emanating offsite and there is adequate potable water protection. = = = =

**7. Flow Measurement:** In-Compliance

Flow meter present and location as per permit?	Yes
Easy access to flow meter?	Yes
Date of last flow meter calibration	01/16/2019

7.1 Observation:

Flow meter located towards the chlorine contact chamber.

**8. ♦Operation and Maintenance:** In-Compliance

Facility being operated as per permit?	No
--	----

8.1 Observation:

There is a covered trashcan at the headworks for debris disposal. The headworks have a bar screen. The facility has two blowers in service. The five aeration basins had good roll, no foam and medium-brown mixed liquor. The two clarifiers had clear surfaces with one having some minor pop-ups. The facility has one chlorine contact chamber using chlorine tablets for disinfection; the effluent was turbid, and no solids were noted crossing over the weir. The three digesters had moderate foam and good mixing.

**9. ♦Effluent Quality:** Minor-Out-Of-Compliance

DMRs review period	From 07/01/2018 to 07/01/2019
Any exceedances?	Yes

9.1 Deficiency:

In January 2019, the flow maximum limit of 0.07MGD was exceeded with a result of 0.140MGD. Between July 2018 – November 2018, the flow maximum limit of 0.07MGD was exceeded with a result of 0.084MGD for July 2018, 0.094MGD for August 2018, 0.406MGD for September 2018, 0.094MGD for October 2018 and 0.137MGD for November 2018.

Rule/Permit Reference:

Rule 62-600.410 (1) F.A.C. states, in part, all domestic wastewater facilities shall be operated and maintained in accordance with the applicable provisions of this chapter and related regulations so as to attain, at a minimum, the reclaimed water or effluent quality required by the wastewater facility permit.

Corrective Action: Please ensure flow limits are consistently met. *This deficiency has been addressed, the flow exceedances have been in compliance since November 2018.*

9.2 Observation:

The effluent appeared clear and the total chlorine residual was 0.95mg/L at 10:56 AM as measured by Department personnel.

**10. ♦ Effluent Disposal:** Minor-Out-Of-Compliance

Facility discharging?	Yes
Discharge location(s) as per permit?	Yes

10.1 Deficiency:

There is some vegetation in both polishing ponds.



Rule/Permit Reference:

Rule 62-610.350 (7), F.A.C., states, in part, rapid infiltration basins shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.



Corrective Action:

Clear the excess vegetation in the disposal area. *This deficiency is being addressed. The maintenance staff indicated the vegetation in the RIBs will be sprayed for the Hydrilla.*

10.2 Observation:

The disposal area is maintained and fenced. The toe areas and edges of the berms were mowed. The cells are rotated as required with one being rested during the inspection. The polishing pond that was in use had at least three feet of freeboard in it.

**11. Biosolids:** In-Compliance

11.1 Observation:

Biosolids were hauled from A-1 Quality hauling company on 07/02/2019, hauling 8,000gals.

**12. ♦Groundwater Quality:** Not Applicable

**13. ♦SSO Survey:** Out-of-Compliance

13.1 Deficiency:

1. Wet well cover was not secured on each of the three lift stations.
2. Lift station number three does not have an emergency signage.
3. The audible alarms at lift stations two and three were not functioning.

Rule/Permit Reference:

Rule 62-600.410(7), F.A.C. states, all treatment plant permittees shall be responsible for making all facilities safe in terms of public health and safety always, including periods of inactivation or abandonment.

Rule 62-610.518, F.A.C. states, in part, that advisory signs shall be posted around the site boundaries to designate the nature of the project area.

Corrective Action:

1. Secure wet well lids within 15 days.
2. Post signage including emergency number within 15 days.
3. Repair the audible alarms at lift stations two and three.

13.2 Observation:

The master lift station had proper signage, along with functioning audible and visual alarms. The second lift station was in good condition and had minimal grease present in the wet well.

**14. Other:** Not Applicable