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September 22, 2021

VIA Electronic Filing to the Office of Commission Clerk

Attn: Melinda Watts, Engineering Specialist
Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, FL 32399-0850

Re: Docket No. 20210133-SU - Application for transfer of wastewater systems of North Peninsula Utilities Corporation, Wastewater Certificate No. 249-S to CSWR-Florida Utility Operating Company, LLC, in Volusia County.

Dear Ms. Watts:

On behalf of CSWR-Florida Utility Operating Company, LLC (“CSWR-FL”), please find below the company’s responses to the Commission’s September 8, 2021 deficiency letter:

1. **Notice of Application.** Rule 25-30.030(6), Florida Administrative Code, (F.A.C.), incorporated by reference in Rule 25-30.037(2)(b), F.A.C., states that all applications requiring noticing shall be deemed deficient until affidavits of noticing required by Sections 367.045(1)(e) and (2)(f), Florida Statutes, along with a copy of the notice, are filed with the Office of Commission Clerk. After staff has reviewed and approved the notice of application, and the notices have been distributed in accordance with Rule 25-30.030(5), F.A.C., please provide affidavits of noticing.

CSWR-FL Response: Attached as Exhibit A is a revised copy of the proposed Customer Notice – revised to reflect the updated legal description of the service area. As soon as the Notice is approved by Staff, we will proceed with noticing and then filing the affidavits.

2. **Permits.** Rule 25-30.037(2)(r)1, F.A.C., requires the applicant provide a copy of the utility’s current permits from the Department of Environmental Protection (DEP) and the water management district (WMD). The copies of the permits included in the application were issued by the respective agency to the Seller. Please provide copies of the applications required by the DEP and the St. Johns River WMD for transfer of the permits to the Buyer. Also, please ensure that the WMD permit transfer application also corrects the reference



to the township/section/range information for the areas served to include all of the certificated service territory for Certificate No. 249-S.

CSWR-FL Response: Both DEP and the WMD advise their transfer applications cannot be processed until after title closing of the real estate, which will not occur until after the Commission approves the transfer from North Peninsula Utilities Corporation (“NPUC”) to CSWR-FL. Accordingly, CSWR-FL commits to filing with the Commission copies of the DEP and WMD permit transfer applications within sixty (60) days of closing.

3. **Right to Land.** Rule 25-30.037(2)(s), F.A.C., requires documentation of the utility’s right to access and continued use of the land upon which the utility treatment facilities are located. Documentation of continued use shall be in the form of a recorded warranty deed, recorded quit claim deed accompanied by title insurance, recorded lease such as a 99-year lease, or recorded easement. The applicant may submit an unrecorded copy of the instrument granting the utility’s right to access and continued use of the land upon which the utility treatment facilities are or will be located, provided that the applicant files a recorded copy within the time required in the order granting the transfer. In Exhibit H to the application, the Buyer makes the following statement:

Between the date of this application and closing, CSWR-Florida will conduct additional due diligence, which includes engaging a Florida title company to review relevant records related to real property assets North Peninsula proposes to transfer to confirm the rightful owner(s) and identify any title defects that will be cured prior to closing. Although documents required by Section 4.01(b) do not currently exist, they can be provided post-closing if necessary to establish CSWR-Florida’s ownership or long-term use rights.

Please be advised that this item will remain deficient until the required documentation has been provided.

CSWR-FL Response: Please find attached as Exhibit B an unrecorded draft deed. CSWR-FL commits to filing the executed and recorded deed with the Commission within sixty (60) days after closing.

4. **Compliance Inspection Report.** Rule 25-30.037(2)(r)2, F.A.C., requires a copy of the most recent DEP and/or county health department sanitation survey, compliance inspection report, and secondary standards drinking water report. In Exhibit J to the application, the Buyer makes the following statement:

North Peninsula Utilities Corporation does not have any DEP and/or county health department sanitary survey, compliance inspection report, or secondary water quality standards report, as it is a wastewater only facility.



While the Buyer is not required to provide the DEP and/or county health department sanitation surveys, and secondary standards drinking water reports, a DEP compliance inspection report is required for wastewater facilities. Please provide the latest DEP compliance inspection report for the wastewater facility.

CSWR-FL Response: Please find attached as Exhibit C a copy of the requested DEP inspection reports and related documents.

5. **Legal Description.** Rule 25-30.037(2)(n), F.A.C., requires a legal description of the proposed service area in the format prescribed in Rule 25-30.029, F.A.C. The legal description provided was approved in 1989. There have been multiple amendments to Certificate No. 249-S since that time. Please provide the legal description for the currently certificated service territory for the Utility.

CSWR-FL Response: Please find attached as Exhibit D the current legal description of the NPUC service area as last revised by Order No. PSC-16-0522-PAA-SU.

6. **Assets and Liabilities.** Rule 25-30.037(2)(j)(3), F.A.C., requires a list of and the dollar amount of the assets purchased and liabilities assumed or not assumed, including those of nonregulated operations or entities. Please provide a list of the specific assets and, if applicable, liabilities including the dollar amount allocated to each.

CSWR-FL Response: Please find attached as Exhibit E the Wastewater Utility Plant Accounts page from NPUC's 2020 annual report, listing assets and corresponding dollar amounts.

7. **Rate Base.** Rule 25-30.037(2)(o), F.A.C, requires that if rate base has been established by this commission, provide the docket and order number. In addition, provide a schedule of all subsequent changes to rate base. Please provide the docket and order number from the last case establishing rate base and a schedule showing all subsequent changes to rate base.

CSWR-FL Response: Rate base was established by the Public Service Commission in Docket No. 20180138-SU and Order No. PSC-2019-0461-PAA-SU, which was issued on October 25, 2019. The order became final and effective upon the issuance of the Consummating Order (PSC-2019-0505-CO-SU) on November 26, 2019. This Order established rates as set forth in "Schedule No. 4" in the attached Exhibit F. Subsequent to this approval, NPUC was approved for a price index adjustment effective December 14, 2019, which is set forth on the second page of Exhibit F. In 2020, per NPUC's application for a 2020 price index rate adjustment, the Commission approved tariff sheets effective October 23, 2020, which are attached within Exhibit F.

8. **Tariffs.** Rule 25-30.037(2)(u), F.A.C., requires a copy of the tariff sheets reflecting any changes resulting from the transfer. Please provide the tariff sheets.



CSWR-FL Response: CSWR-FL does not anticipate any changes to the tariff sheets resulting from the transfer of the utility. The most recent tariff sheets, effective October 23, 2020, are attached within Exhibit F.

Thank you for the opportunity to provide additional information in support of the application. Please feel free to contact our office at your convenience with any additional questions or concerns.

Sincerely,

/s/ Thomas A. Crabb

Thomas A. Crabb
Attorney for Buyer CSWR-FL

cc: Mary Wessling, Esq., Office of Public Counsel (wessling.mary@leg.state.fl.us)
Robert Hillman, NPUC (developershw@gmail.com)

EXHIBIT A

**NOTICE OF APPLICATION FOR AUTHORITY TO TRANSFER WASTEWATER
CERTIFICATES OF AUTHORIZATION TO ANOTHER REGULATED UTILITY**

DOCKET NO. 20210133-SU

**APPLICATION FOR TRANSFER OF WASTEWATER FACILITIES OF NORTH PENINSULA
UTILITIES CORPORATION AND WASTEWATER CERTIFICATE 249-S TO CSWR-FLORIDA
UTILITY OPERATING COMPANY, LLC, IN VOLUSIA COUNTY**

DATE OF CUSTOMER NOTICE — ___ / ___ / ___

Notice is hereby given that CSWR-Florida Utility Operating Company, LLC (“Central States Water Resources”), has filed an Application for Approval of Transfer of the Wastewater System of North Peninsula Utilities Corporation, in Volusia County, Florida, pursuant to Section 367.071, Florida Statutes, and Rule 25-30.037, Florida Administrative Code.

Central States Water Resources is not requesting a change to rates, classifications, charges, or rules and regulations; therefore, your current rates will not be affected by this transfer. The North Peninsula Utilities Corporation wastewater system provides service to Kingston Shores, Las Olas Townhomes, Seabridge North, Seabridge South, Peninsula Winds, Barrier Island Condos, Sandpiper Forest, and the surrounding community in the following described service territory in Volusia County, Florida:

The following is a simplified legal description of the Utility’s service territory. For the full legal description, please contact Central States Water Resources at the contact information below.

LEGAL DESCRIPTION

Lands in Sections 8, 9, 16, 17 and 21 in Township 13 South, Range 32 East, Volusia County, Florida

Common Street Names Affected by Transfer: Ocean Shore Blvd., John Anderson Drive, Kingston Shores, Sea Dunes Terrace, Seabridge Drive, Sea Harbor Drive East, Sea Harbor Drive West, Sea Island Drive North, Sea Island Drive South, Sandpiper Ridge Drive, Sand Dollar Drive, Sea Park Terrace, Sea Hawk Drive, Sea Watch Terrace, Barrier Isle Drive, Sea Swallow Terrace, Sea Drift Terrace, Sea Gull Drive, Sea Oat Terrace, Sea Grape Terrace, Sea Turtle Terrace, Sea Raven Terrace, Sea Dance Terrace, Sea Chase Terrace, Peninsula Winds Drive

For more information concerning this notice, please contact the Utility at the address below:

Central States Water Resources
1650 Des Peres Rd., Suite 303
St. Louis, MO 63131
Office: (314) 736-4672
Fax: (314) 736-4743
Email address: regulatory@cswrgroup.com

Any objection to the application must be made in writing and filed with the Office of Commission Clerk, Florida Public Service Commission, 2540 Shumard Oak Boulevard, Tallahassee, Florida 32399-0850, no later than thirty (30) days after the last date that the notice was mailed or published, whichever is later.

EXHIBIT B

THIS INSTRUMENT PREPARED BY:

Charles L. Cooper
Bryant Miller Olive P.A.
1545 Raymond Diehl Rd., Suite 300
Tallahassee, FL 32308

Property Appraiser's ID #: _____

Consideration: \$ _____

Doc Stamps: \$ _____

_____ [Space Above This Line For Recording Data] _____

WARRANTY DEED

This Warranty Deed is made this ___ day of _____, 202__, by NORTH PENINSULA UTILITIES CORPORATION, a Florida corporation ("Grantor") whose post office address is P.O. Box 2803, Ormond Beach, FL 32175, to CSWR-FLORIDA UTILITY OPERATING COMPANY, LLC, a Florida limited liability company ("Grantee") whose post office address is 1650 Des Peres Road, Suite 303, St. Louis, MO 63131.

"Grantor" and "Grantee" are used for singular or plural, as context requires.

WITNESSETH, that Grantor, for the sum of \$10 and other good and valuable consideration, the receipt of which is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto Grantee the following described property:

See Exhibit "A" attached hereto and by reference made a part hereof.

This conveyance is subject to easements, restrictions, reservations, and limitations of record, if any, **and together with** all the easements, tenements, hereditaments and appurtenances thereto belonging or in anywise benefitting or appertaining, to have and to hold the same in fee simple forever.

And, Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good right and lawful authority to sell and convey said land; that Grantor hereby fully warrants the title to said land; and that Grantor will defend the same against the lawful claims of all persons whomever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 202_, and the following [insert any other exceptions].

[Signature page to follow]

In Witness Whereof, Grantor has signed and sealed these presents the day and year above written.

Signed, sealed and delivered as to Grantor
in the presence of:

North Peninsula Utilities Corporation,
a Florida corporation

By: _____

Print Name:

Print Name:

STATE OF _____

COUNTY OF _____

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this ____ day of ____, 202_, by _____, as _____ of _____, on behalf of the company. He (____) is personally known to me or (____) produced _____ as identification.

Notary Public
My Commission Expires:

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

COMMITMENT

Exhibit A

Commitment Number:

1108530

Issuing Office File Number:

21-1142

Reserved Parcel "A" according to the Plat of Seabridge, recorded in Map Book 34, Pages 174 and 175, of the Public Records of Volusia County, Florida, EXCEPTING that portion replatted for Lot 4, Block 7, Seabridge 1st Addition, as recorded in Map Book 36, Pages 83 and 84, Public Records of Volusia County, Florida.

AND:

Parcel "A", Seabridge 1st Addition as recorded in Map Book 36, Pages 83 and 84, of the Public Records of Volusia County, Florida.

Both parcels being more particularly described as follows:

Commence at the Northwest corner of said Parcel "A" of Seabridge 1st Addition said point being the Point of Beginning; thence North 1 degree 58 minutes 45 seconds West 27.07 feet; thence South 88 degrees 01 minutes 15 seconds West 28.00 feet; thence North 6 degrees 40 minutes 05 seconds East 127.73 feet; thence North 66 degrees 08 minutes 24 seconds West 100.00 feet to the southerly right-of-way line of Seabridge Drive, a 60 foot right-of-way being a point on a curve being concave to the Northwest having a radius of 177.00 feet, a central angle of 5 degrees 03 minutes 18 seconds and a chord bearing and distance of North 26 degrees 36 minutes 45 seconds East 17.00 feet; thence northerly along said curve 17.01 feet to a point of tangency; thence North 23 degrees 51 minutes 36 seconds East 43 feet; thence departing said Seabridge Drive, South 66 degrees 08 minutes 24 seconds East 98.00 feet; thence North 31 degrees 41 minutes 20 seconds East 67.03 feet; thence North 61 degrees 21 minutes 44 seconds East 143.03 feet; thence North 74 degrees 04 minutes 02 seconds East 61.76 feet; thence South 77 degrees 31 minutes 16 seconds East 150.74 feet; thence South 59 degrees 14 minutes 38 seconds East 65.22 feet; thence South 12 degrees 10 minutes 34 seconds West 117.35 feet; thence South 1 degrees 58 minutes 45 seconds East 156.00 feet; thence South 88 degrees 01 minutes 15 seconds West 10.98 feet; thence South 29 degrees 04 minutes 30 seconds West 86.05 feet to the northerly right-of-way line of Sea Island Drive North, a 60 foot right-of-way and a point on a curve being concave to the South and having a radius of 145.00 feet, a central angle of 31 Degrees 03 minutes 15 seconds and a chord bearing and distance of North 76 degrees 27 minutes 08 seconds West 77.63 feet; thence along said curve 78.59 feet to a point of tangency; thence South 88 degrees 01 minutes 15 seconds West 115.23 feet to a point of curvature of a curve to the left having a radius of 205.00 feet and a central angle of 7 degrees 55 minutes 25 seconds; thence along said curve 28.35 feet to a point of tangency; thence South 80 degrees 05 minutes 50 seconds West 120.84 to a point of curvature of a curve to the right having a radius of 145.00

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT
Exhibit A

Commitment Number:

1108530

Issuing Office File Number:

21-1142

feet and a central angle of 7 degrees 55 minutes 25 seconds; thence along said curve 20.05 feet to the Southeast corner of said Lot 4, Seabridge 1st Addition; thence departing said northerly right-of-way line of Sea Island Drive, North 1 degrees 58 minutes 45 seconds West 72.93 feet to the Point of Beginning.

This page is only a part of a 2016 ALTA Commitment for Title Insurance. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I – Requirements; and Schedule B, Part II – Exceptions.

EXHIBIT C



FLORIDA DEPARTMENT OF Environmental Protection

CENTRAL DISTRICT OFFICE
3319 MAGUIRE BLVD., SUITE 232
ORLANDO, FLORIDA 32803

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

April 28, 2021

Robert Hillman, Owner
North Peninsula Utilities
Seabridge Drive
Ormond Beach, FL 32176
developershw@gmail.com

Re: Warning Letter
North Peninsula Utilities WWTF (AKA Seabridge)
DW FLA011188
Volusia County

Dear Mr. Hillman:

A Complaint Inspection was conducted at your facility on April 14, 2021. During this inspection, possible violations of Chapter 403, F.S., Chapter 62-699, Florida Administrative Code (F.A.C.), Chapter 62-610, F.A.C., and Chapter 62-620, F.A.C. were observed.

During the inspection Department personnel noted the following:

- Entries in the operator's logbook indicate insufficient staffing by an appropriately certified operator. This facility requires that a certified operator of at least Class C be on-site 3 hours per day, five (5) days per week, and one (1) visit each weekend.
- Excessive odors were noted beyond the boundaries of the wastewater treatment plant.
- A Rapid Infiltration Basin (RIB) at the effluent reuse area contained excessive vegetation.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121, Florida Statutes.

Please contact Dr. Phil Kane, at 407-897-4156, within **7 days** of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Company Name; North Peninsular Utilities WWTF (AKA Seabridge) Facility ID No.: FLA011188

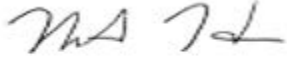
Warning Letter

Page 2 of 2

April 28, 2021

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolving this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "AW 7L", is positioned below the word "Sincerely,".

On behalf of:

Aaron Watkins, Director

Central District

Florida Department of Environmental Protection

AW/ds/pk

Enclosures: Inspection Report

FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTEWATER COMPLIANCE INSPECTION REPORT

Facility Name and Physical Address North Peninsula Utilities WWTF (AKA Seabridge) Seabridge Drive Ormond Beach, FL 32176	WAFR ID FLA011188	County Volusia	Entry Date 4/14/2021	Entry Time 933 AM
	Facility Phone # (386) 677-7847		Exit Date 4/14/2021	Exit Time 947 AM

LAT	29	°	22	′	46.12	″
LONG	81	°	4	′	58.61	″

Name(s) of Field Representatives(s) and Title Glenn Wetherell/Operator <small>Click or tap here to enter text.</small>	Operator Certification # <small>Click or tap here to enter text.</small>	Email <small>Click or tap here to enter text.</small>	Phone 386-673-4161 <small>Click or tap here to enter text.</small>
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Name & Address of Permittee / Designated Rep. Robert Hillman PO Box 1364 Ormond Beach, Florida 32175	Title Owner	Email developershw@gmail.com	Phone (386) 677-7847
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Inspection Type	C	I			Samples Taken(Y/N): N	Sample ID#: na	Samples Split (Y/N) : N
<input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Industrial							

FACILITY COMPLIANCE AREAS EVALUATED							
<small>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 "♦"</small>							
	PERMITS/ORDERS		SELF MONITORING PROGRAM		FACILITY OPERATIONS		EFFLUENT/DISPOSAL
NA	1. ♦ Permit	NA	3. Laboratory	NA	6. Facility Site Review	NA	9. ♦ Effluent Quality
NA	2. ♦ Compliance Schedules	NA	4. Sampling	NA	7. Flow Measurement	NC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	NC	8. ♦ Operation & Maintenance	NA	11. Biosolids
						NA	12. ♦ Groundwater
NE	14. Other					NA	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
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Recommended Actions: Warning Letter

Name(s) and Signature(s) of Inspector(s) Dr. Phil Kane 	District Office/Phone Number CD/407-897-4156	Date 4/23/2021
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Name and Signature of Reviewer David Smicherko 	District Office/Phone Number CD/407-897-4169	Date 4/26/2021
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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 Florida Department of Health and therefore is not certified to meet NELAC standards.	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 checked="" 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 or their Biosolids Nutrient Management Plan.	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 - Discharge to Waters	A sewage spill from any components of a collection/transmission system or from a treatment plant reached surface waters including stormwater conveyance system or drainage ditch.	SSO1
<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
<input type="checkbox"/>	Sanitary Sewer Overflow Survey	WW SSO - Overflow to Dry Land	A sewage spill from any part of a collection/transmission system or treatment plant that did not make it to surface waters, i.e., stormwater collection system, drainage ditch, stream, pond, or lake.	SSO6

Facility Treatment Summary: A 0.210 MGD average daily flow (TMADF) wastewater treatment facility consisting of one existing 0.060 MGD steel contact stabilization plant, one existing 0.060 MGD concrete contact stabilization plant, and one existing 0.090 MGD steel extended aeration plant. Major process components include flow equalization, influent screening, aeration, secondary clarification, chlorination and aerobic digestion of residuals. Flows to this facility are limited to 0.181 MGD AADF, the capacity of the existing reuse system, R001.

1. Permit: Not Applicable
2. Compliance Schedules: Not Applicable

3. Laboratory: Not Applicable

4. Sampling: Not Applicable

5. Records and Reports: Out-of-Compliance

5.1 Deficiency: The facility logbook showed that the operator was not fulfilling the required site time of 3 hours/day 5 days/week and a weekend visit. The site time in the logbook was 2 hours/day.

Rule/Permit Reference: Permit Condition V.1. During the period of operation authorized by this permit, the wastewater facilities shall be operated under the supervision of one or more operators certified in accordance with Chapter 62-602, F.A.C. In accordance with Chapter 62-699, F.A.C., this facility is a Category II, Class C facility and, at a minimum, operators with appropriate certification must be on the site as follows:

A Class C or higher operator 3 hours/day for 5 days/week and one weekend visit. The lead/chief operator must be a Class C operator or higher.

Corrective Action: Maintain operator site time as required by permit.

6. Facility Site Review: Not Applicable

7. Flow Measurement: Not Applicable

8. Operation and Maintenance: Out-of-Compliance

8.1 Deficiency: Excessive odors were noted beyond the boundaries of the wastewater treatment plant.

Rule/Permit Reference: Chapter 62-620.610(7) F.A.C. 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.

Corrective Action: Maintain odor control such that excessive odors are not noted beyond the boundaries of the wastewater treatment plant.

9. Effluent Quality: Not Applicable

10. Effluent Disposal: Out-of-Compliance

10.1 Deficiency: An effluent disposal area RIB had excessive vegetation.

Rule/Permit Reference:

Permit Condition IV.A.4. Rapid infiltration basins shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids. Basin bottoms shall be maintained to be level. [62-610.523(6) and (7)].

Corrective Action: Maintain the effluent disposal pond areas as required.

11. Biosolids: Not Applicable

12. Groundwater Quality: Not Applicable

13. SSO Survey: Not Applicable

14. Other: Not Evaluated

From: [Darrell Abrahamson](#)
To: developershw@gmail.com
Cc: wtsales@aol.com; [DEP_CD](#); [Hall, Daniel K.](#); [Farrell, Jenny E.](#)
Subject: Seabridge WWTF Inspection
Date: Friday, September 18, 2020 10:55:55 AM
Attachments: [Seabridge.doc](#)
[IMG_1217.JPG](#)
[IMG_1225.JPG](#)
[IMG_1219.JPG](#)
[IMG_1229.JPG](#)
[IMG_1220.JPG](#)

Mr. Hillman

Please see the inspection letter and photos attached.

Darrell Abrahamson
Environmental Specialist
(386) 736-5927 x 12424
(386) 740-5193 fax



Growth and Resource Management Department
Environmental Management
123 West Indiana Avenue • Room 202 • DeLand, FL. 32720
Phone (386) 736-5927 • Fax (386) 740-5193
www.volusia.org

September 18, 2020

Mr. Robert Hillman, President
North Peninsula Utilities Corporation
P.O. Box 2803
Ormond Beach FL 32176
developershw@gmail.com

Reference: Seabridge Wastewater Treatment Plant Inspection
FDEP Permit Number FLA011188.

Dear Mr. Hillman:

On September 17, 2020 an inspection of the above referenced facility was conducted. The following unsatisfactory conditions were noted during the inspection.

1. Entries in the maintenance and operation logbook indicate insufficient staffing by an appropriately certified operator. This facility requires that a certified operator of at least Class C level be on-site 3 hours per day, five (5) days per week, and one (1) visit each weekend. The facility operator was on-site for only (2) hour per day for (5) days per week.
2. A leak in the potable water line was noted.
3. The steel influent splitter box is severely deteriorated.
4. The both rapid infiltration basins contained excessive solids and vegetation, the facility was also overgrown with vegetation.

Seabridge plant #1

1. The digester tank on the east side has a significant bow this needs to be addressed

Seabridge plant#3

1. The interior of the treatment plant steel shows significant deterioration and the catwalk has holes rusted through in some sections.

Please notify this office, in writing, within 15 days of receipt of this letter as to the corrective actions taken regarding the aforementioned deficiencies.

Sincerely,

A handwritten signature in cursive script that reads "Darrell Abrahamson".

Darrell Abrahamson
Environmental Specialist II

cc: via email –FDEP - Central District, Daniel Hall, daniel.k.hall@floridadep.gov
FDEP - Central District, Jenny Farrell, jenny.e.farrell@floridadep.gov
FDEP - Central District, DEP_CD@floridadep.gov
Wetherell Treatment Services, wtssales@aol.com













Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

July 27, 2018

Robert Hillman, President
Seabridge WWTF
Seabridge Drive
Ormond Beach, FL 32176
developershw@gmail.com

Re: Seabridge WWTF
DW Facility ID #FLA011188
OGC Case #18-0258

Dear Mr. Hillman:

Enclosed is the executed Consent Order to resolve the above referenced case. This copy is for your records.

Should you have any questions or comments, please contact Dr. Phil Kane at 407-897-4156 or via e-mail at phil.kane@dep.state.fl.us.

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins", is written over a light blue horizontal line.

Aaron Watkins
Director, Central District

Enclosure

cc: Lea Crandall, OGC
Kris Tulloch, Phil Kane, Sirena Davila, DEP-Central District

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. 18-0258
)	
NORTH PENINSULA UTILITIES)	
CORPORATION)	
_____)	

CONSENT ORDER

This Consent Order (“Order”) is entered into between the State of Florida Department of Environmental Protection (“Department”) and North Peninsula 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 Seabridge Wastewater Treatment Facility, 0.210 million gallons per day (MGD) three-month average daily flow (TMADF) wastewater treatment facility with reclaimed water and two rapid infiltration basins (RIBs) (“Facility”). The Facility is operated under Wastewater Permit No. FLA011188-003 (“Permit”), which was issued on September 4, 2013 and will expire on September 3, 2018. The Facility is located at Seabridge Drive, Parcel ID 321605000001, Ormond Beach in Volusia County, Florida, Parcel ID (“Property”). Respondent owns the Property on which the Facility is located.

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

a) Respondent failed to properly maintain the facility, in violation of Chapter 62-620.610(7) F.A.C., which requires the Respondent to properly operate and maintain the facility and systems of treatment and control, and related appurtenances, that are installed and used to achieve compliance with the conditions of this permit. The following disrepairs were noted during an inspection conducted by Department staff on March 20, 2018:

- i. Numerous holes were noted in integral components of the wastewater treatment plants.
- ii. Plant number 3 had a broken inoperable travelling bridge.
- iii. The splitter box for the combined facility exhibited potential failure characteristics.

b) Respondent failed to submit groundwater monitoring reports for the 3rd and 4th quarter of 2017, in violation of Chapter 62-600.680 (1)(a) F.A.C. which requires Respondent submit Discharge Monitoring Reports to the Department in accordance with the frequencies specified on the Discharge Monitoring Report forms attached to the wastewater permit.

c) Respondent failed to monitor the wells for Sodium, a required parameter in the permit, in violation of Permit Condition III.B.1.,2. and 5.

d) Respondent failed to properly address chloride exceedances in the monitoring wells, in violation of Permit Condition III.B.1.,2., and 5.

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 below 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, to accomplish all of the following:

i. Evaluate the Facility, including the effluent disposal system, associated collection system and groundwater monitoring plan, to discover the cause or potential causes of the non-compliance.

ii. Design modifications of the Facility, including the effluent disposal system, collection systems and monitoring plan to ensure the Facility will function in full and consistent compliance with all applicable rules of the Department.

iii. Complete an application for a Department wastewater permit to construct the modifications developed pursuant to subparagraph 5(a)(ii) of this paragraph, if such a permit is required.

iv. Oversee the construction of any modifications to the Facility.

v. Submit to the Department a Certification of Completion, prepared and sealed by a professional engineer registered in the State of Florida, stating that modifications to the Facility, including the effluent disposal system and collection system, have been constructed in accordance with the provisions of the Permit.

vi. Contact Dr. Phil Kane, before initiating the treatment system evaluation described in subparagraphs 5(a)i. of this paragraph.

vii. In the event the Department requires additional information to process the permit application described in subparagraph 5(a)(iii) above, provide a written response containing the information requested by the Department within 30 days of the date of the request.

b) Within 180 days of the effective date of this Order, Respondent shall submit a complete application for a Department wastewater permit to construct and or implement the modifications and monitoring plan revisions developed pursuant to subparagraphs 5(a)(ii) of this Order.

c) Within 365 days of the effective date of the wastewater permit issued in accordance with subparagraph 5(b) above, Respondent shall complete construction of the modification(s) developed pursuant to subparagraph 5(a) and submit a Certification of Completion, prepared and sealed by a professional engineer registered in the State of Florida,

stating that modifications to the Facility, including the effluent disposal system and collection system, have been constructed in accordance with the provisions of the Permit.

d) Immediately implement preventative measures to ensure system failure does not occur due to deteriorating facility components while the process of reconstruction is under way, including, but not limited to the following:

- i. Repair the holes and corrosion in the tanks.
- ii. Repair the travelling bridge at plant number 3.
- iii. Repair or replace the damaged splitter box.
- iv. Repair the clarifier skimmer at plant number 3.

e) Beginning immediately, submit quarterly groundwater monitoring reports by the due date established in the Permit according to the schedule in the following table:

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

f) Immediately begin sampling and reporting Sodium in all ground water monitoring reports as required by the Facility's Permit.

g) 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.

6. Notwithstanding the time periods described in the paragraphs above, Respondent shall complete all corrective actions required by paragraph 5 within 545 days of the effective date of this Order and be in full compliance with Rule 620, F.A.C., regardless of any intervening events or alternative time frames imposed in this Order, other than those excused delays agreed to by the Department, as described in paragraph 14 of this Order.

7. 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.

8. Within 60 days of the effective date of this Order, Respondent shall pay the Department \$500.00 in settlement of the regulatory matters addressed in this Order. This amount has been assessed for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order.

9. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph 5 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 paragraphs 10 or 11, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order.

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 "Water Quality Assurance Trust Fund." Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldeportal.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. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Aaron Watkins, Department of Environmental Protection, Central District 3319 Maguire Blvd., Suite 232 Orlando, Florida 32803.

12. 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.

13. 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.

14. 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.

15. 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.

16. 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.

17. 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.

18. 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.

19. 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.

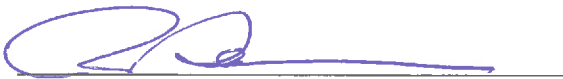
20. Electronic signatures or other versions of the parties' signatures, such as .pdf or facsimile, shall be valid and have the same force and effect as originals. No modifications of the terms of this Order will be effective until reduced to writing, executed by both Respondent and the Department, and filed with the clerk of the Department.

21. 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.

22. 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.

23. Rules referenced in this Order are available at
<https://softlive.dep.state.fl.us/ogc/ogc/content/rules>

FOR THE RESPONDENT:



Robert L. Hillman
President

7-20-18
Date

DONE AND ORDERED this 27th day of July, 2018, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION



Aaron Watkins
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

July 27, 2018

Date

Copies furnished to:

Lea Crandall, Agency Clerk
Mail Station 35



Florida Department of Environmental Protection

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

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Ryan E. Matthews
Interim Secretary

May 2, 2017

Robert Hillman
North Peninsula Utilities Corporation
Seabridge Drive
Ormond Beach, FL 32176
developershw@gmail.com

Re: Compliance Assistance Offer
Seabridge WWTF
DW FLA011188
Volusia County

Dear Mr. Hillman:

An inspection was conducted at your facility on 3/7/2017. During this inspection, potential non-compliance was noted. The purpose of this letter is to offer compliance assistance as a means of resolving this matter.

Specifically, potential non-compliance with the requirements of chapter 403, Florida Statutes, and Chapters 62-600, 62-601 and 62-610, Florida Administrative Code was observed. Please see the attached inspection report for a full account of Department observations and recommendations.

1. Describe what has been done to resolve the following non-compliance issues or provide a schedule describing how/when the issues will be addressed:
 - a. Recalculation of the fecal coliform annual averages and re-submittal of the DMRs for the months of April 2016 through December 2016; and
 - b. The repair of the fence surrounding the pond.
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 adequately to 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.

Company Name; North Peninsula Utilities Corporation
Facility ID No.:FLA011188
Compliance Assistance Offer
Page 2 of 2
Date May 2, 2017

Please address your response and any questions to Dr. Phil Kane of the Central District Office at phone number 407-897-4156 or via e-mail at phil.kane@dep.state.fl.us. We look forward to your cooperation with this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Sirena Davila', with a stylized flourish at the end.

Sirena Davila, Manager
Central District
Florida Department of Environmental Protection

Enclosure: Inspection Report

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

Facility Name and Physical Address Seabridge WWTF Seabridge Drive Ormond Beach, FL 32176	WAFR ID FLA011188	County Volusia	Entry Date 3/7/2017	Entry Time 9:30 AM
	Facility Phone # 386-677-7847		Exit Date 3/7/2017	Exit Time 10:15 AM

LAT	29	°	22	'	46.12	''
LONG	81	°	4	'	58.61	''

Name(s) of Field Representatives(s) and Title Scott Kelly <small>Click or tap here to enter text.</small>	Operator Certification # Operator <small>Click or tap here to enter text.</small>	Email <small>Click or tap here to enter text.</small> <small>Click or tap here to enter text.</small>	Phone 386-673-4162 386-334-4807
--	--	--	--

Name & Address of Permittee / Designated Rep. Robert Hillman PO Box 1364 Ormond Beach, Florida 32175-2803	Title Owner	Email developershw@gmail.com	Phone 386-677-7847
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Inspection Type	C	E	I		Samples Taken(Y/N): N	Sample ID#: n/a	Samples Split (Y/N): N
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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	IC	3. Laboratory	IC	6. Facility Site Review	NC	9. ♦Effluent Quality
IC	2. ♦Compliance Schedules	NE	4. Sampling	NC	7. Flow Measurement	NC	10. ♦Effluent Disposal
		NC	5. ♦Records & Reports	IC	8. ♦Operation & Maintenance	IC	11. Biosolids
						NE	12. Groundwater
NE	14. Other					NE	13. ♦SSO Survey

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

Name(s) and Signature(s) of Inspector(s) Dr. Phil Kane <i>Philip N. Kane, Ed.D.</i>	District Office/Phone Number CD/407-897-4156	Date 5/1/2017
--	--	-------------------------

Name and Signature of Reviewer Sirena Davila <i>Sirena Davila</i>	District Office/Phone Number CD/407-897-2958	Date 5/2/2017
--	--	-------------------------

Single Event Violations

Check for Yes	Evaluation Area	Description	Finding Description	Finding ID
<input type="checkbox"/>	Effluent Disposal	General	Operation of unpermitted disposal system at a permitted facility.	EDUN
<input type="checkbox"/>	Laboratory	General	The laboratory is not certified by the Department of Health.	LNCE
<input type="checkbox"/>	Permit	General	Unauthorized discharge from the collection system with a high potential for water quality or health impacts	UNBP
<input type="checkbox"/>	Permit	General	The facility is operating without a wastewater permit.	UPHI
<input type="checkbox"/>	Records and Reports	General	Falsification of any record or report	FARR
<input type="checkbox"/>	Records and Reports	General	The Permittee failed to report noncompliance to the Department within 24 hours as required by 62-620.610(20), F.A.C.	RSWP

Facility Treatment Summary: A 0.210 million gallons per day (MGD), three-month average daily flow (TMADF), wastewater treatment facility consisting of one existing 0.060 MGD steel contact stabilization plant, one existing 0.060 MGD concrete contact stabilization plant, and one existing 0.090 MGD steel extended aeration plant. Major process components include flow equalization, influent screening, aeration, secondary clarification, chlorination and aerobic digestion of residuals

1. Permit: In-Compliance

Current Permit available on-site?	Yes
Date Permit issued	09/04/2013
Date Permit Expires	09/03/2018
Permit Renewal Application due by	03/04/2018
Administrative or Judicial Orders?	N/A

1.1 Observation: A copy of the permit was onsite.

2. Compliance Schedules: In-Compliance

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

2.1 Observation: No compliance schedules due.

3. Laboratory: In-Compliance

Contract Lab Name and Certification #	PACE E83079
Facility DOH Certification #	PACE E83079

4. Sampling: In-Compliance

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: Out-of-Compliance

Documents/Records reviewed	Timeframe
Discharge Monitoring Reports (DMRs)	From 03/31/16 to 03/31/2017

5.1 Deficiency: Current RPZ certification was not onsite.
Rule/Permit Reference: AWWA Manual Chapter 4 Testing Section, Chapter 4, AWWA Manual M14, Third Edition, 2004, as incorporated by reference into Rule 62-555.330(6), F.A.C. To ensure the continued protection of an identified actual or potential cross-connection, the properly installed backflow-prevention assemblies must be field-tested at least annually to ensure that they continue to prevent against backflow. A person shall be allowed to field-test backflow-prevention assemblies only after successfully completing a training course and passing a certification course for backflow-prevention assembly testers.

Corrective Action: Provide a current RPZ certification onsite. A 3/14/2017 email provides confirmation of the RPZ certification having been placed onsite.

Deficiency: Reporting and recording errors in multiple DMRs.

Rule/Permit Reference: Chapter 62-601.300 (1)(b) F.A.C. Parts A and B of DEP Form 62-620.910(10) shall be completed and submitted on a monthly basis and in a timely manner so as to be received by the appropriate District Office of the Department by the twenty-eighth (28th) of the month following the month of operation.

Corrective Action: Correctly complete the DMRs from this point forward. A 04/07/2017 email from the facility acknowledges that DMRS shall be correctly completed from this point forward. No further action at this time.

- 5.2 Observation: The logbook was bound, current, and numbered.
- 5.3 Observation: The operator was Scott Kelly, license # 0007365, which expires 4/30/2017.
- 5.4 Observation: The Operation & Maintenance manual was onsite.
- 5.5 Observation: The lab certification was onsite, #PACE E83079.

6. Facility Site Review: In-Compliance

- 6.1 Observation: The lift station appeared to be working properly at the time of inspection.
- 6.2 Observation: The surge tank had room.
- 6.3 Observation: All three treatment plants had working blowers with belt guard protection.
- 6.4 Observation: All three treatment plants had aeration basins that were well aerated with good brown color.
- 6.5 Observation: All three treatment plants had clarifiers with some pop-ups.
- 6.6 Observation: All three treatment plants had working stilling wells.
- 6.7 Observation: All three treatment plants had functioning skimmers.
- 6.8 Observation: All three treatment plants had level weirs.
- 6.9 Observation: The digesters were free from odors and had adequate space.
- 6.10 Observation: The chlorine contact chambers had dripping chlorine.
- 6.11 Observation: The effluent was mostly clear on all plants with some pop-ups.
- 6.12 Observation: The final effluent was clear.
- 6.13 Observation: There was a covered trash container onsite.
- 6.14 Observation: There were no offensive odors at the facility.

7. Flow Measurement: Out-of-Compliance

Flow meter present and location as per permit?	Yes
Easy access to flow meter?	Yes

Date of last flow meter calibration	The flow calibration has been completed and was not onsite.
-------------------------------------	---

- 7.1 Deficiency: The current flow calibration was not onsite.
Rule/Permit Reference: Chapter 62-600.200(25)(a) F.A.C. For wastewater facilities having a permitted capacity of 100,000 gallons per day or greater, flow values obtained from recording flow meters and totalizers, calibrated at least once every 12 months.
Corrective Action: Provide a copy of the current flow calibration onsite. A 04/18/2017 email from the facility confirms that evidence of flow calibration has been placed onsite.

8. Operation and Maintenance: In-Compliance

Facility being operated as per permit?	Yes
--	-----

- 8.1 Observation: The facility grounds were secured properly.
8.2 Observation: The facility had adequate signage.
8.3 Observation: The facility grounds were well maintained.

9. Effluent Quality: Significant-Out-Of-Compliance

DMRs review period	From 03/31/16 to 03/31/2017
Any exceedances?	Yes

- 9.1 Deficiency: Repeated Fecal Coliform exceedances of greater than 800 F.C. per 100 ml. of sample. Fecal Coliform Annual Averages exceeding the 200 fcc/mL from April 2016 through December 2016.

Month	Parameter Limit	Limit (fcc/100/mL)	Result (fcc/100 mL)
April-16	Fecal Coliform Annual Average	200	1008.9
May-16	Fecal Coliform Annual Average	200	1003.5
June-16	Fecal Coliform Annual Average	200	847.9
July-16	Fecal Coliform Annual Average	200	924.5
	FC geometric mean	200	326.8
	FC maximum	800	1780
August-16	Fecal Coliform Annual Average	200	926.8
September-16	Fecal Coliform Annual Average	200	929.3

October-16	Fecal Coliform Annual Average	200	926.4
November-16	Fecal Coliform Annual Average	200	930
December-16	Fecal Coliform Annual Average	200	925

1. Rule/Permit Reference: Chapter 62-600.440(4)(c) F.A.C. 4. Any one sample shall not exceed 800 fecal coliform values per 100 mL of sample. Permit Condition I.A.1. During the period beginning on the effective 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 Permit Condition I.B.7.: Fecal Coliform Reclaimed Water Limitations Annual Average 200 # per 100 mL.

Corrective Action:

- 1) Maintain the fecals at values less than 800 per 100 ml. of sample.
Note: A 04/07/2017 email from the facility confirms operation protocols have been changed to increase chlorination and thereby reduce fecals to below permitted limits. Upon this change in operation the facility has been able to maintain fecal coliforms in compliance with the permitted limits.
- 2) Please recalculate the Fecal Coliform Annual Averages and re-submit the DMRs to the Department for the months of April 2016 through December 2016. Upon staff review of the submitted DMRs, it appears the calculations have mathematical errors, yielding a higher number.

10. Effluent Disposal: Out-of-Compliance

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

- 10.1 Deficiency: The fence around the effluent ponds is in disrepair. There are areas that are not completely enclosed.

Rule/Permit Reference: Chapter 62-610.518(1) F.A.C. For all rapid-rate land application systems, appropriate advisory signs shall be posted around the site boundaries to designate the nature of the project area. Rapid infiltration basins, percolation ponds, or trenches, and storage ponds shall be enclosed with a fence or otherwise designed with appropriate features to discourage the entry of animals and unauthorized persons.

Corrective Action: Construct a fence around the effluent ponds. On 4/19/2017, the facility provided the Department with an estimated completion date of 60 days from 4/19/2017.

- 10.2 Observation: The two ponds had 5 feet of freeboard.
- 10.3 Observation: The two ponds had minor vegetation.
- 10.4 Observation: The two pond berms were in good condition.

11. Biosolids: In-Compliance

- 11.1 Observation: The biosolids are pumped by Weems and hauled to American Bioclean BTF for further treatment.

12. Groundwater Quality: Not Evaluated

DMRs review period	From mm/dd/yy to mm/dd/yy
Any exceedances?	Choose an item.
All monitoring wells accessible, secured & locked?	Choose an item.

13. SSO Survey: Not Evaluated

Does the facility have an Operation and Maintenance Manual for their collection system?	Choose an item.
Does the facility track spills in their collection system?	Choose an item.
How does the facility follow up on spills?	Click or tap here to enter text.
Does the facility have procedures for minimizing spills?	Choose an item.
Are those procedures included in the Operation and Maintenance Manual or in a separate document?	Click or tap here to enter text.
How often is the manual updated?	Click or tap here to enter text.

14. Other: Not Evaluated

EXHIBIT D

(Continued from Sheet No. 3.6)

ORDER NO. PSC-16-0522-PAA-SU

LANDS IN SECTIONS 8, 9, 16, 17 & 21 IN TOWNSHIP 13 SOUTH RANGE 32° EAST VOLUSIA COUNTY
FLORIDA DESCRIBED AS FOLLOWS:

COMMENCE AT THE CENTERLINE OF OCEAN SHORE BLVD (A1A) 3640 FEET NORTH OF
THE SOUTH LINE OF SECTION 21;

THENCE NORTH 88° EAST 73 FEET TO THE SHORELINE OF THE ATLANTIC OCEAN ALONG
THE SOUTH LINE OF PARCEL 21132200040010 PER OFFICIAL RECORD BOOK 6826, PAGE
1586;

THENCE NORTH 23° WEST ALONG THE SHORELINE OF THE ATLANTIC OCEAN 1800 FEET
TO THE CENTERLINE OF VIA MADRID ROAD ON THE SOUTH LINE OF SECTION 16;

THENCE NORTH 88° WEST 93 FEET TO THE CENTERLINE OF OCEAN SHORE BLVD (A1A)
ON THE SOUTH LINE OF SECTION 16;

THENCE NORTH 23° WEST 1100 FEET ALONG THE CENTERLINE OF OCEAN SHORE BLVD
(A1A);

THENCE NORTH 88° EAST 97 FEET TO THE SHORELINE OF THE ATLANTIC OCEAN ALONG
THE SOUTH LINE OF PARCEL 16133203000010 PER OFFICIAL RECORD BOOK 4446 PAGE
1762;

THENCE NORTH 23° WEST 1448 FEET ALONG THE SHORELINE OF THE ATLANTIC OCEAN
TO THE SOUTH EAST CORNER OF PARCEL 16133200030022 PER OFFICIAL RECORD BOOK
4234 PAGE 4898;

THENCE NORTH 88° WEST 125 FEET ALONG THE SOUTH LINE OF PARCEL 16133200030022
PER OFFICIAL RECORD BOOK 4234 PAGE 4898 TO THE CENTERLINE OF OCEAN SHORE
BLVD (A1A);

THENCE NORTH 23° WEST 2300 FEET ALONG THE CENTERLINE OF OCEAN SHORE BLVD
(A1A);

THENCE NORTH 88° EAST 139 FEET ALONG THE SOUTH LINE OF PARCEL 16133201000880
PER OFFICIAL RECORD BOOK 4672 PAGE 0283 TO THE SHORELINE OF THE ATLANTIC
OCEAN;

THENCE NORTH 23° WEST 1141 FEET ALONG THE SHORELINE OF THE ATLANTIC OCEAN
TO THE SOUTH LINE OF PARCEL 09133201000001 PER OFFICIAL RECORD BOOK 5148
PAGE 1248;

(Continued on Sheet No. 3.8)

WS-13-0120

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

(Continued from Sheet No. 3.7)

THENCE NORTH 88° WEST 139 FEET TO THE CENTERLINE OF OCEAN SHORE BLVD (A1A)
LOCATED 430 FEET NORTH OF THE SOUTH LINE OF SECTION 9;

THENCE NORTH 23° WEST 1052 FEET ALONG THE CENTERLINE OF OCEAN SHORE BLVD
(A1A);

THENCE NORTH 88° EAST 127 FEET ALONG THE SOUTH LINE OF PARCEL 0813320101C580
PER OFFICIAL RECORD BOOK 6586 PAGE 2933 TO THE SHORELINE OF THE ATLANTIC
OCEAN;

THENCE NORTH 23° WEST 332 FEET TO THE NORTH EAST CORNER OF PARCEL
0823320101C580 PER OFFICIAL RECORD BOOK 6586 PAGE 2933;

THENCE NORTH 88° WEST 700 FEET ALONG THE NORTH LINE OF KINGSTON SHORES PER
MAP BOOK 33 PAGE 67;

THENCE NORTH 1° WEST 159 FEET ALONG THE WEST LINE OF PARCEL 09133200010050
OFFICIAL RECORD BOOK 4915 PAGE 2649;

THENCE NORTH 89° WEST 342 FEET ALONG THE NORTH LINE OF PARCEL 09133200010050
PER OFFICIAL RECORD BOOK 4915 PAGE 2649;

THENCE SOUTH 0° EAST 120 FEET ALONG THE WEST LINE OF PARCEL 09133200010050
PER OFFICIAL RECORD BOOK 4915 PAGE 2649;

THENCE SOUTH 90° WEST 141 FEET ALONG THE NORTH LINE OF PARCEL 09133200010050
PER OFFICIAL RECORD BOOK 4915 PAGE 2649;

THENCE SOUTH 0° EAST 39 FEET ALONG THE WEST LINE OF PARCEL 09133200010050
PER OFFICIAL RECORD BOOK 4915 PAGE 2649;

THENCE NORTH 90° WEST 275 FEET ALONG THE NORTH LINE OF PARCEL
0823320101C580 PER OFFICIAL RECORD BOOK 6586 PAGE 2933;

THENCE NORTH 90° WEST 162 FEET ALONG THE NORTH LINE OF PARCEL 08133200050010
PER OFFICIAL RECORD BOOK 6528 PAGE 2046;

THENCE SOUTH 23° EAST 2505 FEET ALONG THE EAST EDGE OF HALIFAX CREEK TO THE
NORTH LINE OF PARCEL 17133200010080 PER OFFICIAL RECORD BOOK 1917 PAGE 0953
AND THE NORTH LINE OF PARCEL 16133200010030 PER OFFICIAL RECORD BOOK 2049
PAGE 1087;

THENCE NORTH 90° EAST 153 FEET TO THE CENTERLINE OF JOHN ANDERSON DRIVE
ALONG THE NORTH LINE OF PARCEL 17133200010080 PER OFFICIAL RECORD BOOK 1917
PAGE 0953 AND THE NORTH LINE OF PARCEL 16133200010030 PER OFFICIAL RECORD
BOOK 2049 PAGE 1087;

(Continued on Sheet No. 3.9)

WS-13-0120

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

(Continued from Sheet No. 3.8)

THENCE SOUTH 23° EAST 929 FEET ALONG THE CENTERLINE OF JOHN ANDERSON DRIVE
LOCATED 1493 FEET SOUTH OF THE SOUTH LINE FOR SECTION 9;

THENCE SOUTH 78° WEST 153 FEET ALONG THE SOUTH LINE OF PARCEL 16133200010030
PAGE 2049 PAGE 1087 TO THE EAST EDGE OF HALIFAX CREEK;

THENCE SOUTH 23° EAST 5242 FEET ALONG EAST EDGE OF HALIFAX CREEK TO THE
SOUTHWEST CORNER OF PARCEL 21133200020010 PER OFFICIAL RECORD BOOK 6956
PAGE 3747;

THENCE SOUTH 90° EAST 1250 FEET TO THE NORTHWEST CORNER OF PARCEL
21132200040010 PER OFFICIAL RECORD BOOK 6826, PAGE 1586;

THENCE SOUTH 23° EAST 404 FEET TO THE SOUTHWEST CORNER OF PARCEL
21132200040010 PER OFFICIAL RECORD BOOK 6826, PAGE 1586;

THENCE SOUTH 88° EAST 813 FEET TO THE POINT OF COMMENCEMENT.

LESS OUT

A

COMMENCE AT THE CENTERLINE OF OCEAN SHORE BLVD (A1A) 632 FEET SOUTH OF THE
SOUTH LINE OF SECTION 9;

THENCE NORTH 88° EAST 139 FEET TO THE SHORELINE OF THE ATLANTIC OCEAN AT THE
SOUTHEAST CORNER OF PARCEL 16133201000880 PER OFFICIAL RECORD BOOK 4672
PAGE 0283;

THENCE NORTH 23° WEST 1141 FEET ALONG THE SHORELINE OF THE ATLANTIC OCEAN
LOCATED 431 FEET NORTH OF THE SOUTH LINE OF SECTION 9;

THENCE NORTH 88° WEST 139 FEET TO THE CENTERLINE OF OCEAN SHORE BLVD (A1A);

THENCE NORTH 23° WEST 1052 FEET ALONG THE CENTERLINE OF OCEAN SHORE BLVD
(A1A) LOCATED 1416 FEET NORTH OF THE SOUTH LINE OF SECTION 9;

THENCE SOUTH 88° WEST 1541 FEET ALONG THE SOUTH LINE OF PARCEL
0813320101C580 PER OFFICIAL RECORD BOOK 6586 PAGE 2933 TO THE° EAST EDGE OF
HALIFAX CREEK;

THENCE SOUTH 23° EAST 1545 FEET ALONG THE EAST EDGE OF HALIFAX CREEK TO THE
NORTHEAST CORNER OF PARCEL 17133200010020 OFFICIAL RECORD BOOK 6834 PAGE
3191;

(Continued on Sheet No. 3.10)

(Continued from Sheet No. 3.9)

THENCE SOUTH 88° EAST 371 FEET TO THE NORTHEAST CORNER OF PARCEL
16133201000270 PER OFFICIAL RECORD BOOK 7247 PAGE 0769;

THENCE SOUTH 12° EAST 527 FEET TO THE SOUTHEAST CORNER OF PARCEL
16133201000660 PER OFFICIAL RECORD BOOK 7112 PAGE 1844;

THENCE NORTH 88° EAST 1403 FEET TO THE COMMENCEMENT POINT.

B

COMMENCE AT THE CENTERLINE OF OCEAN SHORE BLVD (A1A) 1030 FEET NORTH OF
THE SOUTH LINE OF SECTION 16;

THENCE NORTH 88° EAST 111 FEET TO THE SHORELINE OF THE ATLANTIC OCEAN AT THE
SOUTH EAST CORNER OF PARCEL 16133203000010 OFFICIAL RECORD BOOK 4446 PAGE
1762;

THENCE NORTH 23° WEST 281 FEET ALONG THE SHORELINE OF THE ATLANTIC OCEAN
TO THE NORTHEAST CORNER OF PARCEL 16133203000040 OFFICIAL RECORD BOOK 6834
PAGE 2744;

THENCE SOUTH 88° WEST 800 FEET TO THE SOUTHWEST CORNER OF PARCEL
16133208000510 OFFICIAL RECORD BOOK 3822 PAGE 1958;

THENCE NORTH 30° EAST 342 FEET TO THE CENTERLINE OF JULIE DRIVE;

THENCE NORTH 60° EAST 134 FEET TO THE SOUTHEAST CORNER OF PARCEL
16133208000140 OFFICIAL RECORD BOOK 7252 PAGE 4330;

THENCE NORTH 23° WEST 335 FEET TO THE NORTHWEST CORNER OF PARCEL
16133210030010 OFFICIAL RECORD BOOK 6944 PAGE 2102;

THENCE NORTH 88° EAST 177 FEET TO THE SOUTHWEST CORNER OF PARCEL
16133211004020 OFFICIAL RECORD BOOK 6438 PAGE 4032;

THENCE NORTH 23° WEST 493 FEET TO THE NORTHWEST CORNER OF PARCEL
16133216000060 OFFICIAL RECORD BOOK 6967 PAGE 0126;

THENCE SOUTH 88° WEST 1303 FEET TO THE NORTHWEST CORNER OF PARCEL
16133202000170 OFFICIAL RECORD BOOK 6172 PAGES 2481-2482;

THENCE SOUTH 23° EAST 931 FEET TO THE NORTH CORNER OF PARCEL 16133208000470
OFFICIAL RECORD BOOK 4142 PAGE 2070;

THENCE SOUTH 45° EAST 140 FEET ALONG THE NORTHEAST LINE OF PARCEL
16133208000470 OFFICIAL RECORD BOOK 4142 PAGE 2070 AND THE NORTHEAST LINE OF
PARCEL 16133208000460 OFFICIAL RECORD BOOK 5625 PAGE 1055 TO THE EAST
CORNER OF PARCEL 16133208000460 OFFICIAL RECORD BOOK 5625 PAGE 1055;

(Continued on Sheet No. 3.11)

WS-13-0120

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

(Continued from Sheet No. 3.10)

THENCE SOUTH 23° WEST 135 FEET ALONG THE SOUTHEAST LINE OF PARCEL
16133208000460 OFFICIAL RECORD BOOK 5625 PAGE 1055 TO THE SOUTHEAST CORNER
OF PARCEL 16133208000460 OFFICIAL RECORD BOOK 5625 PAGE 1055;

THENCE SOUTH 23° EAST 138 FEET ALONG THE EAST LINE OF PARCEL 16133203000330
OFFICIAL RECORD BOOK 4665 PAGE 4177 AND THE EAST LINE OF PARCEL
16133203000320 OFFICIAL RECORD BOOK 6674 PAGE 4101 TO THE CENTERLINE OF
CAPISTRANO DRIVE;

THENCE SOUTH 23° WEST 133 FEET ALONG THE EAST LINE OF PARCEL 16133203000380
OFFICIAL RECORD BOOK 4824 PAGE 2773 TO THE SOUTHEAST CORNER OF PARCEL
16133203000380 OFFICIAL RECORD BOOK 4824 PAGE 2773;

THENCE NORTH 88° EAST 1702 FEET TO THE COMMENCEMENT POINT.

C

COMMENCE AT THE CENTERLINE OF OCEAN SHORE BLVD (A1A) 690 FEET SOUTH OF THE
SOUTH LINE OF SECTION 16;

THENCE SOUTH 88° EAST 80 FEET TO THE SOUTHEAST CORNER OF PARCEL
21133201001791 OFFICIAL RECORD BOOK 6620 PAGE 4880 AT THE SHORELINE OF THE
ATLANTIC OCEAN;

THENCE NORTH 23° WEST 734 FEET ALONG THE SHORELINE OF THE ATLANTIC OCEAN
TO THE CENTERLINE OF VIA MADRID DRIVE;

THENCE SOUTH 88° WEST 1781 FEET ALONG THE CENTERLINE OF VIA MADRID DRIVE;

THENCE SOUTH 21° EAST 355 FEET TO THE NORTHEAST CORNER OF PARCEL
21133201000810 OFFICIAL RECORD BOOK 6796 PAGE 0779;

THENCE NORTH 88° WEST 150 FEET ALONG THE NORTH SIDE OF PARCEL
21133201000810 OFFICIAL RECORD BOOK 6796 PAGE 0779 TO THE CENTERLINE OF JOHN
ANDERSON DRIVE;

THENCE SOUTH 21° EAST 343 FEET ALONG THE CENTERLINE OF JOHN ANDERSON
DRIVE;

THENCE NORTH 88° EAST 1880 FEET TO THE POINT OF COMMENCEMENT.

D

COMMENCE AT THE CENTERLINE OF MARLIN DRIVE 200 FEET NORTH 90° WEST OF THE
INTERSECTION OF OCEAN SHORE BLVD (A1A) AND MARLIN DRIVE;

THENCE SOUTH 23° EAST 125 FEET ALONG THE EAST LINE OF PARCEL 21133202000650
OFFICIAL RECORD BOOK 6660 PAGE 2131 TO THE SOUTHEAST CORNER OF PARCEL
21133202000650 OFFICIAL RECORD BOOK 6660 PAGE 2131;

(Continued on Sheet No. 3.12)

(Continued from Sheet No. 3.11)

THENCE SOUTH 88° WEST 1541 FEET TO THE SOUTHWEST CORNER OF PARCEL
21133202000380 OFFICIAL RECORD BOOK 6600 PAGE 3613;

THENCE NORTH 23° WEST 127 FEET ALONG THE WEST SIDE OF PARCEL 21133202000380
OFFICIAL RECORD BOOK 6600 PAGE 3613 TO THE CENTERLINE OF MARLIN AVENUE;

THENCE NORTH 90° WEST 31 FEET ALONG THE CENTERLINE OF MARLIN AVENUE;

THENCE NORTH 23° WEST 120 FEET ALONG THE WEST SIDE OF PARCEL 21133202000310
OFFICIAL RECORD BOOK 4235 PAGE 1405 TO THE NORTHWEST CORNER OF PARCEL
21133202000310 OFFICIAL RECORD BOOK 4235 PAGE 1405;

THENCE NORTH 0° EAST 1340 FEET TO THE NORTHEAST CORNER OF PARCEL
21133202000080 OFFICIAL RECORD BOOK 6289 PAGES 1424-1426;

THENCE SOUTH 23° EAST 127 FEET ALONG THE EAST LINE OF PARCEL 21133202000080
OFFICIAL RECORD BOOK 6289 PAGES 1424-1426 TO THE CENTERLINE OF MARLIN
AVENUE;

THENCE SOUTH 88° EAST 255 FEET ALONG THE CENTERLINE OF MARLIN AVENUE TO THE
POINT OF COMMENCEMENT;

EXHIBIT E

YEAR OF REPORT December 31, 2020
--

UTILITY NAME: North Peninsula Utilities Corporation

SYSTEM NAME / COUNTY : Volusia

WASTEWATER UTILITY PLANT ACCOUNTS

ACCT. NO. (a)	ACCOUNT NAME (b)	PREVIOUS YEAR (c)	ADDITIONS (d)	RETIREMENTS (e)	CURRENT YEAR (f)
351	Organization	\$ 0		\$	\$ 0
352	Franchises	6,310			6,310
353	Land and Land Rights	46,800			46,800
354	Structures and Improvements	152,378			152,378
355	Power Generation Equipment	0			0
360	Collection Sewers - Force	296,865			296,865
361	Collection Sewers - Gravity	5,379			5,379
362	Special Collecting Structures	0			0
363	Services to Customers	30,436			30,436
364	Flow Measuring Devices	2,500	1,776		4,276
365	Flow Measuring Installations	0			0
366	Reuse Services	0			0
367	Reuse Meters and Meter Installations	0			0
370	Receiving Wells	14,044			14,044
371	Pumping Equipment	42,543	17,885	11,332	49,096
374	Reuse Distribution Reservoirs	0			0
375	Reuse Transmission and Distribution System	0			0
380	Treatment and Disposal Equipment	345,630	70,245	44,507	371,368
381	Plant Sewers	0			0
382	Outfall Sewer Lines	0			0
389	Other Plant Miscellaneous Equipment	0			0
390	Office Furniture and Equipment	0			0
391	Transportation Equipment	0			0
392	Stores Equipment	0			0
393	Tools, Shop and Garage Equipment	0			0
394	Laboratory Equipment	0			0
395	Power Operated Equipment	0			0
396	Communication Equipment	0			0
397	Miscellaneous Equipment	0			0
398	Other Tangible Plant	0			0
Total Wastewater Plant		\$ 942,885	\$ 89,906	\$ 55,839	\$ 976,952

NOTE: Any adjustments made to reclassify property from one account to another must be footnoted.
Accounts Adjusted to account for FPSC ORDER NO. PSC-2019-0461-PAA-SU.

EXHIBIT F

NORTH PENINSULA UTILITIES CORPORATION		SCHEDULE NO. 4	
TEST YEAR ENDED 6/30/2018		DOCKET NO. 20180138-SU	
MONTHLY WASTEWATER RATES			
	CURRENT RATES	COMM. APPROVED RATES	4 YEAR RATE REDUCTION
<u>Residential Flat Rate</u>			
Single Family Residential Homes	\$33.57	\$37.47	\$0.17
<u>General Service Flat Rate</u>			
Las Olas Townhomes	\$201.42	\$224.82	\$1.00
Ocean Air	\$570.69	\$636.99	\$2.84
Seabridge North	\$2,182.05	\$2,435.55	\$10.84
Seabridge South	\$2,349.90	\$2,622.90	\$11.68
Restaurant	\$469.98	\$524.58	\$2.34

NOTICE
TO THE CUSTOMERS OF NORTH PENINSULA UTILITIES CORPORATION
AND ALL OTHER INTERESTED PERSONS
DATED: DECEMBER 6, 2019

By Order No. PSC-2019-0461-PAA-SU, in Docket No. 20180138-SU, issued October 25, 2019, the Florida Public Service Commission (Commission) approved an increase in wastewater rates for North Peninsula Utilities Corporation (utility) as a result of a staff assisted rate case. However, subsequent to the approval, the utility applied and was approved for a price index adjustment effective December 14, 2019. A schedule of the approved indexed rates is set forth below.

MONTHLY WASTEWATER RATES

	RATES PRIOR TO FILING	COMMISSIO N APPROVED RATES	INDEXED RATES
<u>Residential Flat Rate</u>			
Single Family Residential Homes	\$33.57	\$37.47	\$38.73
<u>General Service Flat Rate</u>			
Las Olas Townhomes	\$201.42	\$224.82	\$232.40
Ocean Air	\$570.69	\$636.99	\$658.46
Seabridge North	\$2,182.05	\$2,435.55	\$2,517.63
Seabridge South	\$2,349.90	\$2,622.90	\$2,711.29
Restaurant	\$469.98	\$524.58	\$542.26

The rates shall be effective for service rendered as of the Commission's stamped approval date on the tariff sheets provided the customers have received notice. As the effective date of the new rates falls within a regular billing cycle, the initial bills at the new rate will be prorated for the month of December. The old charges shall be prorated based on the number of days in the billing cycle before the effective date of the new rates. The new rates shall be prorated based on the number of days in the billing cycle on or after the effective date of the new rates. This results in the following prorated charges billed for service for December 2019:

- Single Family Residential Homes \$36.57
- Las Olas Townhomes \$219.41
- Ocean Air \$621.65
- Seabridge North \$2,376.90
- Seabridge South \$2,559.74
- Restaurant \$511.95

Bills for January 2020 will be at the indexed rates shown in the table above. If you have any questions about your bill, please call North Peninsula Utilities Corporation at 386-677-7607. Please be sure to have your account number handy for quick reference.

North Peninsula Utilities Corporation

COMMISSIONERS:
GARY F. CLARK, CHAIRMAN
ART GRAHAM
JULE I. BROWN
DONALD J. POLMANN
ANDREW GILES FAY

STATE OF FLORIDA



DIVISION OF ECONOMICS
JUDY HARLOW
DIRECTOR
(850) 413-6410

Public Service Commission

October 22, 2020

Ms. Tara L. Hollis
North Peninsula Utilities Corporation
200 South Orange Avenue, Suite 1550
Orlando, Florida 32801

WS-2020-0076

Re: Application for 2020 Price Index Rate Adjustment for North Peninsula Utilities Corporation for Wastewater in Volusia County.

Dear Ms. Hollis:

The following tariff sheets have been approved effective October 23, 2020:

Wastewater Tariff

Third Revised Sheet No. 12.0 ✓
Eighth Revised Sheet No. 12.1 ✓
Second Revised Sheet No. 12.2 ✓
Second Revised Sheet No. 12.3 ✓
Second Revised Sheet No. 12.4 ✓
Seventh Revised Sheet No. 13.0 ✓

Please incorporate these tariff sheets into the approved tariffs on file at the utility's office. If you have any questions, please contact Terence Bethea (850) 413-6435 at our office.

Sincerely,

A handwritten signature in cursive script that reads "Judy D. Harlow".

Judy Harlow
Director

JH:hb
Enclosures

GENERAL SERVICE
RATE SCHEDULE (GS)

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For commercial wastewater service for all purposes for Las Olas Townhomes.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly
- RATE -
- | <u>Meter Sizes</u> | <u>Fiat Rate</u> |
|-----------------------------|------------------|
| All Meter Sizes
(6 ERCs) | \$237.24 |
- MINIMUM CHARGE - Fiat Rate
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - October 23, 2020

TYPE OF FILING - 2020 Price Index

WS-2020-0076

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

FLORIDA PUBLIC SERVICE COMMISSION

APPROVED

AUTHORITY NO. WS-2020-0076

DOCKET NO. _____

ORDER NO. _____

EFFECTIVE: October 23, 2020

Judy Harlow

DIRECTOR
DIVISION OF ECONOMICS

GENERAL SERVICE

RATE SCHEDULE (GS)

- AVAILABILITY - Available throughout the area served by the Company. *Logansport*
- APPLICABILITY - For commercial wastewater service for all purposes at 2986 Ocean Shore Blvd.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly
- RATE -
- | <u>Meter Sizes</u> | <u>Flat Rate</u> |
|------------------------------|------------------|
| All Meter Sizes
(14 ERCs) | \$548.82 |
- MINIMUM CHARGE - Flat Rate
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code; if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - October 23, 2020

TYPE OF FILING - 2020 Price Index

WS-2020-0076

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

FLORIDA PUBLIC SERVICE COMMISSION

APPROVED

AUTHORITY NO. WS-2020-0076

DOCKET NO. _____

ORDER NO. _____

EFFECTIVE: October 23, 2020

Judy Harlow

DIRECTOR
DIVISION OF ECONOMICS

GENERAL SERVICE

RATE SCHEDULE (GS)

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For commercial wastewater service for all purposes for Ocean Air.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly
- RATE -
- | <u>Meter Sizes</u> | <u>Flat Rate</u> |
|------------------------------|------------------|
| All Meter Sizes
(17 ERCs) | \$666.43 |
- MINIMUM CHARGE - Flat Rate
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - October 23, 2020

TYPE OF FILING - 2020 Price Index

WS-2020-0076

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

FLORIDA PUBLIC SERVICE COMMISSION

APPROVED

AUTHORITY NO. WS-2020-0076

DOCKET NO. _____

ORDER NO. _____

EFFECTIVE: October 23, 2020

Judy Harlow

DIRECTOR
DIVISION OF ECONOMICS

GENERAL SERVICE
RATE SCHEDULE (GS)

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For commercial wastewater service for all purposes for Seabridge North.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly

RATE -

<u>Meter Sizes</u>	<u>Flat Rate</u>
All Meter Sizes (65 ERCs)	\$2,548.09

- MINIMUM CHARGE - Flat Rate
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

- EFFECTIVE DATE - October 23, 2020
- TYPE OF FILING - 2020 Price Index

WS-2020-0076

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

FLORIDA PUBLIC SERVICE COMMISSION

APPROVED

AUTHORITY NO. WS-2020-0076

DOCKET NO. _____

ORDER NO. _____

EFFECTIVE: October 23, 2020

Judy Harlow

DIRECTOR
DIVISION OF ECONOMICS

GENERAL SERVICE
RATE SCHEDULE (GS)

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For commercial wastewater service for all purposes for Seabridge South.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly
- RATE -
- | <u>Meter Sizes</u> | <u>Flat Rate</u> |
|------------------------------|------------------|
| All Meter Sizes
(70 ERCs) | \$2,744.10 |
- MINIMUM CHARGE - Flat Rate
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - October 23, 2020

TYPE OF FILING - 2020 Price Index

WS-2020-0076

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

FLORIDA PUBLIC SERVICE COMMISSION

APPROVED

AUTHORITY NO. WS-2020-0076

DOCKET NO. _____

ORDER NO. _____

EFFECTIVE: October 23, 2020

Judy Harlow

DIRECTOR
DIVISION OF ECONOMICS

RESIDENTIAL SERVICE

RATE SCHEDULE (RS)

- AVAILABILITY - Available throughout the area served by the Company.
- APPLICABILITY - For wastewater service for all purposes in private residences with unmetered water or wastewater only apartment units or condominiums.
- LIMITATIONS - Subject to all of the Rules and Regulations of this Tariff and General Rules and Regulations of the Commission.
- BILLING PERIOD - Monthly
- RATE -
- | <u>Meter Sizes</u> | <u>Flat Rate</u> |
|--------------------|------------------|
| All Meter Sizes | \$39.20 |
- MINIMUM CHARGE - Flat Rate
- TERMS OF PAYMENT - Bills are due and payable when rendered. In accordance with Rule 25-30.320, Florida Administrative Code, if a Customer is delinquent in paying the bill for wastewater service, service may then be discontinued.

EFFECTIVE DATE - October 23, 2020

TYPE OF FILING - 2020 Price Index

WS-2020-0076

TYREE F. WILSON, JR.
ISSUING OFFICER

PRESIDENT
TITLE

FLORIDA PUBLIC SERVICE COMMISSION

APPROVED

AUTHORITY NO. WS-2020-0076

DOCKET NO. _____

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EFFECTIVE: October 23, 2020

Judy Harlow

DIRECTOR
DIVISION OF ECONOMICS