

**Antonia Hover**

**From:** Antonia Hover on behalf of Records Clerk  
**Sent:** Monday, May 6, 2024 4:11 PM  
**To:** 'bruceckelsey@yahoo.com'  
**Cc:** Consumer Contact  
**Subject:** FW: Docket #20240032-SU  
**Attachments:** PSC post 5-6-24.docx; PSC post 5-6-24.pdf

Good Afternoon, Bruce Kelsey.

We will be placing your comments below in consumer correspondence in Docket No. 20240032, and forwarding them to the Office of Consumer Assistance and Outreach.

Thank you!

*Toni Hover*  
Commission Deputy Clerk I  
Florida Public Service Commission  
2540 Shumard Oak Boulevard  
Tallahassee, FL 32399  
Phone: (850) 413-6467

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**From:** Bruce Kelsey <bruceckelsey@yahoo.com>  
**Sent:** Monday, May 6, 2024 3:49 PM  
**To:** Records Clerk <CLERK@PSC.STATE.FL.US>; Office of Chairman La Rosa <Commissioner.LaRosa@psc.state.fl.us>; Office of Commissioner Clark <Commissioner.Clark@psc.state.fl.us>; Office of Commissioner Passidomo <Commissioner.Passidomo@psc.state.fl.us>; Office of Commissioner Graham <Commissioner.Graham@PSC.STATE.FL.US>; Office of Commissioner Fay <Commissioner.Fay@psc.state.fl.us>  
**Subject:** Docket #20240032-SU

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From: Bruce C Kelsey

PO Box 3462 Placida, FL 33946

physical address 9798 Little Gasparilla Island

[bruceckelsey@yahoo.com](mailto:bruceckelsey@yahoo.com)

phone 863-288-0286

Please deny Docket 20240032-SU for the Environmental Utilities, LLC. Application for certificate to provide wastewater service to the barrier islands in Charlotte County.

My detailed objections are attached

May 5, 2024

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To:

Clerk of the Commission [clerk@psc.state.fl.us](mailto:clerk@psc.state.fl.us)

Commissioner LaRosa: [Commissioner.LaRosa@psc.state.fl.us](mailto:Commissioner.LaRosa@psc.state.fl.us)

Commissioner Clark: [Commissioner.Clark@psc.state.fl.us](mailto:Commissioner.Clark@psc.state.fl.us)

Commissioner Passidomo: [Commissioner.Passidomo@psc.state.fl.us](mailto:Commissioner.Passidomo@psc.state.fl.us)

Commissioner Graham: [Commissioner.Graham@psc.state.fl.us](mailto:Commissioner.Graham@psc.state.fl.us)

Commissioner Fay: [Commissioner.Fay@psc.state.fl.us](mailto:Commissioner.Fay@psc.state.fl.us)

**SUBJECT: Docket #20240032-SU**

Please deny the Environmental Utilities, LLC. Application for certificate to provide wastewater service to the barrier islands in Charlotte County.

Having owned property from the bay to Gulf with a home on LGI for more than 50 years and having been a professional engineer in Florida, I believe the proposed wastewater **system is a greater risk** to the environment than leaving the existing drain fields in place. My primary concern is based on the research referred to in the application admits it, “**did not include sampling on the barrier islands.**” Therefore wastewater from LGI was based on assumptions and did not consider there are very few full time residents on the barrier islands. I am in favor of protecting the environment but **object to the proposed low pressure wastewater system.**

**Summary**

- 1) **Risk of a massive spill** on the island or in the inland waterway due to concentrating all of the island wastewater into one low pressure system pipe line, lift stations and transfer pumps. A few of the existing drain fields that might fail or leak at one a time is a far less risk to the environment.
- 2) **System failure would shut down all or part of the island.** The main line and lift stations would be in low sensitive areas on the island subject to flooding and vehicle traffic.
- 3) **No samples were taken for the islands** as mentioned above. The research and justification in the application are only based on samples taken in Charlotte Harbor and do not apply to the barrier islands that are about 10 miles from the area sampled.
- 4) **The islands predominately consist of vacation homes** that produce far less wastewater than each of the 45,000 homes in the county with septic tanks that mostly consist of full-time residents. Full time residents on the islands could have been estimated based on the number of Homestead Tax Exemptions reported to the tax appraiser.
- 5) **Only drain fields** would be replaced by the proposed system. Transfer pumps would pump the wastewater from each holding tank to the system main line.
- 6) **Holding tanks required at each home** would be subject to flooding and spills the same as the existing septic tanks. Solids would remain in the holding tanks and need to be periodically pumped out the same as the existing septic tanks.
- 7) **Removing septic tanks and drain fields** and barging the debris to the mainland for disposal would be a considerable risk to the environment.
- 8) **Island wastewater** from the 964 homes on LGI is probably less than 2% of the wastewater from the 45,000 septic tanks in Charlotte County. (see calculations in the details below) A more accurate calculation could have been based on potable water used and reported by the water companies.

9) **Grants and funds** are only available for public systems. Considering the low % of contamination from the islands compared to other parts of the county, I recommend waiting for funds to become available and install a more reliable public system.

10) **Economic Burden** The proposed system would likely impose significant financial burdens on residents.

11) **Experience and ability** are not included on the Application for the private owner applicant.

12) **Rumors: EU will sell the system once it is approved.** Perhaps the PSC should determine if EU plans to stay in business. Who would run the system if a new buyer is not approved by the PSC?

**The following Details are intended to explain and verify the above comments**

### **Details**

#### **Greater Risk**

1) The proposed system only eliminates the existing drain fields. The system would require holding tanks with the same risk of a spill or flooding as the existing septic tanks. The transfer pumps required at each home would even add a greater risk of a spill at each home.

2) Concentrating all of the wastewater on the barrier islands into a pipeline is a greater risk than leaving the existing drain fields in place. The proposed main line would be in sensitive low areas in the roadway down the middle of the island that are subject to flooding. The roadways were badly damaged due heavy equipment FEMA hired to remove massive heavy debris due to hurricane IAN. A pipeline and lift stations in the roadway would have been at great risk of damage and a massive spill.

3) Having owned property from bay to gulf for more than 50 years, I am only aware of a few septic tanks being flooded due to storms or occasional abnormal high tides. (except for hurricane IAN) Failure of the proposed wastewater system would shut down all or part of the entire island for an extended period of time compared to only a few drain fields failing at one time.

4) The proposed pipeline under the inland waterway connected to the county system and the transfer pump at the connection point on the shoreline would pose a great risk of a massive spill of wastewater into the inland waterway.

5) Existing septic tanks and the sludge inside them would need to be removed and hauled to the mainland on barges. This would also be a significant risk to the environment.

6) Even though the proposed system is low pressure there would still be about 60 psi on the wastewater pipe lines. That is similar to water pressure in a home. A nick in a pressurized line would be like turning on a home garden hose and spraying water all over the lawn.

7) The county comprehensive plan discusses several wastewater systems including low pressure, grinders, vacuum and gravity. The plan seems to prefer a vacuum system. Debbie Daugherty who has a masters degree in Environmental Engineering and currently the Water/Wastewater Officer for Gainesville Regional Utilities owns property on LGI. She mentioned in her objection to the application that low pressure wastewater systems have not been satisfactory on mainland parts of Florida.

#### **N factors used to estimate contamination**

1) The county has used N factors of 1 to 5 to rank the severity of existing drain fields due to proximity to bodies of water. N1 is the best and is for drain fields more than 900 ft from bodies of water. N5 for drain fields is the worst for drain fields less than 100 ft from bodies of water. LGI has been given the

worst rating of N5 even though the drain fields are predominately more than 100 ft from the Inland Waterway.

2) The county has also used N factors for ranking contamination based on samples taken in Charlotte Harbor. **But the report stated it “did not include sampling on the barrier islands”** (24) D-1 page 9 Perhaps the samples were not taken because the barrier islands are not in Charlotte Harbor. The research estimated the nitrogen and other contamination in Charlotte Harbor and assumed it was due to 45,000 septic tanks in all of Charlotte County. Even though homes on the barrier islands have a **low occupancy rate** they were assumed to produce the same wastewater per home as the average for all homes with septic tanks that are probably mostly full time residents in the rest of the county.

### **Why wasn't wastewater estimated based on potable water used?**

Sewer bills are usually based on the potable water measured and billed for each residence. The application referred to 45,000 homes with septic tanks in the county use an average of 4,000 gal of water a month per home. Assuming wastewater is in proportion to the amount of water used, I have estimated the wastewater from the 964 homes on island to be less than 1% or 2% of the total wastewater from the county as follows:

estimated days of use

$(3 \text{ weeks vacation} + 20 \text{ week ends} = 21 + 40 = 61 \text{ days}) / 365 = 17\% \text{ occupancy of vacation homes}$   
adding the few full time residents might increase the overall average to 25% occupancy

estimated potable water used

$(4,000 \times 25\%) \times 694 \text{ homes} = 964,000 = \text{gal/mon from the island}$

$(45,000 - 964) \times 4,000 = 176,144,000 \text{ gal/ mon from the rest of homes with septic tanks}$

Total water used = 177,108,000 gal/mon

island water / total water = 0.54%

Even if the island homes used the same as the rest of the county the % would be

$964/45,000 = 2.1\%$

Why wasn't the water billed by the water company used to estimate the wastewater from the islands?

Why has the county considered a wastewater system on the islands to be a priority project when the islands probably contribute less than 2% of the contamination? Why not wait until grant money is available for a more reliable public system?

### **Public vs Private wastewater system**

1) I have heard there are significant grants and funds available for publicly owned sewer systems to remove septic tanks and install new wastewater systems. Private companies would need to find private financing.

2) The application form for approval of a private company requires a disclosure of their financial abilities but does not seem to require proof of experience or ability to install and operate a wastewater system especially in a risky area like LGI.

3) Charlotte County permitted the septic tanks and drain fields on LGI. So if a wastewater system is a priority, why doesn't the county pursue the available grants and funds to install a system. The impact on the environment per ca-pita on LGI is much less than other parts of the county. Why not wait until funds are available for a public system? I would be in favor of a raise in property taxes for a well planned, well operated, reliable, and well maintained public system.

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