

State of Florida



# Public Service Commission

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

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

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**DATE:** March 10, 2026

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Marissa Ramos, Chief of Reliability & Resource Planning, Division of Engineering *MR*

**RE:** Docket No. 20250052-WS - Application for increase in water and wastewater rates in Brevard, Citrus, Duval, Highlands, Marion, and Volusia Counties by CSWR-Florida Utility Operating Company.

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Please place the attached complaint and compliance data from the Florida Department of Environmental Protection, along with a Certification of Copies, in response to staff's information request (Document No. 15503-2025), in the above mentioned docket file.

MR/da

Attachment

## Drinking Water Complaint Summary

County	System Name	PWS ID	Complaints by Year (2020-2025)		
			Color	Odor	Other
Brevard	Aquarina Utilities	3054060	N/A	N/A	BWN related 4/17/2023
Citrus	Rolling Oaks	6090150	N/A	N/A	01/2026- The Department was contacted by 4 residents within the system, stating they were not properly notified of a precautionary boil water notice that was issued within the community. Upon review, the BWN was only in affect for a limited number of addresses, and those addresses were properly notified (text message and door hanger).  07/2022 – Complainant was concerned after a recent line break that the water was contaminated. The utility took bacteriological samples and a chlorine residual at the residence. The sample results were absent of total coliform and E.coli. and the chlorine residual was 0.52 mg/L according to the Utility. **Please note this complaint occurred under the previous owners of the utility**
Duval	Neighborhood Utilities (Timber Creek)	2164279	N/A	N/A	N/A
Marion	CFAT (Landfair Subdivision)	3424690	N/A	N/A	N/A
	Sunshine (Ashley Heights S/D)	3424962	N/A	N/A	N/A
	Sunshine (Bellevue Oaks Estates)	3424621	N/A	N/A	N/A
	Sunshine (Country Walk)	3424657	N/A	N/A	N/A
	Sunshine (Eleven Oaks Subdivision)	3424099	N/A	N/A	N/A
	Sunshine (Emil Marr Subdivision)	3420340	N/A	N/A	N/A
	Sunshine (Florida Heights S/D)	3424031	N/A	N/A	BWN related 4/1/2024
	Sunshine (Floyd Clark Subdivision)	3420411	N/A	N/A	Water pressure issue 6/11/24
	Sunshine (Fore Oaks Estates)	3424644	N/A	N/A	N/A
	Sunshine (Hill Top at Lake Weir)	3424662	N/A	N/A	N/A
	Sunshine (Lakeview Hills S/D)	3424687	N/A	N/A	N/A
	Sunshine (Little Lake Weir Subdivision)	3420761	N/A	N/A	BWN related 11/12/2025
	Sunshine (Oak Haven Quadrplexes)	3424106	Different Colors 11/18/2024	N/A	Chlorine Content Related 8/4/2023 BWN Related 9/20/2023 BWN Related 8/12/2025
	Sunshine (Oak Hurst Subdivision)	3424032	N/A	N/A	N/A
	Sunshine (Ocala Garden Apartments)	3421554	N/A	N/A	BWN related 8/1/2023
	Sunshine (Ocala Heights S/D)	3424651	N/A	N/A	BWN related 7/1/2023
	Sunshine (Ocklawaha Water Works (2 V	3420939	Yellow color DW 8/14/2023	Sulfur smell 8/22/2023	N/A
	Sunshine (Sunlight Acres Subdivision)	3421520	N/A	N/A	BWN related 9/1/2023
	Sunshine (Sun Ray Estates )	3421314	N/A	N/A	N/A
	Sunshine (Oakcrest Villas/Sun Resorts )	3421201	N/A	N/A	N/A
Sunshine (Whispering Sands S/D)	3424009	N/A	N/A	N/A	
Sunshine (Winding Waters )	3424691	N/A	N/A	N/A	

Marion	Sunshine (Ponderosa Pines (2 WPS))	3424062	N/A	N/A	N/A
	Sunshine (Quail Run Subdivision)	3424046	N/A	N/A	N/A
	Sunshine (Sandy Acres )	3421118	N/A	N/A	N/A
	Tradewinds Village	3424620	N/A	N/A	BWN related 7/7/2025

Wastewater Complaint Summary

County	System Name	WAFR ID	Complaints by Year (2020-2025)		
			Color	Odor	Other
Brevard	Aquarina Utilities	FLA010352			No other complaint
	TKCB (Sun Lake Estates)	FLA010353		One complaint related to odors in 2021	No other complaint
Citrus	Rolling Oaks BEVERLY HILLS WWTF	FLA011869		One complaint related to odors in 2024	Two miscellaneous complaints in 2023
Highlands	Sebring Ridge	FLA014349			No other complaint
Marion	CFAT (Landfair Subdivision)	FLA010722			No other complaint
	Tradewinds Village	FLA010699			No other complaint found
Volusia	North Peninsula Utilities WWTF	FLA011188		One complaint related to odors in 2022  One complaint related to odors in 2021  Three complaints related to odors in 2020	No other complaint
	Tymber Creek WWTF	FLA011193		Four complaints related to odors in 2021  Two complaints related to odors in 2020	Two complaints related to sanitary sewer overflow in 2024  One complaint related to sanitary sewer overflow in 2023

## Drinking Water Compliance Summary

County	System Name	PWS ID	Compliance Status (In compliance/Not in compliance)	Compliance Summary (2020-Present)
Brevard	Aquarina Utilities	3054060	Not in compliance. Warning Letter issued November 2025.	April 2022 - missed TC repeat( resolved); May 2022 - bact late report (resolved); July 2022 - missed biannual L&C (resolved); September 2024 Lead Action Level Exceedance, missed OWQPs following exceedance, failed to distribute public education; October 2024 - secondary Odor Threshold violation; Nov 2025 - Max day capacity exceedance multiple times
Citrus	Rolling Oaks	6090150	Minor Out of Compliance	A Sanitary Survey was conducted on 02/02/2026. The only deficiency noted was a check valve not functioning at one of the wells. A verbal CAO was issued onsite and the district is awaiting corrective actions.
Duval	Neighborhood Utilities (Timber Creek)	2164279	In Compliance	2020 Sanitary Survey – Warning Letter sent 9-3-2020 for failure to provide standby power. Short Form Consent Order 21-0814 executed 4-1-22 to resolve violation. CO resolved 6-7-22 2023 Sanitary Survey – Compliance Assistance Offer Letter sent July 26, 2023. Returned to compliance August 22, 2023
Marion	CFAT (Landfair Subdivision)	3424690	In compliance	Feb 2022 - L&C late report; Mar 2022 - bact late report;
	Sunshine (Ashley Heights S/D)	3424962	Not in compliance. Open enforcement case.	Jan 2022 - chems late report (lab issue); Mar 2022 - missed triennial endothall (SOC) report; Nov 2025 - consent order for damaged tank, flow meter calibration, well pad integrity; Dec 2025 - E Coli MCL exceedance due to missed sampling *System is currently out of compliance*
	Sunshine (Bellevue Oaks Estates)	3424621	Not in compliance. Open Compliance Assistance Offer Letter	Jan 2020 - rads late report (lab issue); Jan 2023 - consent order for damaged tank, closed in July 2024; Q4 2024 - consent order for missed xylene & ethylbenzene, closed in Jan 2026; 12/2025 sanitary survey inspection - not in compliance *System is currently out of compliance*
	Sunshine (Country Walk)	3424657	Not in compliance. Warning letter issued February 2026	Mar 2022 - missed triennial endothall (SOC) and rads report; May 2022 - missed quarterly di-(2Oethlyxyl)-phalate report; Jan 2023 - consent order for damaged tank, closed in Oct 2024; Feb 2025 - missed Q4 2024 total xylene and ethylbenzene; Oct 2025 - consent order for missed vinyl chloride (VOC) report, closed in Jan 2026; Dec 2025 - consent order for no permit to replace different size/type of tank *System is currently out of compliance*
	Sunshine (Eleven Oaks Subdivision)	3424099	Not in compliance. Warning letter issued February 2026	2021 missed endothall; Mar 2024 - installation of temp drinking water tank of different capacity without approval; Dec 2025 - consent order for no permit to replace different size/type of tank; 2025 missed endothall *System is currently out of compliance*
	Sunshine (Emil Marr Subdivision)	3420340	Not in compliance. Warning letter issued December 2025	Mar 2022 - missed triennial endothall (SOC) and rads report; Q1 & Q2 2023 - missed nitrate sampling; Feb 2025 - consent order for missed Q3 2024 nitrate, closed Feb 2025; Dec 2025 - missed bact sampling for Oct 2025
	Sunshine (Florida Heights S/D)	3424031	Not in compliance. Open consent order.	Mar 2022 - missed triennial endothall (SOC) and rads report; July 2024 - no inspection by licensed engineer/no tank inspection; Feb 2025 - consent order for missed Aug 2024 DBP report, closed Feb 2025, Jan 2026 - consent order for failing to conduct tank inspections under a licensed engineer, resolved
	Sunshine (Floyd Clark Subdivision)	3420411	Not in compliance. Open consent order.	Jan 2022 - chems late report (lab issue); Mar 2022 - missed triennial endothall (SOC) report; Nov 2023 - missed Q3 nitrate report; Feb 2025 - consent order for missed Aug 2024 DBP report, closed Feb 2025; Missed 2nd Q 2025 Nitrate; Jan 2026 - consent order for failing to conduct tank inspections under a licensed engineer
	Sunshine (Fore Oaks Estates)	3424644	In compliance	Mar 2022 - missed triennial rad report; Oct 2024 - consent order for at least 2 wells in violation with 62-555.315, closed Feb 2025. Dec 2025 inspection with deficiencies - compliance assistance letter issued.
	Sunshine (Hill Top at Lake Weir)	3424662	In compliance	July 2024 - missed bact report

Marion	Sunshine (Lakeview Hills S/D)	3424687	System closed	SYSTEM CONNECTED TO 3425020 PERMIT # WD42-0129254-049 ON 7/17/12-DS
	Sunshine (Little Lake Weir Subdivision)	3420761	In compliance	April 2024 - triggered level 1 assessment
	Sunshine (Oak Haven Quadruplexes)	3424106	Not in compliance, open consent order	Mar 2022 - missed triennial endothall (SOC) and secondary foaming agents report; Aug 2023 - triggered level 1 assessment; Mar 2024 - MOR missing for Oct 2022 & June 2023, no record that isolation valves are being exercised, drinking water tank not inspected within 5 year requirement; July 2025 - missed well samples after E.coli positive sample; Oct 2025 - consent order for missed oxamyl & carbofuran during 2024, closed in Jan 2026
	Sunshine (Oak Hurst Subdivision)	3424032	in compliance	Dec 2024 - color MCL violation
	Sunshine (Ocala Garden Apartments)	3421554	In compliance	July 2023 - missed bact
	Sunshine (Ocala Heights S/D)	3424651	Not in compliance, Warnin letter issued December 2025	Aug 2024 - consent order for missed bact in Aug 2023, not maintaining well pad, and missed DBP in 2023, closed in Oct 2024; Nov 2025 - missed annual DBP report; Dec 2025 - missed bact sampling for October 2025 and corresponding public notice
	Sunshine (Ocklawaha Water Works (2 WTPs))	3420939	Not in compliance, open consent order	Mar 2022 - missed triennial endothall (SOC); Sep 2024 - consent order for missed DBP in Oct 2023, closed in Oct 2024; Oct 2024 - consent order for inadequate bact sampling plan, licensed tank inspection, missing MOR for Sep 2022 & May 2021, no source/treatment/storeage capacity analysis report
	Sunshine (Sunlight Acres Subdivision)	3421520	Not in compliance, open consent order	July 2023 - consent order for damaged/leaking tank, closed July 2024; Dec 2025 - consent order for failed tank repairs (may be resolved) *System is currently out of compliance*
	Sunshine (Sun Ray Estates )	3421314	Not in compliance, open consent order	Jan 2022 - consent order for missed DBP in Sep 2021, closed Mar 2022; Oct 2024 - consent order for not having at least two wells connected to CWS; Feb 2025 - consent order for missed DBP in Aug 2024, closed Feb 2025 *System is currently out of compliance*
	Sunshine (Oakcrest Villas/Sun Resorts )	3421201	Not in compliance, open consent order	Nov 2023 - missed nitrate sampling for Q3 2023; Nov 2024 - consent order for missed nitrate in Q2 2024, closed Feb 2025; Dec 2025 - consent order for no permit to replace different size/type of tank; Dec 2025 missed 4th Q Dichloromethane and 1,2 dichloroethane
	Sunshine (Whispering Sands S/D)	3424009	Not in compliance, open consent order	Mar 2022 - missed triennial endothall (SOC); Oct 2023 - missed bact report; Oct 2024 consent order for no chlorine during inspection and no records for exercising isolation valves.
	Sunshine (Winding Waters )	3424691	Not in compliance, open consent order	Aug 2022 - missed bact repeat for TC+; Feb 2025 - missed heptachlor sampling for 2024 ; Oct 2025 - consent order for missed heptachlor for 2024, closed Jan 2026; Dec 2025 -consent order for no licensed tank inspection and no permit to replace different size/type tank, missing MORs *System is currently out of compliance*
	Sunshine (Ponderosa Pines (2 WPS))	3424062	Not in compliance, open consent order	April 2023 - well damage (SSI); Dec 2025 - consent order for failure to provide permit prior to replacing different design/capacity tank
	Sunshine (Quail Run Subdivision)	3424046	Not in compliance, open compliance assistance offer letter	Mar 2022 - late reporting for triennial secondary foaming agents; Nov 2025 - no map of system, no record of calibration of flow meter
	Sunshine (Sandy Acres )	3421118	In compliance	July 2024 - no record of flow meter calibration and no inspection/licensed inspection (SSI)
	Tradewinds Village	3424620	In compliance	Feb 2022 - L&C triennial late report; Nov 2025 - missed bact for August 2025, no records of isolation valve exercising, OM manual and ERP not available

## Wastewater Compliance Summary

County	System Name	WAFR ID	Compliance Status (In compliance/Not in compliance)	Compliance Summary (2020-Present)
Brevard	Aquarina Utilities	FLA010352	In-Compliance	<p>On March 3, 2025, a warning letter was issued to the facility for effluent exceedances and other violations.</p> <p>On June 13, 2025, a short form consent order, OGC#25-0869, was executed.</p> <p>On 07/30/2025, a case closure letter was issued, and the facility returned to compliance.</p>
	TKCB (Sun Lake Estates)	FLA010353	In Compliance  Last Inspection Date:8/22/2023	<p>On April 10, 2020, a return to compliance letter was issued to the facility.</p> <p>On August 22, 2023, a compliance assistance offer was issued to the facility.</p> <p>Based on information submitted, the facility had returned to compliance on September 20, 2023.</p>
Citrus	Rolling Oaks BEVERLY HILLS WWTF	FLA011869	Out of Compliance  Last Inspection Date:5/16/2023	<p>PRIOR OWNERSHIP: On June 8, 2021, an abnormal event letter was issued to the facility for onsite spillage of 40,000 gallons of mixed liquor between the aeration basin and the clarifier, with no impact on the environment.</p> <p>On November 17, 2021, a compliance assistance offer letter was issued to the facility.</p> <p>On December 14, 2021, a compliance assistance offer closure letter was sent to the facility, and the facility returned to compliance without enforcement.</p> <p>On June 15, 2023, a noncompliance letter was issued to the facility.</p> <p>The Department required the facility to submit proof of ownership as the facility was just purchased by Central States.</p> <p>On July 19, 2023, the transfer of ownership to Central States from John Patton III was issued.</p> <p>The compliance schedules in the permit were not requested to be modified during the transfer of ownership. The facility was required to meet the final limit for Total Nitrogen on January 1, 2024.</p> <p>During the complaint in 2024, the Department notified the facility of the open violations. The facility was looking into doing something different to meet the TN requirements and needed to submit a permit revision.</p> <p>On May 8, 2024, an engineering firm contacted the Department to discuss the minor revision and process upgrades to meet the TN limits.</p> <p>On June 25, 2024, the Department contacted the engineering firm designing the new project to discuss the facilities plans.</p> <p>On July 29, 2024, the Department provided information on what permit application would be applicable. To date a complete permit application has not been submitted to the Department.</p> <p>The facility was scheduled on the 2025/2026 LOS for February 2026. The Department is intending to pursue formal enforcement in response to the CEI.</p>

Highlands	Sebring Ridge	FLA014349	Out of Compliance  Last Inspection Date:1/24/2025	<p>On August 20, 2021, a warning letter was issued to the facility for various violations noticed during the compliance evaluation inspections.</p> <p>On January 18, 2024, a warning letter was issued to the facility for various violations noticed during the compliance evaluation inspections.</p> <p>On February 20, 2025, a warning letter was issued to the facility for various violations noticed during the compliance evaluation inspections.</p> <p>On January 8, 2026, the Department was notified by the Facility's new operator that the facility was experiencing a significant upset and biosolids were discharged to the Rapid infiltration basins. Department staff conducted an inspection on January 9, 2026. An inspection report and findings will be issued by February 8, 2026. '</p>
Marion	CFAT (Landfair Subdivision)	FLA010722	Out of Compliance  Last Inspection Date: 9/2/2025  The facility is in compliance with the consent order.	<p>On March 8, 2021, a warning letter was issued to the facility for effluent quality violations.</p> <p>On May 11, 2021, a long form consent order, OGC#21-0360, was executed.</p> <p>On December 20, 2021, a warning letter was issued to the facility for various violations noticed during the compliance evaluation inspection.</p> <p>The ownership of the facility transferred to CSWR on November 29,2023.</p> <p>On January 9, 2024, an amended consent order, OGC#21-0360, was executed.</p> <p>On September 3, 2025, a compliance assistance offer was issued to the facility.</p> <p>On October 10, 2025, a warning letter was issued to the facility for various violations.</p> <p>The consent order OGC#21-0360 will be amended to capture the violations in the October 10, 2025, WL.</p>
	Tradewinds Village	FLA010699	In Compliance  Last Inspection Date:11/15/2022	<p>On August 3, 2020, a warning letter was issued to the facility for various violations.</p> <p>On October 6, 2022, a short form consent order, OGC#20-1413, was executed.</p> <p>On October 31, 2022, a case closure letter was issued, and the facility returned to compliance. These actions were with facility owner prior to CSWR taking ownership of property. Facility was inactivated December 5, 2022.</p>
Volusia	North Peninsula Utilities WWTF	FLA011188	Out of Compliance  Last Inspection Date:03/29/2023  The facility is in compliance with the consent order.	<p>On April 28, 2021, a warning letter was issued to the facility for various violations.</p> <p>On May 6, 2022, a notice of violation, OGC#20-1313, was issued to the previous facility owner.</p> <p>On April 18, 2023, a long form consent order, OGC#22-2563, was executed.</p> <p>The ownership of facility was transferred to CSWR on May 3, 2022.</p>

Volusia	TyMBER Creek WWTF	FLA011193	<p>Out of Compliance</p> <p>Last Inspection Date:12/20/2022</p> <p>The facility is in compliance with the consent order.</p>	<p>On April 28, 2021, a warning letter was issued to the facility for odor complaints and other violations.</p> <p>On May 24, 2021, a compliance assistance offer was issued to the facility.</p> <p>On July 14, 2022, a notice of violation, OGC#21-1025, was issued to the facility for effluent exceedances.</p> <p>On July 29, 2022, a long form consent order, OGC#21-1025, was executed.</p> <p>On November 17, 2023, a warning letter was issued to the facility for a sanitary sewer overflow.</p> <p>On March 18, 2024, a consent order, OGC#24-0066, was executed.</p> <p>The ownership of facility was transferred to CSWR on July 8, 2024.</p> <p>On January 22, 2025, a consent order, OGC#24-3098, was executed.</p>
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# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Alexis A. Lambert**  
Secretary

Central District Office  
3319 Maguire Blvd, Suite 232  
Orlando Florida 32803

July 30, 2025

Josiah Cox, President  
Central States Water Resources  
1630 Des Peres Rd. Suite 140  
Des Peres, Missouri 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

RE: Case Closure Letter  
DEP vs. Central State Water Resources  
OGC File No. 25-0869  
Facility/Site ID: FLA010352 / 3054060  
Brevard County

Dear Mr. Cox:

Based upon a review of our records, the Florida Department of Environmental Protection (Department) has determined that all provisions of the Consent Order executed on June 13, 2025 have been satisfactorily fulfilled. Any corrective actions required by the Consent Order have been satisfactorily completed and payment of \$4,000.00 for penalties and \$250.00 for costs incurred by the Department have been paid. This letter is notification that the Department closed this enforcement file on July 28, 2025.

The Department appreciates your efforts and cooperation in bringing this facility into compliance with state and federal rules. Should you have any questions or comments, please contact Hannah VanBuren at (407) 897-4146 or via e-mail at [Hannah.VanBuren@floridadep.gov](mailto:Hannah.VanBuren@floridadep.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "A. Watkins".

*On behalf of:*

Aaron Watkins, Director  
Central District

cc: Laurie Roughton, OGC  
Hannah VanBuren, FDEP  
CSWR, [jthomas@cswrgroup.com](mailto:jthomas@cswrgroup.com)



# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Alexis A. Lambert**  
Secretary

Central District Office  
3319 Maguire Blvd, Suite 232  
Orlando Florida 32803

June 13, 2025

Josiah Cox, President  
Central States Water Resources  
1630 Des Peres Rd. Suite 140  
Des Peres, Missouri 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: Aquarina Utilities  
DW Facility ID # FLA010352  
PW Facility ID # 3054060  
OGC Case # 25-0869

Dear Mr. Cox:

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 Hannah VanBuren at 407-897-4146 or via e-mail at [Hannah.VanBuren@FloridaDEP.gov](mailto:Hannah.VanBuren@FloridaDEP.gov)

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "AA Watkins", is written over a light blue rectangular background.

*On behalf of:*

Aaron Watkins  
Director, Central District

Enclosure: Consent Order OGC # 25-0869

cc: FDEP: Lea Crandall, Anitra Spencer  
Hannah VanBuren & David Smicherko, FDEP  
CSWR, [jthomas@cswrgroup.com](mailto:jthomas@cswrgroup.com)



# FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis  
Governor

Alexis A. Lambert  
Secretary

Central District Office  
3319 Maguire Blvd, Suite 232  
Orlando Florida 32803

May 27, 2025

Josiah Cox, President  
Central States Water Resources  
1630 Des Peres Rd. Suite 140  
Des Peres, Missouri 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

SUBJECT: Department of Environmental Protection v. Central States Water Resources, OGC File No.: 25-0869  
Aquarina Utilities DW Facility ID # FLA010352  
PW Facility ID # 3054060

Mr. Cox:

The State of Florida Department of Environmental Protection ("Department") finds that Central States Water Resources ("Respondent") failed to distribute Public Education Material with 60 days of the end of the monitoring period after a Lead Action Level Exceedance (ALE), failed to collect two sets of Water Quality Parameter samples and submit them to the Department before November 30, 2024, and failed to meet Permit Limits for Total Nitrogen at the Domestic Wastewater facility throughout the review period, in violation of 40 C.F.R. 141.85, 40 C.F.R. 141.87, and Permit Condition I.A.1. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violations. These actions have since been completed. However, due to the nature of the violations, the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter

### The Department's Offer

Based on the violations described above, the Department is seeking \$ 4,000.00 in civil penalties and \$ 250.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$ 4,250.00. The civil penalty in this matter includes one (1) violation of \$2,000.00 or more.

### **Respondent's Acceptance**

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at 3319 Maguire Boulevard Suite 232 Orlando, FL 32803 by **June 17, 2025**. The Department will then countersign it and file it with a designated clerk of the Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, Josiah Cox:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

### **Respondent's Performance**

After signing and returning this document to the Department,

- (1) Respondent must pay \$ 4,250.00 <in full by **July 17, 2025**.
- (2) 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

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.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Hannah VanBuren at (407) 897-4146 or at [Hannah.VanBuren@FloridaDEP.gov](mailto:Hannah.VanBuren@FloridaDEP.gov).

Sincerely,



*On behalf of:*

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Aaron Watkins  
District Director  
Central District






# 25.05.27 Aquarina Utilities\_FLA010352\_305406 0\_Draft SFCO

Final Audit Report

2025-06-02


Created:	2025-06-02
By:	Kimberly Faulkner (kfaulkner@cswrgroup.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAafJci3bUXxXHVFfEjzFC9fNFhO1sfaPWe

## "25.05.27 Aquarina Utilities\_FLA010352\_3054060\_Draft SFCO" History

-  Document created by Kimberly Faulkner (kfaulkner@cswrgroup.com)  
2025-06-02 - 2:07:17 PM GMT
-  Document emailed to Josiah Cox (jcox@cswrgroup.com) for signature  
2025-06-02 - 2:07:21 PM GMT
-  Email viewed by Josiah Cox (jcox@cswrgroup.com)  
2025-06-02 - 8:20:05 PM GMT
-  Document e-signed by Josiah Cox (jcox@cswrgroup.com)  
Signature Date: 2025-06-02 - 8:20:37 PM GMT - Time Source: server
-  Agreement completed.  
2025-06-02 - 8:20:37 PM GMT

FOR THE RESPONDENT:

I, Josiah Cox [Type or Print Name], **HEREBY ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By:  Date: 06/02/2025  
[Signature]

Title: President  
[Type or Print]

---

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 13th day of June, 2025, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



on behalf of

Aaron Watkins  
District Director  
Central District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.



Clerk

June 13, 2025

Date

Attachments: Notice of Rights

Final clerked copy furnished to:

Lea Crandall, Agency Clerk ([lea.crandall@dep.state.fl.us](mailto:lea.crandall@dep.state.fl.us))

## NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

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

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency\_Clerk@floridadep.gov, within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



# FLORIDA DEPARTMENT OF Environmental Protection

Ron DeSantis  
Governor

Alexis A. Lambert  
Secretary

Central District Office  
3319 Maguire Blvd, Suite 232  
Orlando Florida 32803

March 3, 2025

Josiah Cox, President  
Central States Water Resources  
1630 Des Peres Rd. Suite 140  
Des Peres, Missouri 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: Warning Letter  
Aquarina Utilities  
DW Facility ID # FLA010352  
PW Facility ID # 3054060  
Brevard County

Dea Mr. Cox:

A Compliance Evaluation Inspection was conducted at your facility on February 5, 2025. During this inspection, possible violations of Chapter 403, F.S., Chapter 62-610, Florida Administrative Code (F.A.C.) were observed.

- Multiple Nitrate Maximum and Total Nitrogen Annual Average exceedances were reported at EFA-1 throughout the review period, in violation of Permit Condition I.A.1.

Additionally, a File Review was conducted for your facility on January 28, 2025. During this file review, the following potential violations were noted:

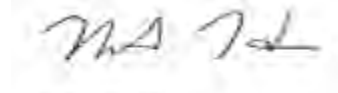
- Failure to distribute Public Education Material within 60 days of the end of the monitoring period after a Lead Action Level Exceedance (ALE). This Material was due November 29, 2024 and was completed January 17, 2025, in violation of 40 C.F.R. 141.85.
- Failure to collect two sets of Water Quality Parameters samples and submit them to the Department before November 30, 2024, in violation of 40 C.F.R. 141.87.

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 Hannah VanBuren at (407) 897-4146, 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.

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,



*On behalf of:*

Aaron Watkins, Director  
Central District  
Florida Department of Environmental Protection

AW/ds/hv

Enclosures: Inspection Report

cc: Hannah VanBuren & David Smicherko, FDEP  
Clearwater Solutions, [keanu.wadhams@clearwatersolutions.com](mailto:keanu.wadhams@clearwatersolutions.com) ,  
[chris.silva@clearwatersolutions.com](mailto:chris.silva@clearwatersolutions.com)

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

<b>Facility Name and Physical Address</b> Aquarina Utilities 235 Aquarina Boulevard Melbourne Beach, FL 32941	<b>WAFR ID</b> FLA010352	<b>County</b> Brevard	<b>Entry Date</b> 2/5/2025	<b>Entry Time</b> 1:50 PM
	<b>Facility Phone #</b> (314) 380-3618		<b>Exit Date</b> 2/5/2025	<b>Exit Time</b> 2:22 PM

LAT	27	°	55	·	14.61	"
LONG	80	°	29	·	24.35	"



<b>Name(s) of Field Representatives(s) and Title</b> Keanu Wadhams, State Director	<b>Operator Certification #</b> WWC-28644	<b>Email</b> keanu.wadhams@clearwatersolutions.com	<b>Phone</b> (352) 640 4976
---	--	---	--------------------------------

<b>Name &amp; Address of Permittee / Designated Rep.</b> Josiah Cox Central States Water Resources 1630 Des Peres Rd. Suite 140 Des Peres, Missouri 63131	<b>Title</b> President	<b>Email</b> jcox@cwsrgroup.com	<b>Phone</b> (314) 380-8043
---	---------------------------	------------------------------------	--------------------------------

<b>Inspection Type</b>	C	E	I		<b>Samples Taken(Y/N):</b> N	<b>Sample ID#:</b> N/A	<b>Samples Split (Y/N) :</b> N
<input checked="" type="checkbox"/> <b>Domestic</b> <input type="checkbox"/> <b>Industrial</b>							

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	SC	9. ♦ Effluent Quality
IC	2. ♦ Compliance Schedules	IC	4. Sampling	IC	7. Flow Measurement	IC	10. ♦ Effluent Disposal
		IC	5. ♦ Records & Reports	IC	8. ♦ Operation & Maintenance	IC	11. Biosolids
						NE	12. ♦ Groundwater
NA	14. Other					IC	13. ♦ SSO Survey

<b>Facility and/or Order Compliance Status:</b>	<input type="checkbox"/> In-Compliance	<input type="checkbox"/> Out-Of -Compliance	<input checked="" type="checkbox"/> Significant-Out-Of-Compliance
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<b>Recommended Actions: Warning Letter</b>		
<b>Name(s) and Signature(s) of Inspector(s)</b> Hannah VanBuren 	<b>District Office/Phone Number</b> CD / (407) 897-4146	<b>Date</b> 2/14/2025
<b>Name and Signature of Reviewer</b> David Smicherko 	<b>District Office/Phone Number</b> 407-897-4169	<b>Date</b> 3/3/2025

### 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 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:** An existing 0.099 mgd annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of influent screening, aeration, secondary clarification, filtration, chlorination, and aerobic digestion of biosolids. m. R001 is a reuse system which consists of two (2) drainfields having a capacity of 0.099 MGD.

**1. ♦Permit:** In-Compliance

Current Permit available on-site?	Yes
Date Permit issued	March 26, 2024
Date Permit Expires	March 25, 2029
Permit Renewal Application due by	September 26, 2028
Administrative or Judicial Orders?	Administrative Order

- 1.1 Observation: A copy of the current permit was onsite and available to plant personnel.
- 1.2 Observation: The facility is under Administrative Order No. IRC-24-002 to comply with Total Nitrogen and Total Phosphorus limits by 2028.

**2. ♦Compliance Schedules:** In-Compliance

Compliance Schedule in Permit met?	Yes
Compliance Schedules in Order are being met?	Yes

- 2.1 Observation: A Collection System Action Plan and Power Outage Contingency Plan will be due to the Department within one year of the effective date of the permit (March 26, 2025).
- 2.2 Observation: The facility is monitoring for Total Nitrogen and Total Phosphorus concentrations as required in Administrative Order No. IRC-24-002.

**3. Laboratory:** In-Compliance

Contract Lab Name and Certification #	Pace Environmental E83079
Facility NELAC Certification #	N/A

- 3.1 Observation: A copy of the laboratory report was available at the time of inspection; expires June 30, 2025.

**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

- 4.1 Observation: Sample points were verified in accordance with the permit.

**5. ♦Records and Reports:** In-Compliance

<b>Documents/Records reviewed</b>	<b>Time frame</b>
Discharge Monitoring Reports (DMRs)	From 01/01/2024 to 12/31/2024

- 5.1 Observation: No deficiencies were noted during a review of the Discharge Monitoring Reports during the period referenced above.
- 5.2 Observation: There is no Reduced Pressure Zone Backflow Prevention Device onsite and therefore no certification is required.
- 5.3 Observation: An up-to-date Operation and Maintenance Manual is kept onsite with records and is available to plant personnel.
- 5.4 Observation: The Operator Certification for Chris Silva, WWC-13564, is kept at the facility, was up to date, and meets the minimum license requirement listed in the permit.
- 5.5 Observation: A bound and numbered operator logbook was present and kept up to date according to the Operator Site Time requirements listed in the permit. Maintenance and samples were sufficiently recorded.
- 5.6 Observation: Records and receipts from hauling are kept onsite, with the last haul on December 18, 2023. Hauling events appear to match the Discharge Monitoring Reports.

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

- 6.1 Observation: The facility has one (1) manual bar screen that is cleaned once a day. Any debris is removed and disposed of in a covered screenings container.
- 6.2 Observation: The aeration basin is the outer ring of the ring plant. The basin appeared to be receiving adequate and even air flow and facility representatives mentioned that the diffusers were recently replaced. Minor foam was noted, but no conspicuous odors were noted at the time of inspection. The blowers were operational and belt guards were adequately covered.
- 6.3 Observation: The inner ring of the plant is the clarifier with a skimmer arm. The clarifier contained duckweed on the surface, but the effluent leaving the weir appeared to be clear.
- 6.4 Observation: The effluent then leaves the ring plant into the separate chlorine contact chamber. Disinfection is provided through Sodium Hypochlorite. No solids were visible in the chamber and effluent was clear.
- 6.5 Observation: The digester was in good repair, with room for additional storage. No vectors or odors were noted at the time of inspection.

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

Flow meter present and location as per permit?	Yes
Easy access to flow meter?	Yes
Date of last flow meter calibration	January 24, 2025

7.1 Observation: A copy of the flow meter calibration was onsite at the time of inspection.

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

Facility being operated as per permit?	Yes
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8.1 Observation: The plant was well maintained and appeared to be operating according to the permit.

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

DMRs review period	From 01/01/2024 to 12/31/2024
Any exceedances?	Yes

9.1 **Deficiency: Total Suspended Solids maximum at EFA-1 was reported as 10.2 mg/L in July 2024. This exceeds the permitted limit of 10.0 mg/L**  
Rule/Permit Reference: 62-610.500: (2) For absorption field systems, the reclaimed water shall contain not more than 10 mg/L TSS prior to discharge to the application/distribution system, unless the absorption field and the application/ distribution system have been designed to provide specific flexibility and reliability in operation and maintenance of the system. Alternatives to the specified TSS limitation shall be approved by the Department if the applicant provides an affirmative demonstration that the alternative control measure will ensure non-clogging of the system.  
Corrective Action: This exceedance appears to be an isolated event and was reported correctly to the Department. No further action is required at this time.

9.2 **Deficiency: The following Nitrate Maximum exceedances were reported at EFA-1 during the above referenced review period. The permitted limit is 12.0 mg/L.**

Month	Reported Value
May 2024	17.5 mg/L
June 2024	21.9 mg/L
September 2024	13.0 mg/L
October 2024	26.1 mg/L

Rule/Permit Reference: 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.

Corrective Action: Facility representatives confirmed that the Nitrate exceedances have been addressed with the installation of new diffusers in the aeration basin. Please continue to operate the facility in a manner that minimized exceedances.

- 9.3 **Deficiency:** The following Total Nitrogen Annual Average exceedances were reported at EFA-1 during the above referenced review period. The permitted limit is 10.0 mg/L.

Month	Reported Value
September 2024	13.1 mg/L
October 2024	15.6 mg/L
November 2024	14.45 mg/L

Rule/Permit Reference: 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.

Corrective Action: Facility representatives confirmed that the Total Nitrogen Annual Average exceedances have been addressed with the installation of new diffusers in the aeration basin. Please continue to operate the facility in a manner that minimizes exceedances.

**10. ♦Effluent Disposal:** In-Compliance

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

- 10.1 Observation:

**11. Biosolids:** In-Compliance

- 11.1 Observation: Biosolids are hauled according to the current agreement as required in the permit. The last haul was on December 18, 2023.

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

DMRs review period	See Observation
Any exceedances?	See Observation
All monitoring wells accessible, secured & locked?	See Observation

- 12.1 Observation: According to the facility, the monitoring well is still in the process of being installed.

**13. ♦SSO Survey:** In-Compliance

Does the facility have an Operation and Maintenance Manual for their collection system?	Yes
Does the facility track spills in their collection system?	Yes
Does the facility have procedures for minimizing spills?	Yes
Are those procedures included in the Operation and Maintenance Manual or in a separate document?	Included in the Manual
How often is the manual updated?	As Needed

- 13.1 **Observation:** Please be aware that effective June 28, 2023, all domestic wastewater facility permittees must develop a Collection System Action Plan (CSAP) that adheres to the requirements listed in [62-600.705, F.A.C.](#) Additionally, after the plan has been developed and submitted to the Department, the permittee must submit an annual report on the implementation of the plan by June 30 each year. For more details regarding the requirements of the CSAP, please visit [this link](#). Please see [this link](#) for a template created by Florida Rural Water Association.
- 13.2 **Observation:** At the time of inspection, copies of the Collection Manual and the Sanitary Sewer Overflow Response Manual were available on-site.
- 13.3 **Observation:** The facility has three lift stations. The lift station observed at the time of inspection was secure, well maintained, and fully operational.

**14. Other:** Not Applicable



# 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

March 8, 2021

Charles DeMenzes, Owner  
CFAT H2O Inc.  
7745 NE 22<sup>nd</sup> Terrace  
Ocala, FL 34479  
[charlie@altfo.com](mailto:charlie@altfo.com)

Re: Warning Letter  
Landfair WWTF  
DW facility id # FLA010722  
Marion County

Dear Mr. DeMenzes:

A Inspection type was conducted at your facility on February 16, 2021. During this inspection, possible violations of Chapter 403, F.S., Chapter 62-600, Chapter 62-620, and Chapter 62-610 F.A.C, Florida Administrative Code (F.A.C.), were observed.

During the inspection Department personnel noted the following:

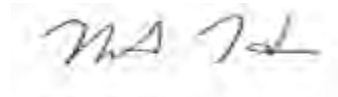
- Excessive effluent quality violations for TSS
- TN effluent violations
- Semi-Annual groundwater monitoring reports not submitted for 2 years.
- A build up of solids in the holding pond

Please contact Carolyn Hall, at (407) 897-4114, 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.

Landfair WWTF; Facility ID No.:FLA010722  
Warning Letter  
Page 2 of 2  
March 8, 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,



*On behalf of:*

Aaron Watkins, Director  
Central District  
Florida Department of Environmental Protection

AW/NH/JS



Enclosures: Inspection Report (with attachments)

cc: Steve McGee [smcgee1953@yahoo.com](mailto:smcgee1953@yahoo.com)  
Charles DeMenzes, [charlie@alternativephone.com](mailto:charlie@alternativephone.com)

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

<b>Facility Name and Physical Address</b> Landfair WWTF 7745 NE 22nd terrace Ocala, FL 34479		<b>WAFR ID</b> FLA010722	<b>County</b> Marion	<b>Entry Date</b> 2/16/2021	<b>Entry Time</b> 9:18 am	
		<b>Facility Phone #</b> (352) 622-4949		<b>Exit Date</b> 2/16/2021	<b>Exit Time</b> 9:55 am	
<b>LAT</b>	29	°	16	'	4.99	"
<b>LONG</b>	82	°	6	'	16.48	"
<b>Name(s) of Field Representatives(s) and Title</b> Steve Mcgee		<b>Operator Certification #</b> C-0012644	<b>Email</b> smcgee1953@yahoo.com	<b>Phone</b> (352)598-2121		
<b>Name &amp; Address of Permittee / Designated Rep.</b> Charles DeMenzes PO Box 5220 Ocala, FL 34478		<b>Title</b> Responsible Official	<b>Email</b> charlie@altfo.com	<b>Phone</b> (352) 622-4949		
<b>Inspection Type</b>	<input checked="" type="checkbox"/> C	<input type="checkbox"/> E	<input type="checkbox"/> I	<b>Samples Taken(Y/N):</b> N	<b>Sample ID#:</b> N/A	<b>Samples Split (Y/N) :</b> N
<b>X Domestic</b> <input type="checkbox"/> <b>Industrial</b>						

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 "♦"							
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IC	2. ♦ Compliance Schedules	IC	4. Sampling	NC	7. Flow Measurement	NC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	IC	8. ♦ Operation & Maintenance	IC	11. Biosolids
						SC	12. ♦ Groundwater
NA	14. Other					IC	13. ♦ SSO Survey

<b>Facility and/or Order Compliance Status:</b>	<input type="checkbox"/> In-Compliance	<input type="checkbox"/> Out-Of -Compliance	<input checked="" type="checkbox"/> Significant-Out-Of-Compliance
<b>Recommended Actions: Warning Letter</b>			
<b>Name(s) and Signature(s) of Inspector(s)</b> Carolyn Hall 		<b>District Office/Phone Number</b> CD (407) 897-4114	<b>Date</b> 2/26/2021
<b>Name and Signature of Reviewer</b> Jason Seyfert 		<b>District Office/Phone Number</b> CD (407) 897-4344	<b>Date</b> 3/7/2021

### 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
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<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 checked="" type="checkbox"/>	Records and Reports	Reporting Violations - Failure to Submit DMRs	The permittee failed to submit any DMR required by rule, permit, or enforcement action in a timely manner.	FDMR
<input type="checkbox"/>	Records and Reports	Reporting Violations - Failure to submit required report (non-DMR, non-pretreatment)	The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs.	FRPT
<input type="checkbox"/>	Facility Site Review	Management Practice Violations - Improper Land Application (non-503, non-CAFO)	The land application system was not being maintained.	LASN
<input type="checkbox"/>	Flow Measurement	Monitoring Violations - No Flow Measurement Device	The facility failed to install a flow measurement device, an approved flow measurement device, or a working flow measurement device.	NOFL
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - Improper Operation and Maintenance	The facility failed to follow their operation and maintenance plan/manual 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 checked="" 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:**

An existing 0.099 mgd annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of aeration, secondary clarification, chlorination, and aerobic digestion of biosolids. Land application R-001 is a reuse system which consists of a lined holding pond and two (2) rapid infiltration basins.

**1. ♦Permit:** In-Compliance

Current Permit available on-site?	Yes
Date Permit issued	April 10, 2017
Date Permit Expires	April 9, 2022
Permit Renewal Application due by	October 11, 2021
Administrative or Judicial Orders?	Administrative Order

1.1 Observation: At the time of inspection the facility is under Administrative Order AO-SS- 16-019.

**2. ♦Compliance Schedules:** In-Compliance

Compliance Schedule in Permit met?	Yes
Compliance Schedules in Order are being met?	See Observation

2.1 Observation: At the time of inspection the facility has started using easy DMR as of January 2021:

Improvement Action	Completion Date
1. Register for and begin using the Departments EzDMR system, per condition I.B.7 of this permit	Within 6 months of effective date of permit

2.2 Observation: At the time of inspection the Administrative Order limits are in affect as report only for total nitrogen, with full roll out on October 27, 2021. Currently the facility is not meeting the new limit of 3 mg/L.

Parameter	Units	Max/Min	Reclaimed Water Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Monitoring	Sample Type	Monitoring Site Number	
Nitrogen, Total (Final)	mg/L	Max Max	3.0 Report	Annual Average Monthly Average	Monthly	Grab	EFA-1	See i. <b>Error!</b> <b>Refere</b> <b>n</b> <b>ce</b> <b>source</b> <b>not</b> <b>found.</b> 8

**3. Laboratory:** In-Compliance

Contract Lab Name and Certification #	Aqua Pure Services E-83265
Facility NELAC Certification #	Not Applicable

3.1 Observation: At the time of inspection the current lab certification was available on site and valid until June 30, 2021.

**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

4.1 Observation: At the time of inspection the operator is able to identify the correct sampling locations for EFA-1 as the chlorine contact chamber.

**5. ♦Records and Reports:** Out-of-Compliance

<b>Documents/Records reviewed</b>	<b>Time frame</b>
Discharge Monitoring Reports (DMRs)	From 01/01/2020 to 12/31/2020

5.1 Deficiency: A copy of the Operation and Maintenance Manual as required by Chapter 62-600, F.A.C., was not available at the site of the permitted facility or activity.

Rule/Permit Reference: 62-620.350(6), F.A.C. - Unless the permit specifically indicates an alternative location, the permittee shall maintain the following records on

the site of the permitted facility or activity and make them available for inspection:  
(6) A copy of the current operation and maintenance manual as required by Chapter 62-600, F.A.C.

Corrective Action: The O&M was submitted on 2/17/2021 by email. No further action is required at this time.

- 5.2 Deficiency: The monthly geometric mean for Fecal Coliform (FC) was calculated and reported incorrectly on the Discharge Monitoring Reports (DMRs) from March 2020 to April 2020 and September 2020. Please see, “Helpful Tips for Completing the DMR” at:**

<http://www.dep.state.fl.us/central/Home/Wastewater/LabsandSampling/LabInfo/default.htm>

Rule/Permit Reference: 62-620.610(18)(a), F.A.C. - Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

Corrective Actions: Please review the helpful tips for completing the DMR. No further action is required at this time.

- 5.3 Observation: At the time of inspection the RPZ was last calibrated on February 15, 2021 and is not due yet.
- 5.4 Observation: At the time of inspection the operator’s certification for Steve McGee (C-0012644) was on site.
- 5.5 Observation: At the time of inspection the logbook was on site. It was bound and numbered. It contained relevant sampling and maintenance.
- 5.6 Observation: At the time of inspection the operator is meeting on site time requirements at 6 days a week for a half hour each day.

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

- 6.1 Observation: *Access Control-* At the time of inspection the facility grounds for the plant were properly locked and secured by a fence. An advisory sign was posted at the gate entrance. There were no excessive odors. No spills or leaks, excessive noise, or corrosion were noted at time of inspection. An RPZ backflow was present with no visible leaks.
- 6.2 Observation: *Headworks-* Influent is pumped in from one of the five lift stations, through a bar screen and into one of two surge tanks. The bar screen is manual and cleaned at each site visit. Debris are disposed of in a covered screenings container. No odors were detected during inspection. The surge tank pumps were operational.

- 6.3 Observation: Aeration Basin/Blower- The facility contains two (2) blowers and two aeration basins. At the time of inspection both blowers were operational. Each blower was housed and with belt guards. The RAS was in the correct position. The basins appeared to be adequately mixed and chocolate brown in color. There was slight foaming on the surface of the aeration basins.
- 6.4 Observation: Clarifier- The facility contains one clarifier. The stilling well was clean, and the skimmer was operational. The weirs were level and without fouling. Chlorine tablets were present in the weir to keep the weirs clean. No pop-ups were observed. Effluent leaving the weir was clean.
- 6.5 Observation: Disinfection- The facility contains one chlorine contact chamber. Sodium hypochlorite is used for disinfection and was operational. Baffles are present for chlorine contact time. There were no solids present and effluent leaving the wear was clear.
- 6.6 Observation: Digester/ Sludge Holding Tank- The facility contains one sludge holding basin per train. At the time of inspection there was sufficient storage available in each, no excessive odors or vectors were noticed.
- 6.7 Observation: Lift Station- The facility contains five operational lift stations throughout the community. Access is secured and audio and visual alarms are present.

**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	See deficiency 7.1

**7.1 Deficiency: Documentation of calibration for the flow meter (or elapsed time meter) was not available at the time of the inspection.**

Rule/Permit Reference: 62-620.350(1), F.A.C. Unless the permit specifically indicates an alternative location, the permittee shall maintain the following records on the site of the permitted facility or activity and make them available for inspection: (1) Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken.

Corrective Action: A copy of the flow calibration was submitted on 2/17/2021. The flow calibration was last completed by Florida Rural Water on 5/20/2020.

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

Facility being operated as per permit?	Yes
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8.1 Observation: At the time of inspection the facility was clean and maintained.

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

DMRs review period	From 01/01/2020 to 12/31/2020
Any exceedances?	Yes

9.1 **Deficiency**: The following Total Suspended Solids (TSS) exceedances occurred during the DMR review period of January 2020 to December 2020:

Date	Parameter	Monitoring Location	Result (mg/L)	Limit (mg/L)
12/2020	TSS Annual Avg	EFA-1	37.7	20
11/2020	TSS Annual Avg	EFA-1	37.7	20
10/2020	TSS Annual Avg	EFA-1	37.7	20
09/2020	TSS Annual Avg	EFA-1	38.1	20
08/2020	TSS Annual Avg	EFA-1	37.5	20
08/2020	TSS Max	EFA-1	80	60
08/2020	TSS Month Avg	EFA-1	80	30
08/2020	TSS Weekly Avg	EFA-1	80	45
07/2020	TSS Annual Avg	EFA-1	31.9	20
07/2020	TSS Monthly Avg	EFA-1	36	30
06/2020	TSS Annual Avg	EFA-1	30.1	20
05/2020	TSS Annual Avg	EFA-1	29.1	20
05/2020	TSS Weekly Avg	EFA-1	68	45
05/2020	TSS Max	EFA-1	68	60
05/2020	TSS Monthly Avg	EFA-1	68	30
04/2020	TSS Annual Avg	EFA-1	24.7	20
03/2020	TSS Annual Avg	EFA-1	24.5	20
03/2020	TSS Max	EFA-1	117	60
03/2020	TSS monthly Avg	EFA-1	117	30
03/2020	TSS Weekly Avg	EFA-1	117	45
03/2020	TSS Monthly Avg	EFA-1	36	30

Rule/Permit Reference: 62-610.420 (3)(b), F.A.C. Except as specifically required by other Department rules or Florida Statutes, all domestic wastewater facilities shall provide, at a minimum, secondary treatment of wastewater prior to reuse or disposal. Secondary treatment requirements are specified below:

(3) Reuse, land application, or groundwater discharge (including underground injection)

(b) Total Suspended Solids

1. The annual average shall not exceed 20.0 mg/L,
2. The monthly average shall not exceed 30.0 mg/L,
3. The weekly average shall not exceed 45.0 mg/L; and,
4. The maximum-permissible concentration in any single sample shall not exceed 60.0 mg/L.

Corrective Action: The facility will need to investigate the reason for the exceedances and implement necessary plant changes to reduce the TSS.

**9.2 Observation: The following Total Nitrogen limits were observed through the DMR review period of January 1, 2020 through December 31, 2020. These levels will not meet the new requirements of the AO-SS-16-016 effective October 27, 2020.**

Date	Parameter	Monitoring Location	Result (mg/L)	Limit (mg/L)
12/2020	Total Nitrogen, Annual	EFA-1	12.6	3.0
11/2020	Total Nitrogen, Annual	EFA-1	12.7	3.0
10/2020	Total Nitrogen, Annual	EFA-1	12.9	3

**10. ♦Effluent Disposal: Out-of-Compliance**

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

**10.1 Deficiency: At the time of inspection the south side of the holding pond had a buildup of solids.**

Rule/Permit Reference: Ch. 62-610.518(1) F.A.C.: Rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.

Corrective Action: Please clean the holding pond and provide photos to the department by email.

**10.2 Observation: At the time of inspection the facility contains a holding pond where the effluent is stored and pumped to one of two Rapid Infiltration Basins (RIBs).**

- 10.3 Observation: At the time of inspection the RIBs are loaded through spray heads. There are approximately 6 spray heads in each RIB. The spray heads appeared to be functioning at the time of inspection. The vegetation was maintained around the berm and within the RIB.

**11. Biosolids:** In-Compliance

- 11.1 Observation: At the time of inspection hauling records were available on site for American Pipe and Tank. 7,100 gallons was last hauled on 2/15/2021.

**12. ♦Groundwater Quality:** Significant-Out-Of-Compliance

DMRs review period	From 01/01/2019 to 12/31/2020
Any exceedances?	See deficiency 12.1
All monitoring wells accessible, secured & locked?	See deficiency 12.1

- 12.1 Deficiency: The required MWB-1, MWC-2, MWC-3 ground water monitoring reports (Part D) have not been submitted to the department semi-annually in accordance with the frequency in the Permit. The facility is currently missing all reports for 2019 and all quarter for 2020.**

Rule/Permit Reference: Permit Condition III.10 The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.**Error!**

**Reference source not found..:**

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	<b>Semi-Annually; twice per year</b>
Nitrogen, Nitrate, Total (as N)	10	mg/L	Grab	<b>Semi-Annually; twice per year</b>
Solids, Total Dissolved (TDS)	500	mg/L	Grab	<b>Semi-Annually; twice per year</b>
Chloride (as Cl)	250	mg/L	Grab	<b>Semi-Annually; twice per year</b>
Coliform, Fecal	4	#/100mL	Grab	<b>Semi-Annually; twice per year</b>
pH	6.5-8.5	s.u.	In Situ	<b>Semi-Annually; twice per year</b>
Turbidity	Report	NTU	Grab	<b>Semi-Annually; twice per year</b>

Corrective Action: Please provide the missing reports for 2019 and 2020 to the department.

12.2 Observation: Department records show the last groundwater monitoring report received was November 6, 2018.

**13. ♦SSO Survey:** In-Compliance

Does the facility have an Operation and Maintenance Manual for their collection system?	Yes
Does the facility track spills in their collection system?	Yes
Does the facility have procedures for minimizing spills?	Yes
Are those procedures included in the Operation and Maintenance Manual or in a separate document?	In the O&M
How often is the manual updated?	As needed

13.1 Observation: During the review period Of January 1, 2020 to December 31, 2020 there have been no reported sanitary sewer overflows or malfunction reports.

**14. Other:** Not Applicable



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

December 20, 2021

Charles DeMenzes, Owner  
CFAT H2O Inc.  
7745 NE 22<sup>nd</sup> Terrace  
Ocala, FL 34479  
[charlie@altfo.com](mailto:charlie@altfo.com)

Re: Warning Letter  
Landfair WWTF  
DW facility id # FLA010722  
Marion County

Dear Mr. DeMenzes:

A Compliance Evaluation Inspection was conducted at your facility on November 16, 2021. During this inspection, possible violations of Chapter 403, F.S., Chapter 62-160, Florida Administrative Code (F.A.C.), Chapter 62-600 and Chapter 62-620, F.A.C. were observed.

During the inspection Department personnel noted the following:

- The permit renewal application has not been received by the Department.
- The Chlorine Contact Chamber wall was leaking effluent.
- The Operation and Maintenance Manual was not on site.
- The flow meter calibration was past due.

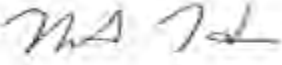
Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403.121, Florida Statutes.

Please contact Carolyn Hall, at (407) 897-4114, 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.

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.

Landfair WWTF; Facility ID No.: FLA010722  
Warning Letter  
Page 2 of 2  
December 20, 2021

Sincerely,



*On behalf of:*

Aaron Watkins, Director  
Central District  
Florida Department of Environmental Protection

AW/ch

Enclosures: Inspection Report (with attachments)  
Exhibit A

cc: Reuben Law, [randkenvironmental@outlook.com](mailto:randkenvironmental@outlook.com)  
Debbie Dillon, [debbie@alternativephone.com](mailto:debbie@alternativephone.com)



## FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WASTEWATER COMPLIANCE INSPECTION REPORT



### Facility Details

<b>Facility Name</b>	Landfair WWTF			<b>WAFR ID</b>	FLA010722		
<b>Physical Address</b>	7745 NE 22 <sup>nd</sup> Terrace			<b>City, State, Zip</b>	Ocala, FL 34479		
<b>County</b>	Marion			<b>Facility Phone #</b>	352-622-4949		
<b>Permit Issued:</b>	4/10/2017			<b>Permit Expiration:</b>	4/9/2022		
<b>Facility Type</b>	Domestic Wastewater			<b>Is the Facility NPDES (Y/N)</b>		No	
<b>Latitude</b>	<b>Degrees °</b>	29	<b>Minutes ‘</b>	16	<b>Seconds “</b>	4.99	
<b>Longitude</b>	<b>Degrees °</b>	82	<b>Minutes ‘</b>	6	<b>Seconds “</b>	16.48	

### Inspection Details

<b>Inspection Type</b>	<b>Entry Date</b>		<b>Exit Date</b>		
CEI	11/16/2021		11/16/2021		
<b>Choose an item.</b>	<b>Entry Time (HH:MM AM/PM)</b>		<b>Exit Time (HH:MM AM/PM)</b>		
	8:55 am		9:41 am		
<b>Sampling Taken (Y/N)</b>	No	<b>RQ#</b>	N/A	<b>QA Conducted (Y/N)</b>	Yes
<b>Name(s) and Title of Field Representatives(s)</b>	<b>Operator Certification</b>		<b>Email</b>		<b>Phone Number</b>
Reuben Law	B-0012483		<a href="mailto:randkenvironmental@outlook.com">randkenvironmental@outlook.com</a>		352-661-8952
Charlie DeMenzes	n/a		<a href="mailto:charlie@altfo.com">charlie@altfo.com</a>		352-843-7790
<b>Name(s) and address of Permittee / Designated Rep.</b>	<b>Title</b>		<b>Email</b>		<b>Phone Number</b>
Charles DeMenzes CFAT H2O Inc. P.O. Box 5220 Ocala, FL 34478	Owner n/a		<a href="mailto:charlie@altfo.com">charlie@altfo.com</a> n/a		352-843-7790 n/a

### Inspector Information

<b>Name(s) and Signature(s) of Inspectors(s)</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Carolyn Hall 	CD 407-897-4114	12/6/2021
n/a	n/a	n/a
<b>Name and Signature of Reviewer</b>	<b>District Office/Phone Number</b>	<b>Date</b>
David Smicherko 	CD 407-897-4344	12/17/2021

### Facility Compliance Eval Areas

<i>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 “*”</i>							
<b>Overall Compliance Determination</b>				Out of Compliance			
NC	*Permit	IC	Laboratory	NC	Facility Site Review	NC	*Effluent Quality
IC	*Compliance Schedules	NC	Sampling	NC	Flow Measurement	IC	*Effluent Disposal
NC	*Records & Reports	IC	Biosolids	IC	*Operation & Maintenance	NC	*Groundwater
IC	SSO Survey	NA	Other	NA	Nutrient Management Plan	NA	Access Control
NA	Site Restrictions & Setbacks	NA	Odor/Nuisance	NA	Site Monitoring	NA	MLPW Disposal
NA	Manure Solids						

<b>Clear Report</b>	<b>Hide/Unhide Place holders</b>	<b>Generate Blank Rows (for field paper setup)</b>	<b>Generate Deficiency &amp; Observation Rows</b>	<b>Finish Inspection Report Form</b>
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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 checked="" type="checkbox"/>	Permit	Permit Violations - Failure to Submit Timely Permit Renewal Application	The permittee failed to submit an application to renew the existing permit at least 180 days prior to expiration.	PFSA
<input type="checkbox"/>	Laboratory	Management Practice Violations - Laboratory Not Certified	The laboratory was not certified by the National Environmental Laboratory Accreditation Conference (NELAC).	LNCE
<input type="checkbox"/>	Sampling	Monitoring Violations - Analysis not Conducted	The facility failed to collect and/or analyze samples as required by permit or enforcement action.	ANCV
<input type="checkbox"/>	Sampling	Monitoring Violations - Failure to Monitor for Toxicity Requirements	The facility failed to collect and/or analyze routine or follow-up toxicity samples.	FTOX
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<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent chronic toxicity has been documented through follow-up tests.	ECTX
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<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(I)(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

## Permit

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
*Is the permit current?	Yes			
Is a copy of the permit available onsite?	Yes			
Is the facility operated in accordance with the permit?	Yes			
*Was the facility constructed or modified with an appropriate or valid permit issued by the Department?	N/A			
Has the facility submitted the permit renewal application 180 days prior to the expiration date?	No			
If the permittee for the facility has changed did the department receive notification of this change?	N/A			
If the permit is accompanied by a Consent Order or Administrative Order are, they abiding by the conditions of the order?	Yes			
Is wastewater from a portion of the treatment process diverted with Department approval?	Yes			
*Is the facility discharging to waters of the state with an appropriate FDEP permit?	N/A			
*Was the facility free from unpermitted discharge, bypass, collection system, or residuals with a high potential for water quality or health impacts?	Yes			
Is the facility free from any Permit violation not listed above that needs to be addressed?	N/A			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				
The permittee failed to submit an application to renew the existing permit at least 180 days prior to expiration. [62 620.335(1) F.A.C., 62-620.410(5) F.A.C., PFSA]	Deficiency: (Narrative) <b>The permit renewal application was due by October 11, 2021 and has not been submitted.</b>			
	Corrective Action(s): (Narrative) Submit the permit application by December 31, 2021.			
<b>Observations:</b>				
A copy of the current permit was available on site. The facility is under Consent Order 21-0360 for failure to meet effluent limit requirements of Total Suspended Solids (TSS) and Total Nitrogen (TN) limits.				

## Compliance Schedule

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
If the facility has a compliance schedule in a permit, Administrative Order or Enforcement Action are they in compliance with the schedule?	Yes			
*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date?	N/A			
Has the facility completed construction and submitted a Notification of Completion of Construction for Wastewater Facilities or Activities (Form 62-620.910(12)), if required?	N/A			

Has the Notification of Availability of Record Drawings and Final Operation and Maintenance Manuals (Form 62-620.910(13)) been submitted as required?	N/A
If the facility is under a Toxicity Corrective Action Plan, are they in compliance with the plan?	N/A
Is the facility free from any Compliance Schedule violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>	
<b>Observations:</b>	
At the time of inspection, the facility has a compliance schedule to use EZ DMR and it is being used.	

## Laboratory

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Is there a current copy of the laboratory certification onsite?	Yes			
If the facility has an onsite laboratory does it have a Florida Department of Health Environmental Laboratory Certification Program certification?	N/A			
Facility DOH Certification #	Click or tap here to enter text. N/A			
Contract Lab Name and DOH Certification #	Aqua Pure E83265 Yes			
Does the onsite laboratory use sample analysis methods prescribed in 40 CFR part 136 or a test method that has gone through the EPA alternative method approval process?	N/A			
Does the facility have standard operating procedures that follow the methods set in 62-620.10(18) F.A.C. including 40 CFR Part 136; including required instrumentation, glassware cleaning, reagent/standard use, and troubleshooting procedures?	N/A			
Does the facility have a QA/QC program with a written QA/QC manual as required by 40 CFR 122.41 that is up to date and available for review?	N/A			
Does the facility follow the procedures set in the QA/QC manual; including instrument calibration/maintenance, checks on standard solutions, sample analysis precision/accuracy limits on a prescribed bases and QC samples (duplicate, spiked, blank in at least 10%)?	N/A			
Is the detailed record complete and available for review for each set of analyses performed including the order of calibration, QA/QC, bracketing, and samples analyzed?	N/A			
Does the facility have QA/QC records on the reagent preparation, instrument calibration/maintenance, incubator temperature and purchase of laboratory supplies?	N/A			
Does the facility's laboratory documentation of the sample results use qualifier codes when sample QA/QC fall outside acceptable precision and accuracy limits set in the QA/QC manual?	N/A			
Does the facility's laboratory take and record corrective actions or trouble shooting steps when data falls out of the precision and accuracy limits?	N/A			
Are records of standard(s) and reagent(s) preparation maintained at the laboratory?	N/A			
Is the laboratory maintaining adequate records for reagent preparation(s)?	N/A			
Does the laboratory have a system for uniformly recording, correcting, processing and reporting data; including formulas, significant figures, rounding rules, units, cross-checking calculations?	N/A			

Is the facility's laboratory adequate for analyzing samples; including pure water, clean bench space for instrument use/storage free of contamination, necessary equipment, vibration free area, ventilation, humidity and temperature control?	N/A
Does the Laboratory meet NELAC and EPA standards including; dry and clean sample storage locations, sample custodian(s) to ensure upon receipt of samples, proper sample storage, preservation and custody documentation?	N/A
Does the facility use appropriate standards that are prepared in volumetric glassware, checked against reliable primary standards, labeled properly, stored in clean containers, and discarded when expired or degraded?	N/A
Does the facility's laboratory analyst(s) demonstrate competency and appropriate training; including ability to follow procedures, ability to meet precision and accuracy limits, knowledge of equipment and analytical methods.	N/A
If the facility test requires temperature measurement, is there a thermometer present that is routinely calibrated against NIST thermometer within calibration date range?	N/A
Is the sample refrigerator temperature correct to meet the preservation requirements for the samples stored within?	N/A
Is the facility free from any Laboratory violation not listed above that needs to be addressed?	N/A
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>	
<b>Quality Assurance Evaluation: Lab Report QA Audit Checklist</b>	
No deficiencies were noted during the Lab Report QA review conducted on 12/08/2021.	
<b>Observations:</b>	
The facility does not have an onsite laboratory, samples are collected and sent to Aqua Pure.	

## Sampling

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
In facility log books or other documentation, are the daily records appropriately recorded, including composite sampler or other temperatures, and daily calibration of meters.	No			
Does the facility maintain records of their daily calibration of their pH meter, chlorine meter, dissolved oxygen meter?	Yes			
Does the facility maintain records of their daily checks of their in-line meter(s) with their field meter(s)?	N/A			
Do field sheets document that the collection and analysis of field tests were analyzed within the 15-minute holding time.	Yes			
Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (calibration frequency and sample bracketing for pH, total residual chlorine (TRC), turbidity, DO)	No			
Are all the primary and secondary standards used to calibrate and verify meters, used prior to expiration dates and verified against primary standards appropriate for pH, TRC, turbidity, DO?	Yes			
Are the inline meters reading within established limits compared to the bench meters? (TRC ≤ 20%, Turbidity ≤ 20%, pH 0.2 SU)	N/A			

Were safe access points for obtaining representative influent/effluent samples available?	Yes
Are influent sampling points put prior to internal facility return lines including supernatant, filter backwash and return activated sludge (RAS)?	Yes
Are samples being collected and analyzed as required by the permit or enforcement action; including location, type (grab/composite), time, and frequency?	Yes
Are samples being collected in the proper containers, preserved and analyzed in appropriate hold times in accordance with 40 CFR Part 136, Table II?	Yes
If the facility has a composite sampler with cooling system at the influent/effluent sampling location is there a thermometer present in the sampler that is annually checked against NIST thermometers?	N/A
Is composite sampling being conducted appropriately; including purging, sampling velocity at least 2fps, clean tubing, individual sample volume of at least 100 mL, sample storage of <6°C preservation, hold times and representative samples?	N/A
Did the facility have their Chain of Custody records?	Yes
If sampling was conducted and observed during the inspection did the sampling follow DEP SOP requirements?	N/A
Did the facility collect and/or analyze routine or follow-up toxicity samples as required by permit or enforcement action?	N/A
Is the facility free from any Sampling violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
In facility log books or other documentation are the daily records appropriately recorded including; composite sampler or other temperatures, and daily calibration of meters.[62-160.210(1) F.A.C., 62-160.800(1)(a) F.A.C., DEP SOP FD 1000-6000]	Deficiency: (Narrative) <b>The following items were noted during the QA review preformed on 12/8/21 for Field Sheets, Chain of Custody (COC), and Sampling Calibration/Verification Records:</b> - time is not documented for calibrations - units are not documented for standards - acceptance criteria is not documented for pH and TRC - no indication if verification or calibration passed - no notes section documenting maintenance or corrective actions -pH is not bracketed. pH readings are above 7 s.u. and a buffer of 10 s.u. should be used to bracket the data and ensure meter accuracy. - matrix (GW, WW, etc.) is not indicated on the COC - sample kits are provided and there is no sample kit ID or lot numbers of preservatives documented on the COC.
	Corrective Action(s): (Narrative) An example calibration/verification field sheet was provided to the operating company on 12/9/21 along with a list of the findings to update the calibration records. No further action will be required at this time.
Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (calibration frequency and sample bracketing for pH, total residual chlorine (TRC), turbidity, DO)[62-	Deficiency: (Narrative) pH bracketing is not complete as required by DEP SOP FT 1100.
	Corrective Action(s): (Narrative) Include the use of a buffer of 10 s.u. to bracket the pH readings from 4 s.u. to 10. s.u..

160.210(1) F.A.C., 62-160.800(1)(a) F.A.C., DEP SOP FT 1000 ]	
<b>Quality Assurance Evaluation: Field Sheets and Chain of Custody &amp; Sampling Calibration Verification Log QA Audit Checklists</b>	
See the above deficiencies found during the QA review completed 12/8/2021.	
<b>Observations:</b>	
See the above deficiencies found during the QA review completed 12/8/2021.	

## Records and Reports

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Are the entries in the operator logbook clear, concise, informative and relevant?	Yes			
Was copy of the current O&M manual available at the time of the inspection?	No			
Is there a current operator license?	Yes			
Is there a current RPZ certification?	Yes			
Is there a copy of the current Operating Protocol for Part 3 Reuse?	N/A			
Does the facility have and maintain their Spill Prevention Control and Counter measurement (SPCC) Plan?	Yes			
Are all required documents and reports available at the plant well organized and complete?	Yes			
Does the facility maintain the records onsite for the required retention period?	Yes			
Discharge Monitoring Reports (DMRs) Review Period	09/01/2020-09/30/2021 Yes			
Are the discharge monitoring reports completed properly?	Yes			
Are the DMRs submitted on the proper form?	Yes			
Is an authorized representative signing the DMRs?	Yes			
Has the permittee submitted an annual Reclaimed Water and/or Effluent Analysis Report?	N/A			
Does the facility submit their monitoring results for Giardia and Cryptosporidium in a timely manner?	N/A			
A review of the last toxicity test did not reveal any deficiencies?	N/A			
Has the facility submitted all report(s) during the review period that are required by rule, permit, enforcement action or inspection activity, other than DMRs?	Yes			
*Has the facility timely submitted DMRs as required by rule, permit, or enforcement action? (If either reports are >30 days late meets SNC criteria)	Yes			
Has the facility submitted all final compliance schedule reports as required by rule, permit, or enforcement action?	Yes			
Has the permittee notified the Department of any event or activity that requires notification as required by permit or rule?	Yes			
*Are records or reports free from falsified data?	N/A			
Is the facility free from any Records and Reports violation not listed above that needs to be addressed?	Yes			

- Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “\*”
- Questions with “No” responses indicate deficiencies
- Questions with “N/A” responses do not apply to the facility

**Deficiencies & Corrective Actions:**

Was copy of the current O&M manual available at the time of the inspection?[62-600.720 F.A.C., 62-620.350 F.A.C.]	Deficiency: (Narrative) <b>At the time of inspection, a copy of the Operation and Maintenance Manual was not on site.</b>
	Corrective Action(s): (Narrative) Please provide a copy of the operation and maintenance manual to the department by email.

**Quality Assurance Evaluation: DMR Part A, DMR Part B and Groundwater DMR QA Audit Checklists**

No errors were found during the QA review completed on 11/15/2021.

**Observations:**

The RPZ certification was done by Ocala Back Flow and Prevention on 2/21/21. The operator certification for Ruben Law was on site (B-0012483) The operator’s logbook was bound and numbered, with relevant sampling and maintenance logged.

## Facility Site Review

Compliance Rating	Out of Compliance			
Does this section apply to the facility?	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
Questions				
The headworks was free from excessive corrosion.	Yes			
The headwork is free from evidence of recent overflows.	Yes			
Is the odor control system operational at the headworks?	N/A			
Is the comminutor operational at the headworks?	N/A			
Is the grit separator operational at the headworks?	N/A			
Is the bar screen cleaned on a routine basis?	Yes			
Is the mechanical bar screen functioning as intended?	N/A			
Are screenings and grit being collected from the headworks in suitable containers?	Yes			
Rags, grit and/or screening are being disposed of properly.	Yes			
Are screenings and grit from the headworks being disposed at a Class I Landfill?	Yes			
Are records of the disposal of the screenings and grit collected at the headworks available?	N/A			
The leachate from the screening dumpster(s) is piped to the headworks and not onto the ground.	N/A			
Is the clarifier free from solids discharging over the weir(s)?	Yes			
Is the clarifier free from excessive sand and/or grit accumulation?	Yes			
Is the clarifier free from excessive scum, algae and/or trash overflowing the weir?	Yes			
Does the skimmer appear to be functional in the clarifier?	Yes			
Is the sludge collector and pump functional in the clarifier?	Yes			
Are the clarifier weir(s) level?	Yes			
Is the clarifier free from short circuiting with loss over the weir?	Yes			
Are the aeration basins diffusers free from clogs and providing adequate mixing?	Yes			
Was the time clock or manual controls for the aeration system operational at the time of the inspection?	Yes			

Is the RAS line properly located?	Yes
The RAS line was free from excessive splashing that could cause solids to be discharged outside the tank.	Yes
The mixed liquor (MLSS) in the oxidation ditch was appropriately colored with no black coloring.	N/A
Is even distribution of air observed in the aeration basin?	Yes
Are the air line(s) to the aeration basin(s) free from leaks?	Yes
The brushes and paddles in the oxidation ditch were all in good working order.	N/A
Is the velocity in the oxidation ditch sufficient to prevent settling of solids?	N/A
Are dual blower motors present as required by rule?	Yes
Are the blower motors equipped with belt guards?	Yes
The blower motors are free from excessive noise.	Yes
Are all the blower motors present and operational at the time of the inspection?	Yes
Are spare parts and a second standby blower motors stored onsite?	N/A
Is the electrical box wiring for the blower motors adequately protected?	Yes
Were the tank contents in the aerobic digester(s) well mixed?	Yes
Are the digester(s) free from excessive odors and/or foaming?	Yes
Is the digester at the appropriate operational capacity?	Yes
Are there two functioning pumps in the surge tank(s)?	Yes
What was the biomass color of the trickling filter at the time of the inspection?	Click or tap here to enter text. N/A
Is trickling filter media free from excessive ponding?	N/A
Are center columns and distribution arms of the trickling filter free from leaks?	N/A
Are the distribution arm orifices free from clogs, trash and/or scum resulting in uneven distribution of flow on the trickling filter media?	N/A
Is the RBC free from black biomass indicating solids and/or BOD loading?	N/A
Is the RBC free from white biomass indicating the presence of bacteria, which feed on sulfur compounds?	N/A
Is the RBC free from excessive grinding/whining noise(s) from the motor, drive shaft, and bearings?	N/A
Are all RBC rotating disks and/or paddles present and in good working?	N/A
Is the RBC unit drive shaft free from excessive vibration?	N/A
Are all the aerators in the lagoon operational at the time of the inspection?	N/A
Is the base of the lagoon free from lateral seepage at the time of the inspection?	N/A
Does the treatment lagoon have adequate freeboard space?	N/A
Is the treatment lagoon properly secured to prevent unauthorized access?	N/A
Is the treatment lagoon free from excessive foaming?	N/A
Are the treatment lagoon berms properly stabilized?	N/A
Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris?	Yes
Are the baffles in the CCC functioning as intended?	Yes
Does the chlorine injection point provide optimal mixing to occur in the CCC?	Yes
Is the CCC chlorine pump operational, providing adequate chlorine supply for disinfection and at the permitted location?	Yes
Is the chlorine storage area protected from the elements?	Yes
Is the alarm indicator for the chlorine system operational?	N/A
Is the chlorine supply covered in frost indicating an issue with the system?	N/A
Is the fan inside the chlorine room operational?	N/A
Are the chlorine scales operational?	N/A
Is an operational Self-Contained Breathing Apparatus (SCBA) available for the chlorine room?	N/A

Are the chlorine gas cylinders properly secured?	N/A
Is a fresh supply of ammonia available to test for leaks in the gas chlorination system?	N/A
Do the UV ballast control boxes have adequate ventilation?	N/A
Does the plant staff have access to UV protective eyeglasses?	N/A
Is the facility maintaining adequate records of UV lamp operating hours?	N/A
Are the UV lamps and ballast being cleaned in accordance with the manufacturer's recommendation?	N/A
Does the facility have an adequate inventory of spare parts for the UV system?	N/A
Is the facility conducting routine performance checks on the UV system?	N/A
Is the UV intensity monitoring equipment operational?	N/A
Is the stilling well free from a thick layer of sludge and/or trash?	Yes
Is the chlorine contact chamber providing a minimum contact time of 15 minutes?	Yes
Chlorine and SO2 cylinders marked with empty/full tags?	N/A
Is the automatic SO2 feed operational within de-chlorination process?	N/A
Is the SO2 system free from frost within de-chlorination process?	N/A
Are the bisulfite (SO2) gas cylinders properly secured for de-chlorination?	N/A
Was there adequate ventilation in the SO2 room?	N/A
Is the filter media free from solids that could cause plugging and/or overflow?	N/A
Is the land application system being maintained?	Yes
If an injection well was plugged or abandoned, was it completed appropriately with DEP approval?	N/A
If a well was constructed, was it permitted prior to beginning construction and constructed as required by permit?	N/A
Is the injection well Operation and Maintenance done satisfactorily?	N/A
Is there adequate access to all monitoring locations?	Yes
Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks?	No
Are the facility grounds clean and well maintained?	Yes
Is the required signage adequate?	Yes
The facility was free from odors emanating from the facility.	Yes
The facility was free from excessive noise which could be heard beyond the boundaries of the facility.	Yes
Is the facility providing safety measures at all times including adequate lighting?	Yes
The facility is disposing of sludge appropriately, with no sludge being disposed of on the facility grounds.	Yes
Was an alternative power source available at the facility?	N/A
Is the onsite generator tested under load on a monthly basis?	N/A
Are records available for the testing of the generator?	N/A
Is the area around the lift station(s) maintained?	Yes
Are there warning signs with emergency contact information on and/or around the lift station(s)?	N/A
Does the facility have a fence around their lift station(s)?	N/A
Is the gate around the lift station and the cover to the lift station locked?	N/A
Is the cover to the lift station(s) free from safety hazards?	Yes
Are there two functioning pumps that alternate?	Yes
Is the electrical panel in good working order and free from needed repair and/or replacement?	Yes
Was the collection system or lift station free from offsite objectionable odors?	Yes
The lift station visual and audio alarm operating satisfactory?	Yes
Are the potable water supply lines and the facility free from cross connections?	Yes
Is an RPZ in place and free of leaks on all potable water supply lines?	Yes
Is there a record of testing available on the RPZ?	Yes

Is the facility free from any Facility Site Review violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks?[62-600.410 F.A.C., 62-620.300 (5) F.A.C., 62-620.610(7) F.A.C.]	Deficiency: (Narrative) <b>At the time of inspection, the chlorine contact chamber was weeping.</b>
	Corrective Action(s): (Narrative) Repair the leak and provide photos to the department by email
<b>Observations:</b>	
<p>At the time of inspection the facility is fenced, locked, and advisory signs are present. The facility has 6 operational lift stations throughout the community, with 2 pumps per station. Influent enters through a manual barscreen into the surge tank. Screening are cleaned at each site visit and disposed of in a covered screening container. There are 2 operational pumps in the surge tank with a splitter box diverting flow to one of two aeration basins. The aeration basins appeared to have adequate mixing. There are 2 operational blowers that run the aeration basins housed. There is one clarifier present with some ashing on top. The skimmer was working, and the stilling well was clean. No pop ups were observed. The weirs were level and effluent leaving the weir was clear. There is one chlorine contact chamber with baffles present. One sodium hypochlorite pump was present and operational. Effluent leaving the chlorine contact chamber was clear. There is one digester present that was recently hauled. Storage was available and no odors or vectors were detected.</p>	

## Flow Measurement

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Is there easy access to flow meter?	<b>Yes</b>			
Is the flow meter in the correct location?	<b>Yes</b>			
Is the flow measuring device installed properly?	<b>Yes</b>			
Is the flow meter calibrated at least annually and is it current?	<b>No</b>			
When was the flow meter last calibrated?	2020 <b>Yes</b>			
Is the flow measurement device operating within +/- 10% of the actual flow?	<b>N/A</b>			
Is the flow meter operating properly at the time of the inspection?	<b>Yes</b>			
The chart recorder and/or totalizer for the flow meter was operational at the time of the inspection.	<b>N/A</b>			
The elapsed time meters on the lift station pumps were functioning.	<b>N/A</b>			
The flow entering the convergence section of the Parshall Flume was free of excessive turbulence.	<b>N/A</b>			
Is the facility free from any Flow Measurement violation not listed above that needs to be addressed?	<b>Yes</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				
	Deficiency: (Narrative)			

Is the flow meter calibrated at least annually and is it current?[ 62-600.200(25) F.A.C.]	<p><b>The flow meter calibration was past due.</b></p> <p>Corrective Action(s): (Narrative)  A copy of the flow calibration was provided on 12/15/2021 by Reuben Law.</p>
<b>Observations:</b>	
See deficiency above.	

## Operations and Maintenance

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Does the facility have adequate plant staffing?	Yes			
Is a certified operator operating the wastewater treatment facility with the appropriate license level for the size of the plant?	Yes			
Is the operator performing treatment plant operation and maintenance duties in a responsible and professional manner?	Yes			
Is the plant O&M log maintained in a hard-bound book with consecutive page numbering, or another approved format?	N/A			
Does the facility have an O&M manual, and does the facility's O&M manual reflect the current configuration of the facility?	N/A			
*Is the facility operated in accordance with the O & M Manual? (If there is a high potential for water quality or health impacts meets SNC criteria)	N/A			
Is the facility maintaining a log that documents routine equipment maintenance?	Yes			
Is the plant free of any treatment components that are in disrepair that would provide for unsafe operation?	Yes			
Is the facility without an inflow and infiltration problem which would cause collection system and/or operational issues?	Yes			
*Does the facility replace malfunctioning equipment, which can result in a high potential for water supply quality or health impacts?	Yes			
Dike berms appeared to be in satisfactory condition.	N/A			
Hand rails/catwalks/ladders were in good working order providing for safe conditions.	Yes			
The liner(s) in the containment pond(s) appeared to be functioning as intended.	N/A			
The plant operator is fulfilling the minimum site requirements as required by the Permit.	Yes			
Preventative maintenance is being performed in the accordance with the manufacturer's recommendations.	N/A			
The facility maintains an adequate spare parts inventory.	N/A			
Swales were being maintained.	N/A			
Is the facility free from any Operations and Maintenance violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</i></li> <li>• <i>Questions with "No" responses indicate deficiencies</i></li> <li>• <i>Questions with "N/A" responses do not apply to the facility</i></li> </ul>				
<b>Observations:</b>				

The O&M manual could not be evaluated since it was not on site at the time of inspection. See deficiency under records and reports section.

## Effluent Quality

Compliance Rating		Out of Compliance			
Does this section apply to the facility?		<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
Questions					
DMR review period:				09/01/2020-09/30/2021 <b>Yes</b>	
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).				TSS and TN <b>Yes</b>	
*Did the effluent limits exceed the Technical Review Criteria less than two times in six months?				<b>Yes</b>	
*Are the effluent limits without exceedances four out of six months (chronic criteria)?				<b>Yes</b>	
*Did the total residual chlorine levels meet disinfection limits? (If below required minimum 10% or more of the time in a rolling 6 month period, meets SNC criteria)				<b>Yes</b>	
Was the facility free of a discharge of wastewater that resulted in a fish kill?				<b>Yes</b>	
*Is persistent acute toxicity documented through follow-up tests?				<b>N/A</b>	
*Is persistent chronic toxicity documented through follow-up tests?				<b>N/A</b>	
*Is persistent acute or chronic toxicity documented in the effluent through the use of routine and follow-up tests?				<b>N/A</b>	
Does the facility meet the permit or enforcement narrative effluent limitation(s)? (Non-DMR visible sheen defined as iridescence present so as to cause taste or odor, or otherwise interfere with the beneficial use of the receiving water)				<b>No</b>	
Is the effluent free from excessive (suspended solids, foam, grease, scum) in the discharge stream?				<b>Yes</b>	
*Was the facility free from any other violation with a high potential for water quality or health impacts?				<b>Yes</b>	
Is the facility free from any Effluent Quality violation not listed above that needs to be addressed?				<b>Yes</b>	
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>					
Deficiencies & Corrective Actions:					
The facility violated a permit or enforcement narrative effluent limit. [ 403.161(1)(b) F.S., 62-600.420 F.A.C, 62-600.440 F.A.C, 62-600.445 F.A.C, 62-600.510 F.A.C., 62-600.520 F.A.C. , XNEV]		Deficiency: (Narrative) <b>The facility is not meeting the Total Nitrogen interim limits of Consent Order 21-0360. See the attached Exhibit A for the tables of exceedances.</b>			
		Corrective Action(s): (Narrative) The facility continues to not demonstrate the ability to meet the final permit limits. The interim limits of the Consent Order (21-0360) executed on 5/11/2021 will be revised in an amendment to the CO.			
Observations:					

The facility is in compliance with the interim TSS limits of Consent Order 21-0360 however they are not in compliance with the final permit limits of permit (FLA010722-007-DW3P) for TSS annual average.

## Effluent Disposal

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Are discharge location(s) as per permit?	<b>Yes</b>			
What type of reuse is the facility approved for?	Click or tap here to enter text. <b>N/A</b>			
Has a cross connection control program been implemented within the areas where reclaimed water is provided for use (Part III, VII)?	<b>N/A</b>			
Is all reclaimed water piping and equipment color-coded Pantone purple (522C)?	<b>N/A</b>			
Hose bibbs met access restrictions and other requirements.	<b>N/A</b>			
Reclaimed water valves and outlets were appropriately tagged and /or labeled.	<b>N/A</b>			
Are advisory signs posted in English and Spanish in areas where non-potable Public Access Reuse water is being applied (Part III, VII)?	<b>N/A</b>			
Is the reclaimed water retained on the application site?	<b>N/A</b>			
No significant ponding was observed on the reclaimed water application site.	<b>N/A</b>			
There was no aerosol mist leaving the boundaries of the land application?	<b>N/A</b>			
There was no evidence of solids loss in the treatment process or from the plant?	<b>Yes</b>			
The RIBs and/or percolation ponds were free from excessive vegetation and sludge?	<b>Yes</b>			
The percolation ponds were free from accumulated sludge.	<b>N/A</b>			
Does the percolation ponds have at least 3 ft of freeboard?	<b>Yes</b>			
The absorption field was free from excessive vegetation.	<b>N/A</b>			
Do the reclaimed water storage ponds have adequate freeboard?	<b>Yes</b>			
Are RIBs well maintained and free from excessive vegetation?	<b>Yes</b>			
There was no evidence of a bypass or failure at the effluent storage and/or disposal site(s)?	<b>Yes</b>			
Are all effluent disposal areas such as RIBs, ponds, and sprayfields being loaded and rested per permit conditions?	<b>Yes</b>			
The disposal pond berms were free from excessive growth or vegetation.	<b>Yes</b>			
There was no evidence of a bypass or failure from the storage ponds observed during the inspection.	<b>Yes</b>			
No unauthorized discharge to waters of the state was observed during the inspection.	<b>Yes</b>			
Are the sprinklers functioning as intended for the absorption field(s) or sprayfield(s)?	<b>N/A</b>			
The facility is meeting the minimum setback distances.	<b>Yes</b>			
Does the facility maintain a supply of spare parts for the absorption field(s) or sprayfield(s)?	<b>N/A</b>			
The effluent disposal and/or storage area was free from sinkholes.	<b>Yes</b>			
Are the sprayfields free from grazing dairy cattle?	<b>N/A</b>			
The sprayfield was free from ponding.	<b>N/A</b>			
The sprayfield was free from excessive vegetation.	<b>N/A</b>			
Edible food crops were being properly irrigated with reclaimed water.	<b>N/A</b>			
What cover crop and/or vegetation is planted on the reclaimed water area(s)?	Click or tap here to enter text. <b>N/A</b>			

*The disposal system was being operated as designed with a low potential for water quality or health impacts.	<b>Yes</b>
*There was no unauthorized operation or modification of the disposal system.	<b>Yes</b>
Fencing around the effluent disposal site for access control was complete and in good repair.	<b>Yes</b>
There were no dead animals observed in the discharge stream.	<b>Yes</b>
Is the facility free from any Effluent Disposal violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
The facility is currently bypassing the holding pond with department authorization to clean out the holding pond of vegetation and buildup of solids. This removal is also ordered in Consent Order 21-0360. The facility has 2 RIBs near the water plant. Access is controlled and vegetation is maintained. RIBs are loaded with sprayheads, sprayheads are popped off on one RIB for loading of the pond with the bypass. There is sufficient freeboard in each RIB.	

## Biosolids

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Does the facility's method of biosolids use or disposal match what is allowed in the facility permit (i.e., landfill, land application, distribution and marketing, transfer to another facility, biofuel/bioenergy)?	<b>N/A</b>			
Does the permittee keep records of biosolids quantities for five years, as applicable (quantities generated, received from source facilities, treated, distributed and marketed, land applied, used as a biofuel or for bioenergy, transferred to another facility, or landfilled)?	<b>Yes</b>			
Are biosolids quantities reported on the facility RMP-Q DMR?	<b>Yes</b>			
Are the biosolids quantities reported on the RMP - Q DMRs correct and accurate?	<b>Yes</b>			
The facility's treatment, management, transportation, use, land application, or disposal of biosolids does not result in objectionable odors, i.e., does not result in a violation of the odor prohibition in subsection 62-296.320(2)	<b>N/A</b>			
If there is an objectionable odor, please describe the odors characteristics, frequency, duration, and migration, etc.	Click or tap here to enter text. <b>N/A</b>			
Is the storage of biosolids or other solids at this facility in accordance with the Facility Biosolids Storage Plan?	<b>N/A</b>			
Does the treatment facility ensure no biosolids are spilled from or tracked off the treatment facility property by the hauling vehicle?	<b>N/A</b>			
The biosolids for this facility are classified as _____: (AA, A, and/or B)	Click or tap here to enter text. <b>N/A</b>			
Does the class of biosolids produced for beneficial use match the authorized class in the facility permit (Class AA, A, or B)?	<b>N/A</b>			
Does the facility use the biosolids pathogen reduction alternative option identified in the permit?	<b>N/A</b>			
Are all the operational and process parameters monitored to demonstrate compliance for pathogen reduction?	<b>N/A</b>			
Do the biosolids meet the treatment requirements for pathogen reduction option used?	<b>N/A</b>			
Does the facility use the biosolids vector attraction reduction option identified in the permit?	<b>N/A</b>			

Are all the operational and process parameters monitored to demonstrate compliance for vector attraction reduction?	N/A
Do the biosolids satisfactorily meet the treatment requirements for vector attraction reduction?	N/A
If the Specific Oxygen Uptake Rate (SOUR) test is used for vector attraction reduction, is it conducted within 15 minutes of sample collection by a certified laboratory or under the direction of an operator certified in accordance with Chapter 62-602, F.A.C?	N/A
Does treatment of biosolids or septage for the purpose of meeting pathogen reduction or vector attraction reduction requirements take place at the permitted facility (e.g., not in the tank of a hauling vehicle)?	N/A
Are the biosolids monitored at the frequency required by the permit?	N/A
Are the biosolids monitoring results reported on the facility DMR (RMP-AA, RMP-A, or RMP-B)?	N/A
Are the biosolids monitored for all the required parameters for the class of biosolids?	N/A
Do the Class AA, A, or B biosolids comply with the ceiling pollutant limits?	N/A
Are the correct analysis methods used for biosolids?	N/A
Is a certified laboratory used for the analysis of the biosolids?	N/A
Are all biosolids samples representative and taken after final treatment of the biosolids but before land application or distribution and marketing, unless otherwise approved?	N/A
Are all biosolids samples taken at the location specified in the facility permit?	N/A
Are the correct sample types properly taken for the type of biosolids (POTW Sludge Sampling Manual)?	N/A
Are the Class AA biosolids monitored monthly?	N/A
Do the Class AA biosolids meet the Class AA parameter limits?	N/A
Are Class AA biosolids that are stored for more than 45 days re-sampled for fecal coliform or Salmonella sp. at the frequency specified in the permit, if required?	N/A
For distribution and marketing, does the facility have a fertilizer license, sell or given-away to someone with a fertilizer license, or is enrolled in the US Composting Council's Seal to Testing Assurance program (USCC STA program does not apply in the Lake Okeechobee, St. Lucie River, and Caloosahatchee River watersheds)?	N/A
If the facility discovered that distributed and marketed biosolids did not meet Class AA standards, did the facility notify, within 24 hours, the Department and all persons to whom they delivered or distributed and marketed the Class AA biosolids?	N/A
Does the facility make available to users by product labels or other means the following information - fertilizer label or equivalent information; name and address of the facility; statement that the biosolids meet subsection 62-640.700(5), F.A.C.; recommend application rates; and, recommendations for storage (including the more than one dry ton/seven-day provision)?	N/A
Are all the sites where biosolids are land applied listed on the Treatment Facility Biosolids Plan form (DEP Form 62-640.219(2)(a))?	N/A
If a permitted site not listed in the Treatment Facility Biosolids Plan was used, did the permittee notify DEP at least 24 hours prior to land application at the site and submit a revised form within 30 days after using the site?	N/A
Did the facility only used permitted sites - i.e., no unpermitted sites were used for land application (i.e., the site did not have a valid DEP permit)?	N/A
Does the permittee maintain hauling records for shipments to land application sites and do they contain the required information?	N/A
Does the permittee provide a copy of the hauling records to the biosolids site manager, were records free of any discrepancies regarding the quantities delivered, and any discrepancies were reported to DEP within 24 hours of discovery?	N/A
Did all biosolids sent to sites meet pathogen reduction, vector attraction reduction, and pollutant limits?	N/A

If biosolids not meeting standards were sent to a site, did the permittee notify DEP, the site manager, the site permittee within 24 hours of discovery?	N/A
Does the permittee maintain copies for each site used of the Biosolids Application Site Annual Summary forms received from the site permittees indefinitely?	N/A
Has the permittee submitted Treatment Facility Biosolids Annual Summary reports to DEP by February 19 each year?	N/A
Was the information in the Treatment Facility Biosolids Annual Summary accurate?	N/A
Is any incineration or use of biosolids as a biofuel or for bioenergy in accordance with DEP's air regulations and RCRA?	N/A
Does the permittee keep the required hauling records to track transport of biosolids between facilities?	N/A
If the facility receives biosolids from a source facility, did the permittee report any discrepancies in the quantities of biosolids to DEP within 24 hours of discovery?	N/A
If the facility is a source facility and sends biosolids to another facility, does the permittee provide a copy of their hauling records for each shipment to the receiving facility?	N/A
If the facility receives biosolids from a source facility, does the receiving facility permit allow receipt of biosolids from other facilities?	N/A
Does the facility have copies of the required written agreement(s) between the receiving and source facility?	N/A
Did the permittee (source or receiving facility) submit all new written agreements to DEP within 30 days before transporting biosolids (unless approval given otherwise)?	N/A
Is operator staffing requirements met?	N/A
Are the biosolids receiving and handling operations satisfactory?	N/A
Are grit and screenings, etc., from the headworks properly disposed of in a landfill?	N/A
Is the facility free from any Biosolids violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</i></li> <li>• <i>Questions with "No" responses indicate deficiencies</i></li> <li>• <i>Questions with "N/A" responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
14, 200 gallons of biosolids were last hauled by American Pipe and Tank on 11/8/21.	

## Groundwater

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
DMRs review period	09/01/2020-09/30/2021 Yes			
Are the groundwater monitoring results sent to the Department on Discharge Monitoring Report, Form 62-620.910(10), F.A.C. and submitted by the DMR due date?	Yes			
After a review of the Discharge Monitoring Reports, are the compliance well parameters meeting the groundwater standards in the time period reviewed (12 months or greater)?	Yes			
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	pH 06/2021 No			

Do the facilities purging logs on DEP Form FD 9000-24 indicate that purging was done properly; including sufficient volume, purge rate, depth to water, and stability criteria (pH, Temperature, Conductivity, Dissolved Oxygen, Turbidity)?	Yes
Is the groundwater monitoring report complete and accurate, including analysis method, laboratory method detection limits, static water level, purging logs, sample collection procedures and treatment?	Yes
Do the groundwater monitoring wells meet DEP requirements including; tamper-proof locks, unique well label(s), concrete well pad with protective bumpers not containing numerous cracks, and is free of clutter for sampling purposes?	Yes
If or when new well construction was completed did the facility plug and properly abandoned the existing well and submit Monitoring well completion Report, Form 62-520.900(3) to DEP within 60 days?	N/A
If a monitoring well became damaged or inoperable was maintenance conducted and notification sent to DEP within 2 days of discovery?	N/A
Is the well(s) that the facility is sampling at part of the approved groundwater monitoring plan?	Yes
Are the monitoring wells operable to the extent that sampling is possible?	Yes
Are groundwater samples being collected and analyzed as required by the permit or enforcement action; including location, well type, sample type (grab/composite), time, and frequency?	Yes
If sampling was observed were the sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A
If sampling was observed was equipment in satisfactory condition?	N/A
If sampling was not observed is the description of sample collection activities being performed in accordance with DEP SOP FS 2200?	Yes
Is the facility free from any Groundwater violation not listed above that needs to be addressed?	No
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	Deficiency: (Narrative) <b>The pH was exceeded on MWC-2 and MWC-3 for the month of 06/2021.</b>
	Corrective Action(s): (Narrative) The pH was 4.68 and 4.88, outside of the range of 6-8.5 currently the pH exceedance appears to be isolated. The pH of the well is not historically low. No further action is required at this time.  Rule 62-620.610(18)(a), F.A.C. - Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.
Is the facility free from any Groundwater violation not listed above that needs to be addressed?[See Deficiency Narrative for Specific Rule Violated]	Deficiency: (Narrative) <b>During the QA review of the groundwater monitoring reports conducted on 11/17/2021 it was found the Lab reported the nitrate as .50u (undetected) but Nitrate was reported incorrectly as .50 mg/L.</b>
	Corrective Action(s): (Narrative) Lab results reported as undetected should be reported as < lab MDL. This was reviewed with the operator. No further action is required at this time.  Rule 62-620.610(18)(a), F.A.C. - Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.

<b>Observations:</b>
See deficiencies above.

## SSO Survey

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Does the facility have an Operation and Maintenance Manual for their collection system?	Yes			
How often is the Operation and Maintenance Manual updated?	As needed Yes			
Does the O&M manual reflect the current collection system configuration?	Yes			
Are procedures available for minimizing spills in either the Operation and Maintenance Manual or in a separate document?	Yes			
Does the facility have a Sewer Overflow Response Plan/procedures for minimizing spills?	Yes			
Did the facility collect and/or analyze bacteriological samples as outlined in their SORP?	N/A			
Does the facility have a map of its collection system?	N/A			
Are the SORP and collection system maps immediately available to SSO response staff, including during power failures?	Yes			
Did the facility collect and/or analyze bacteriological samples for sewage spills that reached surface waters?	N/A			
Does the facility perform routine preventative maintenance to keep the collection/transmission system in good working order?	Yes			
Does the facility maintain a ready-to-use supply of equipment, tools and materials for responding to SSOs?	N/A			
How many lift stations have permanent emergency back-up power generators?	none N/A			
In the last 12 months, was the facility free from sewage spills or abnormal event from any part of a collection/transmission system or treatment plant that discharged to the ground or did not make it to surface waters, i.e., stormwater collection system, drainage ditch, stream, pond, or lake?	Yes			
Does the facility report the spill(s) to the Department within 24 hours of discovery?	Yes			
Does the facility follow up on spills?	Yes			
Does the facility keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system(s)?	Yes			
In the last 12 months, was the facility free from sewage spills or abnormal events from any components of a collection/transmission system or from a treatment plant that reached surface waters including stormwater conveyance system or drainage ditch?	Yes			
Is the facility free from any SSO violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>				
<b>Observations:</b>				
No other observations are noted.				

## Other

<b>Compliance Rating</b>	Not Applicable			
<b>Does this section apply to the facility?</b>	<input type="radio"/>	<b>Yes</b>	<input checked="" type="radio"/>	<b>No</b>
<b>Questions</b>				
*Is the facility free from any violation not listed above, or pattern of noncompliance, resulting in a high potential for water quality or health impacts <i>(Any violations considered significant by the Secretary, Deputy Secretary, Director of District Management, or the Division Director meet SNC criteria)</i>	<b>N/A</b>			
Please describe any potential Non-wastewater violations (i.e. hazardous waste, stormwater, SLERP, Air and Storage Tanks) that were referred.	Click or tap here to enter text. <b>N/A</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Observations:</b>				
Not applicable.				

## Deficiencies Summary

<b>Evaluation Area: Permit</b>	
<p>The permittee failed to submit an application to renew the existing permit at least 180 days prior to expiration.</p> <p>[62 620.335(1) F.A.C., 62-620.410(5) F.A.C., PFSA]</p>	<p>Deficiency: (Narrative) The permit renewal application was due by October 11, 2021 and has not been submitted.</p> <p>Corrective Action(s): (Narrative) Submit the permit application by December 31, 2021.</p>

<b>Evaluation Area: Sampling</b>	
<p>In facility log books or other documentation are the daily records appropriately recorded including: composite sampler or other temperatures, and daily calibration of meters.</p> <p>[62-160.210(1) F.A.C., 62-160.800(1)(a) F.A.C., DEP SOP FD 1000-6000]</p>	<p>Deficiency: (Narrative) The following items were noted during the QA review performed on 12/8/21 for Field Sheets, Chain of Custody (COC), and Sampling Calibration/Verification Records:</p> <ul style="list-style-type: none"> <li>- time is not documented for calibrations</li> <li>- units are not documented for standards</li> <li>- acceptance criteria is not documented for pH and TRC</li> <li>- no indication if verification or calibration passed</li> <li>- no notes section documenting maintenance or corrective actions</li> <li>-pH is not bracketed. pH readings are above 7 s.u. and a buffer of 10 s.u. should be used to bracket the data and ensure meter accuracy.</li> <li>- matrix (GW, WW, etc.) is not indicated on the COC</li> <li>- sample kits are provided and there is no sample kit ID or lot numbers of preservatives documented on the COC.</li> </ul>

	<p>Corrective Action(s): (Narrative)</p> <p>An example calibration/verification field sheet was provided to the operating company on 12/9/21 along with a list of the findings to update the calibration records. No further action will be required at this time.</p>
<p>Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (calibration frequency and sample bracketing for pH, total residual chlorine (TRC), turbidity, DO)</p> <p>[62-160.210(1) F.A.C., 62-160.800(1)(a) F.A.C., DEP SOP FT 1000 ]</p>	<p>Deficiency: (Narrative)</p> <p>pH bracketing is not complete as required by DEP SOP FT 1100.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Include the use of a buffer of 10 s.u. to bracket the pH readings from 4 s.u. to 10. s.u..</p>

### Evaluation Area: Records and Reports

<p>Was copy of the current O&amp;M manual available at the time of the inspection?</p> <p>[62-600.720 F.A.C., 62-620.350 F.A.C.]</p>	<p>Deficiency: (Narrative)</p> <p>At the time of inspection, a copy of the Operation and Maintenance Manual was not on site.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please provide a copy of the operation and maintenance manual to the department by email.</p>

### Evaluation Area: Facility Site Review

<p>Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks?</p> <p>[62-600.410 F.A.C., 62-620.300 (5) F.A.C., 62-620.610(7) F.A.C.]</p>	<p>Deficiency: (Narrative)</p> <p>At the time of inspection, the chlorine contact chamber was weeping.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Repair the leak and provide photos to the department by email</p>

### Evaluation Area: Flow Measurement

<p>Is the flow meter calibrated at least annually and is it current?</p> <p>[ 62-600.200(25) F.A.C.]</p>	<p>Deficiency: (Narrative)</p> <p>The flow meter calibration was past due.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>A copy of the flow calibration was provided on 12/15/2021 by Reuben Law.</p>

### Evaluation Area: Effluent Quality

<p>The facility violated a permit or enforcement narrative effluent limit.</p> <p>[ 403.161(1)(b) F.S., 62-600.420 F.A.C, 62-600.440 F.A.C, 62-</p>	<p>Deficiency: (Narrative)</p> <p>The facility is not meeting the Total Nitrogen interim limits of Consent Order 21-0360. See the attached Exhibit A for the tables of exceedances.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>The facility continues to not demonstrate the ability to meet the final permit limits. The interim limits of the Consent Order (21-0360) executed on 5/11/2021 will be revised in an amendment to the CO.</p>

600.445 F.A.C, 62-600.510 F.A.C., 62-600.520 F.A.C. , XNEV]	
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**Evaluation Area: Groundwater**

<p>A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).</p>	<p>Deficiency: (Narrative) The pH was exceeded on MWC-2 and MWC-3 for the month of 06/2021.</p> <p>Corrective Action(s): (Narrative) The pH was 4.68 and 4.88, outside of the range of 6-8.5 currently the pH exceedance appears to be isolated. The pH of the well is not historically low. No further action is required at this time.</p> <p>Rule 62-620.610(18)(a), F.A.C. - Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.</p>
<p>Is the facility free from any Groundwater violation not listed above that needs to be addressed? [See Defficiency Narritive for Specific Rule Violated]</p>	<p>Deficiency: (Narrative) During the QA review of the groundwater monitoring reports conducted on 11/17/2021 it was found the Lab reported the nitrate as .50u (undetected) but Nitrate was reported incorrectly as .50 mg/L.</p> <p>Corrective Action(s): (Narrative) Lab results reported as undetected should be reported as &lt; lab MDL. This was reviewed with the operator. No further action is required at this time.</p> <p>Rule 62-620.610(18)(a), F.A.C. - Monitoring results shall be reported at the intervals specified elsewhere in this permit and shall be reported on a Discharge Monitoring Report (DMR), DEP Form 62-620.910(10), or as specified elsewhere in the permit.</p>



**EXHIBIT A**

Table of Exceedances for Total Nitrogen in reference to Consent Order 21-0360.

Hall, Carolyn X

<b>Date</b>	<b>Parameter</b>	<b>Monitoring Location</b>	<b>Result</b>	<b>Interim Limit until October 31, 2022</b>	<b>Permit Limit</b>
09/2021	Total Nitrogen Annual Avg	EFA-1	6.39 mg/L	6.0 mg/L	3.0 mg/L
08/2021	Total Nitrogen Annual Avg	EFA-1	6.3 mg/L	6.0 mg/L	3.0 mg/L
07/2021	Total Nitrogen Annual Avg	EFA-1	9.35 mg/L	6.0 mg/L	3.0 mg/L
06/2021	Total Nitrogen Annual Avg	EFA-1	12.4 mg/L	6.0 mg/L	3.0 mg/L



# 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

May 11, 2021

Charles DeMenzes, Owner  
CFAT H2O Inc.  
7745 NE 22nd Terrace  
Ocala, FL 34479  
[charlie@altfo.com](mailto:charlie@altfo.com)

Re: Landfair WWTF  
DW Facility ID #FLA010722  
OGC Case No: 21-0360

Dear Mr. DeMenzes:

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 Carolyn Hall at 407-897-4114 or via e-mail at [Carolyn.X.hall@FloridaDEP.gov](mailto:Carolyn.X.hall@FloridaDEP.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Watkins".

*On behalf of:*

Aaron Watkins  
Director, Central District

Enclosure

cc: Lea Crandall, OGC  
Zoey Carr, Central District  
Daun Festa, 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. 21-0360
	)	
CFAT H2O INC.	)	
_____	)	

**CONSENT ORDER**

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and CFAT H2O INC. (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 Landfair WWTF, an existing 0.099 mgd annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of aeration, secondary clarification, chlorination, and aerobic digestion of biosolids with an existing 0.099 MGD annual average daily flow permitted capacity rapid infiltration basin system. R-001 is a reuse system which consists of a lined holding pond and two (2) rapid infiltration basins (Facility). The Facility is operated under Wastewater Permit No. FLA010722 (Permit), which was issued on April 10, 2017 and will expire on April 9, 2022. The Facility is located at 7721 NE 22<sup>nd</sup> Terrace, Ocala, in Marion County, Florida (Property). Respondent owns the Property on which the Facility is located.

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

a) The facility has chronic effluent violations that generated a significant out of compliance with TSS limits exceeding four out of six months

b) During an inspection on February 16, 2021 the lined holding pond had a buildup of solids.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:

a) Effective immediately, the Respondent shall continue to maintain the lined holding pond including all vegetation and the removal of solids buildup.

b) Respondent shall comply with the interim limit (“Interim Limit”), the discharge monitoring, and reporting requirements in the table below for discharges to the sprayfield system at the Facility. All of the other parameter limits in the Permit remain the same and Respondent shall comply with all of the other conditions of the Permit. The Interim Limit shall become effective upon the first day of the month following the effective date of this Consent Order. The Interim Limit shall remain in effect until October 31, 2022.

Parameter	Units	Max./Min	Reclaimed Water Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Solids, Total Suspended	mg/L	Max	<b>40.0</b>	Annual Average	Monthly	Grab	EFA-1	
		Max	<b>40.0</b>	Monthly Average				
		Max	<b>45.0</b>	Weekly Average				
		Max	<b>60.0</b>	Single Sample				
Nitrogen, Nitrate, Total (as N)	mg/L	Max	<b>6.0</b>	Annual Average	Annually	Grab	EFA-1	
Nitrogen, Total	mg/L	Max Max	<b>Report Report</b>	Annual Average Monthly Average	Monthly	Grab	EFA-1	

6. Within 30 days of the effective date of this Order, Respondent shall submit to the Department an evaluation conducted by a professional engineer registered in the state of

Florida, of the Facility, including the effluent disposal system and associated collection system, to discover the cause or causes of the violations identified in paragraphs 4 above.

7. Within 30 days of the due date for submission of the evaluation in paragraph 6, Respondent shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraphs 4 above and ensure the Facility and effluent disposal system will function in full and consistent compliance with all applicable rules.

8. Within 60 days of the due date for submission of the design modification(s) in paragraph 7, Respondent shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 7, if such a permit is required. In the event the Department requires additional information to process the permit application Respondent shall provide a written response containing the information requested by the Department within 90 days of the date of the request.

9. Within 365 days after issuance of the wastewater permit referenced in paragraph 8 above, or if no permit is required, within 180 days of the approval of the design modification(s) in paragraph 7, Respondent shall complete construction of the modification(s) submitted pursuant to paragraph 7.

10. Within 30 days after completion of the construction, Respondent shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required the design modification(s) submitted pursuant to paragraph 7.

11. 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.

12. Within 90 days of the effective date of this Order, Respondent shall submit to the Department a detailed Operation and Maintenance Performance Report meeting all of the requirements of Rule 62-600.735, F.A.C.

13. Notwithstanding the time periods described in the paragraphs above, Respondent shall complete all corrective actions required by paragraphs 5,6,7, and8, within 395 days of the effective date of this Order and be in full compliance with Rule 62-600, F.A.C., regardless of any intervening events or alternative time frames imposed in this Order.

14. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$3,000.00 in settlement of the regulatory matters addressed in this Order. This amount includes \$2,750.00 for civil penalties and \$250.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The civil penalties are apportioned as follows: \$2,000.00 for violation of Rule 403.121(5), F.A.C.; \$750.00 for violation of Rule 403.121(4)(f), F.A.C.

15. Respondent agrees to pay the Department stipulated penalties in the amount of \$1,000.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph(s) 5,6,7, and 8 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 paragraph 16, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to the civil penalties agreed to in paragraph 14 of this Order.

16. 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

17. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Compliance Assurance Program, Department of Environmental Protection, Central District, 3319 Maguire Blvd. Suite 232, Orlando, FL 32803-3767 or by email at [DEP\\_CD@dep.state.fl.us](mailto:DEP_CD@dep.state.fl.us).

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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 \$15,000.00 per day per violation, and criminal penalties.

25. 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.

26. 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.

27. 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.

28. 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.

29. Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

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

- a) The OGC Number assigned to this Consent Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Consent Order;
- d) A statement of when and how the petitioner received notice of the Consent Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Consent Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Consent Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Consent Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov), within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at 3319 Maguire Blvd, Suite 232, Orlando, FL 32803. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to

request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

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

FOR THE RESPONDENT:

Charles DeMenzes  
Charles DeMenzes  
CFAT H2O INC, Owner

5/10/2021  
[Date](#)

DONE AND ORDERED this 11 day of May, 2021, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

Aaron Watkins on behalf of  
Aaron Watkins  
District Director  
Central District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk, receipt of which is hereby acknowledged.

William Hill  
Clerk

May 11, 2021  
[Date](#)

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35



# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Jay Collins**  
Lt. Governor

**Alexis A. Lambert**  
Secretary

Central District Office  
3319 Maguire Blvd. Suite 232  
Orlando, FL 32803

October 10, 2025

Josiah Cox, President  
CSWR Florida Utility Operating LCC  
7721 NE 22 Terrace  
Ocala, FL 34479  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: Warning Letter  
Landfair WWTF  
DW Facility ID #FLA010722  
Marion County

Dear Mr. Cox:

A compliance evaluation inspection (CEI) was conducted at your facility on September 2, 2025. During this inspection, possible violations of Chapter 403, F.S., Chapter 62-604.500(4), Florida Administrative Code (F.A.C.), Chapter 62-610.523(6), F.A.C., Chapter 62-62-620.350(1), F.A.C., Chapter 62-620.610(7), F.A.C., Permit Condition I.A.1., Permit Condition III.B.6., and Permit Condition VI.1. were observed.

During the inspection Department personnel noted the following:

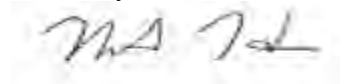
- Improvement Action #1 in the Compliance Schedule included in FLA010722-008-DW3P was not completed in a timely manner.
- The annually required Reduced Pressure Zone (RPZ) certification was not completed.
- A blower was operating without being secured with a belt guard during inspection.
- The audio-visual lift station alarm at Lift Station #1 was not functioning as intended.
- Several permit limit exceedances were noted during the review period.
- Deposited solids were observed in the holding pond.
- Vegetation along the berms of both onsite Rapid Infiltration Basins (RIBs) was not maintained adequately.
- pH was exceeded at MWC-2 and MWC-3 for the months of December 2024 and June 2025.
- The Emergency Response Plan (ERP) was not available onsite during inspection.
- The Collection System O&M Manual was not available onsite during inspection.

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 Ismael Reyes, at (407) 897-4337, 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.

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,



*On behalf of:*

Aaron Watkins, Director  
Central District  
Florida Department of Environmental Protection

AW/ds/ir

Enclosures: Inspection Report (with attachments)

cc: Ismael Reyes, FDEP CD  
Jessica Thomas, EHS Compliance Coordinator, [jthomas@cswrgroup.com](mailto:jthomas@cswrgroup.com)


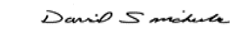
## Facility Details

Facility Name	Landfair WWTF		WAFR ID	FLA010722	
Physical Address	7721 NE 22 Terrace		City, State, Zip	Ocala, FL 34479	
County	Marion		Facility Phone #	(314) 380-8598	
Permit Issued	16-Jan-24		Permit Expiration	15-Jan-29	
Facility Type	Domestic Wastewater		Is the Facility NPDES (Y/N)	No	
Latitude	Degrees	29	Minutes	16	Seconds 4.99
Longitude	Degrees	82	Minutes	6	Seconds 16.48

## Inspection Details

Inspection Type		Entry Date		Exit Date	
CEI		9/2/2025		9/2/2025	
		Entry Time (HH:MM AM/PM)		Exit Time (HH:MM AM/PM)	
		9:32 AM		10:38 AM	
Samples Taken (Y/N)	No	RQ#		QA Conducted (Y/N)	No
Name(s) and Title of Field Representative(s)		Operator Certification		Email	Phone Number
Telly Hewitt, Plant Operator		B-0018231		n/a	n/a
Jessica Thomas, EHS Compliance Coordinator		n/a		jthomas@cswwgroup.com	(314) 464-4788
Name(s) and address of Permittee / Designated Representative(s)		Title		Email	Phone Number
Josiah Cox		President		jcox@cswwgroup.com	(314) 380-8598
1630 Des Peres Rd, Suite 140, Des Peres, MO 63131					

## Inspector Information

Name(s) and Signature(s) of Inspector(s)		District Office	Phone Number	Date
Ismael Reyes		CD	(407) 897-4337	9/30/2025
Name and Signature of Reviewer		District Office	Phone Number	Date
David Smicherko		CD	(407) 897-4169	10/9/2025

## Facility Compliance Eval Areas

Overall Compliance Determination		Significant Out of Compliance
*Permit		IC
*Compliance Schedules		SC
Laboratory		IC
Sampling		IC
*Records and Reports		NC
Facility Site Review		NC
Flow Measurement		IC
*Operation and Maintenance		IC
*Effluent Quality		SC
*Effluent Disposal		NC
Biosolids		IC
*Groundwater		IC
*SSO Survey		NC
Other		NA

Single Event Violations ("\*" SNC SEVs)

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

## 1. Permit

Compliance Rating		In Compliance
Does this section apply to the facility?		Yes
<b>Questions</b>		
*Is the facility operating with a valid permit?		Yes
Current Permit available on-site?		Yes
Date Permit Issued		
Date Permit Expires		15-Jan-29
Permit Renewal Application Due By:		16-Jan-24
Has the facility submitted the permit renewal application at least 180 days prior to the permit expiration date?		Yes
If wastewater is diverted from a portion of the treatment process, was appropriate Department approval obtained?		Not Applicable
Administrative or Judicial Orders?		Consent Order
<b>Observations</b>		
1.2.1	A copy of FLA010722-008-DW3P was available onsite for review.	
1.2.2	The facility is currently under Consent Order (OGC Case No. 21-0360) due to deficiencies observed during an inspection conducted on February 16, 2021. Please ensure that Order #8, which requires the completion and submittal of an evaluation conducted by a professional engineer registered in the state of Florida to assist in complying with permit limits, is completed and submitted to the Department as soon as possible.	
1.2.3	The Consent Order pertaining to OGC Case No. 21-0360 was amended on January 9, 2024. This Amended Consent Order replaces and supersedes the original Consent Order entered into between the Department and CFAT on May 11, 2021.	

## 2. Compliance Schedule

Compliance Rating		Significant Out of Compliance
Does this section apply to the facility?		Yes
<b>Questions</b>		
Compliance Schedule in Permit met?		No
Compliance Schedules in Order are being met?		
<b>Deficiencies and Corrective Actions</b>		
2.1.1	Permit Condition VI.1.	<p>Deficiency (Narrative)</p> <p><b>VI. SCHEDULES</b></p> <p>1. The following improvement actions shall be completed according to the following schedule:</p> <p>Improvement Action #1 in the Compliance Schedule included in FLA010722-008-DW3P was not completed in a timely manner (due on May 15, 2024).</p> <p>Corrective Actions (Narrative)</p> <p>After receiving location approval from the Department, replace dry monitoring well MWB-1 and submit well completion report to me via email, including latitude and longitude information for the replacement well.</p>
<b>Observations</b>		
2.2.1	Improvement Action #2 and Improvement Action #3 have been completed in a timely manner.	

## 3. Laboratory

Compliance Rating		In Compliance
Does this section apply to the facility?		Yes
<b>Questions</b>		
Does the laboratory hold certification from the Florida Department of Health Environmental Laboratory Certification Program?		Yes
Contract Lab Name and Certification #		Pace Analytical - E83079
<b>Observations</b>		
3.2.1	A copy of the current lab certification was available onsite for review.	

## 4. Sampling

Compliance Rating		In Compliance
Does this section apply to the facility?		Yes
<b>Questions</b>		
Does the facility collect and analyze samples as required by permit or enforcement action?		Yes
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
Did the facility collect and/or analyze routine or follow-up toxicity samples as required by permit or enforcement action?		Not Applicable
<b>Observations</b>		
4.2.1	While sampling was not conducted during inspection, sampling locations were verified by facility personnel onsite.	

## 5. Records and Reports

Compliance Rating		Out of Compliance
Does this section apply to the facility?		Yes
<b>Questions</b>		
Discharge Monitoring Reports (DMRs) Review Period:		09/01/2024 - 06/30/2025
Does the facility have and maintain their Spill Prevention Control and Countermeasures (SPCC) Plan?		Not Applicable
Does the facility maintain records onsite for the required retention period(s)?		Yes
During the review period, has the facility submitted all required reports other than DMRs?		Yes
During the review period, has the facility submitted all required DMRs in a timely manner?		Yes
Has the permittee notified the Department of any event or activity that requires notification per the permit or rule?		Not Applicable
<b>Deficiencies and Corrective Actions</b>		
5.1.1	Chapter 62-620.350 (1), F.A.C.	<p>Deficiency (Narrative)</p> <p>Unless the permit specifically indicates an alternative location, the permittee shall maintain the following records on the site of the permitted facility or activity and make them available for inspection:</p> <p>(1) Records of all compliance monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, including, if applicable, a copy of the laboratory certification showing the certification number of the laboratory, for at least three years from the date the sample or measurement was taken;</p> <p>The annually required Reduced Pressure Zone (RPZ) certification was not completed in a timely manner.</p> <p>Corrective Actions (Narrative)</p> <p>Record of RPZ certification (completed on September 8, 2025) was submitted via email on September 16, 2025. No further action is required.</p>
<b>Observations</b>		
5.2.1		DMRs submitted within the review period were received in a timely manner.
5.2.2		RPZ certification was performed by Clearwater Solutions on September 8, 2025.
5.2.3		A copy of the treatment plant operation and maintenance manual was available onsite for review.
5.2.4		A bound and numbered logbook was available onsite for review. Samples and maintenance appeared to be logged as required.
5.2.5		The operator certification was available onsite for review.

## 6. Facility Site Review

Compliance Rating		Out of Compliance
Does this section apply to the facility?		Yes
<b>Questions</b>		
Is the land application system being maintained?		Yes
<b>Deficiencies and Corrective Actions</b>		
6.1.1	Chapter 62-620.610(7) F.A.C.	<p>Deficiency (Narrative)</p> <p>(7) 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. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit.</p> <p>A blower was operating without being secured with a belt guard during inspection.</p> <p>Corrective Actions (Narrative)</p> <p>A photo received via email from the facility on September 16, 2025 confirmed that a belt guard has been secured to the blower in question. No further action is required.</p>
6.1.2	Chapter 62-620.610(7) F.A.C.	<p>Deficiency (Narrative)</p> <p>(7) 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. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit.</p> <p>The audio-visual lift station alarm at Lift Station #1 was not functioning as intended.</p> <p>Corrective Actions (Narrative)</p> <p>A video received via email from the facility on September 16, 2025 confirmed that the audio-visual alarm has been repaired at Lift Station #1. No further action is required.</p>
<b>Observations</b>		
6.2.1		The facility consists of an existing 0.099 MGD annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of aeration, secondary clarification, chlorination, and aerobic digestion of biosolids.
6.2.2		The facility grounds for the plant were properly locked and secured by a fence. An advisory sign was posted at the gate's entrance. There were no vectors or excessive odors noted during inspection.
6.2.3		The facility is equipped with six (6) onsite lift stations. Lift Station #1 contained two (2) pumps and was adequately locked and secured. See Deficiency 6.1.2 for additional details pertaining to Lift Station #1.
6.2.4		Influent is pumped via lift station and enters the facility treatment train through a manual barscreen. Following screening, flow is directed by a surge tank with a splitter box, which diverts it to aeration basins for biological treatment.

6.2.5	The facility is equipped with two (2) onsite aeration basins provide biological treatment. Content within the basins appeared light brown in color. Aeration basins were serviced by two (2) onsite blowers, which were housed. For additional details regarding onsite blowers, see Deficiency 6.1.1.
6.2.6	Following aeration, flow is directed to the clarifier. The skimmer and stilling well appeared to function as intended, weirs appeared level, and sludge pop-ups were not observed. Supernatant appeared to be turbid upon inspection. Hypochlorite is sprayed in the clarifier once per week.
6.2.7	Flow is directed from the clarifier to the chlorine contact chamber. Hypochlorite is employed for disinfection and is injected by a single pump, which was administering disinfectant at an 80% feed rate. Baffles were present as designed and the chamber appeared to be absent of solids. Effluent was noted as turbid.
6.2.8	The facility is equipped with two (2) Return Activated Sludge (RAS) lines, which were located in the correct position. One RAS line was unclogged prior to inspection and blown into the digester.
6.2.9	The facility is equipped with a single Waste Activated Sludge (WAS) line. The WAS line was located in the proper position.
6.2.10	The facility is equipped with a single 10,000 gallon digester basin. An adequate amount of storage was available, and no odors or vectors were noted during inspection.

## 7. Flow Measurement

<b>Compliance Rating</b>		In Compliance
<b>Does this section apply to the facility?</b>		Yes
<b>Questions</b>		
Flow meter present and location as per permit?		Yes
Easy access to flow meter?		Yes
Is the flow meter properly installed, maintained, and calibrated according to regulatory requirements?		Yes
Date of last flow meter calibration		10-Feb-25
<b>Observations</b>		
7.2.1	The most recent flow calibration was performed by Universal Controls on February 10, 2025.	

## 8. Operation and Maintenance

<b>Compliance Rating</b>		In Compliance
<b>Does this section apply to the facility?</b>		Yes
<b>Questions</b>		
Facility being operated as per permit?		Yes
Is the facility operated under the supervision of a certified operator that has the appropriate license level for the size of the plant?		Yes
Is the facility operating in accordance with its O&M Manual?		Yes
Is the facility free from an inflow and infiltration problem which would cause collection system and/or operational issues?		Yes
<b>Observations</b>		
8.2.1	The facility is being operated in accordance with the permit. Facility grounds were well maintained at the time of the inspection.	

## 9. Effluent Quality

<b>Compliance Rating</b>		Out of Compliance
<b>Does this section apply to the facility?</b>		Yes
<b>Questions</b>		
DMRs review period		09/01/2024 - 06/30/2025
Were the DMRs free from any exceedances?		No
Was the facility free of a discharge of wastewater that resulted in a fish kill?		Yes
Was the effluent free from persistent acute toxicity documented through follow-up tests?		Not Applicable
Was the effluent free from persistent chronic toxicity documented through follow-up tests?		Not Applicable
Was the effluent free from persistent acute or chronic toxicity documented through the use of routine and follow-up tests?		Not Applicable
Is the facility's discharge in compliance with all applicable narrative effluent limitations?		Yes
Was sampling conducted by Department personnel?		Sampling was not conducted by Department personnel.
<b>Deficiencies and Corrective Actions</b>		
9.1.1	Permit Condition I.A.1.	<p>Deficiency (Narrative)</p> <p>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.:</p> <p>Several permit limit exceedances were noted during the review period.</p> <p>Corrective Actions (Narrative)</p> <p>According to correspondence received by the Department on September 16, 2025, CSWR - Florida has contracted Kimely Horn Engineering firm, who is currently evaluating the facility for redesign to assist in meeting permit limits.</p>
<b>Observations</b>		
9.2.1	The July 2025 DMR, received by the Department on August 28, 2025, reported the Total Nitrogen Annual Average at 6.71, exceeding the permit limit of 3.0 mg/L.	

**Table 9.1: Exceedances Table**

Monitoring Group	Date	Monitoring Location	Parameter	Description	Result Qualifier	Result	Limit	Units	Statistical Base
R-001	6/30/2025	EFA-1	P 00600	Nitrogen, Total		7.37	3.0	mg/L	AB - Annual Average
R-001	5/31/2025	EFA-1	P 00600	Nitrogen, Total		6.47	3.0	mg/L	AB - Annual Average
R-001	4/30/2025	EFA-1	P 00600	Nitrogen, Total		7.09	3.0	mg/L	AB - Annual Average
R-001	3/31/2025	EFA-1	P 00600	Nitrogen, Total		6.97	3.0	mg/L	AB - Annual Average
R-001	2/28/2025	EFA-1	P 00600	Nitrogen, Total		6.69	3.0	mg/L	AB - Annual Average
R-001	1/31/2025	EFA-1	P 00600	Nitrogen, Total		6.05	3.0	mg/L	AB - Annual Average
R-001	12/31/2024	EFA-1	P 00600	Nitrogen, Total		5.77	3.0	mg/L	AB - Annual Average
R-001	11/30/2024	EFA-1	P 00600	Nitrogen, Total		5	3.0	mg/L	AB - Annual Average
R-001	10/31/2024	EFA-1	P 00620	Nitrogen, Nitrate, Total (as N)		14.6	12.0	mg/L	MB - Maximum
R-001	10/31/2024	EFA-1	P 00600	Nitrogen, Total		4.48	3.0	mg/L	AB - Annual Average
R-001	9/30/2024	EFA-1	P 00600	Nitrogen, Total		3.29	3.0	mg/L	AB - Annual Average

## 10. Effluent Disposal

Compliance Rating		Out of Compliance
Does this section apply to the facility?		Yes
Questions		
Facility discharging?		Yes
Discharge location(s) as per permit?		Yes
Deficiencies and Corrective Actions		
10.1.1	Chapter 62-610.523(6), F.A.C.	<p>Deficiency (Narrative)</p> <p>(6) Rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.</p> <p>Deposited solids were observed in the holding pond.</p> <p>Corrective Actions (Narrative)</p> <p>According to correspondence received by the Department on September 16, 2025, a quote for the removal of solids from the holding pond has been acquired. Once the removal is complete, please submit photos to confirm via email to ismael.reyes@FloridaDEP.com.</p>
10.1.2	Chapter 62-610.523(6), F.A.C.	<p>Deficiency (Narrative)</p> <p>(6) Rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.</p> <p>Vegetation along the berms of both onsite Rapid Infiltration Basins (RIBs) was not maintained adequately.</p> <p>Corrective Actions (Narrative)</p> <p>According to correspondence received by the Department on September 16, 2025, a quote has been acquired for the remediation of vegetation along RIB berms. Once the remediation is complete, please submit photos to confirm via email to ismael.reyes@FloridaDEP.com.</p>
Observations		
10.2.1	The facility is equipped with two (2) rapid infiltration basins with a total wetted area of 2.3 acres located approximately at latitude 29°16' 5" N, longitude 82°6' 16" W.	
10.2.2	The facility was discharging to the southern RIB during inspection.	

## 11. Biosolids

Compliance Rating		In Compliance
Does this section apply to the facility?		Yes
Observations		
11.2.1	5,000 gallons of untreated biosolids were hauled by A-Able Septic on August 29, 2025.	

## 12. Groundwater

Compliance Rating		Out of Compliance
Does this section apply to the facility?		Yes
Questions		
DMRs review period		09/01/2024 - 06/30/2025
Were the DMRs free from any exceedances?		No
All monitoring wells accessible, secured & locked?		Yes
Deficiencies and Corrective Actions		
12.1.1	Permit Condition III.B.6.	<p>Deficiency (Narrative)</p> <p>The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.5.:</p> <p>The pH was exceeded at MWC-2 and MWC-3 for the months of December 2024 and June 2025.</p> <p>Corrective Actions (Narrative)</p> <p>Please provide a written response that acknowledges the observed exceedances, explains what might've triggered them, and provides a plan of action for maintaining/returning parameters to within permit limits.</p>
Observations		

12.2.1	A photo of MWB-1, MWC-2, and MWC-3 were received by the Department via email on September 16, 2025. MWB-1 is currently dry and is due to be replaced (see Deficiency 2.1.1 for additional details. MWC-2 and MWC-3 were secured and locked with padlocks and appeared to be maintained adequately.
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**Table 12.1: Groundwater Exceedances Table**

Monitoring Group	Date	Monitoring Location	Parameter	Result Qualifier	Result	Background Well Results	Limit	Units	Statistical Base
MWC-2	6/30/2025	MWC-2	pH		4.87		6.5-8.5	s.u.	RG - RANGE
MWC-3	6/30/2025	MWC-3	pH		4.68		6.5-8.5	s.u.	RG - RANGE
MWC-2	12/31/2024	MWC-2	pH		4.62		6.5-8.5	s.u.	RG - RANGE
MWC-3	12/31/2024	MWC-3	pH		4.62		6.5-8.5	s.u.	RG - RANGE

**13. SSO Survey**

Compliance Rating		Out of Compliance
Does this section apply to the facility?		Yes
Questions		
Collection System Action Plan update submitted annually by June 30?		Yes
Does the facility have an Operation and Maintenance Manual for their collection system?		Yes
Does the facility track spills in their collection system?		Yes
Does the facility have procedures for minimizing spills?		Yes
Are those procedures included in the Operation and Maintenance Manual or in a separate document?		Yes
How often is the manual updated?		As needed
Does the facility keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system(s)?		Yes
Does the facility perform routine preventative maintenance necessary to keep the collection/transmission system in good working order?		Yes
Was the facility free from any sewage spills which discharged to ground only (i.e., did not make it to surface waters)?		Yes
Was the facility free from any sewage spills that reached surface waters (including wetlands, stormwater collection/conveyance features or drainage ditches, or waterbodies such as streams, ponds, or lakes)?		Yes
Did the facility report spill(s) to the Department within 24 hours of discovery?		Yes
Did the facility collect and/or analyze bacteriological samples for sewage spills that reached surface waters?		Not Applicable
Deficiencies and Corrective Actions		
13.1.1	Chapter 62-604.500(4) F.A.C.	<p>Deficiency (Narrative)</p> <p>(4) Copies of record drawings and the operation and maintenance manual shall be available at a site within the boundaries of the district office or delegated local program permitting the collection/transmission system, for use by operation and maintenance personnel and for inspection by Department personnel.</p> <p>The Emergency Response Plan (ERP) was not available onsite during inspection.</p> <p>Corrective Actions (Narrative)</p> <p>A copy of the ERP was submitted via email to the Department on September 16, 2025. Please ensure that the ERP is maintained onsite and is ready for review upon inspection. No further action is required.</p>
13.1.2	Chapter 62-604.500(4) F.A.C.	<p>Deficiency (Narrative)</p> <p>(4) Copies of record drawings and the operation and maintenance manual shall be available at a site within the boundaries of the district office or delegated local program permitting the collection/transmission system, for use by operation and maintenance personnel and for inspection by Department personnel.</p> <p>The Collection System O&amp;M Manual was not available onsite during inspection.</p> <p>Corrective Actions (Narrative)</p> <p>A copy of the collection system operation and maintenance manual was submitted via email to the Department on September 16, 2025. Please ensure that the collection system operation and maintenance manual is maintained onsite and is ready for review upon inspection. No further action is required.</p>
Observations		
13.2.1	Please be aware that effective June 28, 2023, all domestic wastewater facility permittees must develop a Collection System Action Plan (CSAP) that adheres to the requirements listed in 62-600.705, F.A.C. Additionally, after the plan has been developed and submitted to the Department, the permittee must submit an annual report on the implementation of the plan by June 30 each year.	

**14. Other**

Compliance Rating		Not Applicable
Does this section apply to the facility?		No



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

January 9, 2024

Josiah Cox  
Charles DeMenzes  
CFAT H20  
7745 NE 22"d terrace  
Ocala, Florida 34479  
[charlie@altfo.com](mailto:charlie@altfo.com)

Re: Landfair WWTF  
DW Facility ID #FLA010722  
OGC Case #21-0360

Dear Mr. DeMenzes and Mr. Cox:

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 Jason Seyfert at 407-897-4344 or via e-mail at [Jason.Seyfert@FloridaDEP.gov](mailto:Jason.Seyfert@FloridaDEP.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

Aaron Watkins  
Director, Central District

Enclosure

cc: FDEP: Lea Crandall, Daun Festa, Anitra Spencer, Jason Seyfert  
Jake Freeman, CSWR, [jfreeman@cswrgroup.com](mailto:jfreeman@cswrgroup.com)  
Russ Mitten: [rmitten@cswrgroup.com](mailto:rmitten@cswrgroup.com)  
Marty Smith: [Marty@smithcorbett.com](mailto:Marty@smithcorbett.com)

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

IN THE OFFICE OF THE  
CENTRAL DISTRICT

v.

OGC FILE NO. 21-0360

CFAT H2O INC.

and

CSWR, LLC

---

**AMENDED CONSENT**  
**ORDER**

This Amended Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and Respondent CFAT H2O INC. (Respondent CFAT), and CSWR, LLC (Respondent CSWR) (collectively, Respondents) pursuant to Section 120.57(4), Florida Statutes (Fla. Stat.), to reach settlement of certain matters at issue between the Department and Respondents. This Amended Consent Order replaces and supersedes the original Consent Order entered into between the Department and Respondent CFAT on May 11, 2021 (Consent Order).

The Department finds and Respondents admit 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, Fla. Stat., and the rules promulgated and authorized in Title 62, Florida Administrative Code (Fla. Admin. Code). The Department has jurisdiction over the matters addressed in this Order.
2. Respondents are each a person within the meaning of Section 403.031(5), Fla. Stat.

3. From on or about May 1, 1995 – present, Respondent CFAT has been the owner and has been responsible for the operation of the Landfair WWTF, an existing 0.099 MGD annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant consisting of aeration, secondary clarification, chlorination, and aerobic digestion of biosolids with an existing 0.099 MGD annual average daily flow permitted capacity rapid infiltration basin system. R-001 is a reuse system which consists of a lined holding pond and two (2) rapid infiltration basins (Facility). The Facility is operated under Wastewater Permit No. FLA010722 (Permit), which was issued on April 10, 2017, and expired on April 9, 2022. The Facility is located at 7721 NE 22<sup>nd</sup> Terrace, Ocala, in Marion County, Florida (Property). As of the date of this Order, Respondent CFAT also owns the Property on which the Facility is located.

4. The Department finds that the following violation(s) occurred:
- a) The facility has chronic effluent violations that generated a significant out-of-compliance finding with Total Suspended Solids (TSS) limits exceeding four out of six months.
  - b) During an inspection on February 16, 2021, the lined holding pond had a buildup of solids.

Having reached a resolution of the matter Respondents and the Department mutually agree and it is

**ORDERED:**

5. Respondent CSWR shall comply with the following corrective actions within the stated time periods:

6. **Within 60 days** of the effective date of this Order or the acquisition date whichever is later, Respondent CSWR shall submit to the Department a completed version of the current pending permit application for Landfair FLA010722 as submitted by Respondent CFAT on December 30, 2021. This "completed version," shall include detailed and comprehensive responses to any and all outstanding Department Requests for Additional Information associated with CFAT's December 30, 2021, permit application. In addition, an application for transfer of a wastewater facility or activity permit, DEP form 62-620.910 (11), Exhibit A, must be completed.

7. **Effective immediately upon acquisition**, Respondent CSWR shall maintain the lined holding pond including all vegetation and the removal of solids buildup.

8. **Within 60 days** of the effective date of this Order or the acquisition date whichever is later, Respondent CSWR shall submit to the Department an evaluation conducted by a professional engineer registered in the state of Florida, of the Facility, including the effluent disposal system and associated collection system, to discover the cause or causes of the violations identified in paragraph 4 above.

9. **Within 30 days** of the due date for submission of the evaluation in paragraph 8, Respondent CSWR shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraph 4 above and ensure the Facility and effluent disposal system will function in full and consistent compliance with all applicable rules.

10. **Within 60 days** of the due date for submission of the design modification(s) in paragraph 9, Respondent CSWR shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 9, if such a permit is required.

In the event the Department requires additional information to process the permit application Respondent CSWR shall provide a written response containing the information requested by the Department **within 90 days** of the date of the request.

11. **Within 365 days** after issuance of the wastewater permit referenced in paragraph 10 above, or if no permit is required, **within 180 days** of the approval of the design modification(s) in paragraph 9, Respondent CSWR shall complete construction of the modification(s) submitted pursuant to paragraph 9.

12. **Within 30 days** after completion of the construction, Respondent CSWR shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required, the design modification(s) submitted pursuant to paragraph 9.

13. **Every calendar quarter** after the effective date of this Order and continuing until all corrective actions have been completed, Respondent CSWR 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 CSWR will perform pursuant to this Order during the 12-month period which will follow the report. Respondent CSWR shall submit the reports to the Department **within 30 days** of the end of each quarter.

14. Notwithstanding the time periods described in the paragraphs above, Respondent

CSWR shall complete all corrective actions required by paragraphs 5-12 within 395 days of the effective date of this Order and be in full compliance with Rule 62-600, Fla. Admin. Code.

15. Respondent CSWR agrees to pay the Department stipulated penalties in the amount of \$1,000.00 per day for each and everyday Respondent CSWR fails to timely comply with any of the requirements of paragraph(s) 5-12 of this Order. The Department may demand stipulated penalties at any time after violations occur. Respondent CSWR 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 paragraph 16, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to civil penalties.

16. Respondent CSWR 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

17. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Compliance Assurance Program, Department of Environmental Protection, Central District, 3319 Maguire Blvd. Suite 232, Orlando, FL 32803-3767 or by email at [DEP\\_CD@FloridaDEP.gov](mailto:DEP_CD@FloridaDEP.gov).

18. Respondents 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.

19. 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, Respondents 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 Respondents of the obligations imposed in this Order.

20. 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 CSWR shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of Respondent CSWR 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 CSWR (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 CSWR 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 CSWR 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 CSWR must take to avoid or minimize the delay, if any. Failure of Respondent CSWR 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.

21. The Department, for and in consideration of the complete and timely performance by Respondents 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 Respondents' complete compliance with all of the terms of this Order.

22. 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 Respondents of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

23. 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.

24. Respondents are fully aware that a violation of the terms of this Order may subject Respondents to judicial imposition of damages, civil penalties up to \$15,000.00 per day per violation, and criminal penalties.

25. Respondents acknowledge and waive their right to an administrative hearing pursuant to sections 120.569 and 120.57, Fla. Stat., on the terms of this Order. Respondents also acknowledge and waive their right to appeal the terms of this Order pursuant to section 120.68, Fla. Stat.

26. 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 Respondents and the Department, and filed with the clerk of the Department.

27. 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, Fla. Stat. Failure to comply with the terms of this Order constitutes a violation of section 403.161(1)(b), Fla. Stat.

28. This Order is a final order of the Department pursuant to section 120.52(7), Fla. Stat., 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, Fla. Stat. Upon the timely filing of a petition, this Order will not be effective until further order of the Department.

29. Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different

from the position it has taken in this Order.

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

- a) The OGC Number assigned to the Order;
- b) The name, address, and telephone number of each petitioner; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding;
- c) An explanation of how the petitioner's substantial interests will be affected by the Order;
- d) A statement of when and how the petitioner received notice of the Order;
- e) Either a statement of all material facts disputed by the petitioner or a statement that the petitioner does not dispute any material facts;
- f) A statement of the specific facts the petitioner contends warrant reversal or modification of the Order;
- g) A statement of the rules or statutes the petitioner contends require reversal or modification of the Order; and
- h) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Order.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov), within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at 3319 Maguire Blvd Suite 232, Orlando, FL 32803. Failure to file a petition within the 21-day period constitutes a person's

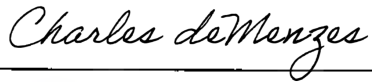
waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62- 110.106(12), Florida Administrative Code.

30. The undersigned certifies that as President of Respondent CSWR, he is authorized and empowered to negotiate, enter into and execute, in the name and on behalf of the Respondent CSWR, any agreements, documents, instruments, certificates, including and without limitation, this Order entered into between Respondents and the State of Florida Department of Environmental Protection.

31. Rules referenced in this Order are available at:

<http://www.dep.state.fl.us/legal/Rules/rulelist.htm>

FOR THE RESPONDENTS:

  
\_\_\_\_\_

Charles DeMenzes  
CFAT H2O INC, Owner

1/4/23

Date

  
\_\_\_\_\_

Josiah Cox  
CSWR, LLC  
By: Central State Water Resources, Inc  
Title: President

1/3/24

Date

DONE AND ORDERED this 9th day of January, <sup>2024</sup>~~2023~~, 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, Fla. Stat., with the designated Department Clerk, receipt of which is hereby acknowledged.

  
\_\_\_\_\_

Clerk

January 9, 2024

Date

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

May 6, 2022

CERTIFIED MAIL  
91 7199 9991 7030 9095 8847

Robert Hillman, President, Director and Registered Agent  
North Peninsula Utilities Corporation  
115 E. Granada Blvd., Suite 12  
Ormond Beach, Florida 32176  
[developershw@gmail.com](mailto:developershw@gmail.com)

Re: Notice of Violation  
North Peninsula Utilities WWTF (AKA Seabridge)  
OGC Case No. 20-1313  
Volusia County

Dear Mr. Hillman:

Enclosed is a Notice of Violation (NOV) issued by the Department in the referenced case. The NOV addresses allegations of violations of Florida Statutes and Department Rules.

The NOV's Notice of Rights section explains what recourse the Respondent has concerning resolution of the allegations contained in the NOV. Please read this section carefully.

Please contact Dr. Phil Kane of the Central District Office at 407-897-4156 or via e-mail at [phil.kane@FloridaDEP.gov](mailto:phil.kane@FloridaDEP.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

Aaron Watkins  
Director, Central District

Enclosures: Notice of Violation

cc: Anne Willis, OGC  
Patrick Reynolds, OGC  
David Smicherko  
Josiah Cox [cox@cswrgroup.com](mailto:cox@cswrgroup.com)  
Enrique Chavez, Jr. [echavez@cswrgroup.com](mailto:echavez@cswrgroup.com)

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE  
CENTRAL DISTRICT

Petitioner,

v.

OGC File No. 20-1313

NORTH PENINSULA UTILITIES  
CORPORATION

Respondent.

\_\_\_\_\_ /

NOTICE OF VIOLATION,  
ORDERS FOR CORRECTIVE ACTION AND  
ADMINISTRATIVE PENALTY ASSESSMENT

To: Robert Hillman, President, Director and Registered Agent  
North Peninsula Utilities Corporation  
115 E. Granada Blvd., Suite 12  
Ormond Beach, Florida 32176

Pursuant to the authority of Section 403.121(2), Florida Statutes (“Fla. Stat.”), the State of Florida Department of Environmental Protection (“Department”) gives notice to North Peninsula Utilities Corporation (“Respondent”) of the following findings of fact and conclusions of law with respect to violations of Chapter 403, Fla. Stat.

FINDINGS OF FACT  
PARAGRAPHS APPLICABLE TO ALL COUNTS

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, Fla. Stat., and the rules promulgated thereunder in Florida Administrative Code (Fla. Admin. Code) Title 62.

2. Respondent is the owner and is responsible for the operation of the North Peninsula Utilities Wastewater Treatment Facility, a 0.21 million gallons per day (“MGD”) design capacity and a 0.181 MGD annual average daily flow (“AADF”) permitted capability wastewater treatment plants (one contact stabilization plant (“Plant #2”) and two extended aeration plants, (“Plant #1 & Plant #3”), which includes flow equalization, influent screening, aeration, secondary clarification, chlorination, aerobic digestion, with restricted land application of effluent to two rapid infiltration basins(RIBs) (“Facility”). The Facility is operated under Wastewater Permit No. FLA011188-004 (“Permit”), which was issued on September 4, 2018 and will expire on September 3, 2023. The Facility is located at 16 Seabridge Drive, Parcel ID 321605000001, Ormond Beach, in Volusia County, Florida (“Property”). Respondent owns the Property on which the Facility is located.

3. On April 14, 2021 Department staff conducted a complaint inspection at the Facility and identified possible violations. Specifically, entries in the operator’s logbook indicate insufficient staffing by an appropriately certified operator. Excessive odors were noted beyond the boundaries of the wastewater treatment plant. Excessive vegetation was noted in the rapid infiltration basins. In addition, significant corrosion in both internal and external walls of Plants #1 and #3 and bowing of the northeast section of Plant #1 were observed, and the groundwater monitoring wells were in need of maintenance.

4. On April 28, 2021 a written Warning Letter was issued to Respondent as part of an agency investigation preliminary to agency action within the meaning of Section 120.57(5), Fla. Stat. The Warning Letter requested a response within 15 days of receipt of the Warning Letter to arrange a meeting to discuss this matter.

5. On August 17, 2021, the Department issued a draft Consent Order to resolve the violations, but to date, the Department has not received the signed Consent Order from the Respondent.

6. Respondent replied to the Draft Consent Order on November 15, 2021 with comments.

COUNT I

**Failure to Maintain Adequate Facility Staffing**

7. Respondent failed to provide operator staffing as required. Based on a November 15, 2021 response, this violation has been corrected.

COUNT II

**Failure to Maintain Facility Odor Control**

8. Respondent failed to control odors from leaving the boundaries of the wastewater treatment plant. Based on a November 15, 2021 response, this violation has been corrected.

COUNT III

**Failure to maintain Rapid Infiltration Basins**

9. Respondent failed to maintain the vegetation in the Rapid Infiltration Basins.

COUNT IV

**Failure to Address Facility Corrosion Issues**

10. Respondent failed to address corrosion issues noted in both internal and external walls of Plants #1 and #3 and bowing at the northeast end of Plant #1.

## COUNT V

### **Failure to Maintain Groundwater Monitoring Wells**

11. Respondent failed to review and as needed add concrete pads around groundwater monitoring wells, repair or replace risers, remove vegetation in the well area, provide locked well caps and label the wells.

12. The Department has incurred expenses to date while investigating this matter in the amount of not less than \$250.00.

### CONCLUSIONS OF LAW

The Department has evaluated the Findings of Fact with regard to the requirements of Chapters 602, 699, and 620 and 403, Fla. Stat., and Fla. Admin. Code Title 62. Based on the foregoing facts the Department has made the following conclusions of law:

13. Respondent's failure to maintain appropriate operator staffing at the wastewater treatment facility is regulated under Fla. Admin. Code Rule 62-699.

14. Respondent's failure to maintain the wastewater treatment facility is regulated under Fla. Admin. Code Rule 62-620.

15. Respondent's failure to control odors at the wastewater treatment facility is regulated under Fla. Admin. Code Rule 62-620.

16. Respondent's failure to maintain the Rapid Infiltration Basin (RIBs) vegetation.Ch. 62-610.518(1) F.A.C.: Rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.

17. Respondent is a "person" within the meaning of 403.031.

18. Respondent is Owner as defined in Section 403.031(5), F.S.

19. The Department is imposing an administrative penalty of less than or equal to \$50,000 in this Notice of Violation as calculated in accordance with Section 403.121, Fla. Stat.

20. The facts in Count I constitute a violation of Fla. Admin. Code Rule a, 62-699.310 (2)(a)2. Staffing by Class C or higher operator: 3 hours/day for 5 days/week and one visit on each weekend day which requires operator staffing time. The facts also constitute a violation of Section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

21. The violation in Count I requires the assessment of an administrative penalty under Section 403.121(4)(e), Fla. Stat., of \$1500.00 for failure to provide adequate staffing.

22. The facts in Count II constitute a violation of Fla. Admin. Code Rule 62-600.410 Operation and Maintenance Requirements. (5) In the event that the wastewater facilities or equipment no longer function as intended, are no longer safe in terms of public health and safety, or odor, noise, aerosol drift, or lighting adversely affect neighboring developed areas at the levels prohibited by paragraph 62-600.400(2)(a), F.A.C., corrective action (which may include additional maintenance or modifications of the treatment plant) shall be taken by the permittee. Other corrective action may be required to ensure compliance with rules of the Department which requires odor control. The facts also constitute a violation of Section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

23. The violation in Count II requires the assessment of an administrative penalty under Section 403.121(5), Fla. Stat., of \$1000.00 for failure to control odors beyond the facility boundary for a Total of \$1000.00.

24. The facts in Count III constitute a violation of Fla. Admin. Code Rule 62-610, Ch. 62-610.518(1) F.A.C.: Rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.

25. which requires the maintenance of vegetation in the rapid infiltration basins. The facts also constitute a violation of Section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

26. The violation in Count III requires the assessment of an administrative penalty under Section 403.121(5), Fla. Stat., of \$1000.00 for failure to maintain vegetation in rapid infiltration basins for a Total of \$1000.00.

27. The violations in Count IV and Count V no penalty assessment.

28. The administrative penalties assessed for Counts I, II and III total \$3500.00.

29. The costs and expenses are reasonable costs and expenses incurred by the Department while investigating this matter, which are recoverable pursuant to Section 403.141(1) Fla. Stat.

#### ORDERS FOR CORRECTIVE ACTION

The Department has alleged that the activities related in the Findings of Fact constitute violations of Florida law. The Orders for Corrective Action state what you, Respondent, must do in order to correct and redress the violations alleged in this Notice.

#### COUNT I

30. Based on a November 15, 2021 response, this violation has been corrected.

COUNT II

31. Based on a November 15, 2021 response, this violation has been corrected.

COUNT III

32. Based on a November 15, 2021 response, this violation has been corrected.

COUNT IV

33. Within 180 days of the effective date of this Order, Respondent shall replace the steel internal panels in Plant #1 and Plant #3 where significant corrosion was noted, all holes must be patched and properly coated. Additionally, correct the "bowing" at the northeast end of Plant #1 tank.

COUNT IV

34. Within 60 days Respondent shall add concrete pads around monitoring wells, repair or replace risers, remove vegetation in the well area, provide locked well caps and label the wells.

The Department will adopt the Orders for Corrective Action as part of its Final Order in this case unless Respondent either files a timely request for a formal hearing or informal proceeding, pursuant to Section 403.121(2)(c), Fla. Stat., or files written notice with the Department opting out of this administrative process, pursuant to 403.121(2)(c), Fla. Stat. (See Notice of Rights). If Respondent fails to comply with the corrective actions ordered by the Final Order, the Department is authorized to file suit seeking judicial enforcement of the Department's Order pursuant to Sections 120.69, 403.121, and 403.131, Fla. Stat.

Pursuant to the authority of Sections 403.061(8) and 403.121, Fla. Stat., the Department proposes to adopt in its Final Order in this case the following specific corrective actions that will

redress the alleged violations:

35. Respondent shall forthwith comply with all Department rules regarding a wastewater treatment facility. Respondent shall correct and redress all violations in the time periods required below and shall comply with all applicable rules in Fla. Admin. Code Chapters 62-602, 62-620, and 62-699.

36. Within 15 days of the effective date of this Order, Respondent shall properly sign the Consent Order and pay the stipulated penalties in accordance with all the requirements of Fla. Admin. Code Rules 62-602, 62-620, and 62-699.

37. Within 30 days of completing above, Respondent shall submit to the Department documentation that the corrective actions have been completed.

38. Within 30 days of the effective date of this Order, Respondent shall pay \$3500.00 to the Department for the administrative penalties imposed above. Payment shall be made by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No. 20-1313" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

39. In addition to the administrative penalties, within 30 days of the effective date of this Order, Respondent shall pay \$250.00 to the Department for costs and expenses. Payment shall be made by cashier's check or money order. Cashier's check or money order shall be made

payable to the “State of Florida Department of Environmental Protection” and shall include thereon the notations “OGC Case No.20-1313” and “Water Quality Assurance Trust Fund.”

The payment shall be sent to the State of Florida Department of Environmental Protection, 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

### NOTICE OF RIGHTS

Respondent’s rights to negotiate, litigate or transfer this action are set forth below.

#### Right to Negotiate

40. This matter may be resolved if the Department and Respondent enter into a Consent Order, in accordance with Section 120.57(4), Fla. Stat., upon such terms and conditions as may be mutually agreeable.

#### Right to Request a Hearing

41. Respondent has the right to a formal administrative hearing pursuant to Sections 120.569, 120.57(1), and 403.121(2), Fla. Stat., if Respondent disputes issues of material fact raised by this Notice of Violation, Orders for Corrective Action, and Administrative Penalty Assessment ("Notice"). At a formal hearing, Respondent will have the opportunity to be represented by counsel or qualified representative, to present evidence and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence.

42. Respondent has the right to an informal administrative proceeding pursuant to Sections 120.569 and 120.57(2), Fla. Stat., if Respondent does not dispute issues of material fact

raised by this Notice. If an informal proceeding is held, Respondent will have the opportunity to be represented by counsel or qualified representative, to present to the agency written or oral evidence in opposition to the Department's proposed action, or to present a written statement challenging the grounds upon which the Department is justifying its proposed action.

43. If Respondent desires a formal hearing or an informal proceeding, Respondent must file a written responsive pleading entitled "Request for Administrative Proceeding" within 20 days of receipt of this Notice. The request must be in the form required by Fla. Admin. Code Rule 28-106.2015 and include the following:

- (a) The name, address, and telephone number, and facsimile number (if any) of each respondent if the respondent is not represented by an attorney or qualified representative;
- (b) The name, address, telephone number, and facsimile number of the attorney or qualified representative of respondent, if any, upon whom service of pleadings and other papers shall be made;
- (c) A statement of when respondent received the Notice;
- (d) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the request for hearing must so indicate; and
- (e) The notation "OGC Case No. 20-1313 shall be included in the request.

A request for hearing is filed when it is received by the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov).

## Right to Mediation

44. If Respondent timely files a request challenging the Notice in accordance with Section 403.121(2)(e) Florida Statute, the Respondent has the right to mediate the issues raised in the Notice. If requested, a mediator will be appointed to assist the Department and Respondent to reach a resolution of some or all of the issues. The mediator is chosen from a list of mediators provided by the FCRC Consensus Center (“FCRC”). The FCRC will provide up to 8 hours of free mediation services to the Respondent. A mediator cannot require the parties to settle the case. If mediation is unsuccessful, both parties retain their full rights to litigate the issues before an administrative law judge. The Respondent must select the mediator and notify the FCRC within 15 days of receipt of the list of mediators. The mediation process does not interrupt the time frames of the administrative proceedings and the mediation must be completed at least 15 days before the date of the final hearing.

45. The written request to appoint a mediator must be made within 10 days after receipt of the Initial Order from the administrative law judge appointed to hear the case. The request must be received by the FCRC Consensus Center, Attn. Chris Pedersen, 296 Champions Way, UCC6140, Tallahassee, Florida, 32306-2641, [cpedersen@fsu.edu](mailto:cpedersen@fsu.edu). Once the request is timely received, the FCRC will provide the parties with a list of mediators and the necessary information as required by Section 403.121(2)(e) Florida Statutes.

## Right to Opt Out of the Administrative Proceeding

46. If Respondent does not wish to contest the issues before an administrative law judge, Respondent may file a notice with the Department opting out of the administrative process. Respondent must file its written opt out notice within 20 days after service of the Notice. The written notice to opt out is filed when it is received by the Department's Office of

General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov).

47. Once the Respondent opts out of the administrative process, the Department may sue the Respondent for injunctive relief, damages, costs and expenses and civil penalties. If the Respondent opts out of the administrative process, the Department may ask the judge to assess civil penalties in excess of the amounts in this Notice up to \$15,000.00 per day per violation. The election to opt out of the administrative process is permanent and once the election is made the administrative process cannot be restarted.

#### Waivers

48. Respondent will waive the right to a formal hearing or an informal proceeding if either

a. a request for a formal hearing or informal proceeding is not filed with the Department within 20 days of receipt of this Notice, or

b. a notice opting out of the administrative proceeding is not filed with the Department within 20 days of receipt of this Notice.

These time limits may be varied only by written consent of the Department.

#### General Provisions

49. The findings of fact and conclusions of law of this Notice together with the Orders for Corrective Action will be adopted by the Department in a Final Order if Respondent fails to timely file a request for a formal hearing or informal proceeding, pursuant to Section 403.121, Fla. Stat. A Final Order will constitute a full and final adjudication of the matters alleged in this Notice.

50. If Respondent fails to comply with the Final Order, the Department is authorized

to file suit in circuit court seeking a mandatory injunction to compel compliance with the Order, pursuant to Sections 120.69, 403.121, and 403.131, Fla. Stat. The Department may also seek to recover damages, all costs of litigation including reasonable attorney's fees and expert witness fees, and civil penalties of not more than \$15,000.00 per day for each day that Respondent has failed to comply with the Final Order.

51. Copies of Department rules referenced in this Notice may be examined at any Department Office or may be obtained by written request to the District Office.

DATED this 6th day of May, 2022.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



---

Aaron Watkins  
Director, Central District

Copies furnished to:  
Kirk White, OGC Litigation Section



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

April 18, 2023

Josiah Cox, President  
CSWR-Florida Utility Operating Company, LLC  
1630 Des Peres Rd., Suite 140  
Des Peres, MO 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: North Peninsula WWTF (AKA Seabridge)  
DW Facility ID #FLA011188  
OGC Case No: 22-2563

Dear Mr. Cox:

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@floridadep.gov](mailto:phil.kane@floridadep.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Watkins".

*On behalf of:*

Aaron Watkins  
Director, Central District

Enclosure: Consent Order OGC# 22-2563

cc: Lea Crandall, OGC  
Daun Festa, Central District  
Enrique Chavez, Jr. [echavez@cswrgroup.com](mailto:echavez@cswrgroup.com)



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

February 28, 2023

Josiah Cox, President  
CSWR-Florida Utility Operating Company, LLC  
1630 Des Peres Rd., Suite 140  
Des Peres, MO 63131  
[jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: North Peninsula WWTF (AKA Seabridge)  
DW Facility ID #FLA011188  
OGC Case No: 22-2563  
Volusia County

Dear Mr. Cox:

Enclosed is a Consent Order ("Order") prepared by the Department for resolution of the referenced enforcement case. Please review this document and within 20 days of receipt, either: 1) return a signed copy to the Department or 2) provide comments and suggested changes. Once fully executed, a copy of the final document will be forwarded to you.

Should you have any questions or comments, please contact Dr. Phil Kane at 407-897-4156 or via e-mail at [phil.kane@FloridaDEP.gov](mailto:phil.kane@FloridaDEP.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "A. Watkins".

*On behalf of:*

---

Aaron Watkins, Director  
Central District

Enclosure: Consent Order

Cc: Lee Cain [lee.cain@clearwatersol.com](mailto:lee.cain@clearwatersol.com)

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. 22-2563
)	
CSWR-FLORIDA UTILITY OPERATING )	
COMPANY, LLC )	
_____ )	

**CONSENT ORDER**

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and CSWR-Florida Utility Operating Company, LLC (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 North Peninsula WWTF (AKA Seabridge), a 0.210 MGD average daily flow (TMADF) wastewater treatment facility with chlorinated effluent to 2 Rapid Infiltration Basins (RIBs) Facility. The Facility is operated under Wastewater Permit No. FLA011188 (Permit), which was issued on September 4, 2018 and will expire on September 3, 2023. The Facility is located at Seabridge Drive Ormond Beach, FL 32176, in Volusia County, Florida (Property). Respondent owns the Property on which the Facility is located. An inspection of the facility was conducted on June

29, 2022. CSWR-Florida Utility Operating Company, LLC purchased the facility on May 26, 2022.

4. The Department finds that the following violation(s) occurred:
  - a) Significant corrosion was noted throughout the facility structural components in violation of Chapter 62-620.610(7) F.A.C.
  - b) The travelling bridges in plant number 1 and number 3 were broken in violation of Chapter 62-620.610(7) F.A.C.
  - c) The Rapid Infiltration Basin (RIB) #1 needs to be cleaned of excessive vegetation and scarified in violation of Chapter 62-610.523, F.A.C.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:
  6. Within 30 days of the effective date of this Order, Respondent shall submit to the Department an evaluation conducted by a professional engineer registered in the state of Florida, of the Facility, including the effluent disposal system and associated collection system, to discover the cause or causes of the violations identified in paragraph 4 above.
  7. Within 30 days of the due date for submission of the evaluation in paragraph 6, Respondent shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraph 4 above and ensure the Facility and effluent disposal system will function in full and consistent compliance with all applicable rules.
  8. Within 30 days of the due date for submission of the design modification(s) in paragraph 7, Respondent shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 7, if such a permit is required. In the event the Department requires additional information to process the permit

application Respondent shall provide a written response containing the information requested by the Department within 90 days of the date of the request.

9. Within 360 days after issuance of the wastewater permit referenced in paragraph 8 above, or if no permit is required, within 360 days of the approval of the design modification(s) in paragraph 7, Respondent shall complete construction of the modification(s) submitted pursuant to paragraph 7.

10. Within 30 days after completion of the construction, Respondent shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required the design modification(s) submitted pursuant to paragraph 7.

11. 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.

12. Within 30 days of the effective date of this Order, Respondent shall submit to the Department a detailed Operation and Maintenance Performance Report meeting all of the requirements of Rule 62-600.735, F.A.C.

13. Respondent's completion of all corrective actions required by paragraph 4 within the respective deadlines specified thereunder shall constitute full compliance with Rule 62-610 and 62-620, F.A.C.

14. Respondent agrees to pay the Department stipulated penalties in the amount of \$1,000.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph(s) 6-12 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 paragraph 15, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order.

15. 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

16. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Dr. Phil Kane Compliance Assurance Program, Department of Environmental Protection, Central District 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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 \$15,000.00 per day per violation, and criminal penalties.

24. 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.

25. 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.

26. 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.

27. 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.

28. Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

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

- a) The name and address of each agency affected and each agency's file or identification number, if known;
- b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- c) A statement of when and how the petitioner received notice of the agency decision;
- d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov), within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at

Central District 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

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

FOR THE RESPONDENT:

  
\_\_\_\_\_  
Josiah Cox  
President

4/14/2023

Date

Done and Ordered this 18<sup>th</sup> day of April 2023, in Orange county, Florida

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



on behalf of

Aaron Watkins  
District Director  
Central

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



Clerk

April 18, 2023

Date

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35



# 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

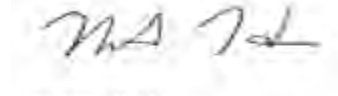
Warning Letter

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,



*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**

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

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

<b>Name(s) of Field Representatives(s) and Title</b> Glenn Wetherell/Operator <small>Click or tap here to enter text.</small>	<b>Operator Certification #</b> <small>Click or tap here to enter text.</small>	<b>Email</b> <small>Click or tap here to enter text.</small>	<b>Phone</b> 386-673-4161 <small>Click or tap here to enter text.</small>
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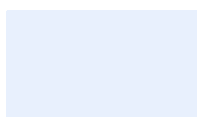
<b>Name &amp; Address of Permittee / Designated Rep.</b> Robert Hillman PO Box 1364 Ormond Beach, Florida 32175	<b>Title</b> Owner	<b>Email</b> developershw@gmail.com	<b>Phone</b> (386) 677-7847
--	-----------------------	--	--------------------------------

<b>Inspection Type</b>	C	I		<b>Samples Taken(Y/N):</b> N	<b>Sample ID#:</b> na	<b>Samples Split (Y/N):</b> N
<input checked="" type="checkbox"/> <b>Domestic</b> <input type="checkbox"/> <b>Industrial</b>						

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
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

<b>Facility and/or Order Compliance Status:</b>	<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**

<b>Name(s) and Signature(s) of Inspector(s)</b> Dr. Phil Kane  <small>Click here to enter text</small> <i>Philip N Kane, Ed.D</i>	<b>District Office/Phone Number</b> CD/407-897-4156	<b>Date</b> 4/23/2021
---	--	--------------------------

<b>Name and Signature of Reviewer</b> David Smicherko <i>David Smicherko</i>	<b>District Office/Phone Number</b> CD/407-897-4169	<b>Date</b> 4/26/2021
--	--	--------------------------

### 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



# 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:

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During the inspection Department personnel noted the following:

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- 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

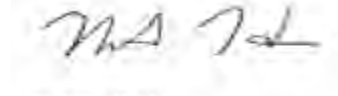
Warning Letter

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", is written over a faint, circular official stamp.

*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**

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

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



<b>Name(s) of Field Representatives(s) and Title</b> Glenn Wetherell/Operator <small>Click or tap here to enter text.</small>	<b>Operator Certification #</b> <small>Click or tap here to enter text.</small>	<b>Email</b> <small>Click or tap here to enter text.</small>	<b>Phone</b> 386-673-4161 <small>Click or tap here to enter text.</small>
---	--	---	---

<b>Name &amp; Address of Permittee / Designated Rep.</b> Robert Hillman PO Box 1364 Ormond Beach, Florida 32175	<b>Title</b> Owner	<b>Email</b> developershw@gmail.com	<b>Phone</b> (386) 677-7847
--	-----------------------	--	--------------------------------

<b>Inspection Type</b>	C	I		<b>Samples Taken(Y/N):</b> N	<b>Sample ID#:</b> na	<b>Samples Split (Y/N):</b> N
<input checked="" type="checkbox"/> <b>Domestic</b> <input type="checkbox"/> <b>Industrial</b>						

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

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

<b>Recommended Actions: Warning Letter</b>		
<b>Name(s) and Signature(s) of Inspector(s)</b> Dr. Phil Kane  	<b>District Office/Phone Number</b> CD/407-897-4156	<b>Date</b> 4/23/2021
<b>Name and Signature of Reviewer</b> David Smicherko  	<b>District Office/Phone Number</b> CD/407-897-4169	<b>Date</b> 4/26/2021

### 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



# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

December 14, 2021

John W. Patton III, President  
Rolling Oaks Utilities, Inc.  
P.O. Box 641030  
Beverly Hills, FL 34464  
[John4bhd@tampabay.rr.com](mailto:John4bhd@tampabay.rr.com)

Re: Compliance Assistance Offer Closure  
Beverly Hills WWTF  
Facility ID No.: FLA011869  
Citrus County

Dear Mr. Patton III:

Department personnel conducted a Compliance Evaluation Inspection and Sanitary Sewer Overflow Preventative (SSOP) Inspection of the above-referenced facility on October 22, 2021. Based on the information provided following the inspection, the facility was determined to be in compliance. Any non-compliance items which may have been identified at the time of the inspection have been corrected.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact Maryn Jones at (813) 470-5919 or via e-mail at [Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov).

Sincerely,

A handwritten signature in cursive script that reads "Erica Peck".

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

EP/mj

cc: Erica Peck, FDEP-SWD; [Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov)  
Lance Kautz, FDEP-SWD; [Lance.Kautz@FloridaDEP.gov](mailto:Lance.Kautz@FloridaDEP.gov)  
Astrid FloresThiebaud, FDEP-SWD; [Astrid.FloresThiebaud@FloridaDEP.gov](mailto:Astrid.FloresThiebaud@FloridaDEP.gov)  
Maryn Jones, FDEP-SWD; [Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov)



# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Interim Secretary

## MEMO TO FILE

June 8, 2021

Beverly Hills WWTF  
Facility ID No.: FLA011869  
Citrus County

Subject: Abnormal Event

The Department acknowledges the June 4, 2021 Unauthorized Discharge of 40,000 gallons of mix liquor from in between the Aeration Basin and the Clarifier. The discharge was contained on-site and will be re-routed to the plant. Based on the information provided after the event, this action was determined to not have substantial impact to the environment and was appropriately addressed. Therefore, the Department is not initiating formal enforcement proceedings at this time. This memorandum does not preclude further agency action in accordance with Sections 403.121, 403.131, 403.141 and 403.161, Florida Statutes.

Maryn Jones  
Environmental Specialist I  
Southwest District

Rolling Oaks Utilities Inc.

**Beverly Hills Wastewater Treatment Facility**

Permit Number FLA011869

**Noncompliance Reporting**

[ SPILL REPORT ]

[3] **Date:** 6/4/2021 **Time:** 5:30 AM

[3] **Status** *[ongoing / ceased]* 6/4/2021 5:30 AM **ceased /** 6/4/2021 8:15 AM  
date time date time

[4] **Characteristics of wastewater** *[treated/untreated]* Sludge

[5] **Quantity:** *[estimated amount]* 40,000 

[6] **Location of Discharge:** 109 Rose Ave

[7] **Cause and Source:** Blockage in 20" pipe between Areation Basin and Clairfer

[8&9] **Response:** Jetted out blockage using jetter

*[contained on site, cleanup actions taken, description of area affected, commercial / residential, properties involved]*  
Using Vactor truck , Cleaned area , added lime to affected area

**Notification To:** State Warning Point & DEP

**Phone:** [800] 320-0519  
Number 2021-2900

[2] **Reported By:** Rolling Oaks Utilities, Inc.

**[PERMITTEE]** P.O.B. 641030  
Beverly Hills, FL.34464  
[352] 746-4291

[1] **Person Reporting**

**Name / Title** Kyle Johnson Operations Mgr.  
**Address** @ Rolling Oaks Utilities  
**Phone #** [352] 746-4291 cell 601-

**DEP:** 1-800-320-0519 AFTER HOURS DEP REPORTING  
**Contact** Lance Kruzit *[wastewater]*  
**Phone** [813] 470-5878  
**FAX** 813-470-5995

**Reporting after hours to DEP call appropriate contact and leave voice mail [WW if spill is under 1000 Gallons.]**

Rolling Oaks Utilities Inc.

**Beverly Hills Wastewater Treatment Facility**

Permit Number FLA011869

**Noncompliance Reporting**

[ SPILL REPORT ]

[3] **Date:** 6/4/2021 **Time:** 5:30 AM

[3] **Status** *[ongoing / ceased]* 6/4/2021 5:30 AM **ceased /** 6/4/2021 8:15 AM  
date time date time

[4] **Characteristics of wastewater** *[treated/untreated]* Sludge

[5] **Quantity:** *[estimated amount]* 4,500 

[6] **Location of Discharge:** 109 Rose Ave

[7] **Cause and Source:** Blockage in 20" pipe between Areation Basin and Clairfer

[8&9] **Response:** Jetted out blockage using jetter

*[contained on site, cleanup actions taken, description of area affected, commercial / residential, properties involved]*  
Using Vactor truck , Cleaned area , added lime to affected area

**Notification To:** State Warning Point & DEP

**Phone:** [800] 320-0519  
Number 2021-2900

[2] **Reported By:** Rolling Oaks Utilities, Inc.

**[PERMITTEE]** P.O.B. 641030  
Beverly Hills, FL.34464  
[352] 746-4291

[1] **Person Reporting**

**Name / Title** Kyle Johnson Operations Mgr.  
**Address** @ Rolling Oaks Utilities  
**Phone #** [352] 746-4291 cell 601-

**DEP:** 1-800-320-0519 AFTER HOURS DEP REPORTING

**Contact** Myrn Jones *[wastewater]*

**Phone** [813] 470-5878

**FAX** 813-470-5995

**Reporting after hours to DEP call appropriate contact and leave voice mail [WW if spill is under 1000 Gallons.]**

APPENDIX "A"

	Daily Flow
Wed	399,000
Thur	424,000
Fri	375,000
Sat	415,000
Sun	451,000
Mon	462,000
Total	2,526,000
Avg	421,000
Fridays flow	375,000
	46,000
To Digester	40,000
Loss	6,000
Recovered	1,000
Total Loss X1000	4,500 Gallons

**From:** [Peck, Erica](#)  
**To:** [Jones, Maryn](#)  
**Subject:** FW: INITIAL / Citrus / Wastewater Release / DEM-Perkins  
**Date:** Tuesday, June 8, 2021 7:53:42 AM

---

Please see below.

Thank you,



**Erica Peck**

Florida Department of Environmental Protection, SW District  
Environmental Manager  
Wastewater & UIC Compliance  
[Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov)  
Office: 813-470-5906

---

**From:** SWP@em.myflorida.com <SWP@em.myflorida.com>

**Sent:** Friday, June 4, 2021 9:54 AM

**To:** Kevin.Guthrie@em.myflorida.com; John.Kohnke@myfloridacfo.com;  
John.Gatlin@myfloridacfo.com; tjlyon@me.com; Kenneth.DeCastro@em.myflorida.com; EOC-COSLogistics@em.myflorida.com; Jeff.Swain@em.myflorida.com; sam.walters@em.myflorida.com;  
amy.godsey@em.myflorida.com; axel.runtschke@em.myflorida.com;  
justin.lazzara@em.myflorida.com; woodham.harvey@em.myflorida.com;  
DLDOHDutyOfficers@flhealth.gov; steven.hynes@em.myflorida.com;  
jon.bussey@em.myflorida.com; Robert.Dietrich@em.myflorida.com;  
Erek.Culbreath@em.myflorida.com; Kimberly.Sharkey@em.myflorida.com;  
ashley.davis@em.myflorida.com; ian.guidicelli@em.myflorida.com;  
taylor.cheney@em.myflorida.com; debbie.bass@em.myflorida.com;  
pamela.phillips@em.myflorida.com; McElheney, MaryAlice  
<MaryAlice.McElheney@FloridaDEP.gov>; Gousse, Kristin <Kristin.Gousse@FloridaDEP.gov>;  
Dilmore, Cory <Cory.Dilmore@FloridaDEP.gov>; russell.chris@epa.gov; swp@em.myflorida.com;  
Shakar, Jamie <Jamie.Shakar@FloridaDEP.gov>; joni@frwa.net; SGDCEHPpreparedness@flhealth.gov;  
Arleo, Jamie <Jamie.Arleo@dep.state.fl.us>; LetoBarone, Domenic  
<Domenic.LetoBarone@FloridaDEP.gov>; Yeargan, Mary <Mary.Yeargan@dep.state.fl.us>; Kaur,  
Ramandeep <Ramandeep.Kaur@FloridaDEP.gov>; Lynch, Michael <Michael.Lynch@dep.state.fl.us>;  
Boatwright, Kelley M. <Kelley.M.Boatwright@dep.state.fl.us>; ONeal, Charley  
<Charley.ONeal@FloridaDEP.gov>; Brock, James <James.Brock@FloridaDEP.gov>; Tafuni, Steven  
<Steven.Tafuni@FloridaDEP.gov>; Peck, Erica <Erica.Peck@FloridaDEP.gov>; Grondahl, Max  
<Max.Grondahl@FloridaDEP.gov>; Kautz, Lance <Lance.Kautz@FloridaDEP.gov>; Brock, Lindsay  
<Lindsay.Brock@FloridaDEP.gov>; Luscier, Jordan <Jordan.Luscier@FloridaDEP.gov>; Larson, Emily  
<Emily.Larson@FloridaDEP.gov>; D'Abreu, Gordon <Gordon.D'Abreu@dep.state.fl.us>; Wavelet,  
Trevor <Trevor.Wavelet@FloridaDEP.gov>; Herbon, Shannon <Shannon.Herbon@FloridaDEP.gov>;  
Miller, Dee Ann <Dee.Ann.Miller@dep.state.fl.us>; Depnews <Depnews@dep.state.fl.us>; Vazquez,  
Pamala <Pamala.Vazquez@dep.state.fl.us>; Westervelt, Hannah  
<Hannah.Westervelt@FloridaDEP.gov>; pullos.christopher@epa.gov;

paul.siddall@em.myflorida.com; jeremy.odell@em.myflorida.com; jodie.fiske@em.myflorida.com;  
thess@sheriffcitrus.org

**Subject:** INITIAL / Citrus / Wastewater Release / DEM-Perkins



## Florida Division of Emergency Management

### State Watch Office Incident Report

#### Main Information

**Report #:** 2021-2900

**Status:** Assigned

**Reported to SWO on:** 6/4/2021 09:45 ET

**Severity:** Local Incident

**Description:** Wastewater Release

**This situation involves:** Wastewater or Effluent Release

**Affected Sectors:** DEP District - Southwest, DEP OER Tampa - Day

**Initial Report:** Caller reports a release of 40,000 gallons aerated sludge due to a blockage between two tanks in Beverly Hills. Caller stated the release has ceased and it was contained on-site. Clean-up actions are in progress.

**Injuries:** No

**Fatalities (Unconfirmed by State Medical Examiner):** No

**Environmental impact:** Yes

**DEP callback requested:** No

**Incident Occurred:** 6/4/2021 05:30 ET

**Most Recent Update Date/Time:** 06/04/2021-09:54 ET

**Most Recent Update:** N/A

**Affected Counties:** Citrus

**Facility Name or Description:**

**Incident Location:** *Address:* 109 Rose Ave *City:* Beverly Hills

#### Map

**Coordinates:** *Lat:* 28.91448, *Long:* -82.44776



#### Contact Information

**Reporting Party:** *Name:* Kyle Johnson, Rolling Oaks Utilities | *Call Back Number 1:* 352-601-7017 | *Address:*

**Responsible Party:** Unknown

**On-Scene Contact:** Unknown

#### Wastewater or Effluent

**Sub-Type:** Wastewater

**Situation:** Past Report

**Description:** Wastewater

**Public Water System ID or Permit Number:** FLA 011869

**Type of System:** Private

**Release occurred from a:** Other (note in cause below)

**Additional Details:** Aeration Basin

**Release occurred from a:** Aerated Sludge

**Release Cause:** Blockage

**Release status:** Ceased

**Date release ceased:** 6/4/2021

**Time release ceased:** 08:15 ET

**Release contained on-site at a water reclamation facility:** Yes

**Amount of release, in gallons:** 40,000 Gallons

**Release enter a storm water system:** No

**Affected waterway a source of drinking water:** No

**Status of Cleanup Actions:** In-Progress

**Description of clean-up actions:** Vacuuming the Sludge

**Notification 06/04/2021-09:54 / DEM-Perkins**

[Kevin.Guthrie@em.myflorida.com](mailto:Kevin.Guthrie@em.myflorida.com); [John.Kohnke@myfloridacfo.com](mailto:John.Kohnke@myfloridacfo.com);  
[John.Gatlin@myfloridacfo.com](mailto:John.Gatlin@myfloridacfo.com); [tjlyon@me.com](mailto:tjlyon@me.com); [Kenneth.DeCastro@em.myflorida.com](mailto:Kenneth.DeCastro@em.myflorida.com); [EOC-COSLogistics@em.myflorida.com](mailto:EOC-COSLogistics@em.myflorida.com);  
[Jeff.Swain@em.myflorida.com](mailto:Jeff.Swain@em.myflorida.com);  
[sam.walters@em.myflorida.com](mailto:sam.walters@em.myflorida.com); [amy.godsey@em.myflorida.com](mailto:amy.godsey@em.myflorida.com);  
[axel.runtschke@em.myflorida.com](mailto:axel.runtschke@em.myflorida.com); [justin.lazzara@em.myflorida.com](mailto:justin.lazzara@em.myflorida.com);  
[woodham.harvey@em.myflorida.com](mailto:woodham.harvey@em.myflorida.com); [DLDOHDutyOfficers@flhealth.gov](mailto:DLDOHDutyOfficers@flhealth.gov);  
[steven.hynes@em.myflorida.com](mailto:steven.hynes@em.myflorida.com); [jon.bussey@em.myflorida.com](mailto:jon.bussey@em.myflorida.com);  
[Robert.Dietrich@em.myflorida.com](mailto:Robert.Dietrich@em.myflorida.com); [Erek.Culbreath@em.myflorida.com](mailto:Erek.Culbreath@em.myflorida.com);  
[Kimberly.Sharkey@em.myflorida.com](mailto:Kimberly.Sharkey@em.myflorida.com); [ashley.davis@em.myflorida.com](mailto:ashley.davis@em.myflorida.com);  
[ian.guidicelli@em.myflorida.com](mailto:ian.guidicelli@em.myflorida.com); [taylor.cheney@em.myflorida.com](mailto:taylor.cheney@em.myflorida.com);  
[debbie.bass@em.myflorida.com](mailto:debbie.bass@em.myflorida.com); [pamela.phillips@em.myflorida.com](mailto:pamela.phillips@em.myflorida.com);  
[MaryAlice.McElheney@dep.state.fl.us](mailto:MaryAlice.McElheney@dep.state.fl.us); [Kristin.Gousse@floridadep.gov](mailto:Kristin.Gousse@floridadep.gov);  
[Cory.Dilmore@floridadep.gov](mailto:Cory.Dilmore@floridadep.gov); [russell.chris@epa.gov](mailto:russell.chris@epa.gov); [swp@em.myflorida.com](mailto:swp@em.myflorida.com);  
[jamie.shakar@floridadep.gov](mailto:jamie.shakar@floridadep.gov); [joni@frwa.net](mailto:joni@frwa.net); [SGDCEHPreparedness@flhealth.gov](mailto:SGDCEHPreparedness@flhealth.gov);  
[jamie.arleo@floridadep.gov](mailto:jamie.arleo@floridadep.gov); [domenic.letobarone@floridadep.gov](mailto:domenic.letobarone@floridadep.gov); [mary.yeargan@floridadep.gov](mailto:mary.yeargan@floridadep.gov);  
[ramandeep.kaur@floridadep.gov](mailto:ramandeep.kaur@floridadep.gov); [michael.lynch@floridadep.gov](mailto:michael.lynch@floridadep.gov);  
[Kelley.M.Boatwright@floridadep.gov](mailto:Kelley.M.Boatwright@floridadep.gov); [charley.oneal@floridadep.gov](mailto:charley.oneal@floridadep.gov);  
[James.Brock@FloridaDEP.gov](mailto:James.Brock@FloridaDEP.gov); [Steven.Tafuni@FloridaDEP.gov](mailto:Steven.Tafuni@FloridaDEP.gov); [Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov);  
[Max.Gron Dahl@FloridaDEP.gov](mailto:Max.Gron Dahl@FloridaDEP.gov); [Lance.Kautz@FloridaDEP.gov](mailto:Lance.Kautz@FloridaDEP.gov);  
[Lindsay.Brock@FloridaDEP.gov](mailto:Lindsay.Brock@FloridaDEP.gov); [Jordan.Luscier@FloridaDEP.gov](mailto:Jordan.Luscier@FloridaDEP.gov);  
[emily.larson@FloridaDEP.gov](mailto:emily.larson@FloridaDEP.gov); [gordon.dabreu@dep.state.fl.us](mailto:gordon.dabreu@dep.state.fl.us); [trevor.wavelet@floridadep.gov](mailto:trevor.wavelet@floridadep.gov);  
[shannon.herbon@floridadep.gov](mailto:shannon.herbon@floridadep.gov); [Dee.Ann.Miller@floridadep.gov](mailto:Dee.Ann.Miller@floridadep.gov); [DEPNews@floridadep.gov](mailto:DEPNews@floridadep.gov);  
[Pamala.Vazquez@floridadep.gov](mailto:Pamala.Vazquez@floridadep.gov); [Hannah.Westervelt@FloridaDEP.gov](mailto:Hannah.Westervelt@FloridaDEP.gov);  
[pullos.christopher@epa.gov](mailto:pullos.christopher@epa.gov); [paul.siddall@em.myflorida.com](mailto:paul.siddall@em.myflorida.com); [jeremy.odell@em.myflorida.com](mailto:jeremy.odell@em.myflorida.com);  
[jodie.fiske@em.myflorida.com](mailto:jodie.fiske@em.myflorida.com) ; [thess@sheriffcitrus.org](mailto:thess@sheriffcitrus.org)

The State Watch Office values your feedback; please take a 1 minute [survey](#) about this notification.

Under Florida law, correspondence with the Florida Division of Emergency Management concerning agency business that is neither confidential nor exempt pursuant to Florida Statutes is a public record and will be made available to the public upon request.

**From:** [kyle@rollingoaksutilities.com](mailto:kyle@rollingoaksutilities.com)  
**To:** [Jones, Maryn](#)  
**Subject:** Copy of SPILL REPORT WWTP 682021.xls  
**Date:** Tuesday, June 8, 2021 10:30:13 AM  
**Attachments:** [Copy of SPILL REPORT WWTP 682021.xls](#)

---

Please see revised spill report

Recovered amount was sent to emergency over flow pond at the waste water plant as in our permit

Thanks

Kyle Johnson. 352-601-7017

**From:** [Jones, Maryn](#)  
**To:** [kyle@rollingoaksutilities.com](mailto:kyle@rollingoaksutilities.com)  
**Subject:** RE: Copy of SPILL REPORT WWTP 642021.xls  
**Date:** Tuesday, June 8, 2021 9:02:00 AM  
**Attachments:** [image001.png](#)

---

Good morning Kyle,

I'm following up in regards to the 5-day report. Please let me know if clean-up has finished and what the final recovered volume is.

Best regards,  
Maryn



*Maryn Jones*

**Environmental Specialist Compliance Assurance**  
Florida Department of Environmental Protection  
Southwest District  
13051 N. Telecom Pkwy. #101  
Temple Terrace, FL 33637  
[Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov)  
Office: (813)470-5919

**PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from state owned e-mail accounts are considered to be public records and will be made available to the public or the media upon request. Therefore, your e-mail messages may be subject to public disclosure.**

 Please consider the environment before printing this e-mail.

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**From:** Jones, Maryn  
**Sent:** Friday, June 4, 2021 10:29 AM  
**To:** [kyle@rollingoaksutilities.com](mailto:kyle@rollingoaksutilities.com)  
**Subject:** RE: Copy of SPILL REPORT WWTP 642021.xls

Good morning Kyle,

Per our discussion, this is our example of a 5-day report; its called that because it needs to be completed within 5 days of the spill. This form includes all the required information. As noted on the form, you do not have to use this form in particular, however we need all the information in red. The other requirement is to submit the required information to the Public Notice of Pollution database at: <https://floridadep.gov/pollutionnotice>.

For future SSOs; the other option is to submit through the DEP Business (ESSA) Portal by going through "Submit" followed by "Report" or "Registration/Notification". If interested, please see attachment *CE – SSO Reporting Tool Guidance Handout\_508* for step by step guidance. If you do not have a pin already I provided that guidance as well (see *RegisteringNewAccount-PIN\_0*). The ESSA Portal provides the option to automatically enter information to the Public Notice of Pollution database (so it would be one less step). See the link below for additional information on reporting SSOs. If you have any questions or concerns please let me know.

<https://floridadep.gov/water/water-compliance-assurance/content/emergency-response>

To summarize, when reporting an SSO over 1,000 gallons:

- Step 1: Notify State Watch Office (complete)
- Step 2: Notify DEP (complete)
- Step 3: Submit information to Public Notice of Pollution **(not complete)**
- Step 4: Submit 5-day report **(not complete)**

Best regards,  
Maryn



*Maryn Jones*

**Environmental Specialist Compliance Assurance**  
Florida Department of Environmental Protection  
Southwest District  
13051 N. Telecom Pkwy. #101  
Temple Terrace, FL 33637  
[Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov)  
Office: (813)470-5919

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 Please consider the environment before printing this e-mail.

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**From:** [kyle@rollingoaksutilities.com](mailto:kyle@rollingoaksutilities.com) <[kyle@rollingoaksutilities.com](mailto:kyle@rollingoaksutilities.com)>

**Sent:** Friday, June 4, 2021 10:05 AM

**To:** Jones, Maryn <[Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov)>

**Subject:** Copy of SPILL REPORT WWTP 642021.xls

Please see attached spill report

I also have reported to state warning point

Any questions 352-601-7017

Kyle Johnson . Rolling Oaks Utilities



# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

November 17, 2021

John W. Patton III, President  
Rolling Oaks Utilities, Inc.  
P.O. Box 641030  
Beverly Hills, FL 34464  
[John4bhd@tampabay.rr.com](mailto:John4bhd@tampabay.rr.com)

Re: Compliance Assistance Offer  
Beverly Hills WWTF  
Facility ID No.: FLA011869  
Citrus County

Dear Mr. Patton III:

A Compliance Evaluation Inspection and Sanitary Sewer Overflow Preventative (SSOP) Inspection was conducted at the above-referenced facility on October 22, 2021, as part of the permit renewal process under the authority of Section 403.061, Florida Statutes (F.S.). During this inspection, possible violations of Chapter 403, F.S., and Chapters 62-600, and 62-604, Florida Administrative Code (F.A.C.), were observed. The purpose of this letter is to offer compliance assistance as a means of resolving these matters.

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

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed, or
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 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.

Beverly Hills WWTF  
FLA011869  
Compliance Assistance Offer  
Page 2 of 2

Please address your response and any questions to Maryn Jones of the Southwest District Office at (813) 470-5919 or via e-mail at [Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov). We look forward to your cooperation with this matter.

Sincerely,



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

EP/mj

Enclosure:      Inspection Report and Photo Log

cc:      Erica Peck, FDEP-SWD; [Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov)  
Lance Kautz, FDEP-SWD; [Lance.Kautz@FloridaDEP.gov](mailto:Lance.Kautz@FloridaDEP.gov)  
Astrid FloresThiebaud, FDEP-SWD; [Astrid.FloresThiebaud@FloridaDEP.gov](mailto:Astrid.FloresThiebaud@FloridaDEP.gov)  
Maryn Jones, FDEP-SWD; [Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov)



## FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WASTEWATER COMPLIANCE INSPECTION REPORT



### Facility Details

<b>Facility Name</b>	Beverly Hills WWTF			<b>WAFR ID</b>	FLA011869		
<b>Physical Address</b>	109 Rose Ave			<b>City, State, Zip</b>	Beverly Hills, FL 34465		
<b>County</b>	Citrus			<b>Facility Phone #</b>	(352) 746-4291		
<b>Permit Issued:</b>	10/24/2017			<b>Permit Expiration:</b>	10/23/2022		
<b>Facility Type</b>	Domestic Wastewater			<b>Is the Facility NPDES (Y/N)</b>	No		
<b>Latitude</b>	<b>Degrees °</b>	28	<b>Minutes ‘</b>	54	<b>Seconds “</b>	51 N	
<b>Longitude</b>	<b>Degrees °</b>	82	<b>Minutes ‘</b>	26	<b>Seconds “</b>	49 W	

### Inspection Details

<b>Inspection Type</b>	<b>Entry Date</b>	<b>Exit Date</b>	
CEI	10/22/2021	10/22/2021	
	<b>Entry Time (HH:MM AM/PM)</b>	<b>Exit Time (HH:MM AM/PM)</b>	
SSOP	09:30 AM	11:40 PM	
<b>Sampling Taken (Y/N)</b>	No	<b>RQ#</b>	N/A
		<b>QA Conducted (Y/N)</b>	No
<b>Name(s) and Title of Field Representatives(s)</b>	<b>Operator Certification</b>	<b>Email</b>	<b>Phone Number</b>
Kyle Johnson, Operations Manager Vance Ewell, Operator	C-12048 B-20211	kyle@rollingoakutilities.com N/A	352-601-7017 N/A
<b>Name(s) and address of Permittee / Designated Rep.</b>	<b>Title</b>	<b>Email</b>	<b>Phone Number</b>
Rolling Oaks Utilities Inc- John W. Patton III P.O. Box 641030 Beverly Hills, FL 34464	President	John4bhd@tampabay.rr.com	(352) 746-7761

### Inspector Information

<b>Name(s) and Signature(s) of Inspectors(s)</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Maryn Jones 	SWD/ (813) 470-5919	11/15/2021
<b>Name and Signature of Reviewer</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Erica Peck 	SWD/ (813) 470-5906	11/17/2021

### Facility Compliance Eval Areas

<i>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 “*”</i>							
<b>Overall Compliance Determination</b>				Out of Compliance			
IC	*Permit	IC	Laboratory	NC	Facility Site Review	IC	*Effluent Quality
IC	*Compliance Schedules	IC	Sampling	IC	Flow Measurement	IC	*Effluent Disposal
IC	*Records & Reports	NC	Biosolids	MC	*Operation & Maintenance	NC	*Groundwater
MC	SSO Survey	NA	Other	NA	Nutrient Management Plan	NA	Access Control
NA	Site Restrictions & Setbacks	NA	Odor/Nuisance	NA	Site Monitoring	NA	MLPW Disposal
NA	Manure Solids						

<b>Clear Report</b>	<b>Hide/Unhide Placeholders</b>	<b>Generate Blank Rows (for field paper setup)</b>	<b>Generate Deficiency &amp; Observation Rows</b>	<b>Finish Inspection Report Form</b>
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### Single Event Violations (“\*” SNC SEVs)

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

## Permit

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
*Is the permit current?	Yes			
Is a copy of the permit available onsite?	Yes			
Is the facility operated in accordance with the permit?	Yes			
*Was the facility constructed or modified with an appropriate or valid permit issued by the Department?	Yes			
Has the facility submitted the permit renewal application 180 days prior to the expiration date?	N/A			
If the permittee for the facility has changed did the department receive notification of this change?	N/A			
If the permit is accompanied by a Consent Order or Administrative Order are, they abiding by the conditions of the order?	N/A			
Is wastewater from a portion of the treatment process diverted with Department approval?	N/A			
*Is the facility discharging to waters of the state with an appropriate FDEP permit?	N/A			
*Was the facility free from unpermitted discharge, bypass, collection system, or residuals with a high potential for water quality or health impacts?	Yes			
Is the facility free from any Permit violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Observations:</b>				
The facility operates an existing 0.575 million gallons per day (MGD) annual average daily flow (AADF), Type I, conventional activated sludge process domestic wastewater treatment plant with an existing 1.0 MGD AADF permitted capacity Part IV, four-cell rapid infiltration basin (RIB) system. Modifications have not been completed to date. <b>Please note the permit renewal application is due by April 26, 2022.</b>				

## Compliance Schedule

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
If the facility has a compliance schedule in a permit, Administrative Order or Enforcement Action are they in compliance with the schedule?	Yes			
*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date?	Yes			
Has the facility completed construction and submitted a Notification of Completion of Construction for Wastewater Facilities or Activities (Form 62-620.910(12)), if required?	N/A			
Has the Notification of Availability of Record Drawings and Final Operation and Maintenance Manuals (Form 62-620.910(13)) been submitted as required?	N/A			
If the facility is under a Toxicity Corrective Action Plan, are they in compliance with the plan?	N/A			
Is the facility free from any Compliance Schedule violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Observations:</b>				

The schedule items in the table below are listed in Permit Condition VI. Improvement action items one and two have not been completed as the facility has not modified the treatment process described in Modification I and After Modification.

Improvement Action	Completion Date
1. Provide documentation as required in permit conditions VIII.1. & 2. for any new facilities or unit processes.	As required by permit conditions VIII.1. & 2.
2. Prepare an updated Operation and Maintenance Manual.	Within six months of placing the modified facility into service.
3. Replacing the bar screen for the influent wastewater.	December 2017
4. Repair the deteriorating aluminum walkways and stairs.	December 2017
5. Painting steel components of the tank.	December 2017
6. Identify and implement corrective actions to reduce the concentration of nitrate in reclaimed water directed to R-001. Submit a report to the Department describing the corrective actions and progress, including an evaluation of the nitrate concentrations in both the reclaimed water and ground water.	Within one year of permit effective date

## Laboratory

Compliance Rating	In Compliance			
Does this section apply to the facility?	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Is there a current copy of the laboratory certification onsite?	Yes			
If the facility has an onsite laboratory does it have a Florida Department of Health Environmental Laboratory Certification Program certification?	Yes			
Facility DOH Certification #	-			
Contract Lab Name and DOH Certification #	E83265; See comments Yes			
Does the onsite laboratory use sample analysis methods prescribed in 40 CFR part 136 or a test method that has gone through the EPA alternative method approval process?	N/A			
Does the facility have standard operating procedures that follow the methods set in 62-620.10(18) F.A.C. including 40 CFR Part 136; including required instrumentation, glassware cleaning, reagent/standard use, and troubleshooting procedures?	N/A			
Does the facility have a QA/QC program with a written QA/QC manual as required by 40 CFR 122.41 that is up to date and available for review?	N/A			
Does the facility follow the procedures set in the QA/QC manual; including instrument calibration/maintenance, checks on standard solutions, sample analysis precision/accuracy limits on a prescribed bases and QC samples (duplicate, spiked, blank in at least 10%)?	N/A			
Is the detailed record complete and available for review for each set of analyses performed including the order of calibration, QA/QC, bracketing, and samples analyzed?	N/A			
Does the facility have QA/QC records on the reagent preparation, instrument calibration/maintenance, incubator temperature and purchase of laboratory supplies?	N/A			
Does the facility's laboratory documentation of the sample results use qualifier codes when sample QA/QC fall outside acceptable precision and accuracy limits set in the QA/QC manual?	N/A			

Does the facility's laboratory take and record corrective actions or trouble shooting steps when data falls out of the precision and accuracy limits?	N/A
Are records of standard(s) and reagent(s) preparation maintained at the laboratory?	N/A
Is the laboratory maintaining adequate records for reagent preparation(s)?	N/A
Does the laboratory have a system for uniformly recording, correcting, processing and reporting data; including formulas, significant figures, rounding rules, units, cross-checking calculations?	N/A
Is the facility's laboratory adequate for analyzing samples; including pure water, clean bench space for instrument use/storage free of contamination, necessary equipment, vibration free area, ventilation, humidity and temperature control?	N/A
Does the Laboratory meet NELAC and EPA standards including; dry and clean sample storage locations, sample custodian(s) to ensure upon receipt of samples, proper sample storage, preservation and custody documentation?	N/A
Does the facility use appropriate standards that are prepared in volumetric glassware, checked against reliable primary standards, labeled properly, stored in clean containers, and discarded when expired or degraded?	N/A
Does the facility's laboratory analyst(s) demonstrate competency and appropriate training; including ability to follow procedures, ability to meet precision and accuracy limits, knowledge of equipment and analytical methods.	N/A
If the facility test requires temperature measurement, is there a thermometer present that is routinely calibrated against NIST thermometer within calibration date range?	N/A
Is the sample refrigerator temperature correct to meet the preservation requirements for the samples stored within?	N/A
Is the facility free from any Laboratory violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</i></li> <li>• <i>Questions with "No" responses indicate deficiencies</i></li> <li>• <i>Questions with "N/A" responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
The current laboratory certification was onsite at the time of inspection. The facility utilizes Aquapure Water and Sewage Services. The laboratory is certified to perform the required analysis.	

## Sampling

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
In facility log books or other documentation, are the daily records appropriately recorded, including composite sampler or other temperatures, and daily calibration of meters.	Yes			
Does the facility maintain records of their daily calibration of their pH meter, chlorine meter, dissolved oxygen meter?	Yes			
Does the facility maintain records of their daily checks of their in-line meter(s) with their field meter(s)?	Yes			
Do field sheets document that the collection and analysis of field tests were analyzed within the 15-minute holding time.	Yes			
Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (calibration frequency and sample bracketing for pH, total residual chlorine (TRC), turbidity, DO)	Yes			
Are all the primary and secondary standards used to calibrate and verify meters, used prior to expiration dates and verified against primary standards appropriate for pH, TRC, turbidity, DO?	Yes			

Are the inline meters reading within established limits compared to the bench meters? (TRC ≤ 20%, Turbidity ≤ 20%, pH 0.2 SU)	N/A
Were safe access points for obtaining representative influent/effluent samples available?	Yes
Are influent sampling points put prior to internal facility return lines including supernatant, filter backwash and return activated sludge (RAS)?	Yes
Are samples being collected and analyzed as required by the permit or enforcement action; including location, type (grab/composite), time, and frequency?	Yes
Are samples being collected in the proper containers, preserved and analyzed in appropriate hold times in accordance with 40 CFR Part 136, Table II?	Yes
If the facility has a composite sampler with cooling system at the influent/effluent sampling location is there a thermometer present in the sampler that is annually checked against NIST thermometers?	N/A
Is composite sampling being conducted appropriately; including purging, sampling velocity at least 2fps, clean tubing, individual sample volume of at least 100 mL, sample storage of <6°C preservation, hold times and representative samples?	N/A
Did the facility have their Chain of Custody records?	Yes
If sampling was conducted and observed during the inspection did the sampling follow DEP SOP requirements?	N/A
Did the facility collect and/or analyze routine or follow-up toxicity samples as required by permit or enforcement action?	N/A
Is the facility free from any Sampling violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>	
<b>Observations:</b>	
Influent is sampled at the headworks, prior to treatment and ahead of any RAS lines. Effluent is sampled at the Chlorine Contact Chamber before Reuse System R-001.	

## Records and Reports

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Are the entries in the operator logbook clear, concise, informative and relevant?	Yes			
Was copy of the current O&M manual available at the time of the inspection?	Yes			
Is there a current operator license?	Yes			
Is there a current RPZ certification?	Yes			
Is there a copy of the current Operating Protocol for Part 3 Reuse?	N/A			
Does the facility have and maintain their Spill Prevention Control and Counter measurement (SPCC) Plan?	N/A			
Are all required documents and reports available at the plant well organized and complete?	Yes			
Does the facility maintain the records onsite for the required retention period?	Yes			
Discharge Monitoring Reports (DMRs) Review Period	08/01/2020 – 08/31/2021 Yes			
Are the discharge monitoring reports completed properly?	Yes			
Are the DMRs submitted on the proper form?	Yes			
Is an authorized representative signing the DMRs?	Yes			
Has the permittee submitted an annual Reclaimed Water and/or Effluent Analysis Report?	Yes			

Does the facility submit their monitoring results for Giardia and Cryptosporidium in a timely manner?	N/A
A review of the last toxicity test did not reveal any deficiencies?	N/A
Has the facility submitted all report(s) during the review period that are required by rule, permit, enforcement action or inspection activity, other than DMRs?	Yes
*Has the facility timely submitted DMRs as required by rule, permit, or enforcement action? (If either reports are >30 days late meets SNC criteria)	Yes
Has the facility submitted all final compliance schedule reports as required by rule, permit, or enforcement action?	Yes
Has the permittee notified the Department of any event or activity that requires notification as required by permit or rule?	Yes
*Are records or reports free from falsified data?	Yes
Is the facility free from any Records and Reports violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
<p>A review of DMRs from September 2020 to September 2021 revealed no errors or omissions. The facility keeps paper records greater than the required retention period. Records are kept in the office at the treatment facility. The Operation and Maintenance Manual was dated August 20, 1997. Please ensure to prepare an updated manual within six months of modifying the facility per Permit Condition VI. <b>Please note the 2021 Annual Reuse Report using DEP Form 62-610.300(4)(a)2 is due on or before January 1, 2022. The reclaimed water or effluent analysis results or effluent analysis waiver is due January 28, 2022.</b></p>	

## Facility Site Review

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
The headworks was free from excessive corrosion.	Yes			
The headwork is free from evidence of recent overflows.	Yes			
Is the odor control system operational at the headworks?	N/A			
Is the comminutor operational at the headworks?	N/A			
Is the grit separator operational at the headworks?	N/A			
Is the bar screen cleaned on a routine basis?	Yes			
Is the mechanical bar screen functioning as intended?	N/A			
Are screenings and grit being collected from the headworks in suitable containers?	Yes			
Rags, grit and/or screening are being disposed of properly.	Yes			
Are screenings and grit from the headworks being disposed at a Class I Landfill?	Yes			
Are records of the disposal of the screenings and grit collected at the headworks available?	Yes			
The leachate from the screening dumpster(s) is piped to the headworks and not onto the ground.	Yes			
Is the clarifier free from solids discharging over the weir(s)?	No			
Is the clarifier free from excessive sand and/or grit accumulation?	Yes			
Is the clarifier free from excessive scum, algae and/or trash overflowing the weir?	No			
Does the skimmer appear to be functional in the clarifier?	No			
Is the sludge collector and pump functional in the clarifier?	N/A			
Are the clarifier weir(s) level?	Yes			
Is the clarifier free from short circuiting with loss over the weir?	N/A			
Are the aeration basins diffusers free from clogs and providing adequate mixing?	No			

Was the time clock or manual controls for the aeration system operational at the time of the inspection?	<b>Yes</b>
Is the RAS line properly located?	<b>Yes</b>
The RAS line was free from excessive splashing that could cause solids to be discharged outside the tank.	<b>Yes</b>
The mixed liquor (MLSS) in the oxidation ditch was appropriately colored with no black coloring.	<b>N/A</b>
Is even distribution of air observed in the aeration basin?	<b>No</b>
Are the air line(s) to the aeration basin(s) free from leaks?	<b>Yes</b>
The brushes and paddles in the oxidation ditch were all in good working order.	<b>N/A</b>
Is the velocity in the oxidation ditch sufficient to prevent settling of solids?	<b>N/A</b>
Are dual blower motors present as required by rule?	<b>Yes</b>
Are the blower motors equipped with belt guards?	<b>Yes</b>
The blower motors are free from excessive noise.	<b>Yes</b>
Are all the blower motors present and operational at the time of the inspection?	<b>No</b>
Are spare parts and a second standby blower motors stored onsite?	<b>Yes</b>
Is the electrical box wiring for the blower motors adequately protected?	<b>Yes</b>
Were the tank contents in the aerobic digester(s) well mixed?	<b>N/A</b>
Are the digester(s) free from excessive odors and/or foaming?	<b>Yes</b>
Is the digester at the appropriate operational capacity?	<b>Yes</b>
Are there two functioning pumps in the surge tank(s)?	<b>N/A</b>
What was the biomass color of the trickling filter at the time of the inspection?	- <b>N/A</b>
Is trickling filter media free from excessive ponding?	<b>N/A</b>
Are center columns and distribution arms of the trickling filter free from leaks?	<b>N/A</b>
Are the distribution arm orifices free from clogs, trash and/or scum resulting in uneven distribution of flow on the trickling filter media?	<b>N/A</b>
Is the RBC free from black biomass indicating solids and/or BOD loading?	<b>N/A</b>
Is the RBC free from white biomass indicating the presence of bacteria, which feed on sulfur compounds?	<b>N/A</b>
Is the RBC free from excessive grinding/whining noise(s) from the motor, drive shaft, and bearings?	<b>N/A</b>
Are all RBC rotating disks and/or paddles present and in good working?	<b>N/A</b>
Is the RBC unit drive shaft free from excessive vibration?	<b>N/A</b>
Are all the aerators in the lagoon operational at the time of the inspection?	<b>N/A</b>
Is the base of the lagoon free from lateral seepage at the time of the inspection?	<b>N/A</b>
Does the treatment lagoon have adequate freeboard space?	<b>N/A</b>
Is the treatment lagoon properly secured to prevent unauthorized access?	<b>N/A</b>
Is the treatment lagoon free from excessive foaming?	<b>N/A</b>
Are the treatment lagoon berms properly stabilized?	<b>N/A</b>
Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris?	<b>No</b>
Are the baffles in the CCC functioning as intended?	<b>No</b>
Does the chlorine injection point provide optimal mixing to occur in the CCC?	<b>Yes</b>
Is the CCC chlorine pump operational, providing adequate chlorine supply for disinfection and at the permitted location?	<b>Yes</b>
Is the chlorine storage area protected from the elements?	<b>Yes</b>
Is the alarm indicator for the chlorine system operational?	<b>Yes</b>
Is the chlorine supply covered in frost indicating an issue with the system?	<b>N/A</b>
Is the fan inside the chlorine room operational?	<b>N/A</b>
Are the chlorine scales operational?	<b>N/A</b>

Is an operational Self-Contained Breathing Apparatus (SCBA) available for the chlorine room?	N/A
Are the chlorine gas cylinders properly secured?	N/A
Is a fresh supply of ammonia available to test for leaks in the gas chlorination system?	N/A
Do the UV ballast control boxes have adequate ventilation?	N/A
Does the plant staff have access to UV protective eyeglasses?	N/A
Is the facility maintaining adequate records of UV lamp operating hours?	N/A
Are the UV lamps and ballast being cleaned in accordance with the manufacturer's recommendation?	N/A
Does the facility have an adequate inventory of spare parts for the UV system?	N/A
Is the facility conducting routine performance checks on the UV system?	N/A
Is the UV intensity monitoring equipment operational?	N/A
Is the stilling well free from a thick layer of sludge and/or trash?	No
Is the chlorine contact chamber providing a minimum contact time of 15 minutes?	Yes
Chlorine and SO2 cylinders marked with empty/full tags?	N/A
Is the automatic SO2 feed operational within de-chlorination process?	N/A
Is the SO2 system free from frost within de-chlorination process?	N/A
Are the bisulfite (SO2) gas cylinders properly secured for de-chlorination?	N/A
Was there adequate ventilation in the SO2 room?	N/A
Is the filter media free from solids that could cause plugging and/or overflow?	N/A
Is the land application system being maintained?	Yes
If an injection well was plugged or abandoned, was it completed appropriately with DEP approval?	N/A
If a well was constructed, was it permitted prior to beginning construction and constructed as required by permit?	N/A
Is the injection well Operation and Maintenance done satisfactorily?	N/A
Is there adequate access to all monitoring locations?	Yes
Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks?	Yes
Are the facility grounds clean and well maintained?	Yes
Is the required signage adequate?	Yes
The facility was free from odors emanating from the facility.	Yes
The facility was free from excessive noise which could be heard beyond the boundaries of the facility.	Yes
Is the facility providing safety measures at all times including adequate lighting?	Yes
The facility is disposing of sludge appropriately, with no sludge being disposed of on the facility grounds.	Yes
Was an alternative power source available at the facility?	Yes
Is the onsite generator tested under load on a monthly basis?	Yes
Are records available for the testing of the generator?	Yes
Is the area around the lift station(s) maintained?	Yes
Are there warning signs with emergency contact information on and/or around the lift station(s)?	No
Does the facility have a fence around their lift station(s)?	Yes
Is the gate around the lift station and the cover to the lift station locked?	Yes
Is the cover to the lift station(s) free from safety hazards?	Yes
Are there two functioning pumps that alternate?	Yes
Is the electrical panel in good working order and free from needed repair and/or replacement?	Yes
Was the collection system or lift station free from offsite objectionable odors?	Yes
The lift station visual and audio alarm operating satisfactory?	Yes
Are the potable water supply lines and the facility free from cross connections?	Yes
Is an RPZ in place and free of leaks on all potable water supply lines?	Yes

Is there a record of testing available on the RPZ?	<b>Yes</b>
Is the facility free from any Facility Site Review violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
Is the clarifier free from solids discharging over the weir(s)?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Solids observed is the weir, see Photo 6.
	Corrective Action(s): (Narrative) See deficiency below.
Is the clarifier free from excessive scum, algae and/or trash overflowing the weir?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Excessive algae and trash observed in the weir, see Photo 6.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, provide a plan of action to address the algal growth and trash going to the weir including what actions will be taken to prevent growth from reoccurring.
Does the skimmer appear to be functional in the clarifier?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Skimmer arm observed with excess solid ashing, see Photo 4.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, clear the scum from the skimmer arm and provide documentation to the department including procedures to minimize ashing in the clarifier.
Are the aeration basins diffusers free from clogs and providing adequate mixing?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Excessive foam and trash observed in the aeration basins, see Photos 1 and 2.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, provide a plan of action to address minimize foam and trash from the aeration basins.
Is even distribution of air observed in the aeration basin?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Dead zones and excessive foam observed in the aeration basins, see Photo 3.
	Corrective Action(s): (Narrative) See deficiency above.
Are all the blower motors present and operational at the time of the inspection?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) One of the four blowers was not operational.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, provide documentation that the blower has been repaired or replaced.
	<i>The facility has addressed the above deficiency, please continue to provide documentation to the department as requested.</i>
Is the Chlorine Contact Chamber (CCC) effluent clear and free	Deficiency: (Narrative) Solids and debris observed in the Chlorine Contact Chamber (CCC) after the mixing tank, see Photo 7.

from scum, solids accumulation and debris?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, provide of plan of action to eliminate solids from the CCC.
Are the baffles in the CCC functioning as intended?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Solids observed in the CCC, after the baffle, see Photo 7.
	Corrective Action(s): (Narrative) See deficiency above.
Is the stilling well free from a thick layer of sludge and/or trash?[62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) Foaming and trash observed in the still well, see Photo 5.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, provide a plan of action to minimize excessive foam and trash in the still well.
Are there warning signs with emergency contact information on and/or around the lift station(s)?[62-604.400(2)(d) F.A.C.]	Deficiency: (Narrative) Signage not available at lift station #10.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, post signage with emergency contact information on or around lift station #10.
	<i>The facility provided photo documentation that the above deficiency has been addressed on October 22, 2021. No further actions are required.</i>

**Observations:**

The facility is securely fenced with appropriate signage throughout. The facility grounds are well-maintained. There was adequate water protection and there did not appear to be odors emanating from the facility. The four blowers are each housed in a shed. The blowers for the CCC are currently not operational, the facility is waiting on parts to repair the motors. The emergency backup generators, located onsite, is tested for 4-hours monthly.

## Flow Measurement

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Is there easy access to flow meter?	Yes			
Is the flow meter in the correct location?	Yes			
Is the flow measuring device installed properly?	Yes			
Is the flow meter calibrated at least annually and is it current?	Yes			
When was the flow meter last calibrated?	09/21/2021 Yes			
Is the flow measurement device operating within +/- 10% of the actual flow?	Yes			
Is the flow meter operating properly at the time of the inspection?	Yes			
The chart recorder and/or totalizer for the flow meter was operational at the time of the inspection.	Yes			
The elapsed time meters on the lift station pumps were functioning.	N/A			
The flow entering the convergence section of the Parshall Flume was free of excessive turbulence.	N/A			

Is the facility free from any Flow Measurement violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
Flow is measured utilizing an ultrasonic flow meter at the 90 V-notch weir located in the mixing tank, per Specific Condition I.(A)2 and I.(B)3.	

## Operations and Maintenance

<b>Compliance Rating</b>	Minor Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Does the facility have adequate plant staffing?	<b>Yes</b>			
Is a certified operator operating the wastewater treatment facility with the appropriate license level for the size of the plant?	<b>Yes</b>			
Is the operator performing treatment plant operation and maintenance duties in a responsible and professional manner?	<b>Yes</b>			
Is the plant O&M log maintained in a hard-bound book with consecutive page numbering, or another approved format?	<b>Yes</b>			
Does the facility have an O&M manual, and does the facility's O&M manual reflect the current configuration of the facility?	<b>Yes</b>			
*Is the facility operated in accordance with the O & M Manual? (If there is a high potential for water quality or health impacts meets SNC criteria)	<b>Yes</b>			
Is the facility maintaining a log that documents routine equipment maintenance?	<b>Yes</b>			
Is the plant free of any treatment components that are in disrepair that would provide for unsafe operation?	<b>Yes</b>			
Is the facility without an inflow and infiltration problem which would cause collection system and/or operational issues?	<b>Yes</b>			
*Does the facility replace malfunctioning equipment, which can result in a high potential for water supply quality or health impacts?	<b>Yes</b>			
Dike berms appeared to be in satisfactory condition.	<b>N/A</b>			
Hand rails/catwalks/ladders were in good working order providing for safe conditions.	<b>No</b>			
The liner(s) in the containment pond(s) appeared to be functioning as intended.	<b>N/A</b>			
The plant operator is fulfilling the minimum site requirements as required by the Permit.	<b>Yes</b>			
Preventative maintenance is being performed in the accordance with the manufacturer’s recommendations.	<b>Yes</b>			
The facility maintains an adequate spare parts inventory.	<b>N/A</b>			
Swales were being maintained.	<b>N/A</b>			
Is the facility free from any Operations and Maintenance violation not listed above that needs to be addressed?	<b>Yes</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				
	Deficiency: (Narrative)			

Hand rails/catwalks/ladders were in good working order providing for safe conditions.[62-600.410(3) F.A.C., 62-620.300 (5) F.A.C.]	Several areas of the catwalk observed with holes and minor corrosion.
	Corrective Action(s): (Narrative) Within 15 days of the date of this letter, provide a plan of action to address the condition for the catwalk.
<b>Observations:</b>	
The plant has adequate staffing, the operations manager is Kyle Johnson, C-12048. The day shift operator is Vance Ewell, B-20211. The evening shift operator is Gary Kvanik, B-8032.	

## Effluent Quality

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
DMR review period:	08/01/2020 – 08/31/2021 <b>Yes</b>			
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	- <b>N/A</b>			
*Did the effluent limits exceed the Technical Review Criteria less than two times in six months?	<b>N/A</b>			
*Are the effluent limits without exceedances four out of six months (chronic criteria)?	<b>N/A</b>			
*Did the total residual chlorine levels meet disinfection limits? (If below required minimum 10% or more of the time in a rolling 6 month period, meets SNC criteria)	<b>Yes</b>			
Was the facility free of a discharge of wastewater that resulted in a fish kill?	<b>Yes</b>			
*Is persistent acute toxicity documented through follow-up tests?	<b>N/A</b>			
*Is persistent chronic toxicity documented through follow-up tests?	<b>N/A</b>			
*Is persistent acute or chronic toxicity documented in the effluent through the use of routine and follow-up tests?	<b>N/A</b>			
Does the facility meet the permit or enforcement narrative effluent limitation(s)? (Non-DMR visible sheen defined as iridescence present so as to cause taste or odor, or otherwise interfere with the beneficial use of the receiving water)	<b>Yes</b>			
Is the effluent free from excessive (suspended solids, foam, grease, scum) in the discharge stream?	<b>Yes</b>			
*Was the facility free from any other violation with a high potential for water quality or health impacts?	<b>Yes</b>			
Is the facility free from any Effluent Quality violation not listed above that needs to be addressed?	<b>Yes</b>			
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>				
<b>Observations:</b>				
At the time of the inspection, the total residual chlorine (TRC) was 2.2 mg/L when taken by Department staff.				

## Effluent Disposal

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Are discharge location(s) as per permit?	Yes			
What type of reuse is the facility approved for?	Part IV Yes			
Has a cross connection control program been implemented within the areas where reclaimed water is provided for use (Part III, VII)?	N/A			
Is all reclaimed water piping and equipment color-coded Pantone purple (522C)?	N/A			
Hose bibbs met access restrictions and other requirements.	N/A			
Reclaimed water valves and outlets were appropriately tagged and /or labeled.	N/A			
Are advisory signs posted in English and Spanish in areas where non-potable Public Access Reuse water is being applied (Part III, VII)?	N/A			
Is the reclaimed water retained on the application site?	Yes			
No significant ponding was observed on the reclaimed water application site.	Yes			
There was no aerosol mist leaving the boundaries of the land application?	Yes			
There was no evidence of solids loss in the treatment process or from the plant?	Yes			
The RIBs and/or percolation ponds were free from excessive vegetation and sludge?	Yes			
The percolation ponds were free from accumulated sludge.	N/A			
Does the percolation ponds have at least 3 ft of freeboard?	N/A			
The absorption field was free from excessive vegetation.	N/A			
Do the reclaimed water storage ponds have adequate freeboard?	Yes			
Are RIBs well maintained and free from excessive vegetation?	Yes			
There was no evidence of a bypass or failure at the effluent storage and/or disposal site(s)?	Yes			
Are all effluent disposal areas such as RIBs, ponds, and sprayfields being loaded and rested per permit conditions?	Yes			
The disposal pond berms were free from excessive growth or vegetation.	N/A			
There was no evidence of a bypass or failure from the storage ponds observed during the inspection.	N/A			
No unauthorized discharge to waters of the state was observed during the inspection.	Yes			
Are the sprinklers functioning as intended for the absorption field(s) or sprayfield(s)?	N/A			
The facility is meeting the minimum setback distances.	Yes			
Does the facility maintain a supply of spare parts for the absorption field(s) or sprayfield(s)?	N/A			
The effluent disposal and/or storage area was free from sinkholes.	Yes			
Are the sprayfields free from grazing dairy cattle?	N/A			
The sprayfield was free from ponding.	N/A			
The sprayfield was free from excessive vegetation.	N/A			
Edible food crops were being properly irrigated with reclaimed water.	N/A			
What cover crop and/or vegetation is planted on the reclaimed water area(s)?	- N/A			
*The disposal system was being operated as designed with a low potential for water quality or health impacts.	Yes			
*There was no unauthorized operation or modification of the disposal system.	Yes			
Fencing around the effluent disposal site for access control was complete and in good repair.	Yes			
There were no dead animals observed in the discharge stream.	Yes			
Is the facility free from any Effluent Disposal violation not listed above that needs to be addressed?	Yes			

- Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “\*”
- Questions with “No” responses indicate deficiencies
- Questions with “N/A” responses do not apply to the facility

**Observations:**

The facility is currently discharging reuse flows to R-001 that consists of four-cell rapid-infiltration basins (RIBs). The berms were in good condition.

## Biosolids

Compliance Rating		Out of Compliance			
Does this section apply to the facility?	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No	
<b>Questions</b>					
Does the facility's method of biosolids use or disposal match what is allowed in the facility permit (i.e., landfill, land application, distribution and marketing, transfer to another facility, biofuel/bioenergy)?	<b>Yes</b>				
Does the permittee keep records of biosolids quantities for five years, as applicable (quantities generated, received from source facilities, treated, distributed and marketed, land applied, used as a biofuel or for bioenergy, transferred to another facility, or landfilled)?	<b>Yes</b>				
Are biosolids quantities reported on the facility RMP-Q DMR?	<b>Yes</b>				
Are the biosolids quantities reported on the RMP - Q DMRs correct and accurate?	<b>Yes</b>				
The facility's treatment, management, transportation, use, land application, or disposal of biosolids does not result in objectionable odors, i.e., does not result in a violation of the odor prohibition in subsection 62-296.320(2)	<b>Yes</b>				
If there is an objectionable odor, please describe the odors characteristics, frequency, duration, and migration, etc.	- <b>N/A</b>				
Is the storage of biosolids or other solids at this facility in accordance with the Facility Biosolids Storage Plan?	<b>Yes</b>				
Does the treatment facility ensure no biosolids are spilled from or tracked off the treatment facility property by the hauling vehicle?	<b>Yes</b>				
The biosolids for this facility are classified as _____: (AA, A, and/or B)	Class B <b>Yes</b>				
Does the class of biosolids produced for beneficial use match the authorized class in the facility permit (Class AA, A, or B)?	<b>Yes</b>				
Does the facility use the biosolids pathogen reduction alternative option identified in the permit?	<b>Yes</b>				
Are all the operational and process parameters monitored to demonstrate compliance for pathogen reduction?	<b>Yes</b>				
Do the biosolids meet the treatment requirements for pathogen reduction option used?	<b>Yes</b>				
Does the facility use the biosolids vector attraction reduction option identified in the permit?	<b>Yes</b>				
Are all the operational and process parameters monitored to demonstrate compliance for vector attraction reduction?	<b>Yes</b>				
Do the biosolids satisfactorily meet the treatment requirements for vector attraction reduction?	<b>Yes</b>				
If the Specific Oxygen Uptake Rate (SOUR) test is used for vector attraction reduction, is it conducted within 15 minutes of sample collection by a certified laboratory or under the direction of an operator certified in accordance with Chapter 62-602, F.A.C?	<b>N/A</b>				
Does treatment of biosolids or septage for the purpose of meeting pathogen reduction or vector attraction reduction requirements take place at the permitted facility (e.g., not in the tank of a hauling vehicle)?	<b>Yes</b>				

Are the biosolids monitored at the frequency required by the permit?	<b>Yes</b>
Are the biosolids monitoring results reported on the facility DMR (RMP-AA, RMP-A, or RMP-B)?	<b>Yes</b>
Are the biosolids monitored for all the required parameters for the class of biosolids?	<b>Yes</b>
Do the Class AA, A, or B biosolids comply with the ceiling pollutant limits?	<b>Yes</b>
Are the correct analysis methods used for biosolids?	<b>Yes</b>
Is a certified laboratory used for the analysis of the biosolids?	<b>Yes</b>
Are all biosolids samples representative and taken after final treatment of the biosolids but before land application or distribution and marketing, unless otherwise approved?	<b>Yes</b>
Are all biosolids samples taken at the location specified in the facility permit?	<b>Yes</b>
Are the correct sample types properly taken for the type of biosolids (POTW Sludge Sampling Manual)?	<b>Yes</b>
Are the Class AA biosolids monitored monthly?	<b>N/A</b>
Do the Class AA biosolids meet the Class AA parameter limits?	<b>N/A</b>
Are Class AA biosolids that are stored for more than 45 days re-sampled for fecal coliform or Salmonella sp. at the frequency specified in the permit, if required?	<b>N/A</b>
For distribution and marketing, does the facility have a fertilizer license, sell or given-away to someone with a fertilizer license, or is enrolled in the US Composting Council's Seal to Testing Assurance program (USCC STA program does not apply in the Lake Okeechobee, St. Lucie River, and Caloosahatchee River watersheds)?	<b>N/A</b>
If the facility discovered that distributed and marketed biosolids did not meet Class AA standards, did the facility notify, within 24 hours, the Department and all persons to whom they delivered or distributed and marketed the Class AA biosolids?	<b>N/A</b>
Does the facility make available to users by product labels or other means the following information - fertilizer label or equivalent information; name and address of the facility; statement that the biosolids meet subsection 62-640.700(5), F.A.C.; recommend application rates; and, recommendations for storage (including the more than one dry ton/seven-day provision)?	<b>N/A</b>
Are all the sites where biosolids are land applied listed on the Treatment Facility Biosolids Plan form (DEP Form 62-640.219(2)(a))?	<b>N/A</b>
If a permitted site not listed in the Treatment Facility Biosolids Plan was used, did the permittee notify DEP at least 24 hours prior to land application at the site and submit a revised form within 30 days after using the site?	<b>Yes</b>
Did the facility only used permitted sites - i.e., no unpermitted sites were used for land application (i.e., the site did not have a valid DEP permit)?	<b>Yes</b>
Does the permittee maintain hauling records for shipments to land application sites and do they contain the required information?	<b>Yes</b>
Does the permittee provide a copy of the hauling records to the biosolids site manager, were records free of any discrepancies regarding the quantities delivered, and any discrepancies were reported to DEP within 24 hours of discovery?	<b>Yes</b>
Did all biosolids sent to sites meet pathogen reduction, vector attraction reduction, and pollutant limits?	<b>Yes</b>
If biosolids not meeting standards were sent to a site, did the permittee notify DEP, the site manager, the site permittee within 24 hours of discovery?	<b>N/A</b>
Does the permittee maintain copies for each site used of the Biosolids Application Site Annual Summary forms received from the site permittees indefinitely?	<b>N/A</b>
Has the permittee submitted Treatment Facility Biosolids Annual Summary reports to DEP by February 19 each year?	<b>No</b>
Was the information in the Treatment Facility Biosolids Annual Summary accurate?	<b>N/A</b>
Is any incineration or use of biosolids as a biofuel or for bioenergy in accordance with DEP's air regulations and RCRA?	<b>N/A</b>
Does the permittee keep the required hauling records to track transport of biosolids between facilities?	<b>Yes</b>

If the facility receives biosolids from a source facility, did the permittee report any discrepancies in the quantities of biosolids to DEP within 24 hours of discovery?	N/A
If the facility is a source facility and sends biosolids to another facility, does the permittee provide a copy of their hauling records for each shipment to the receiving facility?	Yes
If the facility receives biosolids from a source facility, does the receiving facility permit allow receipt of biosolids from other facilities?	Yes
Does the facility have copies of the required written agreement(s) between the receiving and source facility?	Yes
Did the permittee (source or receiving facility) submit all new written agreements to DEP within 30 days before transporting biosolids (unless approval given otherwise)?	Yes
Is operator staffing requirements met?	Yes
Are the biosolids receiving and handling operations satisfactory?	Yes
Are grit and screenings, etc., from the headworks properly disposed of in a landfill?	Yes
Is the facility free from any Biosolids violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
Has the permittee submitted Treatment Facility Biosolids Annual Summary reports to DEP by February 19 each year?[62-640.650(5)(c) F.A.C.]	Deficiency: (Narrative) The facility failed to submit a Treatment Facility Biosolids Annual Summary.
	Corrective Action(s): (Narrative) Within 30 days of the date of this letter, submit a Treatment Facility Biosolids Annual Summary using DEP Form 62-640.210(2)(b) to the Domestic Wastewater mailbox at SWD_DW@dep.state.fl.us.
<b>Observations:</b>	
The facility utilizes Advanced Septic to haul biosolids in the event biosolids cannot be hauled to Beverly Hills Development Corporation BLAS (FLA943541). The facility last hauled 20,000 gallons on October 21, 2021. Please notify the department before hauling to any biosolids treatment facility that is not FLA943541.	

## Groundwater

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
DMRs review period	08/01/2020 – 08/31/2021 Yes			
Are the groundwater monitoring results sent to the Department on Discharge Monitoring Report, Form 62-620.910(10), F.A.C. and submitted by the DMR due date?	Yes			
After a review of the Discharge Monitoring Reports, are the compliance well parameters meeting the groundwater standards in the time period reviewed (12 months or greater)?	Yes			
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	pH – See Deficiency Table Below No			

Do the facilities purging logs on DEP Form FD 9000-24 indicate that purging was done properly; including sufficient volume, purge rate, depth to water, and stability criteria (pH, Temperature, Conductivity, Dissolved Oxygen, Turbidity)?	Yes
Is the groundwater monitoring report complete and accurate, including analysis method, laboratory method detection limits, static water level, purging logs, sample collection procedures and treatment?	Yes
Do the groundwater monitoring wells meet DEP requirements including; tamper-proof locks, unique well label(s), concrete well pad with protective bumpers not containing numerous cracks, and is free of clutter for sampling purposes?	Yes
If or when new well construction was completed did the facility plug and properly abandoned the existing well and submit Monitoring well completion Report, Form 62-520.900(3) to DEP within 60 days?	N/A
If a monitoring well became damaged or inoperable was maintenance conducted and notification sent to DEP within 2 days of discovery?	N/A
Is the well(s) that the facility is sampling at part of the approved groundwater monitoring plan?	Yes
Are the monitoring wells operable to the extent that sampling is possible?	Yes
Are groundwater samples being collected and analyzed as required by the permit or enforcement action; including location, well type, sample type (grab/composite), time, and frequency?	Yes
If sampling was observed were the sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A
If sampling was observed was equipment in satisfactory condition?	N/A
If sampling was not observed is the description of sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A
Is the facility free from any Groundwater violation not listed above that needs to be addressed?	Yes

- *Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “\*”*
- *Questions with “No” responses indicate deficiencies*
- *Questions with “N/A” responses do not apply to the facility*

**Deficiencies & Corrective Actions:**

<p>A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).</p>	<p>Deficiency: (Narrative)  During the review period the following the monitoring wells routinely have pH readings below the 6.5 s.u. range limit. Rule 62-620.610(1), F.A.C</p> <table border="1"> <thead> <tr> <th>Date</th> <th>Monitoring Location</th> <th>Result</th> </tr> </thead> <tbody> <tr> <td>6/30/2021</td> <td>MWC-2</td> <td>6.04</td> </tr> <tr> <td>6/30/2021</td> <td>MWC-4</td> <td>4.84</td> </tr> <tr> <td>3/31/2021</td> <td>MWC-1</td> <td>6.28</td> </tr> <tr> <td>3/31/2021</td> <td>MWC-2</td> <td>5.76</td> </tr> <tr> <td>3/31/2021</td> <td>MWC-4</td> <td>4.63</td> </tr> <tr> <td>12/31/2020</td> <td>MWC-1</td> <td>6.15</td> </tr> <tr> <td>12/31/2020</td> <td>MWC-2</td> <td>5.64</td> </tr> <tr> <td>12/31/2020</td> <td>MWC-3</td> <td>6.49</td> </tr> <tr> <td>12/31/2020</td> <td>MWC-4</td> <td>4.16</td> </tr> <tr> <td>9/31/2020</td> <td>MWC-1</td> <td>6.07</td> </tr> <tr> <td>9/31/2020</td> <td>MWC-2</td> <td>5.47</td> </tr> <tr> <td>9/31/2020</td> <td>MWC-3</td> <td>6.46</td> </tr> <tr> <td>9/31/2020</td> <td>MWC-4</td> <td>4.05</td> </tr> </tbody> </table>	Date	Monitoring Location	Result	6/30/2021	MWC-2	6.04	6/30/2021	MWC-4	4.84	3/31/2021	MWC-1	6.28	3/31/2021	MWC-2	5.76	3/31/2021	MWC-4	4.63	12/31/2020	MWC-1	6.15	12/31/2020	MWC-2	5.64	12/31/2020	MWC-3	6.49	12/31/2020	MWC-4	4.16	9/31/2020	MWC-1	6.07	9/31/2020	MWC-2	5.47	9/31/2020	MWC-3	6.46	9/31/2020	MWC-4	4.05
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<p>Corrective Action(s): (Narrative)  Within 15 days of the date of this letter, provide an explanation for the pH exceedances.</p>																																											

Data submitted to the Department shows a history of slightly acidic groundwater pH in MWC-01, MWC-02, MWC-03 and MWC-04. The Department will continue to monitor. No further explanation is requested at this time.

**Observations:**

The monitoring wells are locked with a concrete apron. Please continue to maintain vegetative growth around the well pad to ensure the wells are accessible.

SSO Survey

<b>Compliance Rating</b>	Minor Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Does the facility have an Operation and Maintenance Manual for their collection system?	<b>Yes</b>			
How often is the Operation and Maintenance Manual updated?	As needed <b>Yes</b>			
Does the O&M manual reflect the current collection system configuration?	<b>Yes</b>			
Are procedures available for minimizing spills in either the Operation and Maintenance Manual or in a separate document?	<b>Yes</b>			
Does the facility have a Sewer Overflow Response Plan/procedures for minimizing spills?	<b>Yes</b>			
Did the facility collect and/or analyze bacteriological samples as outlined in their SORP?	<b>N/A</b>			
Does the facility have a map of its collection system?	<b>Yes</b>			
Are the SORP and collection system maps immediately available to SSO response staff, including during power failures?	<b>N/A</b>			
Did the facility collect and/or analyze bacteriological samples for sewage spills that reached surface waters?	<b>N/A</b>			
Does the facility perform routine preventative maintenance to keep the collection/transmission system in good working order?	<b>Yes</b>			
Does the facility maintain a ready-to-use supply of equipment, tools and materials for responding to SSOs?	<b>Yes</b>			
How many lift stations have permanent emergency back-up power generators?	One mobile generator available <b>Yes</b>			
In the last 12 months, was the facility free from sewage spills or abnormal event from any part of a collection/transmission system or treatment plant that discharged to the ground or did not make it to surface waters, i.e., stormwater collection system, drainage ditch, stream, pond, or lake?	<b>No</b>			
Does the facility report the spill(s) to the Department within 24 hours of discovery?	<b>Yes</b>			
Does the facility follow up on spills?	<b>Yes</b>			
Does the facility keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system(s)?	<b>Yes</b>			
In the last 12 months, was the facility free from sewage spills or abnormal events from any components of a collection/transmission system or from a treatment plant that reached surface waters including stormwater conveyance system or drainage ditch?	<b>Yes</b>			
Is the facility free from any SSO violation not listed above that needs to be addressed?	<b>Yes</b>			
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				

<p>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. [62-604.130(1) F.A.C., SSO6]</p>	<p>Deficiency: (Narrative) The facility had one spill on June 4, 2021, contained on-site, where 6,000 gallons of mix liquor from in between the Aeration Basin and the Clarifier had discharged to the ground.</p>
	<p>Corrective Action(s): (Narrative) Provide documentation to the Department describing each spill and what actions have been taken to correct and prevent these spills from reoccurring.</p> <p><i>The facility notified the department within 24 hours of the spill and submitted a final 5-day report as required including proper cleanup and corrective actions. These reports are reviewed by the Department using an SSO Evaluation Tool and are addressed by this process. No further action is requested at this time.</i></p>

**Observations:**

The facility reports all abnormal events as required.

Other

<b>Compliance Rating</b>	Not Applicable			
<b>Does this section apply to the facility?</b>	<input type="radio"/>	<b>Yes</b>	<input checked="" type="radio"/>	<b>No</b>
<b>Questions</b>				
*Is the facility free from any violation not listed above, or pattern of noncompliance, resulting in a high potential for water quality or health impacts <i>(Any violations considered significant by the Secretary, Deputy Secretary, Director of District Management, or the Division Director meet SNC criteria)</i>	<b>N/A</b>			
Please describe any potential Non-wastewater violations (i.e. hazardous waste, stormwater, SLERP, Air and Storage Tanks) that were referred.	- <b>N/A</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Deficiencies &amp; Corrective Actions: Choose an item.</b>				



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTF

**Photo #:** IMG\_4625  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Excessive foam observed in the aeration basins.



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTF

**Photo #:** IMG\_4626  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Trash observed in the aeration basin.



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTF

**Photo #:** IMG\_4633  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Dead zones and excessive foam observed in the aeration basins.



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTF

**Photo #:** IMG\_4642  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Skimmer arm observed with ashing.



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTF

**Photo #:** IMG\_4643  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Trash observed in still well.



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTF

**Photo #:** IMG\_4645  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Solids, algae, and trash observed in the weir.



# Florida Department of Environmental Protection Inspection Photo Log



**Permit No.:** FLA011869  
**Facility/Site Name:** Beverly Hills WWTf

**Photo #:** IMG\_4652  
**Date:** Oct 22, 2021  
**Captured by:** Maryn Jones

**Details:**

Solids observed in the Chlorine Contact Chamber (CCC).



# FLORIDA DEPARTMENT OF Environmental Protection

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

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

June 15, 2023

Arthur Faiello, Regional Manager  
CSWR-Florida  
1630 Des Peres Rd., Suite 140  
Des Peres, MO 63131  
[Arthur@cswrgroup.com](mailto:Arthur@cswrgroup.com)

Re: Compliance Assistance Offer  
Beverly Hills WWTF  
Facility ID No.: FLA011869  
Citrus County

Dear Mr. Faiello:

A Compliance Evaluation Inspection and Sanitary Sewer Overflow Preventative (SSOP) Inspection was conducted at the above-referenced facility on May 16, 2023. During this inspection, possible violations of Chapter 403, F.S., and Chapters 62-600, 62-601, 62-604 and 62-620, Florida Administrative Code (F.A.C.), were observed. The purpose of this letter is to offer compliance assistance as a means of resolving these matters.

We request you review the items of concern noted and respond in writing within **7 days** of receipt of this Compliance Assistance Offer. Your written response should include one of the following:

1. Describe what has been done to resolve the non-compliance issue or provide a schedule describing how/when the issue will be addressed, or
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 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.

Please address your response and any questions to Maryn Jones of the Southwest District Office at (813) 470-5919 or via e-mail at [Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov). We look forward to your cooperation with this matter.

Sincerely,



Emily Larson  
Environmental Manager  
Compliance Assurance Program  
Southwest District  
Florida Department of Environmental Protection

EL/mj

Enclosure: Inspection Report

cc: Ray McCloskey, CSWR; [ray.mccloskey@clearwatersol.com](mailto:ray.mccloskey@clearwatersol.com)  
Lee Cain, ClearWater Solutions; [lee.cain@clearwatersol.com](mailto:lee.cain@clearwatersol.com)  
Jim Bennett, ClearWater Solutions; [jim.bennett@clearwatersol.com](mailto:jim.bennett@clearwatersol.com)  
Sharon Sarp, ClearWater Solutions; [Sharon.sarp@clearwatersol.com](mailto:Sharon.sarp@clearwatersol.com)  
Emily Larson, FDEP-SWD; [Emily.Larson@FloridaDEP.gov](mailto:Emily.Larson@FloridaDEP.gov)  
Maryn Jones, FDEP-SWD; [Maryn.A.Jones@FloridaDEP.gov](mailto:Maryn.A.Jones@FloridaDEP.gov)

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

<b>Facility Name and Physical Address</b> Beverly Hills WWTF 109 Rose Ave Beverly Hills, FL 34465	<b>WAFR ID</b> FLA011869	<b>County</b> Citrus	<b>Entry Date</b> 5/16/2023	<b>Entry Time</b> 10:45 AM
	<b>Facility Phone #</b> (352) 746-4291		<b>Exit Date</b> 5/16/2023	<b>Exit Time</b> 12:45 PM

LAT	28	°	54	'	51 N	"
LONG	82	°	26	'	49 W	"

<b>Name(s) of Field Representatives(s) and Title</b> Kyle Johnson, Former Operations Manager Vance Ewell, Operator	<b>Operator Certification #</b> N/A B-20211	<b>Email</b> N/A N/A	<b>Phone</b> N/A N/A
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<b>Name &amp; Address of Permittee / Designated Rep.</b> CSWR-Florida Utility Operating Company ATTN: Arthur Faiello 1630 Des Peres Rd., Suite 140 Des Peres, MO 63131	<b>Title</b> Regional Manager	<b>Email</b> Arthur@cswrgroup.com	<b>Phone</b> (314) 464-3618
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<b>Inspection Type</b>	CEI	SSOP	<b>Samples Taken(Y/N):</b> N	<b>Sample ID#:</b> N/A	<b>Samples Split (Y/N) :</b> 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
SC	1. ♦ Permit	IC	3. Laboratory	IC	6. Facility Site Review	IC	9. ♦ Effluent Quality
NC	2. ♦ Compliance Schedules	IC	4. Sampling	IC	7. Flow Measurement	NC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	NC	8. ♦ Operation & Maintenance	IC	11. Biosolids
						NC	12. ♦ Groundwater
NA	14. Other					NC	13. ♦ SSO Survey

<b>Facility and/or Order Compliance Status:</b>	<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: Please review Evaluation Areas.**

<b>Name(s) and Signature(s) of Inspector(s)</b> Maryn Jones 	<b>District Office/Phone Number</b> SWD/(813) 470-5919	<b>Date</b> 6/8/2023
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<b>Name and Signature of Reviewer</b> Emily Larson 	<b>District Office/Phone Number</b> SWD/(813) 470-5955	<b>Date</b> 6/14/2023
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### Single Event Violations (\*SNC SEVs)

Check for Yes	Evaluation Area	Description	Finding Description	Finding ID
<input checked="" 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 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 checked="" 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:** The facility operates an existing 0.575 million gallons per day (MGD) annual average daily flow (AADF), Type I, conventional activated sludge process domestic wastewater treatment plant with an existing 1.0 MGD AADF permitted capacity Part IV, four-cell rapid infiltration basin (RIB) system.

**1. ♦ Permit:** Significant-Out-Of-Compliance

Current Permit available on-site?	Yes
Date Permit issued	September 27, 2022
Date Permit Effective	October 24, 2022
Date Permit Expires	October 23, 2027
Permit Renewal Application due by	April 26, 2027
Administrative or Judicial Orders?	Administrative Order; See Observation 1.3

1.1 Deficiency: The Department was notified of an unapproved bypass. However, the report did not include the following:

- Amount discharged (in gallons)
- Amount recovered (in gallons)
- Date and time the discharged ceased
- Clean up actions taken
- Sufficient response for future preventative measures

Rule/Permit Reference: Per Rule 62-620.610(20) and permit condition IX.20 states in part that for noncompliance events related to sanitary sewer overflows, bypass events, or unauthorized discharges, these reports must include the data described above (with the exception of time of discovery) as well as the type of event (e.g., sanitary sewer overflow, bypass, unauthorized discharge); type of sanitary sewer overflow structure (e.g., manhole); the discharge location address and latitude/longitude; type of water discharged; discharge volumes and volumes recovered; volume discharged to surface waters and receiving waterbody name; types of human health and environmental impacts of the sanitary sewer overflow, bypass event, or unauthorized discharge (e.g., beach closure); whether the noncompliance was caused by a third party; and whether the noncompliance was related to wet weather.

Corrective Action: **Within 7 days of the date of this letter**, provide the missing information and schedule a meeting with the department to discuss these matters.

1.2 Deficiency: The Department has not received the transfer of ownership forms.

Rule/Permit Reference: Per Rule 62-620.610(14) and permit condition IX.14 states that this permit is transferable only upon Department approval in accordance with Rule 62-620.340, F.A.C. The permittee shall be liable for any noncompliance of the permitted activity until the transfer is approved by the Department.

Corrective Action: **Within 30 days of the date of this letter**, fill out the transfer of ownership form and submit it to [SWD\\_WF\\_Permitting@dep.state.fl.us](mailto:SWD_WF_Permitting@dep.state.fl.us).

- 1.3 **Observation:** The permit is accompanied by Administrative Order AO-047SWD22, to meet the final Total Nitrogen (TN) limit of 3.0 mg/L as required for facilities within the Crystal River/Kings Bay Basin Management Action Plan (BMAP). During modification, the facility is to report TN for a single sample on a monthly basis.

**Additional Comments: The interim limit for TN expires on December 31, 2024. The facility shall comply with the final limit for TN and facility re-classification no later than January 1, 2024.**

- 1.4 **Observation:** The permit renewal application is due by April 26, 2027.

**2. ♦ Compliance Schedules:** Out-of-Compliance

Compliance Schedule in Permit met?	No
Compliance Schedules in Order are being met?	Yes

- 2.1 **Deficiency:** The results for the primary and secondary drinking water parameters have not been submitted for the groundwater monitoring wells.

**Rule/Permit Reference:** Permit Condition VI.2 states in part that the improvement actions shall be completed:

Improvement Action	Completion Date
a) For the previous permit renewal: Submit collected results from the ground water monitoring wells MWC-1, MW-2, MW-3A, and MW-4 for the primary and secondary drinking water parameters included in Rules 62-550.310 and 62-550.320, F.A.C.	Within 30 days from the sampling event

**Corrective Action: Immediately,** sample the monitoring wells as specified above and submit results to the permitting mailbox at [SWD\\_WF\\_Permitting@dep.state.fl.us](mailto:SWD_WF_Permitting@dep.state.fl.us).

- 2.2 **Observation:** The following compliance schedules below are listed in Specific Condition VI.1 and contained in Administrative Order AO-047SWD22.

Action Plan	Due Date
a) The land application of the reclaimed water shall be in compliance with all limits specified in the permit except for TN.	First day of the second month following the permit issuance
b) Submit a proposal with the most feasible option to bring the TN into compliance with the final limit 3 mg/L. If necessary, schedule a meeting with DEP SWD office to discuss the proposal.	03/31/2023
c) Obtain the Department's approval for the plan of action.	04/30/2023
d) Implement the plan of action.	12/31/2023
e) Comply with the final limit for TN or obtain Department approved regulatory relief.	01/01/2024
f) Meet the facility classification and operator staffing requirement in accordance to Rule 62-699.310 (2) (a)1., F.A.C as a Category I, Type I, Class A facility.	01/01/2024

**Additional Comments:** The Department Action Plan item a. was submitted on March 31, 2023 and obtained Department approval on May 25, 2023. However, based on the information provided in the proposal, the permitting department has determined a permit revision is necessary. Please submit the modification request to the permitting department at [SWD\\_WF\\_Permitting@FloridaDEP.gov](mailto:SWD_WF_Permitting@FloridaDEP.gov).

2.3 **Observation:** In addition to timely permit renewal, the following compliance schedules below are listed in Specific Condition VI.2:

Improvement Action	Completion Date
b) <u>For the future permit renewal:</u> Sample the monitoring wells approved by the Department in accordance with Permit Condition III.B.12 and submit the analytical results with the permit renewal application.	Within six months of submittal of item a), above

**Additional Comments: Improvement action b) is due a permit renewal; or by April 26, 2027.**

**3. Laboratory:** In-Compliance

Contract Lab Name and Certification #	Advanced Environmental Laboratories, Inc. - Gainesville
Facility NELAC Certification #	E82001

3.1 **Observation:** The current laboratory certification was onsite at the time of inspection. The lab certification for this facility expires on June 30, 2023. The laboratory is certified to perform the required analysis.

**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?	See Observation

4.1 **Observation:** Influent is sampled at the headworks, prior to treatment and ahead of any RAS lines. Effluent is sampled at the Chlorine Contact Chamber before Reuse System R-001.

**5. ♦ Records and Reports:** Out-of-Compliance

Documents/Records reviewed	Time frame
Discharge Monitoring Reports (DMRs)	From 03/01/22 to 04/30/23
Permit	Current and Onsite
O&M Manual	See Observation 5.1
Annual Flow Meter Calibrations ( <i>I</i> )	See Observation 7.1
Annual RPZ Backflow Prevention Device Certification ( <i>I</i> )	See Observation 6.1
Operator Logbook	Current and Onsite
Operator Certification	Current and Onsite
Biosolids Hauling Records	See Observation 11.1
Treatment Facility Biosolids Annual Summary	Received February 10, 2023

5.1 **Deficiency:** A review of DMRs from March 2022 to April 2023 revealed the following errors:

(a) Weekly sampling results not provided on Part B of the DMR for December 2022, March 2023, and April 2023.

(b) Monthly sample results for Nitrogen, Total and Phosphorous, Total not provided for March and April 2023.

Rule/Permit Reference: Per Permit Condition I.A.1 states, in part, that reclaimed water shall be limited and monitored by the permittee as specified and reported in accordance with Permit Condition I.B.8.

Rule 62-600.680 (1), (a), (b) (F.A.C.) states, in part, the permittee shall submit monitoring results on Discharge Monitoring Report, Form 62-620.910(10), F.A.C., in accordance with subsection 62-620.610(18), F.A.C., as follows:

(a) Discharge Monitoring Reports shall be mailed to the Department at the address specified in the permit or electronically submitted using the Department’s Business Portal at <http://www.fldepportal.com/go/>. Reports shall be submitted in accordance with the frequencies specified on the Discharge Monitoring Report forms attached to the wastewater permit and be postmarked or entered electronically by the 28th day of the month following the month of operation; and,

(b) Discharge Monitoring Reports shall be submitted for each required monitoring period including periods of no discharge.

Corrective Action: **Within 30 days of the date of this letter**, resubmit the DMRs to the Department with the missing information. If the samples were not collected, please provide a response, in writing, to address the permit violation and what actions will be taken to prevent future non-compliance.

5.2 Deficiency: Missing the Q1 2023 DMR (Part D).

Rule/Permit Reference: Rule 62-601.300(1)(b) F.A.C., states, in part, that (Quarterly DMRs) shall be completed and submitted on a quarterly basis and in a timely manner so as to be received by the appropriate District Office of the Department by the twenty-eighth (28<sup>th</sup>) of the month following the month of the monitoring period.

Corrective Action: **Within 30 days of the date of this letter**, resubmit the Q1 2023 DMR report to the Department.

5.3 Observation: The facility keeps paper records greater than the required retention period. Records are kept in the office at the treatment facility. The Operation and Maintenance Manual was dated August 20, 1997. **Please ensure to prepare an updated manual within six months of modifying the facility per Permit Condition VI.**

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

6.1 Observation: The facility is securely fenced with appropriate signage throughout. The Backflow Prevention Device (“RPZ”) certification is dated May 1, 2023. The facility has three blowers are each housed in a shed. One of the blowers was out of service. The emergency backup generators, located onsite, is tested for 4-hours monthly.

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

Flow meter present and location as per permit?	Yes
Easy access to flow meter?	Yes
Date of last flow meter calibration	See Observation 7.1

7.1 Observation: Flow is measured utilizing an ultrasonic flow meter at the 90 V-notch weir located in the mixing tank, per Specific Condition I.(A)2 and I.(B)3.

**8. ♦ Operation and Maintenance: Out-of-Compliance**

Facility being operated as per permit?	See Observation
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- 8.1 Deficiency: The following items were noted during the inspection:
- (a) Aeration basin observed with excessive foam and accumulation of debris.
  - (b) The mixed liquor in the aeration basins appeared light; this issue was related to the plant upset.
  - (c) The clarifier was not operational at the time of inspection.
  - (d) Wastewater flows from the aeration basin were being diverted to the chlorine contact chamber. Accumulation of solids observed in the CCC.

Rule/Permit Reference: Rule 62-600.410(6) F.A.C. states that all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and domestic wastewater residuals shall be maintained, at a minimum, so as to function as intended.

Corrective Action: **Within 30 days of the date of this letter:**

- a) Address the foam in the aeration basin and remove the debris. Send a corrective action photo to the department for review.
  - b) Provide a corrective action plan as to how the facility plans on returning the WWTF to normal operations after the plant upset.
  - c) Provide a timeline of completion as to when the clarifier will return to normal operation.
  - d) Provide a corrective action plan to address how the facility plans on operating the WWTF without utilizing the clarifier while its nonoperational while still maintaining the effluent quality. Address the solids accumulation in the CCC and send photo documentation to the department for review.
- 8.2 Observation: The day shift operator is Vance Ewell, B-20211. The evening shift operator is Linda Manning, C-22317.

**9. ♦ Effluent Quality: In-Compliance**

DMRs review period	From 03/01/22 to 04/30/23
Any exceedances?	No

9.1 Observation: The chlorine residual taken at 11:00 AM read at 0.77 mg/L. Effluent appeared cloudy with scum and solids observed. These issues were caused by the plant upset.

**10. ♦ Effluent Disposal: Out-of-Compliance**

Facility discharging?	Yes
Discharge location(s) as per permit?	No

10.1 Deficiency: Bypass directed to the emergency disposal pond, located within the facility boundaries. The emergency pond is not included in the permit as an approved area of disposal.

Rule/Permit Reference: 62-600.700(1) F.A.C. Construction, modification, or operation of domestic wastewater treatment and effluent disposal or reuse facilities requires an appropriate permit from the Department in accordance with Chapter 62-620, F.A.C., and with this chapter. The permittee shall comply with applicable design and performance criteria pursuant to this chapter and the permitting requirements of Chapter 62-620, F.A.C.

Corrective Action: **Within 30 days of the date of this letter**, provide the department with an updated SOP as to how the facility will handle future events such as these so as to comply with the permit.

- 10.2 Observation: Effluent is pumped to R-001, that consists of four rapid infiltration basins (RIBs). The berms were in great condition. Effluent was directed to the leftmost RIB, all other RIBs appeared to be tilled.

**11. Biosolids: In-Compliance**

- 11.1 Observation: The most recent hauling records were dated May 15, 2023, which indicated 20,000 gallons were hauled off site by Advance Septic, LLC (Facility ID FLA994553).

**12. Groundwater Quality: Out-of-Compliance**

DMRs review period	From 03/01/22 to 04/30/23
Any exceedances?	Yes
All monitoring wells accessible, secured & locked?	Yes

- 12.1 Deficiency: During the review period, the following exceedances were observed:

- (a) In the Q1 2022, Q2 2022, and Q2 2023 DMRs, the monitoring wells below exceeded the 10.0 mg/L limit for Nitrogen, Nitrate, Total (as N).

Date	Monitoring Location	Result (mg/L)
3/31/2022	MWC-1	11.7
6/30/2022	MWC-1	10.1
	MWC-3	16.6
6/30/2023	MWC-1	15
	MWC-2	13
	MWC-3	13
	MWC-4	13

- (b) The monitoring wells routinely have pH readings below the 6.5 s.u. range limit.

Date	Monitoring Location	Result (s.u.)
3/31/2022	MWC-1	6.29
	MWC-2	5.27
	MWC-3	6.23
	MWC-4	3.75
6/30/2022	MWC-1	6.15
	MWC-2	5.15

	MWC-3	6.2
	MWC-4	3.63
9/30/2022	MWC-1	6.13
	MWC-2	5.26
	MWC-3	6.13
	MWC-4	4.07
12/31/2022	MWC-2	5.49
	MWC-3	6.29
	MWC-4	4.12
6/30/2023	MWC-1	6.3
	MWC-2	5.4
	MWC-3	6.17
	MWC-4	4.28

Rule/Permit Reference: Permit Condition III.B.2 and Rule 62-520.400, F.A.C., requires that the ground water minimum criteria shall be met within the zone of discharge.

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

Corrective Action: **Within 30 days of the receipt of this report**, please provide, in writing, a response to the monitoring well exceedances above, including any corrective actions taken.

*(b) Data submitted to the Department shows a history of slightly acidic groundwater pH in MWC-01, MWC-02, MWC-03 and MWC-04. The Department will continue to monitor. No further explanation is requested for deficiency (b) at this time.*

- 12.2 Observation: The monitoring wells are locked with a concrete apron. The monitoring wells observed were locked with a padlock. Please ensure the expander caps are secure.

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

Does the facility have an Operation and Maintenance Manual for their collection system?	Yes
Does the facility track spills in their collection system?	Yes
Does the facility have procedures for minimizing spills?	Yes
Are those procedures included in the Operation and Maintenance Manual or in a separate document?	Yes
How often is the manual updated?	As needed

SSO Details Table

LOCATION	DATE DISCHARGE OCCURRED	DATE DISCHARGE REPORTED	SWO NUMBER	SPILL VOL (GAL)	SPILL VOL RECOVERED (GAL)	SPILL CHARACTERISTIC	CAUSE	AREA AFFECTED	CLEAN-UP
109 Rose Avenue	2/12/2023	12/2/2019	2023-1291	2,000	0	RAW WASTEWATER	BLOCKAGE	GROUND	VAC TRUCK, LIME
109 Rose Avenue	3/21/2023	3/21/2023	2023-2352	2,000	0	RAW WASTEWATER	EQUIPMENT	GROUND	LIME, WASHED DOWN, VAC TRUCK, REPAIRED

13.1 Deficiency: Beverly Hills WWTF had two discharges at the wastewater treatment plant.

Rule/Permit Reference: Rule 62-604.130(1), F.A.C., states, in part, the release or disposal of excreta, sewage, or other wastewaters or residuals without providing proper treatment approved by the Department is prohibited.

Corrective Action: **Within 30 days of the date of this letter**, provide documentation to the Department describing each spill and what actions have been taken to correct and prevent these spills from reoccurring.

13.2 Observation: Sanitary sewer overflow reports were reviewed from May 2022 to May 2023. Beverly Hills WWTF had one additional spill to the table above, over 1,000 gallons. None of the SSO's made it to surface waters. The facility submitted required notifications within 24 hours of each spill and a final 5-day report including proper cleanup and corrective actions. These reports were reviewed by the Department using an SSO Evaluation Guidance and were addressed by this process.

13.3 Observation: The following lift stations were evaluated for the SSOP inspection: LS-9, LS-7 and LS-3. All lift stations observed had appropriate signage. At the time of inspection all three lift stations high-level audible and visual alarms were functioning as intended

**14. Other:** Not Applicable



# Existing Entry Printout

1/7/2026

<b>Complaint ID</b>	7743	<b>Date Assigned</b>	7/6/2023
<b>Public Records Request</b>	No	<b>Investigated By</b>	Maryn Tidwell
<b>Media Interest</b>	No	<b>Complainant Contacted Date</b>	
<b>Date Entered</b>	6/19/2023 7:35:39 AM	<b>Access Letter/Referral</b>	6/15/2023
<b>Response Due Date</b>	7/3/2023	<b>Site Visit Date</b>	5/16/2023
<b>Complaint Received By</b>	Shamus Fitzpatrick	<b>Responsible Party</b>	Beverly Hills WWTF
<b>Complaint Forwarded To</b>	Shamus Fitzpatrick	<b>Program Site ID</b>	FLA011869
<b>Program</b>	Domestic Wastewater	<b>Complaint Status</b>	Closed
<b>County</b>	Citrus	<b>Date Closed</b>	7/7/2023 10:46:23 AM
<b>Facility Name</b>	Beverly Hills WWTF	<b>Surface Water Infraction</b>	Not Applicable
<b>Address</b>	Beverly Hills Community Park	<b>Final Results</b>	Investigated by DEP
<b>City</b>	Beverly Hills		
<b>ZIP</b>	34464		
<b>Anonymous</b>	Yes		
<b>Complainant Name</b>	Anonymous		
<b>Complainant Phone</b>	Anonymous		
<b>Complainant Email</b>	Anonymous		

## Complaint Description

Complainant states that a septic company is evacuating their trucks into a pond located within a community park. The complainant has multiple pictures of the incidents occurring as it is an ongoing event.



# Existing Entry Printout

1/7/2026

## Additional Comments

Oculus links:

CEI -

[https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=38.1200426.1\]&\[profile=Discovery\\_Compliance\]](https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=38.1200426.1]&[profile=Discovery_Compliance])

## Results Description

CWS had two septic companies around June 15th and June 17th clearing out the emergency disposal pond. These date match with the issuance of the CAO, issued 6/15/2023, and the request for additional actions.

DEP staff requested the hauling tickets for these dates. All submittals will be submitted under the CAO.



# Existing Entry Printout

1/7/2026

<b>Complaint ID</b>	7842	<b>Date Assigned</b>	
<b>Public Records Request</b>	No	<b>Investigated By</b>	Shamus Fitzpatrick
<b>Media Interest</b>	No	<b>Complainant Contacted Date</b>	8/2/2023
<b>Date Entered</b>	8/2/2023 9:17:41 AM	<b>Access Letter/Referral</b>	8/2/2023
<b>Response Due Date</b>	8/16/2023	<b>Site Visit Date</b>	8/8/2023
<b>Complaint Received By</b>	Shamus Fitzpatrick	<b>Responsible Party</b>	Beverly Hills WWTF
<b>Complaint Forwarded To</b>	Shamus Fitzpatrick	<b>Program Site ID</b>	FLA011869
<b>Program</b>	Domestic Wastewater	<b>Complaint Status</b>	Closed
<b>County</b>	Citrus	<b>Date Closed</b>	9/18/2023 11:39:01 AM
<b>Facility Name</b>	Beverly Hills Community Park	<b>Surface Water Infraction</b>	Not Applicable
<b>Address</b>	997 W. Roosevelt Blvd.	<b>Final Results</b>	Investigated by DEP
<b>City</b>	Beverly Hills		
<b>ZIP</b>	33464		
<b>Anonymous</b>	No		
<b>Complainant Name</b>	Tom King		
<b>Complainant Phone</b>			
<b>Complainant Email</b>	TomDKing857@Gmail.com		

## Complaint Description

A-Able Septic company is emptying their hauls into a dried pond located at the back of the park.



# Existing Entry Printout

1/7/2026

## Additional Comments

Investigating inspector is no longer employed with the Department. The pond referenced in the complaint is an emergency storage pond for the Beverly Hills WWTF. A-Able had been hauling solids from the facility in response to the bypass that was reported in the CAO issued 6/15/2023. All solids were removed from the emergency storage pond.

CAO:

[https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&\[guid=38.1208551.1\]&\[profile=Permitting\\_Authorization\]](https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&[guid=38.1208551.1]&[profile=Permitting_Authorization])

## Results Description

8/2/2023 - Department staff reached out to Mr. King regarding the complaint. Mr. King would go on to describe that A-Able, a septic removal company, was emptying their hauls from the vacuum trucks into a community park pond. The pond is a detention pond for runoff stormwater and Mr. King sent in pictures depicting A-Able running a hose and discharging into the area surrounding the detention pond.

8/8/2023 - (11:29am) Department staff arrived on-site at the alleged dumping location. Upon arrival, no foul odors were detected nor was there any obvious proof of the dumping. Department staff walked the area depicted in the pictures and further noted no odors or fecal matter/septic waste was noticed. After taking pictures and writing notes, Department staff left the area under the impression that the dumping is not septic waste but rather washout from the vac trucks as there was no evidence of wastewater.

(11:40am) - Department staff drove up Roosevelt Blvd. to arrive at another pond system alleged to be used for A-Able's dumping purposes. The pond appeared to be in an unmanaged state with vegetation and algae covering most of the surface water. No odors nor septic residuals were detected at this location either.

8/9/2023 - Department staff called A-Able and spoke to a Ms. Cathy Thomas, the active manager at the time. Ms. Thomas would go on to state that the work being conducted by their trucks is a lift station transfer that A-Able took over for Clearwater Solutions as they just bought out Ridgewood Utilities, the company that previously oversaw the lift station. Ms. Thomas was sent an email following the phone discussion regarding the nature of the complaint and photos to go alongside what was stated.

(3:45pm) - Ms. Thomas emailed back confirming that what she had stated over the phone was indeed true and copied the VP of the company (Brad St. Clair) on the response email so that he may further explain the ongoing activities.

8/10/2023 - Mr. Brad St. Clair emailed Department staff at 8:08pm and 8:15pm last night regarding the complaint out at Beverly Hills Community Park. Brad would go on to explain that the trucks and hoses pictured from Mr. King's complaint photos were extracting solids from the percolation pond that serves the Beverly Hills WWTF (FLA011869). This would not explain why there have been multiple truck sightings and a constant odor in the morning. Department staff will be reaching out to Rolling Oaks and Beverly Hills WWTF to confirm this information.



# Existing Entry Printout

1/7/2026

<b>Complaint ID</b>	8349	<b>Date Assigned</b>	
<b>Public Records Request</b>	No	<b>Investigated By</b>	Maryn Tidwell
<b>Media Interest</b>		<b>Complainant Contacted Date</b>	4/16/2024
<b>Date Entered</b>	4/2/2024 11:01:59 AM	<b>Access Letter/Referral</b>	4/17/2024
<b>Response Due Date</b>	4/16/2024	<b>Site Visit Date</b>	4/17/2024
<b>Complaint Received By</b>	Anthony DiSipio	<b>Responsible Party</b>	Beverly Hills WWTF (CWSR)
<b>Complaint Forwarded To</b>	Emily Larson	<b>Program Site ID</b>	FLA011869
<b>Program</b>	Domestic Wastewater	<b>Complaint Status</b>	Closed
<b>County</b>	Citrus	<b>Date Closed</b>	1/7/2026 11:17:04 AM
<b>Facility Name</b>	Beverly Hills WWTF	<b>Surface Water Infraction</b>	Not Applicable
<b>Address</b>	3462 North Burroughs path	<b>Final Results</b>	Investigated by DEP
<b>City</b>	Beverly Hills, FL		
<b>ZIP</b>	34465		
<b>Anonymous</b>	No		
<b>Complainant Name</b>	Neil Reichhart		
<b>Complainant Phone</b>	954-829-6866		
<b>Complainant Email</b>	udco1@outlook.com		

## Complaint Description

The above listed address is the complainant's address. The complainant states that there has been a strong sewage smell that occur 2-3 times a week. It was recently taken over by CSWR Florida. A customer service number the complainant gave for CSWR Florida is (855)-476-1942.

The complainant would like to be reached out to regarding the complaint and prefers to be emailed rather than called.



# Existing Entry Printout

1/7/2026

## Additional Comments

No additional complaints have been received. The Department is closing this casefile. Upon receipt of additional complaints, the complaint will be re-opened.

## Results Description

4/17/24 Department staff conducted an odor inspection. Arrived in the area around 9:26 AM. Winds were blow ESE at 7 mph with 14mph gusts at the time of the visit.

9:28 AM Odors not observed on W Oakpark Dr Beverly Hills, FL 34465

9:33 AM Odors not observed around 3280-3266 N Burroughs Path, Beverly Hills, FL 34465

9:40 AM Department staff arrived at the plant to discuss the odor complaint with facility staff. Department staff noted that many trees were removed from the site boundary line that exposes the treatment plant to the Community Park. The facility has received many complaints since the trees were removed and stated the community is unhappy the facility is closing the nature walkways on the property. The facility is continuing to get the plant back to normal operations after the bypass of the clarifier. No remaining liquid or solids were observed in the emergency storage pond.

Department staff spoke with David Ford about open compliance issues. Facility will be contacting the Department with corrective actions.

4/18/24 The Department reached out to the complainant to call back when odors are observed and to record what time and the location of the odors.



# FLORIDA DEPARTMENT OF Environmental Protection

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

South District  
Post Office Box 2549  
Fort Myers, FL 33902-2549  
[SouthDistrict@FloridaDEP.gov](mailto:SouthDistrict@FloridaDEP.gov)

January 18, 2024

Sebring Ridge Utilities  
Attn: Josiah Cox  
1630 Des Peres Rd. Suite 140  
Des Peres, MO 63131  
Email: [jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: Warning Letter  
Sebring Ridge Utilities WWTP  
FLA014349  
Highlands County – DW

Dear Mr. Cox:

A Compliance Evaluation and Sanitary Sewer Overflow Prevention Inspection were conducted for your facility on December 19, 2023, respectively under the authority of Section 403.061, Florida Statutes (F.S.). During these inspections, possible violations of Chapters 62-160, 62-555, 62-600, 62-610, and 62-620, of the Florida Administrative Code (F.A.C.), were observed.

During these inspections, Department personnel noted the following:

- The facility failed to complete several items in their listed Improvement Actions and Administrative Order.
- The facility's pH and Chlorine meters were not calibrated in accordance with DEP SOP and NELAC guidelines.
- The facility failed to collect and/or analyze samples as required by permit or enforcement action.
- The Field Sheets and Chain of Custody was missing required information.
- The facility's RPZs did not have tags, nor were any certifications available onsite.
- DMR deficiencies were present in the monitoring period.
- The template used for recent DMR submissions does not match the template included in the permit.
- The facility had late and missing DMRs.
- The facility has not been submitting the annual Capacity Analysis Reports required by the permit.
- The garbage bin that was being used to collect screenings and grit was cracked and leaking onto the ground.
- An excessive amount of solids were discharging over the weirs due to blower motor issues.
- Multiple diffusers were clogged and unable to provide adequate mixing.
- Both blower motors were missing belt guards.

[www.FloridaDEP.gov](http://www.FloridaDEP.gov)

- The cover for the older blower motor is rusted and needs to be replaced.
- The Chlorine Contact Chamber was very turbid and full of solids and debris.
- One of the baffles in the CCC was underwater.
- A pipe connection was leaking down the wall of the tank.
- Effluent exceedances were present within the monitoring period.
- The facility had chronic Nitrogen effluent limits January 2023 – April 2023.
- The ponds contained excessive sludge.
- The fencing around the disposal site was falling over and in need of repair.

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 Kaylee Turke, at (239) 344-5710 or via email at:

[Kaylee.Turke@FloridaDEP.gov](mailto:Kaylee.Turke@FloridaDEP.gov) within **15 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. Any document submittals can be made to our email mailbox at [SD-WWinspect@FloridaDEP.gov](mailto:SD-WWinspect@FloridaDEP.gov) or may be mailed to the above address. You may bring anyone with you to the meeting that you feel could help resolve this matter.

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,



Elizabeth A. Sweigert  
Assistant Director of District Management  
South District Office  
Florida Department of Environmental Protection

Enclosure: Inspection Report

ec: Fritz St. Fleurant (via e-mail: [Fritzst.Fleurant@clearwatersol.com](mailto:Fritzst.Fleurant@clearwatersol.com))  
Keanu Wadhams (via e-mail: [keanu.wadhams@clearwatersol.com](mailto:keanu.wadhams@clearwatersol.com))  
Arthur Faiello (via e-mail: [arthur@cswrgroup.com](mailto:arthur@cswrgroup.com))  
Jessica Thomas (via e-mail: [jthomas@cswrgroup.com](mailto:jthomas@cswrgroup.com))  
Allen Slater, FRWA (via e-mail: [Allen.Slater@frwa.net](mailto:Allen.Slater@frwa.net))



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WASTEWATER COMPLIANCE INSPECTION REPORT

## Facility Details

<b>Facility Name</b>	Sebring Ridge Utilities WWTP			<b>WAFR ID</b>	FLA014349
<b>Physical Address</b>	2186 Clam Dr			<b>City, State, Zip</b>	Sebring, FL 33870-1103
<b>County</b>	Highlands			<b>Facility Phone #</b>	(863) 385-8542
<b>Permit Issued:</b>	9/23/2020			<b>Permit Expiration:</b>	10/29/2025
<b>Facility Type</b>	Domestic Wastewater			<b>Is the Facility NPDES (Y/N)</b>	No
<b>Latitude</b>	<b>Degrees °</b>	27	<b>Minutes ‘</b>	32	<b>Seconds “</b> 24.58
<b>Longitude</b>	<b>Degrees °</b>	81	<b>Minutes ‘</b>	28	<b>Seconds “</b> 59.85

## Inspection Details

<b>Inspection Type</b>	<b>Entry Date</b>	<b>Exit Date</b>	
CEI	12/19/2023	12/19/2023	
	<b>Entry Time (HH:MM AM/PM)</b>	<b>Exit Time (HH:MM AM/PM)</b>	
SSOP	12:30 PM	3:30 PM	
<b>Sampling Taken (Y/N)</b>	No	<b>RQ#</b> N/A	<b>QA Conducted (Y/N)</b> Yes
<b>Name(s) and Title of Field Representatives(s)</b>	<b>Operator Certification</b>	<b>Email</b>	<b>Phone Number</b>
Fritz St. Fleurant	C - 0024473	Fritzst.Fleurant@clearwatersol.com	N/A
Keanu Wadhams	C - 0028644	keanu.wadhams@clearwatersol.com	(352) 640-4976
<b>Name(s) and address of Permittee / Designated Rep.</b>	<b>Title</b>	<b>Email</b>	<b>Phone Number</b>
Josiah Cox 1630 Des Peres Rd. Suite 140 Des Peres, MO 63131	President	jc Cox@cswr group.com	(863) 385-8542

## Inspector Information

<b>Name(s) and Signature(s) of Inspectors(s)</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Kaylee Turke	SD / (239) 344-5710	1/12/2024
Amber Williams	SD / (239) 344-5674	1/12/2024
<b>Name and Signature of Reviewer</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Deanna Newburg	SD / (239) 344-5677	1/17/2024

## Facility Compliance Eval Areas

<i>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 “*”</i>							
<b>Overall Compliance Determination</b>				Significant Out of Compliance			
NC	*Permit	IC	Laboratory	SC	Facility Site Review	SC	*Effluent Quality
SC	*Compliance Schedules	NC	Sampling	IC	Flow Measurement	NC	*Effluent Disposal
SC	*Records & Reports	IC	Biosolids	IC	*Operation & Maintenance	NA	*Groundwater
IC	SSO Survey	NE	Other	NA	Nutrient Management Plan	NA	Access Control
NA	Site Restrictions & Setbacks	NA	Odor/Nuisance	NA	Site Monitoring	NA	MLPW Disposal
NA	Manure Solids						

<b>Clear Report</b>	<b>Hide/Unhide Placeholders</b>	<b>Generate Blank Rows (for field paper setup)</b>	<b>Generate Deficiency &amp; Observation Rows</b>	<b>Finish Inspection Report Form</b>
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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 National Environmental Laboratory Accreditation Conference (NELAC).	LNCE
<input checked="" 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 checked="" 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 checked="" type="checkbox"/>	Records and Reports	Reporting Violations - Failure to submit required report (non-DMR, non-pretreatment)	The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs.	FRPT
<input type="checkbox"/>	Facility Site Review	Management Practice Violations - Improper Land Application (non-503, non-CAFO)	The land application system was not being maintained.	LASN
<input type="checkbox"/>	Flow Measurement	Monitoring Violations - No Flow Measurement Device	The facility failed to install a flow measurement device, an approved flow measurement device, or a working flow measurement device.	NOFL
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - Improper Operation and Maintenance	The facility failed to follow their operation and maintenance plan/manual.	IONM
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - Inflow/Infiltration (I/I)	The facility had an inflow and infiltration problem causing collection system issues and/or operational issues.	ININ
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - No Licensed/Certified Operator	The facility was being operated without a certified operator or by an operator that is not licensed for the size of plant.	ONCO
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent acute toxicity has been documented through follow-up tests.	EATX
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent chronic toxicity has been documented through follow-up tests.	ECTX
<input type="checkbox"/>	*Effluent Quality	Effluent Violations - Failed Toxicity Test	Persistent acute or chronic toxicity has been documented in the effluent through the use of routine and follow-up tests.	ETOX
<input type="checkbox"/>	Effluent Quality	Effluent Violations - Narrative Effluent Violation	The facility violated a permit or enforcement narrative effluent limit.	XNEV
<input type="checkbox"/>	Effluent Quality	Effluent Violations - Reported Fish Kill	The facility had a discharge of wastewater that resulted in a fish kill.	XFSH
<input type="checkbox"/>	Sanitary Sewer Overflow Survey	WW SSO - 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(l)(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

## Permit

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
*Is the permit current?	Yes			
Is a copy of the permit available onsite?	Yes			
Is the facility operated in accordance with the permit?	Yes			
*Was the facility constructed or modified with an appropriate or valid permit issued by the Department?	N/A			
Has the facility submitted the permit renewal application 180 days prior to the expiration date?	N/A			
If the permittee for the facility has changed did the department receive notification of this change?	Yes			
If the permit is accompanied by a Consent Order or Administrative Order, are they abiding by the conditions of the order?	No			
Is wastewater from a portion of the treatment process diverted with Department approval?	N/A			
*Is the facility discharging to waters of the state with an appropriate FDEP permit?	N/A			
*Was the facility free from unpermitted discharge, bypass, collection system, or residuals with a high potential for water quality or health impacts?	Yes			
Is the facility free from any Permit violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				
If the permit is accompanied by a Consent Order or Administrative Order, are they abiding by the conditions of the order? [403.088(2)(f) F.S., 62-4.120 (1) F.A.C.]	Deficiency: (Narrative) The facility has failed to complete Improvement Action 7, Items 3 and 4 of the Administrative Order, and has not submitted any quarterly status reports as required by the AO. The facility should have been in full compliance by January 1, 2022.			
	Corrective Action(s): (Narrative) Please complete the missing items and submit documentation to the Department.			
<b>Observations:</b>				
Department records indicate that the current operating permit will expire on <b>October 29, 2025</b> . F.A.C. Rule 62-620.335 (1) states that a permittee shall submit an application to renew the existing permit at least 180 days before the expiration date of the existing permit. Timely and sufficient submittal of the renewal application and permit processing is important (and in your best interest) as it automatically extends the expiration date on the existing permit until the Department takes final action on the renewal application. A tardy application could result in non-compliance. Your renewal application and permit processing fee must be submitted no later than <b>Friday, May 2, 2025</b> .				

## Compliance Schedule

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				

If the facility has a compliance schedule in a permit, Administrative Order or Enforcement Action are they in compliance with the schedule?	No
*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date?	No
Has the facility completed construction and submitted a Notification of Completion of Construction for Wastewater Facilities or Activities (Form 62-620.910 (12)), if required?	N/A
Has the Notification of Availability of Record Drawings and Final Operation and Maintenance Manuals (Form 62-620.910 (13)) been submitted as required?	N/A
If the facility is under a Toxicity Corrective Action Plan, are they in compliance with the plan?	N/A
Is the facility free from any Compliance Schedule violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
If the facility has an Administrative Order or Compliance Order, are they meeting the compliance schedule for the permit? [62-620.620 (6)(a) F.A.C., 403.161(1)(b) F.S.]	Deficiency: (Narrative) The facility has failed to complete Improvement Action 7, Items 3 and 4 of the Administrative Order, and has not submitted any quarterly status reports as required by the AO. The facility should have been in full compliance by January 1, 2022.
	Corrective Action(s): (Narrative) Please complete the missing items and submit documentation to the Department.
*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date? [40 CFR Part 123.45(a)(2)(ii)]	Deficiency: (Narrative) The facility has failed to complete Improvement Action 7, Items 3 and 4 of the Administrative Order, and has not submitted any quarterly status reports as required by the AO. The facility should have been in full compliance by January 1, 2022.
	Corrective Action(s): (Narrative) Please complete the missing items and submit documentation to the Department.
<b>Observations:</b>	
Please see Table A of the Appendix for completed, in progress, or missing items.	

## Laboratory

<b>Compliance Rating</b>	In Compliance
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Questions</b>	
Is there a current copy of the laboratory certification onsite?	Yes
If the facility has an onsite laboratory does it have a Florida Department of Health Environmental Laboratory Certification Program certification?	N/A
Facility DOH Certification #	N/A N/A
Contract Lab Name and DOH Certification #	Advanced Environmental

	Laboratories, Inc. – E84492 <b>Yes</b>
Does the onsite laboratory use sample analysis methods prescribed in 40 CFR part 136 or a test method that has gone through the EPA alternative method approval process?	<b>N/A</b>
Does the facility have standard operating procedures that follow the methods set in 62-620.10 (18) F.A.C. including 40 CFR Part 136; including required instrumentation, glassware cleaning, reagent/standard use, and troubleshooting procedures?	<b>N/A</b>
Does the facility have a QA/QC program with a written QA/QC manual as required by 40 CFR 122.41 that is up to date and available for review?	<b>N/A</b>
Does the facility follow the procedures set in the QA/QC manual; including instrument calibration/maintenance, checks on standard solutions, sample analysis precision/accuracy limits on a prescribed bases and QC samples (duplicate, spiked, blank in at least 10%)?	<b>N/A</b>
Is the detailed record complete and available for review for each set of analyses performed including the order of calibration, QA/QC, bracketing, and samples analyzed?	<b>N/A</b>
Does the facility have QA/QC records on the reagent preparation, instrument calibration/maintenance, incubator temperature and purchase of laboratory supplies?	<b>N/A</b>
Does the facility's laboratory documentation of the sample results use qualifier codes when sample QA/QC fall outside acceptable precision and accuracy limits set in the QA/QC manual?	<b>N/A</b>
Does the facility's laboratory take and record corrective actions or trouble shooting steps when data falls out of the precision and accuracy limits?	<b>N/A</b>
Are records of standard(s) and reagent(s) preparation maintained at the laboratory?	<b>N/A</b>
Is the laboratory maintaining adequate records for reagent preparation(s)?	<b>N/A</b>
Does the laboratory have a system for uniformly recording, correcting, processing and reporting data; including formulas, significant figures, rounding rules, units, cross-checking calculations?	<b>N/A</b>
Is the facility's laboratory adequate for analyzing samples; including pure water, clean bench space for instrument use/storage free of contamination, necessary equipment, vibration free area, ventilation, humidity and temperature control?	<b>N/A</b>
Does the Laboratory meet NELAC and EPA standards including; dry and clean sample storage locations, sample custodian(s) to ensure upon receipt of samples, proper sample storage, preservation and custody documentation?	<b>N/A</b>
Does the facility use appropriate standards that are prepared in volumetric glassware, checked against reliable primary standards, labeled properly, stored in clean containers, and discarded when expired or degraded?	<b>N/A</b>
Does the facility's laboratory analyst(s) demonstrate competency and appropriate training; including ability to follow procedures, ability to meet precision and accuracy limits, knowledge of equipment and analytical methods.	<b>N/A</b>
If the facility test requires temperature measurement, is there a thermometer present that is routinely calibrated against NIST thermometer within calibration date range?	<b>N/A</b>
Is the sample refrigerator temperature correct to meet the preservation requirements for the samples stored within?	<b>N/A</b>
Is the facility free from any Laboratory violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Quality Assurance Evaluation: Lab Report QA Audit Checklist</b>	
A Quality Assurance Audit of the Laboratory Report(s) for December 6, 2023 sampling revealed deficiencies. Please refer to the relevant deficiencies above for additional details and corrective actions.	

A Quality Assurance Audit of the Groundwater Laboratory Report(s) was not conduct due to no Groundwater Monitoring required for the facility.
<b>Observations:</b>
The Facilities contracted laboratory DOH certification will expire June 30, 2024. Please make sure a copy of the new DOH certification is located at the facility.

## Sampling

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
In facility log books or other documentation, are the daily records appropriately recorded, including composite sampler or other temperatures, and daily calibration of meters.	<b>Yes</b>			
Does the facility maintain records of their daily calibration of their pH meter, Chlorine meter, Dissolved Oxygen meter?	<b>Yes</b>			
Does the facility maintain records of their daily checks of their in-line meter(s) with their field meter(s)?	<b>N/A</b>			
Do field sheets document that the collection and analysis of field tests were analyzed within the 15-minute holding time.	<b>N/A</b>			
Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (Calibration frequency and sample bracketing for pH, Total Residual Chlorine (TRC), Turbidity, DO)	<b>No</b>			
Are all the primary and secondary standards used to calibrate and verify meters, used prior to expiration dates and verified against primary standards appropriate for pH, TRC, Turbidity, DO?	<b>Yes</b>			
Are the inline meters reading within established limits compared to the bench meters? (TRC ≤ 20%, Turbidity ≤ 20%, pH 0.2 SU)	<b>N/A</b>			
Were safe access points for obtaining representative influent/effluent samples available?	<b>Yes</b>			
Are influent sampling points put prior to internal facility return lines including supernatant, filter backwash and return activated sludge (RAS)?	<b>Yes</b>			
Are samples being collected and analyzed as required by the permit or enforcement action; including location, type (grab/composite), time, and frequency?	<b>No</b>			
Are samples being collected in the proper containers, preserved and analyzed in appropriate hold times in accordance with 40 CFR Part 136, Table II?	<b>Yes</b>			
If the facility has a composite sampler with cooling system at the influent/effluent sampling location is there a thermometer present in the sampler that is annually checked against NIST thermometers?	<b>N/A</b>			
Is composite sampling being conducted appropriately; including purging, sampling velocity at least 2fps, clean tubing, individual sample volume of at least 100 mL, sample storage of <6°C preservation, hold times and representative samples?	<b>N/A</b>			
Did the facility have their Chain of Custody records?	<b>Yes</b>			
If sampling was conducted and observed during the inspection did the sampling follow DEP SOP requirements?	<b>N/A</b>			
Did the facility collect and/or analyze routine or follow-up toxicity samples as required by permit or enforcement action?	<b>N/A</b>			
Is the facility free from any Sampling violation not listed above that needs to be addressed?	<b>No</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				

Deficiencies & Corrective Actions:	
<p>Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (Calibration frequency and sample bracketing for pH, Total Residual Chlorine (TRC), Turbidity, DO) [62-160.210 (1) F.A.C., 62-160.800 (1)(a) F.A.C., DEP SOP FT 1000]</p>	<p>Deficiency: (Narrative) The facility's calibration verification sheets did not include all the required information for pH and Chlorine:</p> <p>pH:</p> <ul style="list-style-type: none"> <li>• Value and Unit of standard is missing.</li> <li>• Acceptance criteria for calibrations/verifications is missing.</li> <li>• Indication of whether calibrations/verifications passed is missing.</li> <li>• Who conducted maintenance or calibrations is missing.</li> <li>• Unique identifier for sonde/probes is missing.</li> <li>• Last maintenance and cleaning date is missing.</li> </ul> <p>Chlorine:</p> <ul style="list-style-type: none"> <li>• Value and Unit of standard is missing.</li> <li>• Acceptance criteria for calibrations/verifications is missing.</li> <li>• Indication of whether calibrations/verifications passed is missing.</li> <li>• Who conducted maintenance or calibrations is missing.</li> <li>• Unique identifier for sonde/probes is missing.</li> <li>• Last maintenance and cleaning date is missing.</li> </ul>
	<p>Corrective Action(s): (Narrative) Please provide the Department with an updated calibration verification logs for pH and Chlorine.</p>
<p>The facility failed to collect and/or analyze samples as required by permit or enforcement action. [62-600.650 (1) F.A.C., 62-620.610 (18) F.A.C., 62-160.210 (1) F.A.C., 62-600.660 (1) F.A.C., DEP SOP FS 2400, ANCV]</p>	<p>Deficiency: (Narrative) The facility's permit requires Fecal Coliform analysis to occur bi-weekly. In November of 2023, analysis was only conducted once with no explanation noted on the DMR as to why this occurred.</p>
	<p>Corrective Action(s): (Narrative) Please provide the Department with an explanation as to why analysis occurred only once during the month of November 2023.</p>
<p>Is the facility free from any Sampling violation not listed above that needs to be addressed?[See Deficiency Narrative for Specific Rule Violated]</p>	<p>Deficiency: (Narrative) The Field Sheets and Chain of Custody had the following issues:</p> <p>Sample Date - November 16, 2023:</p> <ul style="list-style-type: none"> <li>• Facility permit ID is missing.</li> <li>• "Relinquished by" person's affiliation is missing.</li> <li>• "Received by" person's affiliation is missing.</li> </ul> <p>Sample Date – November 27, 2023:</p> <ul style="list-style-type: none"> <li>• Facility permit ID is missing.</li> <li>• "Relinquished by" person's affiliation is missing.</li> <li>• "Received by" person's affiliation is missing.</li> </ul> <p>Sample Date – November 30, 2023:</p> <ul style="list-style-type: none"> <li>• Name of the sampler is missing.</li> <li>• Facility permit ID is missing.</li> <li>• "Relinquished by" person's affiliation is missing.</li> <li>• "Received by" person's affiliation is missing.</li> </ul>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department on how the facility will correct these issues going forward for the Field Sheets and Chain of Custody.</p>

**Quality Assurance Evaluation: Field Sheets and Chain of Custody & Sampling Calibration Verification Log QA Audit Checklists**

A Quality Assurance Audit of the Calibration/Verification Logs for pH and Chlorine (December 2023) revealed deficiencies. Please refer to the relevant deficiencies above for additional details and corrective

A Quality Assurance Audit of the Field Sheet and Chain of Custody (COCs) for November 2023 sampling revealed deficiencies. Please refer to the relevant deficiencies above for additional details and corrective actions.

A Quality Assurance Audit of the Chain of Custody (COC) and Purging Log was not conduct due to no Groundwater Monitoring required for the facility.

**Observations:**

Please refer to Table B of the Appendix for buffers and standards, lots, and expiration dates.

**Records and Reports**

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Are the entries in the operator logbook clear, concise, informative and relevant?	<b>Yes</b>			
Was copy of the current O&M manual available at the time of the inspection?	<b>Yes</b>			
Is there a current operator license?	<b>Yes</b>			
Is there a current RPZ certification?	<b>No</b>			
Is there a copy of the current Operating Protocol for Part 3 Reuse?	<b>N/A</b>			
Does the facility have and maintain their Spill Prevention Control and Counter measurement (SPCC) Plan?	<b>N/A</b>			
Are all required documents and reports available at the plant well organized and complete?	<b>Yes</b>			
Does the facility maintain the records onsite for the required retention period?	<b>Yes</b>			
Discharge Monitoring Reports (DMRs) Review Period	December 2022 – November 2023 <b>Yes</b>			
Are the discharge monitoring reports completed properly?	<b>No</b>			
Are the DMRs submitted on the proper form?	<b>No</b>			
Is an authorized representative signing the DMRs?	<b>Yes</b>			
Has the permittee submitted an annual Reclaimed Water and/or Effluent Analysis Report?	<b>N/A</b>			
Does the facility submit their monitoring results for Giardia and Cryptosporidium in a timely manner?	<b>N/A</b>			
A review of the last toxicity test did not reveal any deficiencies?	<b>N/A</b>			
Has the facility submitted all report(s) during the review period that are required by rule, permit, enforcement action or inspection activity, other than DMRs?	<b>No</b>			
*Has the facility timely submitted DMRs as required by rule, permit, or enforcement action? (if either reports are >30 days late meets SNC criteria)	<b>No</b>			
Has the facility submitted all final compliance schedule reports as required by rule, permit, or enforcement action?	<b>No</b>			
Has the permittee notified the Department of any event or activity that requires notification as required by permit or rule?	<b>Yes</b>			
*Are records or reports free from falsified data?	<b>Yes</b>			
Is the facility free from any Records and Reports violation not listed above that needs to be addressed?	<b>Yes</b>			

- *Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “\*”*
- *Questions with “No” responses indicate deficiencies*
- *Questions with “N/A” responses do not apply to the facility*

**Deficiencies & Corrective Actions:**

<p>Is there a current RPZ certification? [62-555.360 (1)(b) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the RPZs did not have tags, nor were any certifications available onsite.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that all RPZs have been certified and that the labels have been affixed.</p>
<p>Are the discharge monitoring reports completed properly? [403.161(1)(b) F.S., 62-600.680 F.A.C.]</p>	<p>Deficiency: (Narrative) DMR deficiencies are present in the monitoring period. Please see appendix Table C for the list of transcription and calculation errors.</p> <p>Corrective Action(s): (Narrative) Please correct the errors on the DMRs and resubmit.</p>
<p>Are the DMRs submitted on the proper form? [403.161(1)(b) F.S., 62-620.610 (18)(a) F.A.C., 62-600.680 (1) F.A.C.]</p>	<p>Deficiency: (Narrative) The template used for recent DMR submissions does not match the template included in the permit.</p> <p>Corrective Action(s): (Narrative) August 31, 2023, CWSR purchased the facility. The facility changed operators around this time and had a mix-up with DMR submissions between the old and new companies. Please use the correct templates included in the permit for future DMR submissions.</p>
<p>The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs. [62-610.870 (3) F.A.C., 62-610.865 (11) F.A.C., 62-600.405 F.A.C., 403.161(1)(b) F.S., FRPT]</p>	<p>Deficiency: (Narrative) The facility has failed to submit the licensed engineer or geologist’s report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge. This was due July 30, 2021, and the facility should have been in full compliance by January 1, 2022.</p> <p>The facility has not been submitting annual Capacity Analysis Reports as noted in the permit under condition 3 of Section V.B.</p> <p>Corrective Action(s): (Narrative) Please submit the missing reports to the Department.</p>
<p>The permittee failed to submit any DMR required by rule, permit, or enforcement action in a timely manner. [403.161(1)(b) F.S., 62-600.680 F.A.C., 62-620.610 (18)(a) F.A.C., FDMR]</p>	<p>Deficiency: (Narrative) The August 2023 DMR was late and the September 2023 DMR is missing.</p> <p>Corrective Action(s): (Narrative) August 31, 2023, CWSR purchased the facility. The facility changed operators around this time and had a mix-up with DMR submissions between the old and new companies. Please continue to submit DMRs by the 28th of the following month. <b>No further action.</b></p>
<p>Has the facility submitted all final compliance schedule reports as required by rule, permit, or enforcement action?</p>	<p>Deficiency: (Narrative) The facility has failed to submit the licensed engineer or geologist’s report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge. This was due July 30, 2021, and the facility should have been in full compliance by January 1, 2022.</p> <p>Corrective Action(s): (Narrative)</p>

[62-620.610 (19) F.A.C.]	Please submit the missing reports to the Department.
<b>Quality Assurance Evaluation: DMR Part A, DMR Part B and Groundwater DMR QA Audit Checklists</b>	
A Quality Assurance Audit of the DMRs (Part A and Part B) for November 2023 DMRs revealed deficiencies. Please refer to the relevant deficiencies above for additional details and corrective actions.	
A Quality Assurance Audit of the DMRs (Part D) was not conduct due to no Groundwater Monitoring required for the facility.	
<b>Observations:</b>	
Please Refer to Table C of the Appendix for current operator license(s).	

## Facility Site Review

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
The headworks was free from excessive corrosion.				Yes
The headwork is free from evidence of recent overflows.				Yes
Is the odor control system operational at the headworks?				N/A
Is the comminutor operational at the headworks?				N/A
Is the grit separator operational at the headworks?				N/A
Is the bar screen cleaned on a routine basis?				Yes
Is the mechanical bar screen functioning as intended?				Yes
Are screenings and grit being collected from the headworks in suitable containers?				No
Rags, grit and/or screening are being disposed of properly.				Yes
Are screenings and grit from the headworks being disposed at a Class I Landfill?				Yes
Are records of the disposal of the screenings and grit collected at the headworks available?				N/A
The leachate from the screening dumpster(s) is piped to the headworks and not onto the ground.				N/A
Is the clarifier free from solids discharging over the weir(s)?				No
Is the clarifier free from excessive sand and/or grit accumulation?				Yes
Is the clarifier free from excessive scum, algae and/or trash overflowing the weir?				Yes
Does the skimmer appear to be functional in the clarifier?				Yes
Is the sludge collector and pump functional in the clarifier?				Yes
Are the clarifier weir(s) level?				Yes
Is the clarifier free from short circuiting with loss over the weir?				Yes
Are the aeration basins diffusers free from clogs and providing adequate mixing?				No
Was the time clock or manual controls for the aeration system operational at the time of the inspection?				Yes
Is the RAS line properly located?				Yes
The RAS line was free from excessive splashing that could cause solids to be discharged outside the tank.				Yes
The mixed liquor (MLSS) in the oxidation ditch was appropriately colored with no black coloring.				N/A
Is even distribution of air observed in the aeration basin?				No
Are the air line(s) to the aeration basin(s) free from leaks?				Yes
The brushes and paddles in the oxidation ditch were all in good working order.				N/A
Is the velocity in the oxidation ditch sufficient to prevent settling of solids?				N/A

Are dual blower motors present as required by rule?	Yes
Are the blower motors equipped with belt guards?	No
The blower motors are free from excessive noise.	Yes
Are all the blower motors present and operational at the time of the inspection?	No
Are spare parts and a second standby blower motors stored onsite?	Yes
Is the electrical box wiring for the blower motors adequately protected?	Yes
Were the tank contents in the aerobic digester(s) well mixed?	Yes
Are the digester(s) free from excessive odors and/or foaming?	Yes
Is the digester at the appropriate operational capacity?	Yes
Are there two functioning pumps in the surge tank(s)?	Yes
What was the biomass color of the trickling filter at the time of the inspection?	N/A N/A
Is trickling filter media free from excessive ponding?	N/A
Are center columns and distribution arms of the trickling filter free from leaks?	N/A
Are the distribution arm orifices free from clogs, trash and/or scum resulting in uneven distribution of flow on the trickling filter media?	N/A
Is the RBC free from black biomass indicating solids and/or BOD loading?	N/A
Is the RBC free from white biomass indicating the presence of bacteria, which feed on sulfur compounds?	N/A
Is the RBC free from excessive grinding/whining noise(s) from the motor, drive shaft, and bearings?	N/A
Are all RBC rotating disks and/or paddles present and in good working?	N/A
Is the RBC unit drive shaft free from excessive vibration?	N/A
Are all the aerators in the lagoon operational at the time of the inspection?	N/A
Is the base of the lagoon free from lateral seepage at the time of the inspection?	N/A
Does the treatment lagoon have adequate freeboard space?	N/A
Is the treatment lagoon properly secured to prevent unauthorized access?	N/A
Is the treatment lagoon free from excessive foaming?	N/A
Are the treatment lagoon berms properly stabilized?	N/A
Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris?	No
Are the baffles in the CCC functioning as intended?	No
Does the Chlorine injection point provide optimal mixing to occur in the CCC?	Yes
Is the CCC Chlorine pump operational, providing adequate Chlorine supply for disinfection and at the permitted location?	Yes
Is the Chlorine storage area protected from the elements?	Yes
Is the alarm indicator for the Chlorine system operational?	N/A
Is the Chlorine supply covered in frost indicating an issue with the system?	N/A
Is the fan inside the Chlorine room operational?	N/A
Are the Chlorine scales operational?	N/A
Is an operational Self-Contained Breathing Apparatus (SCBA) available for the Chlorine room?	N/A
Are the Chlorine gas cylinders properly secured?	N/A
Is a fresh supply of ammonia available to test for leaks in the gas chlorination system?	N/A
Do the UV ballast control boxes have adequate ventilation?	N/A
Does the plant staff have access to UV protective eyeglasses?	N/A
Is the facility maintaining adequate records of UV lamp operating hours?	N/A

Are the UV lamps and ballast being cleaned in accordance with the manufacturer's recommendation?	N/A
Does the facility have an adequate inventory of spare parts for the UV system?	N/A
Is the facility conducting routine performance checks on the UV system?	N/A
Is the UV intensity monitoring equipment operational?	N/A
Is the stilling well free from a thick layer of sludge and/or trash?	Yes
Is the Chlorine contact chamber providing a minimum contact time of 15 minutes?	Yes
Chlorine and SO2 cylinders marked with empty/full tags?	N/A
Is the automatic SO2 feed operational within de-chlorination process?	N/A
Is the SO2 system free from frost within de-chlorination process?	N/A
Are the bisulfite (SO2) gas cylinders properly secured for de-chlorination?	N/A
Was there adequate ventilation in the SO2 room?	N/A
Is the filter media free from solids that could cause plugging and/or overflow?	N/A
Is the land application system being maintained?	Yes
If an injection well was plugged or abandoned, was it completed appropriately with DEP approval?	N/A
If a well was constructed, was it permitted prior to beginning construction and constructed as required by permit?	N/A
Is the injection well Operation and Maintenance done satisfactorily?	N/A
Is there adequate access to all monitoring locations?	Yes
Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks?	No
Are the facility grounds clean and well maintained?	Yes
Is the required signage adequate?	Yes
The facility was free from odors emanating from the facility.	Yes
The facility was free from excessive noise which could be heard beyond the boundaries of the facility.	Yes
Is the facility providing safety measures at all times including adequate lighting?	Yes
The facility is disposing of sludge appropriately, with no sludge being disposed of on the facility grounds.	Yes
Was an alternative power source available at the facility?	N/A
Is the onsite generator tested under load on a monthly basis?	N/A
Are records available for the testing of the generator?	N/A
Is the area around the lift station(s) maintained?	Yes
Are there warning signs with emergency contact information on and/or around the lift station(s)?	Yes
Does the facility have a fence around their lift station(s)?	Yes
Is the gate around the lift station and the cover to the lift station locked?	Yes
Is the cover to the lift station(s) free from safety hazards?	Yes
Are there two functioning pumps that alternate?	Yes
Is the electrical panel in good working order and free from needed repair and/or replacement?	Yes
Was the collection system or lift station free from offsite objectionable odors?	Yes
The lift station visual and audio alarm operating satisfactory?	Yes
Are the potable water supply lines and the facility free from cross connections?	Yes
Is an RPZ in place and free of leaks on all potable water supply lines?	Yes
Is there a record of testing available on the RPZ?	No
Is the facility free from any Facility Site Review violation not listed above that needs to be addressed?	Yes

- *Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “\*”*
- *Questions with “No” responses indicate deficiencies*
- *Questions with “N/A” responses do not apply to the facility*

**Deficiencies & Corrective Actions:**

<p>Are screenings and grit being collected from the headworks in suitable containers? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the garbage bin that was being used to collect screenings and grit was cracked and leaking onto the ground.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the garbage bin has been replaced and is no longer leaking.</p>
<p>Is the clarifier free from solids discharging over the weir(s)? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, an excessive amount of solids were discharging over the weirs due to blower motor issues.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that there are no longer solids discharging over the weirs.</p>
<p>Are the aeration basins diffusers free from clogs and providing adequate mixing? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, multiple diffusers were clogged and unable to provide adequate mixing.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the diffusers are no longer clogged.</p>
<p>Is even distribution of air observed in the aeration basin? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, multiple diffusers were clogged and unable to provide adequate mixing.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the diffusers are no longer clogged.</p>
<p>Are the blower motors equipped with belt guards? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, both blower motors were missing belt guards.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that belt guards have been added to the blower motors.</p>
<p>Are all the blower motors present and operational at the time of the inspection? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, only one blower motor was functional, but the second was being repaired. By the end of the inspection, both blowers were functional but the cover for the old motor is rusted and needs to be replaced.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the rusted blower motor cover has been replaced.</p>
<p>Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the Chlorine Contact Chamber was very turbid and full of solids and debris.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the CCC is clear and free of solids and debris.</p>
	<p>Deficiency: (Narrative)</p>

Are the baffles in the CCC functioning as intended? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	At the time of the inspection, one of the baffles in the CCC was underwater.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that all baffles are functioning as intended.
Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks? [62-600.410 F.A.C., 62-620.300 (5) F.A.C., 62-620.610 (7) F.A.C.]	Deficiency: (Narrative) At the time of the inspection, there was a pipe connection leaking down the wall of the tank.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the leak has been fixed.
Is there a record of testing available on the RPZ? [62-555.330 (6) F.A.C.]	Deficiency: (Narrative) At the time of the inspection, the RPZs did not have tags, nor were any certifications available onsite.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that all RPZs have been certified and that the labels have been affixed.
<b>Observations:</b>	
The lift stations warning systems were functional with audible and visual alarms.	

## Flow Measurement

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Is there easy access to flow meter?	<b>Yes</b>			
Is the flow meter in the correct location?	<b>Yes</b>			
Is the flow measuring device installed properly?	<b>Yes</b>			
Is the flow meter calibrated at least annually and is it current?	<b>Yes</b>			
When was the flow meter last calibrated?	7/31/2023 <b>Yes</b>			
Is the flow measurement device operating within +/- 10% of the actual flow?	<b>Yes</b>			
Is the flow meter operating properly at the time of the inspection?	<b>Yes</b>			
The chart recorder and/or totalizer for the flow meter was operational at the time of the inspection.	<b>N/A</b>			
The elapsed time meters on the lift station pumps were functioning.	<b>Yes</b>			
The flow entering the convergence section of the Parshall Flume was free of excessive turbulence.	<b>N/A</b>			
Is the facility free from any Flow Measurement violation not listed above that needs to be addressed?	<b>Yes</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Observations:</b>				
No further observations.				

## Operations and Maintenance

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
Does the facility have adequate plant staffing?	Yes			
Is a certified operator operating the wastewater treatment facility with the appropriate license level for the size of the plant?	Yes			
Is the operator performing treatment plant operation and maintenance duties in a responsible and professional manner?	Yes			
Is the plant O&M log maintained in a hard-bound book with consecutive page numbering, or another approved format?	Yes			
Does the facility have an O&M manual, and does the facility's O&M manual reflect the current configuration of the facility?	Yes			
*Is the facility operated in accordance with the O&M Manual? (If there is a high potential for water quality or health impacts meets SNC criteria)	Yes			
Is the facility maintaining a log that documents routine equipment maintenance?	Yes			
Is the plant free of any treatment components that are in disrepair that would provide for unsafe operation?	Yes			
Is the facility without an inflow and infiltration problem which would cause collection system and/or operational issues?	Yes			
*Does the facility replace malfunctioning equipment, which can result in a high potential for water supply quality or health impacts?	Yes			
Dike berms appeared to be in satisfactory condition.	N/A			
Hand rails/catwalks/ladders were in good working order providing for safe conditions.	Yes			
The liner(s) in the containment pond(s) appeared to be functioning as intended.	N/A			
The plant operator is fulfilling the minimum site requirements as required by the Permit.	Yes			
Preventative maintenance is being performed in the accordance with the manufacturer's recommendations.	N/A			
The facility maintains an adequate spare parts inventory.	Yes			
Swales were being maintained.	N/A			
Is the facility free from any Operations and Maintenance violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</i></li> <li>• <i>Questions with "No" responses indicate deficiencies</i></li> <li>• <i>Questions with "N/A" responses do not apply to the facility</i></li> </ul>				
<b>Observations:</b>				
August 31, 2023, CWSR purchased the facility. The facility changed operators around this time and has been working on fixing the facility as learning the operations of the facility.				

## Effluent Quality

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	Yes	<input type="radio"/>	No
<b>Questions</b>				
DMR review period:	06/01/2021 to 12/31/2023			

	<b>Yes</b>
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	See appendix. <b>No</b>
*Did the effluent limits exceed the Technical Review Criteria less than two times in six months?	<b>N/A</b>
*Are the effluent limits without exceedances four out of six months (chronic criteria)?	<b>No</b>
*Did the total residual Chlorine levels meet disinfection limits? (If below required minimum 10% or more of the time in a rolling 6 month period, meets SNC criteria)	<b>Yes</b>
Was the facility free of a discharge of wastewater that resulted in a fish kill?	<b>Yes</b>
*Is persistent acute toxicity documented through follow-up tests?	<b>N/A</b>
*Is persistent chronic toxicity documented through follow-up tests?	<b>N/A</b>
*Is persistent acute or chronic toxicity documented in the effluent through the use of routine and follow-up tests?	<b>N/A</b>
Does the facility meet the permit or enforcement narrative effluent limitation(s)? (Non-DMR visible sheen defined as iridescence present so as to cause taste or odor, or otherwise interfere with the beneficial use of the receiving water)	<b>N/A</b>
Is the effluent free from excessive (suspended solids, foam, grease, scum) in the discharge stream?	<b>Yes</b>
*Was the facility free from any other violation with a high potential for water quality or health impacts?	<b>Yes</b>
Is the facility free from any Effluent Quality violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	Deficiency: (Narrative) Please see Table D of the appendix for the list of effluent exceedances.
	Corrective Action(s): (Narrative) Please provide the Department with documentation indicating why these exceedances occurred and use the comments box on the DMR to explain future exceedances.
*Are the effluent limits without exceedances four out of six months (chronic criteria)? [40 CFR Part 123.45]	Deficiency: (Narrative) The facility had chronic Nitrogen effluent limits January 2023 – April 2023.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating how these exceedances will be avoided in the future.
<b>Observations:</b>	
At the time of the inspection, the Total Residual Chlorine reading gave a 0.77 mg/L as measured with DEP Meter 4.	

## Effluent Disposal

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Are discharge location(s) as per permit?	<b>Yes</b>			
What type of reuse is the facility approved for?	Part IV - RIBs <b>Yes</b>			

Has a cross connection control program been implemented within the areas where reclaimed water is provided for use (Part III, VII)?	N/A
Is all reclaimed water piping and equipment color-coded Pantone purple (522C)?	N/A
Hose bibbs met access restrictions and other requirements.	N/A
Reclaimed water valves and outlets were appropriately tagged and /or labeled.	N/A
Are advisory signs posted in English and Spanish in areas where non-potable Public Access Reuse water is being applied (Part III, VII)?	N/A
Is the reclaimed water retained on the application site?	N/A
No significant ponding was observed on the reclaimed water application site.	N/A
There was no aerosol mist leaving the boundaries of the land application?	N/A
There was no evidence of solids loss in the treatment process or from the plant?	Yes
The RIBs and/or percolation ponds were free from excessive vegetation and sludge?	No
The percolation ponds were free from accumulated sludge.	Yes
Does the percolation ponds have at least 3 ft of freeboard?	Yes
The absorption field was free from excessive vegetation.	N/A
Do the reclaimed water storage ponds have adequate freeboard?	N/A
Are RIBs well maintained and free from excessive vegetation?	Yes
There was no evidence of a bypass or failure at the effluent storage and/or disposal site(s)?	Yes
Are all effluent disposal areas such as RIBs, ponds, and sprayfields being loaded and rested per permit conditions?	Yes
The disposal pond berms were free from excessive growth or vegetation.	Yes
There was no evidence of a bypass or failure from the storage ponds observed during the inspection.	Yes
No unauthorized discharge to waters of the state was observed during the inspection.	Yes
Are the sprinklers functioning as intended for the absorption field(s) or sprayfield(s)?	N/A
The facility is meeting the minimum setback distances.	N/A
Does the facility maintain a supply of spare parts for the absorption field(s) or sprayfield(s)?	N/A
The effluent disposal and/or storage area was free from sinkholes.	Yes
Are the sprayfields free from grazing dairy cattle?	N/A
The sprayfield was free from ponding.	N/A
The sprayfield was free from excessive vegetation.	N/A
Edible food crops were being properly irrigated with reclaimed water.	N/A
What cover crop and/or vegetation is planted on the reclaimed water area(s)?	N/A
*The disposal system was being operated as designed with a low potential for water quality or health impacts.	Yes
*There was no unauthorized operation or modification of the disposal system.	Yes
Fencing around the effluent disposal site for access control was complete and in good repair.	No
There were no dead animals observed in the discharge stream.	Yes
Is the facility free from any Effluent Disposal violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
	Deficiency: (Narrative)

The RIBs and/or percolation ponds were free from excessive vegetation and sludge? [62-610.523 (6) F.A.C.]	At the time of the inspection, the ponds contained excessive sludge. However, the operator informed the onsite inspectors that the ponds were being refurbished soon.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the ponds have been refurbished and no longer contain excess sludge.
Fencing around the effluent disposal site for access control was complete and in good repair. [62-610.518 (10) F.A.C.]	Deficiency: (Narrative) At the time of the inspection, the fencing around the disposal site was falling over and in need of repair. However, the operator informed the onsite inspectors that the fencing is scheduled to be replaced.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the fence has since been replaced.
<b>Observations:</b>	
At the time of the inspection adequate signage was noted at the facility entrance/effluent disposal.	

## Biosolids

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/>	<b>Yes</b>	<input type="radio"/>	<b>No</b>
<b>Questions</b>				
Does the facility's method of biosolids use or disposal match what is allowed in the facility permit (i.e., landfill, land application, distribution and marketing, transfer to another facility, biofuel/bioenergy)?	<b>Yes</b>			
Does the permittee keep records of biosolids quantities for five years, as applicable (quantities generated, received from source facilities, treated, distributed and marketed, land applied, used as a biofuel or for bioenergy, transferred to another facility, or landfilled)?	<b>Yes</b>			
Are biosolids quantities reported on the facility RMP-Q DMR?	<b>Yes</b>			
Are the biosolids quantities reported on the RMP - Q DMRs correct and accurate?	<b>Yes</b>			
The facility's treatment, management, transportation, use, land application, or disposal of biosolids does not result in objectionable odors, i.e., does not result in a violation of the odor prohibition in subsection 62-296.320 (2).	<b>Yes</b>			
If there is an objectionable odor, please describe the odors characteristics, frequency, duration, and migration, etc.	N/A N/A			
Is the storage of biosolids or other solids at this facility in accordance with the Facility Biosolids Storage Plan?	N/A			
Does the treatment facility ensure no biosolids are spilled from or tracked off the treatment facility property by the hauling vehicle?	N/A			
The biosolids for this facility are classified as _____: (AA, A, and/or B)	N/A N/A			
Does the class of biosolids produced for beneficial use match the authorized class in the facility permit (Class AA, A, or B)?	N/A			
Does the facility use the biosolids pathogen reduction alternative option identified in the permit?	N/A			
Are all the operational and process parameters monitored to demonstrate compliance for pathogen reduction?	N/A			
Do the biosolids meet the treatment requirements for pathogen reduction option used?	N/A			
Does the facility use the biosolids vector attraction reduction option identified in the permit?	N/A			

Are all the operational and process parameters monitored to demonstrate compliance for vector attraction reduction?	N/A
Do the biosolids satisfactorily meet the treatment requirements for vector attraction reduction?	N/A
If the Specific Oxygen Uptake Rate (SOUR) test is used for vector attraction reduction, is it conducted within 15 minutes of sample collection by a certified laboratory or under the direction of an operator certified in accordance with Chapter 62-602, F.A.C?	N/A
Does treatment of biosolids or septage for the purpose of meeting pathogen reduction or vector attraction reduction requirements take place at the permitted facility (e.g., not in the tank of a hauling vehicle)?	N/A
Are the biosolids monitored at the frequency required by the permit?	N/A
Are the biosolids monitoring results reported on the facility DMR (RMP-AA, RMP-A, or RMP-B)?	N/A
Are the biosolids monitored for all the required parameters for the class of biosolids?	N/A
Do the Class AA, A, or B biosolids comply with the ceiling pollutant limits?	N/A
Are the correct analysis methods used for biosolids?	N/A
Is a certified laboratory used for the analysis of the biosolids?	N/A
Are all biosolids samples representative and taken after final treatment of the biosolids but before land application or distribution and marketing, unless otherwise approved?	N/A
Are all biosolids samples taken at the location specified in the facility permit?	N/A
Are the correct sample types properly taken for the type of biosolids (POTW Sludge Sampling Manual)?	N/A
Are the Class AA biosolids monitored monthly?	N/A
Do the Class AA biosolids meet the Class AA parameter limits?	N/A
Are Class AA biosolids that are stored for more than 45 days re-sampled for fecal coliform or Salmonella sp. at the frequency specified in the permit, if required?	N/A
For distribution and marketing, does the facility have a fertilizer license, sell or given-away to someone with a fertilizer license, or is enrolled in the US Composting Council's Seal to Testing Assurance program (USCC STA program does not apply in the Lake Okeechobee, St. Lucie River, and Caloosahatchee River watersheds)?	N/A
If the facility discovered that distributed and marketed biosolids did not meet Class AA standards, did the facility notify, within 24 hours, the Department and all persons to whom they delivered or distributed and marketed the Class AA biosolids?	N/A
Does the facility make available to users by product labels or other means the following information - fertilizer label or equivalent information; name and address of the facility; statement that the biosolids meet subsection 62-640.700 (5), F.A.C.; recommend application rates; and, recommendations for storage (including the more than one dry ton/seven-day provision)?	N/A
Are all the sites where biosolids are land applied listed on the Treatment Facility Biosolids Plan form (DEP Form 62-640.219 (2)(a))?	N/A
If a permitted site not listed in the Treatment Facility Biosolids Plan was used, did the permittee notify DEP at least 24 hours prior to land application at the site and submit a revised form within 30 days after using the site?	N/A
Did the facility only used permitted sites - i.e., no unpermitted sites were used for land application (i.e., the site did not have a valid DEP permit)?	N/A
Does the permittee maintain hauling records for shipments to land application sites and do they contain the required information?	N/A
Does the permittee provide a copy of the hauling records to the biosolids site manager, were records free of any discrepancies regarding the quantities delivered, and any discrepancies were reported to DEP within 24 hours of discovery?	N/A

Did all biosolids sent to sites meet pathogen reduction, vector attraction reduction, and pollutant limits?	N/A
If biosolids not meeting standards were sent to a site, did the permittee notify DEP, the site manager, the site permittee within 24 hours of discovery?	N/A
Does the permittee maintain copies for each site used of the Biosolids Application Site Annual Summary forms received from the site permittees indefinitely?	N/A
Has the permittee submitted Treatment Facility Biosolids Annual Summary reports to DEP by February 19 each year?	N/A
Was the information in the Treatment Facility Biosolids Annual Summary accurate?	N/A
Is any incineration or use of biosolids as a biofuel or for bioenergy in accordance with DEP's air regulations and RCRA?	N/A
Does the permittee keep the required hauling records to track transport of biosolids between facilities?	N/A
If the facility receives biosolids from a source facility, did the permittee report any discrepancies in the quantities of biosolids to DEP within 24 hours of discovery?	N/A
If the facility is a source facility and sends biosolids to another facility, does the permittee provide a copy of their hauling records for each shipment to the receiving facility?	N/A
If the facility receives biosolids from a source facility, does the receiving facility permit allow receipt of biosolids from other facilities?	N/A
Does the facility have copies of the required written agreement(s) between the receiving and source facility?	N/A
Did the permittee (source or receiving facility) submit all new written agreements to DEP within 30 days before transporting biosolids (unless approval given otherwise)?	N/A
Is operator staffing requirements met?	N/A
Are the biosolids receiving and handling operations satisfactory?	N/A
Are grit and screenings, etc., from the headworks properly disposed of in a landfill?	N/A
Is the facility free from any Biosolids violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
<p>Note from the facility: Since the CSWR purchase, there are no records of hauling any sludge out. The Wasting has been fairly minimal until a few weeks ago. The three digesters we have hold a fair number of solids considering the size of the plant and we are also able to Decant the clear liquids back to the plant on a routine basis. SAPP Environmental is who we have chosen and gone with to haul our digesters when the time is necessary. The sludge is going to the City Of Avon Park WWTF.</p>	

## Groundwater

<b>Compliance Rating</b>	Not Applicable			
<b>Does this section apply to the facility?</b>	<input type="radio"/>	Yes	<input checked="" type="radio"/>	No
<b>Questions</b>				
DMRs review period	N/A			
Are the groundwater monitoring results sent to the Department on Discharge Monitoring Report, Form 62-620.910(10), F.A.C. and submitted by the DMR due date?	N/A			

After a review of the Discharge Monitoring Reports, are the compliance well parameters meeting the groundwater standards in the time period reviewed (12 months or greater)?	N/A
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	N/A N/A
Do the facilities purging logs on DEP Form FD 9000-24 indicate that purging was done properly; including sufficient volume, purge rate, depth to water, and stability criteria (pH, Temperature, Conductivity, Dissolved Oxygen, Turbidity)?	N/A
Is the groundwater monitoring report complete and accurate, including analysis method, laboratory method detection limits, static water level, purging logs, sample collection procedures and treatment?	N/A
Do the groundwater monitoring wells meet DEP requirements including; tamper-proof locks, unique well label(s), concrete well pad with protective bumpers not containing numerous cracks, and is free of clutter for sampling purposes?	N/A
If or when new well construction was completed did the facility plug and properly abandoned the existing well and submit Monitoring well completion Report, Form 62-520.900 (3) to DEP within 60 days?	N/A
If a monitoring well became damaged or inoperable was maintenance conducted and notification sent to DEP within 2 days of discovery?	N/A
Is the well(s) that the facility is sampling at part of the approved groundwater monitoring plan?	N/A
Are the monitoring wells operable to the extent that sampling is possible?	N/A
Are groundwater samples being collected and analyzed as required by the permit or enforcement action; including location, well type, sample type (grab/composite), time, and frequency?	N/A
If sampling was observed were the sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A
If sampling was observed was equipment in satisfactory condition?	N/A
If sampling was not observed is the description of sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A
Is the facility free from any Groundwater violation not listed above that needs to be addressed?	N/A
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
Not applicable to this facility.	

## SSO Survey

<b>Compliance Rating</b>	In Compliance
<b>Does this section apply to the facility?</b>	<input checked="" type="radio"/> Yes <input type="radio"/> No
<b>Questions</b>	
Does the facility have an Operation and Maintenance Manual for their collection system?	Yes
How often is the Operation and Maintenance Manual updated?	As needed. Yes
Does the O&M manual reflect the current collection system configuration?	Yes
Are procedures available for minimizing spills in either the Operation and Maintenance Manual or in a separate document?	Yes
Does the facility have a Sewer Overflow Response Plan/procedures for minimizing spills?	Yes

Did the facility collect and/or analyze bacteriological samples as outlined in their SORP?	N/A
Does the facility have a map of its collection system?	Yes
Are the SORP and collection system maps immediately available to SSO response staff, including during power failures?	Yes
Did the facility collect and/or analyze bacteriological samples for sewage spills that reached surface waters?	N/A
Does the facility perform routine preventative maintenance to keep the collection/transmission system in good working order?	Yes
Does the facility maintain a ready-to-use supply of equipment, tools and materials for responding to SSOs?	Yes
How many lift stations have permanent emergency back-up power generators?	N/A N/A
In the last 12 months, was the facility free from sewage spills or abnormal event from any part of a collection/transmission system or treatment plant that discharged to the ground or did not make it to surface waters, i.e., stormwater collection system, drainage ditch, stream, pond, or lake?	N/A
Does the facility report the spill(s) to the Department within 24 hours of discovery?	Yes
Does the facility follow up on spills?	Yes
Does the facility keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system(s)?	Yes
In the last 12 months, was the facility free from sewage spills or abnormal events from any components of a collection/transmission system or from a treatment plant that reached surface waters including stormwater conveyance system or drainage ditch?	N/A
Is the facility free from any SSO violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
<p>The Department has developed new guidance on how Sanitary Sewer Overflows (SSO) are addressed statewide, which was implemented July 1, 2019. According to the guidance, each SSO incident is evaluated and rated, and the appropriate document is filed/issued. Either a memo to file, a Compliance Assistance Offer, or Warning Letter is sent for each incident.</p> <p>On November 4, 2023, the facility experienced a raw wastewater spill at one of their lift stations due to equipment failure. This spill was reported, cleaned-up and lime was applied.</p> <p>November 4, 2023 spill:  <a href="https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&amp;[guid=38.1238707.1]&amp;[profile=Discovery Compliance]">https://depedms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&amp;[guid=38.1238707.1]&amp;[profile=Discovery Compliance]</a></p> <p><b>No further action required at this time, but the Department may require formal enforcement on the SSOs, pursuant to your permit conditions, Chapter 62-620, Fla. Admin. Code, and Chapter 403, Fla. Stat.</b></p>	

## Other

<b>Compliance Rating</b>	Not Evaluated			
<b>Does this section apply to the facility?</b>	<input type="radio"/>	<b>Yes</b>	<input checked="" type="radio"/>	<b>No</b>
<b>Questions</b>				

*Is the facility free from any violation not listed above, or pattern of noncompliance, resulting in a high potential for water quality or health impacts (Any violations considered significant by the Secretary, Deputy Secretary, Director of District Management, or the Division Director meet SNC criteria)	N/A
Please describe any potential Non-wastewater violations (i.e. hazardous waste, stormwater, SLERP, Air and Storage Tanks) that were referred.	N/A N/A
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
Not evaluated.	

## Deficiencies Summary

Evaluation Area: Permit	
<p>If the permit is accompanied by a Consent Order or Administrative Order, are they abiding by the conditions of the order? [403.088(2)(f) F.S., 62-4.120 (1) F.A.C.]</p>	<p>Deficiency: (Narrative) The facility has failed to complete Improvement Action 7, Items 3 and 4 of the Administrative Order, and has not submitted any quarterly status reports as required by the AO. The facility should have been in full compliance by January 1, 2022.</p>
	<p>Corrective Action(s): (Narrative) Please complete the missing items and submit documentation to the Department.</p>

Evaluation Area: Compliance Schedule	
<p>If the facility has an Administrative Order or Compliance Order, are they meeting the compliance schedule for the permit? [62-620.620 (6)(a) F.A.C., 403.161(1)(b) F.S.]</p>	<p>Deficiency: (Narrative) The facility has failed to complete Improvement Action 7, Items 3 and 4 of the Administrative Order, and has not submitted any quarterly status reports as required by the AO. The facility should have been in full compliance by January 1, 2022.</p>
	<p>Corrective Action(s): (Narrative) Please complete the missing items and submit documentation to the Department.</p>
<p>*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date? [40 CFR Part 123.45(a)(2)(ii)]</p>	<p>Deficiency: (Narrative) The facility has failed to complete Improvement Action 7, Items 3 and 4 of the Administrative Order, and has not submitted any quarterly status reports as required by the AO. The facility should have been in full compliance by January 1, 2022.</p>
	<p>Corrective Action(s): (Narrative) Please complete the missing items and submit documentation to the Department.</p>

Evaluation Area: Sampling	
<p>Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (Calibration frequency and sample bracketing for pH, Total Residual Chlorine (TRC), Turbidity, DO) [62-160.210 (1) F.A.C., 62-160.800 (1)(a)]</p>	<p>Deficiency: (Narrative) The facility's calibration verification sheets did not include all the required information for pH and Chlorine:</p> <p>pH:</p> <ul style="list-style-type: none"> <li>Value and Unit of standard is missing.</li> <li>Acceptance criteria for calibrations/verifications is missing.</li> <li>Indication of whether calibrations/verifications passed is missing.</li> <li>Who conducted maintenance or calibrations is missing.</li> <li>Unique identifier for sonde/probes is missing.</li> <li>Last maintenance and cleaning date is missing.</li> </ul> <p>Chlorine:</p> <ul style="list-style-type: none"> <li>Value and Unit of standard is missing.</li> <li>Acceptance criteria for calibrations/verifications is missing.</li> <li>Indication of whether calibrations/verifications passed is missing.</li> </ul>

<p>F.A.C., DEP SOP FT 1000]</p>	<ul style="list-style-type: none"> <li>• Who conducted maintenance or calibrations is missing.</li> <li>• Unique identifier for sonde/probes is missing.</li> <li>• Last maintenance and cleaning date is missing.</li> </ul> <p>Corrective Action(s): (Narrative) Please provide the Department with an updated calibration verification logs for pH and Chlorine.</p>
<p>The facility failed to collect and/or analyze samples as required by permit or enforcement action. [62-600.650 (1) F.A.C., 62-620.610 (18) F.A.C., 62-160.210 (1) F.A.C., 62-600.660 (1) F.A.C., DEP SOP FS 2400, ANCV]</p>	<p>Deficiency: (Narrative) The facility's permit requires Fecal Coliform analysis to occur bi-weekly. In November of 2023, analysis was only conducted once with no explanation noted on the DMR as to why this occurred.</p> <p>Corrective Action(s): (Narrative) Please provide the Department with an explanation as to why analysis occurred only once during the month of November 2023.</p>
<p>Is the facility free from any Sampling violation not listed above that needs to be addressed?[See Deficiency Narrative for Specific Rule Violated]</p>	<p>Deficiency: (Narrative) The Field Sheets and Chain of Custody had the following issues: Sample Date - November 16, 2023:</p> <ul style="list-style-type: none"> <li>• Facility permit ID is missing.</li> <li>• "Relinquished by" person's affiliation is missing.</li> <li>• "Received by" person's affiliation is missing.</li> </ul> <p>Sample Date – November 27, 2023:</p> <ul style="list-style-type: none"> <li>• Facility permit ID is missing.</li> <li>• "Relinquished by" person's affiliation is missing.</li> <li>• "Received by" person's affiliation is missing.</li> </ul> <p>Sample Date – November 30, 2023:</p> <ul style="list-style-type: none"> <li>• Name of the sampler is missing.</li> <li>• Facility permit ID is missing.</li> <li>• "Relinquished by" person's affiliation is missing.</li> <li>• "Received by" person's affiliation is missing.</li> </ul> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department on how the facility will correct these issues going forward for the Field Sheets and Chain of Custody.</p>

### Evaluation Area: Records and Reports

<p>Is there a current RPZ certification? [62-555.360 (1)(b) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the RPZs did not have tags, nor were any certifications available onsite.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that all RPZs have been certified and that the labels have been affixed.</p>
<p>Are the discharge monitoring reports completed properly? [403.161(1)(b) F.S., 62-600.680 F.A.C.]</p>	<p>Deficiency: (Narrative) DMR deficiencies are present in the monitoring period. Please see appendix Table C for the list of transcription and calculation errors.</p> <p>Corrective Action(s): (Narrative) Please correct the errors on the DMRs and resubmit.</p>
	<p>Deficiency: (Narrative)</p>

<p>Are the DMRs submitted on the proper form? [403.161(1)(b) F.S., 62-620.610 (18)(a) F.A.C., 62-600.680 (1) F.A.C.]</p>	<p>The template used for recent DMR submissions does not match the template included in the permit. Corrective Action(s): (Narrative) August 31, 2023, CWSR purchased the facility. The facility changed operators around this time and had a mix-up with DMR submissions between the old and new companies. Please use the correct templates included in the permit for future DMR submissions.</p>
<p>The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs. [62-610.870 (3) F.A.C., 62-610.865 (11) F.A.C., 62-600.405 F.A.C., 403.161(1)(b) F.S., FRPT]</p>	<p>Deficiency: (Narrative) The facility has failed to submit the licensed engineer or geologist’s report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge. This was due July 30, 2021, and the facility should have been in full compliance by January 1, 2022.  The facility has not been submitting annual Capacity Analysis Reports as noted in the permit under condition 3 of Section V.B. Corrective Action(s): (Narrative) Please submit the missing reports to the Department.</p>
<p>The permittee failed to submit any DMR required by rule, permit, or enforcement action in a timely manner. [403.161(1)(b) F.S., 62-600.680 F.A.C., 62-620.610 (18)(a) F.A.C., FDMR]</p>	<p>Deficiency: (Narrative) The August 2023 DMR was late, and the September 2023 DMR is missing. The facility changed operators around this time and had a mix-up with DMR submissions between the old and new companies. Corrective Action(s): (Narrative) August 31, 2023, CWSR purchased the facility. The facility changed operators around this time and had a mix-up with DMR submissions between the old and new companies. Please continue to submit DMRs by the 28th of the following month. <b>No further action.</b></p>
<p>Has the facility submitted all final compliance schedule reports as required by rule, permit, or enforcement action? [62-620.610 (19) F.A.C.]</p>	<p>Deficiency: (Narrative) The facility has failed to submit the licensed engineer or geologist’s report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge. This was due July 30, 2021, and the facility should have been in full compliance by January 1, 2022. Corrective Action(s): (Narrative) Please submit the missing reports to the Department.</p>

<b>Evaluation Area: Facility Site Review</b>	
<p>Are screenings and grit being collected from the headworks in suitable containers? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the garbage bin that was being used to collect screenings and grit was cracked and leaking onto the ground. Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the garbage bin has been replaced and is no longer leaking.</p>
<p>Is the clarifier free from solids discharging over the weir(s)? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, an excessive amount of solids were discharging over the weirs due to blower motor issues. Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that there are no longer solids discharging over the weirs.</p>

<p>Are the aeration basins diffusers free from clogs and providing adequate mixing? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, multiple diffusers were clogged and unable to provide adequate mixing.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the diffusers are no longer clogged.</p>
<p>Is even distribution of air observed in the aeration basin? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, multiple diffusers were clogged and unable to provide adequate mixing.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the diffusers are no longer clogged.</p>
<p>Are the blower motors equipped with belt guards? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, both blower motors were missing belt guards.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that belt guards have been added to the blower motors.</p>
<p>Are all the blower motors present and operational at the time of the inspection? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, only one blower motor was functional, but the second was being repaired. By the end of the inspection, both blowers were functional but the cover for the old motor is rusted and needs to be replaced.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the rusted blower motor cover has been replaced.</p>
<p>Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the Chlorine Contact Chamber was very turbid and full of solids and debris.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the CCC is clear and free of solids and debris.</p>
<p>Are the baffles in the CCC functioning as intended? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, one of the baffles in the CCC was underwater.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that all baffles are functioning as intended.</p>
<p>Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks? [62-600.410 F.A.C., 62-620.300 (5) F.A.C., 62-620.610 (7) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, there was a pipe connection leaking down the wall of the tank.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the leak has been fixed.</p>
<p>Is there a record of testing available on the RPZ? [62-555.330 (6) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of the inspection, the RPZs did not have tags, nor were any certifications available onsite.</p>
	<p>Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that all RPZs have been certified and that the labels have been affixed.</p>

<b>Evaluation Area: Effluent Quality</b>	
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	Deficiency: (Narrative) Please see Table D of the appendix for the list of effluent exceedances.
	Corrective Action(s): (Narrative) Please provide the Department with documentation indicating why these exceedances occurred and use the comments box on the DMR to explain future exceedances.
*Are the effluent limits without exceedances four out of six months (chronic criteria)? [40 CFR Part 123.45]	Deficiency: (Narrative) The facility had chronic Nitrogen effluent limits January 2023 – April 2023.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating how these exceedances will be avoided in the future.

<b>Evaluation Area: Effluent Disposal</b>	
The RIBs and/or percolation ponds were free from excessive vegetation and sludge? [62-610.523 (6) F.A.C.]	Deficiency: (Narrative) At the time of the inspection, the ponds contained excessive sludge. However, the operator informed the onsite inspectors that the ponds were being refurbished soon.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the ponds have been refurbished and no longer contain excess sludge.
Fencing around the effluent disposal site for access control was complete and in good repair. [62-610.518 (10) F.A.C.]	Deficiency: (Narrative) At the time of the inspection, the fencing around the disposal site was falling over and in need of repair. However, the operator informed the onsite inspectors that the fencing is scheduled to be replaced.
	Corrective Action(s): (Narrative) Please provide documentation to the Department indicating that the fence has since been replaced.

## **Inspection Report Appendix – Sebring Ridge Utilities** **(FLA014349)**

**Table A - Compliance Schedule**

Improvement Actions	Completion Date	Completed?
1. Complete the installation of baffles in the settling tank.	11/29/2020	Yes
2. Complete repairs to biosolids tank valve.	12/15/2020	Yes
3. Complete repairs to air pipes.	12/29/2020	Yes
4. Complete repairs to all tank weeps/leaks.	12/29/2020	Yes
5. Complete cleanout of equalization tank.	1/15/2021	Yes
6. Complete percolation pond cleaning and berm repair.	4/28/2021	Yes
7. Perform a smoke test or video inspection of collection system	10/30/2022	No

### **Administrative Order**

1. The Permittee shall be in full compliance with the final conditions of the permit by January 1, 2022.
2. The Permittee shall submit comply with the following schedule:

Administrative Order	Date Due	Completed?
Sample the effluent monthly for total nitrogen and total phosphorus concentrations.	December 1, 2020	Yes
Retain a licensed engineer or geologist to evaluate the capacity of the facility to meet the new effluent limits or the impact of the effluent to the groundwater.	Within 30 days of permit issuance	Yes – late (due October 23, 2020, completed March 4, 2022)
Submit the licensed engineer or geologist’s report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge.	July 30, 2021	No
<p>If the report provided to the Department does not demonstrate compliance with the new limits for Total Nitrogen and Total Phosphorus, the Permittee shall:</p> <ol style="list-style-type: none"> <li>i. Submit a complete application to modify the treatment facility for nutrient removal,</li> <li>ii. Submit a complete application to incorporate a groundwater monitoring plan into the permit.</li> <li>iii. Submit a complete application to modify the reuse or disposal system, or</li> <li>iv. Submit a complete application for a domestic wastewater collection system connection to another wastewater treatment facility</li> </ol>	Within 3 weeks of Department receipt of report.	No

3. The permittee shall report the concentrations of total Nitrogen and Total Phosphorus in the effluent, monthly on the Interim Discharge Monitoring Report
- 4.
5. The Permittee shall submit quarterly status reports (due by the 28th of January, April, July, and October) which show progress of the actions required to bring the facility into compliance.

### **Table B - Sampling Tables**

#### **Buffer Expiration Dates**

## Inspection Report Appendix – Sebring Ridge Utilities (FLA014349)

Standard/Buffer	Lot No.	Expiration Date
pH 4.00	GE0156	May-25
pH 7.00	2GS550	Oct-24
pH 10.00	2GL995	Dec-24
Chlorine	A3262	Sep-28

### Table C - Records and Reports

#### Operator Names and License Numbers

Operator Name	License Class and Number	Expiration Date
Fritz St Fleurant	C - 0024473	04/30/2025
Keanu William Wadhams	C - 0028644	04/30/2025

#### DMR Transcription and Calculation Errors

Monitoring Period	Monthly (R-001 and R-002) DMR Deficiencies
11/01/2023 – 11/30/2023	<p><b>Part A</b></p> <ul style="list-style-type: none"> <li>• The incorrect DMR Part A template is being used.</li> <li>• BOD, Carbonaceous 5 day, 20C (Influent) PARM Code 80082 G Mon. Site No. INF-01 maximum is incorrect.</li> <li>• Nitrogen, Total PARM Code 00600 Y Mon. Site No. EFA-01 annual average is missing.</li> <li>• Phosphorus, Total (as P) PARM Code 00665 Y Mon. Site No. EFA-01 annual average is missing.</li> <li>• Phosphorus, Total (as P) PARM Code 00665 Y Mon. Site No. EFA-01 maximum is incorrect.</li> <li>• Solids, Total Suspended (Influent) PARM Code 00530 G Mon. Site No. INF-01 maximum is incorrect.</li> <li>• Solids, Total Suspended PARM Code 00530 Y Mon. Site No. EFA-01 annual average is incorrect.</li> <li>• Coliform, Fecal PARM Code 74055 Y Mon. Site No. EFA-01 annual average is incorrect.</li> <li>• Coliform, Fecal PARM Code 74055 A Mon. Site No. EFA-01 maximum incorrect.</li> </ul> <p><b>Part B</b></p> <ul style="list-style-type: none"> <li>• This DMR was a submittal, but there is no "Re-Submit DMR" box checked.</li> <li>• There are multiple transcription errors between part A and B, including the CBOD influent, phosphorus, TSS, and fecal coliform maximums.</li> <li>• Fecal coliform samples are required bi-weekly, however there is only one value recorded on part B when there should be two</li> </ul>

## Inspection Report Appendix – Sebring Ridge Utilities (FLA014349)

10/01/2023 – 10/31/2023	<p><b>Part A</b></p> <ul style="list-style-type: none"> <li>• The incorrect DMR Part A template is being used.</li> <li>• BOD, Carbonaceous 5 day, 20C (Influent) PARM Code 80082 G Mon. Site No. INF-01 maximum is incorrect.</li> <li>• Solids, Total Suspended (Influent) PARM Code 00530 G Mon. Site No. INF-01 maximum is incorrect.</li> <li>• Solids, Total Suspended PARM Code 00530 Y Mon. Site No. EFA-01 annual average is incorrect.</li>   <li>• Coliform, Fecal PARM Code 74055 Y Mon. Site No. EFA-01 annual average is incorrect.</li> <li>• Nitrogen, Total PARM Code 00600 Y Mon. Site No. EFA-01 is missing.</li> <li>• Nitrogen, Total PARM Code 00600 A Mon. Site No. EFA-01 is missing.</li> <li>• Phosphorus, Total (as P) PARM Code 00665 Y Mon. Site No. EFA-01 is missing.</li> <li>• Phosphorus, Total (as P) PARM Code 00665 A Mon. Site No. EFA-01 is missing.</li> </ul>
08/01/2023 – 08/31/2023	<p><b>Part A</b></p> <ul style="list-style-type: none"> <li>• BOD, Carbonaceous 5 day, 20C PARM Code 80082 A Mon. Site No. EFA-01 is missing.</li>   <li>• Solids, Total Suspended PARM Code 00530 A Mon. Site No. EFA-01 is missing.</li>   <li>• Coliform, Fecal PARM Code 74055 A Mon. Site No. EFA-01 is missing.</li> <li>• Nitrogen, Nitrate, Total (as N) PARM Code 00620 A Mon. Site No. EFA-01 is missing.</li>   <li>• Nitrogen, Total PARM Code 00600 Y Mon. Site No. EFA-01 is missing.</li> <li>• Nitrogen, Total PARM Code 00600 A Mon. Site No. EFA-01 is missing.</li> <li>• Phosphorus, Total (as P) PARM Code 00665 Y Mon. Site No. EFA-01 is missing.</li>   <li>• Phosphorus, Total (as P) PARM Code 00665 A Mon. Site No. EFA-01 is missing.</li>   <li>• BOD, Carbonaceous 5 day, 20C (Influent) PARM Code 80082 G Mon. Site No. INF-01 is missing.</li>   <li>• Solids, Total Suspended (Influent) PARM Code 00530 G Mon. Site No. INF-01 is missing.</li>   <li>• pH PARM Code 00400 A Mon. Site No. EFA-01 minimum and maximum are incorrect.</li>   <li>• Coliform, Fecal PARM Code 74055 Y Mon. Site No. EFA-01 annual average is incorrect.</li>   <li>• Biosolids Quantity (Transferred) PARM Code B0007 + Mon. Site No. RMP-01 monthly total is incorrect.</li> </ul>

### Late and Missing DMRs

Monitoring Period	Due Date	Submittal Date
11/01/2023 – 11/30/2023	December 28, 2023	January 3, 2024
09/01/2023 – 09/30/2023	October 28, 2023	DMR not submitted to the Department.
08/01/2023 – 08/31/2023	September 28, 2023	October 2, 2023

## Inspection Report Appendix – Sebring Ridge Utilities (FLA014349)

**Table D - Effluent Quality**  
**Table of Effluent Exceedances**

Date	Monitoring Group	Parameter	Description	Result	Limit	Units	Statistical Base	DMR Comments
11/30/2023	R-001	P 80082	BOD, Carbonaceous 5 day, 20C	32	30.0	mg/L	MK - Monthly Average	No comments provided
11/30/2023	R-001	P 00530	Solids, Total Suspended	32.5	30.0	mg/L	MK - Monthly Average	No comments provided
11/30/2023	R-001	P 00600	Nitrogen, Total	61.3	20.0	mg/L	MB - Maximum	No comments provided
11/30/2023	R-001	P 00600	Nitrogen, Total	61.3	12.5	mg/L	MK - Monthly Average	No comments provided
6/30/2023	R-001	P 00600	Nitrogen, Total	11.9	10.0	mg/L	AB - Annual Average	Made adjustments to WWTP
5/31/2023	R-001	P 00600	Nitrogen, Total	12.5	10.0	mg/L	AB - Annual Average	Made adjustments to plant
4/30/2023	R-001	P 74055	Coliform, Fecal	1200.3	200.0	#/100mL	MM - Monthly Geometric Mean	Made adjustments to plant, not enough time to resample
4/30/2023	R-001	P 74055	Coliform, Fecal	1200.3	400.0	#/100mL	9A - 90th Percentile	Made adjustments to plant, not enough time to resample
4/30/2023	R-001	P 74055	Coliform, Fecal	2400	800.0	#/100mL	MB - Maximum	Made adjustments to plant, not enough time to resample
4/30/2023	R-001	P 00600	Nitrogen, Total	12.7	10.0	mg/L	AB - Annual Average	Made adjustments to plant
4/30/2023	R-001	P 00600	Nitrogen, Total	14.1	12.5	mg/L	MK - Monthly Average	Made adjustments to plant
3/31/2023	R-001	P 00600	Nitrogen, Total	15	10.0	mg/L	AB - Annual Average	Made adjustments to plant
3/31/2023	R-001	P 00600	Nitrogen, Total	21.3	12.5	mg/L	MK - Monthly Average	Made adjustments to plant
3/31/2023	R-001	P 00600	Nitrogen, Total	21.3	20.0	mg/L	MB - Maximum	Made adjustments to plant
2/28/2023	R-001	P 00600	Nitrogen, Total	15	10.0	mg/L	AB - Annual Average	Made adjustments to plant. Received TN/TP results from lab on 3/28/2023
2/28/2023	R-001	P 00600	Nitrogen, Total	15.3	12.5	mg/L	MK - Monthly Average	Made adjustments to plant. Received TN/TP results from lab on 3/28/2023
1/31/2023	R-001	P 00600	Nitrogen, Total	14.3	10.0	mg/L	AB - Annual Average	Made adjustments to plant
1/31/2023	R-001	P 00600	Nitrogen, Total	21.8	12.5	mg/L	MK - Monthly Average	Made adjustments to plant
1/31/2023	R-001	P 00600	Nitrogen, Total	21.8	20.0	mg/L	MB - Maximum	Made adjustments to plant
12/31/2022	R-001	P 00600	Nitrogen, Total	13.9	10.0	mg/L	AB - Annual Average	Made adjustments to plant
11/30/2022	R-001	P 00600	Nitrogen, Total	14	10.0	mg/L	AB - Annual Average	Made adjustments to plant

**Inspection Report Appendix – Sebring Ridge Utilities**  
**(FLA014349)**

10/31/2022	R-001	P 00600	Nitrogen, Total	13.5	10.0	mg/L	AB - Annual Average	Made adjustments to plant
9/30/2022	R-001	P 00600	Nitrogen, Total	13.7	10.0	mg/L	AB - Annual Average	Made adjustments to plant
8/31/2022	R-001	P 00600	Nitrogen, Total	13.8	10.0	mg/L	AB - Annual Average	Made adjustments to plant
7/31/2022	R-001	P 00600	Nitrogen, Total	13.7	10.0	mg/L	AB - Annual Average	Continue monitoring and making adjustments
7/31/2022	R-001	P 00600	Nitrogen, Total	44.6	12.5	mg/L	MK - Monthly Average	Continue monitoring and making adjustments
7/31/2022	R-001	P 00600	Nitrogen, Total	44.6	20.0	mg/L	MB - Maximum	Continue monitoring and making adjustments
5/31/2022	R-001	P 00600	Nitrogen, Total	10.2	10.0	mg/L	AB - Annual Average	Made adjustments to plant
5/31/2022	R-001	P 00665	Phosphorus, Total (as P)	13	12.0	mg/L	MB - Maximum	Made adjustments to plant
5/31/2022	R-001	P 00665	Phosphorus, Total (as P)	13	7.5	mg/L	MK - Monthly Average	Made adjustments to plant
4/30/2022	R-001	P 00600	Nitrogen, Total	10.1	10.0	mg/L	AB - Annual Average	No comments provided
4/30/2022	R-001	P 00600	Nitrogen, Total	42	20.0	mg/L	MB - Maximum	No comments provided
4/30/2022	R-001	P 00600	Nitrogen, Total	42	12.5	mg/L	MK - Monthly Average	No comments provided
4/30/2022	R-001	P 00665	Phosphorus, Total (as P)	8.2	7.5	mg/L	MK - Monthly Average	No comments provided
3/31/2022	R-001	P 00600	Nitrogen, Total	21.8	12.5	mg/L	MK - Monthly Average	Made adjustments to plant
3/31/2022	R-001	P 00600	Nitrogen, Total	21.8	20.0	mg/L	MB - Maximum	Made adjustments to plant
1/31/2022	R-001	P 00600	Nitrogen, Total	16.8	12.5	mg/L	MK - Monthly Average	No comments provided

**Table E - SSO Survey (SSOS)**

**SSO Details Table**

LOCATION	DATE DISCHARGE OCCURRED	DATE DISCHARGE REPORTED	SWO NUMBER	SPILL VOL (GAL)	SPILL VOL RECOVERED (GAL)	SPILL CHARACTERISTIC	CAUSE	AREA AFFECTED	CLEAN-UP
2186 Clam Dr	11/4/2023	11/4/2023	-	100	100	Raw Wastewater	Equipment Failure	Ground	Vac truck, Lime

**No further action required at this time, but the Department may require formal enforcement on the SSOs, pursuant to your permit conditions, Chapter 62-620, Fla. Admin. Code, and Chapter 403, Fla. Stat.**

I certify that these photos represent the true

on-site conditions observed and have not been altered in any way.

Sebring Ridge Utilities (FLA014349)  
Photos by Kaylee Turke on 12/19/2023

*Kaylee Turke*



1. Signage on Front Gate



2. Chlorine Storage



3. Blower motors



4. Rusted motor cover



5. Leak coming from pipe entrance

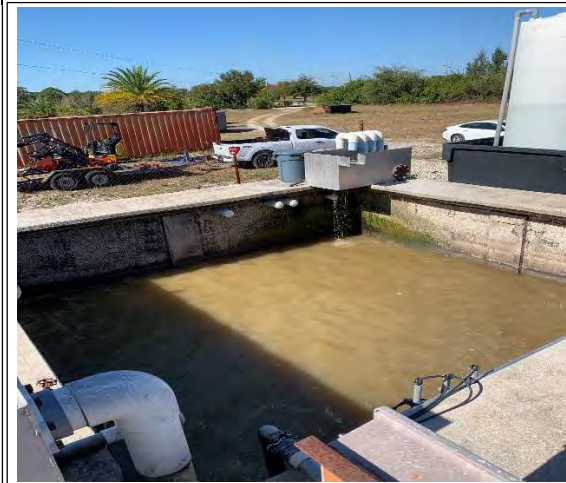


6. Trash can leaking onto ground

Sebring Ridge Utilities (FLA014349)  
Photos by Kaylee Turke on 12/19/2023

I certify that these photos represent the  
true  
on-site conditions observed  
and have not been altered in any way.

*Kaylee Turke*



7. Surge tank



8. Surge tank



9. Bar Screen



10. Splitter Box



11. Aeration Basin



12. Dead zone

I certify that these photos represent the true

Sebring Ridge Utilities (FLA014349)  
Photos by Kaylee Turke on 12/19/2023

on-site conditions observed  
and have not been altered in any way.

*Kaylee Turke*



13. Aeration basin



14. Aeration basin



15. Digester



16. Digester



17. Digester



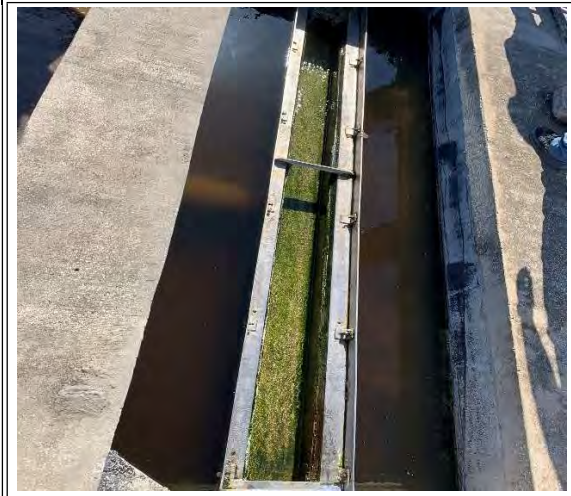
18. Aeration basin (anoxic)

I certify that these photos represent the true

Sebring Ridge Utilities (FLA014349)  
Photos by Kaylee Turke on 12/19/2023

on-site conditions observed  
and have not been altered in any way.

*Kaylee Turke*



19. Clarifier



20. Clarifier



21. Clarifier



22. Chlorine Contact Chamber



23. Chlorine Contact Chamber



24. Chlorine Contact Chamber

I certify that these photos represent the true

on-site conditions observed and have not been altered in any way.

Sebring Ridge Utilities (FLA014349)  
Photos by Kaylee Turke on 12/19/2023

*Kaylee Turke*



25. Locked and labeled gate to RIBs



26. Rapid Infiltration Basin



27. Rapid Infiltration Basin



28. Rapid Infiltration Basin



29. Signage on lift station



30. Wet well

Sebring Ridge Utilities (FLA014349)  
Photos by Kaylee Turke on 12/19/2023

I certify that these photos represent the  
true  
on-site conditions observed  
and have not been altered in any way.

*Kaylee Turke*



31. Control panel



32. Lift station temporary pumps



33. Signage on lift station



34. Wet well



35. Control panel



36. Lift station temporary pumps



# FLORIDA DEPARTMENT OF Environmental Protection

South District  
PO Box 2549  
Fort Myers FL 33902-2549  
[SouthDistrict@FloridaDEP.gov](mailto:SouthDistrict@FloridaDEP.gov)

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Interim Secretary

August 20, 2021

Chris Miller, Owner  
Sebring Ridge Utilities  
PO Box 488  
Sebring, FL 33870  
E-mail: [juliapmiller@hotmail.com](mailto:juliapmiller@hotmail.com)

Re: Warning Letter  
Sebring Ridge Utilities WWTP  
Facility ID No. FLA014349  
Highlands County - DW

Dear Mr. Miller:

A Compliance Evaluation inspection was conducted at your facility on December 8, 2020 and a File Review on July 30, 2021. During this inspection and file review, possible violations of Chapter 403, Florida Statutes, and Chapters 62-600, 62-604, 62-610, and 62-620, Florida Administrative Code, were observed.

During the inspection and file review, Department personnel noted the following:

- Late quarterly report submittals for Administrative Order.
- The chain of custody form was not filled out properly.
- The pH meter is not calibrated daily.
- The pH calibration is not bracketed.
- The calibration/verification logs for the pH and chlorine meters were not completed properly.
- A review of the DMRs showed some deficiencies.
- The Permittee failed to notify the Department of at least one Abnormal Event in a timely manner.
- The Permittee failed to submit an Abnormal Event Report.
- A diffuser at the western end of the third basin appeared to be clogged.
- Excessive vegetation was growing in the pond.
- Accumulated sludge was observed in the pond.
- No record of the spill was noted in either the operator's log or maintenance log.

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 Louise Chang, at (239) 344-5630, within **15 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. Any document submittals can be made to our email mailbox at [SD-WWinspect@Floridadep.gov](mailto:SD-WWinspect@Floridadep.gov) or may be mailed to the above address. You may bring anyone with you to the meeting that you feel could help resolve this matter.

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 blue ink, appearing to read "J. Iglehart", with a horizontal line extending to the right.

Jon Iglehart  
District Director  
South District  
Florida Department of Environmental Protection

Enclosure: Inspection Report

cc: Chris Gilbert (via e-mail: [pus79@outlook.com](mailto:pus79@outlook.com))  
Allen Slater (via e-mail: [allen.slater@frwa.net](mailto:allen.slater@frwa.net))

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

<b>Facility Name and Physical Address</b> Sebring Ridge Utilities WWTP 2186 Clam Dr Sebring FL 33870	<b>WAFR ID</b> FLA014349	<b>County</b> Highlands	<b>Entry Date</b> 12/08/2020	<b>Entry Time</b> 10:42 AM		
	<b>Facility Phone #</b> (813) 385-5282		<b>Exit Date</b> 12/08/2020	<b>Exit Time</b> 1:28 PM		
<b>LAT</b>	N 27	°	32	'	24.6	"
<b>LONG</b>	W 81	°	28	'	59.9	"

<b>Name(s) of Field Representatives(s) and Title</b> Chris Gilbert, Operator	<b>Operator Certification #</b> C0012787	<b>Email</b> <a href="mailto:pus79@outlook.com">pus79@outlook.com</a>	<b>Phone</b> (863) 381-1212
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<b>Name &amp; Address of Permittee / Designated Rep.</b> Chris Miller, Owner P.O. Box 488 Sebring, FL 33870	<b>Title</b> Sebring Ridge Utilities	<b>Email</b> <a href="mailto:juliapmiller@hotmail.com">juliapmiller@hotmail.com</a>	<b>Phone</b> (813) 385-5282
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<b>Inspection Type</b>	C	E	I		<b>Samples Taken(Y/N): N</b> <b>Pictures Taken(Y/N): Y</b>	<b>Sample ID#:</b>	<b>Samples Split (Y/N) :</b>
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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
NC	1. ♦ Permit	IC	3. Laboratory	NC	6. Facility Site Review	NC	9. ♦ Effluent Quality
NC	2. ♦ Compliance Schedules	NC	4. Sampling	IC	7. Flow Measurement	NC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	NC	8. ♦ Operation & Maintenance	IC	11. Biosolids
						NA	12. ♦ Groundwater
NE	14. Other					SC	13. ♦ SSO Survey

<b>Facility and/or Order Compliance Status:</b>	<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:** Please refer to the Warning Letter.

<b>Name(s) and Signature(s) of Inspector(s)</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Heidi Hoffman 	SD/ (239) 344-5684	March 26, 2021
<b>Name and Signature of Reviewer</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Deanna Newburg 	SD/ (239) 344-5677	July 31, 2021

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 checked="" type="checkbox"/>	Permit	Permit Violations - Failure to Submit Timely Permit Renewal Application	The permittee failed to submit an application to renew the existing permit at least 180 days prior to expiration.	PFSA
<input type="checkbox"/>	Laboratory	Management Practice Violations - Laboratory Not Certified	The laboratory was not certified by the National Environmental Laboratory Accreditation Conference (NELAC).	LNCE
<input type="checkbox"/>	Sampling	Monitoring Violations - Analysis not Conducted	The facility failed to collect and/or analyze samples as required by permit or enforcement action.	ANCV
<input type="checkbox"/>	Sampling	Monitoring Violations - Failure to Monitor for Toxicity Requirements	The facility failed to collect and/or analyze routine or follow-up toxicity samples.	FTOX
<input type="checkbox"/>	Records and Reports	Management Practice Violations - Failure to Develop Adequate SPCC Plan	The facility failed to develop or maintain their Spill Prevention Control and Countermeasures (SPCC) plan.	FSPC
<input type="checkbox"/>	Records and Reports	Management Practice Violations - Failure to Maintain Records	The facility failed to maintain records for the required retention period.	FMRR
<input checked="" 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 checked="" type="checkbox"/>	Records and Reports	Reporting Violations - Failure to submit required report (non-DMR, non-pretreatment)	The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs.	FRPT
<input type="checkbox"/>	Facility Site Review	Management Practice Violations - Improper Land Application (non-503, non-CAFO)	The land application system was not being maintained.	LASN
<input type="checkbox"/>	Flow Measurement	Monitoring Violations - No Flow Measurement Device	The facility failed to install a flow measurement device, an approved flow measurement device, or a working flow measurement device.	NOFL
<input type="checkbox"/>	Operation and Maintenance	Management Practice Violations - Improper Operation and Maintenance	The facility failed to follow their operation and maintenance plan/manual or their Biosolids Nutrient Management Plan.	IONM
<input checked="" 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 checked="" 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 checked="" 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 checked="" 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:** Operate an existing 0.065 MGD three-month average daily flow(TMADF) extended aeration domestic wastewater treatment facility consisting of a 16,270 gallon flow equalization basin, a 74,490 gallons of aeration; dual clarifiers with a combined capacity of 19,160 gallons; a 3000 gallon chlorine contact basin; and three 5,000 gallon sludge digester basins. Disinfection is provided by liquid sodium hypochlorite in a 9,200-gallon chlorine contact chamber.

**Reuse or Disposal Summary:** Land Application R-001: An existing 0.065 MGD three-month average daily flow permitted capacity rapid infiltration basin system. R-001 is a reuse system which consists of dual percolation pond system having a capacity of 0.065 MGD located approximately at latitude 27°32' 25" N, longitude 81°20' 0" W. IN ACCORDANCE WITH: The limitations, monitoring requirements, and other conditions set forth in this cover sheet and Part I through Part IX on pages 1 through 15 of this permit.

<b>1. Permit (PERM)</b>	<b>In-Compliance</b>
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Current Permit Available Onsite?	Yes
Date Permit Issued?	September 23, 2020
Date Permit Expires?	October 29, 2025
Permit Renewal Application Due by?	May 2, 2025
Administrative or Judicial Orders?	Yes

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
1.1 <u>Observation:</u> Is the permit valid?	Yes		UPHI
1.2 <u>Observation:</u> Is a copy of the permit available onsite?	Yes	PEOS	PENA
1.3 <u>Observation:</u> Is the facility operated in accordance with the permit?	Yes	PEOP	PEMA
1.4 <u>Observation:</u> Is the permit renewal application in house for review?	No	PAPR	
1.5 <u>Observation:</u> Has the facility failed to submit the permit renewal application 180 days prior to the expiration date?  <u>Additional Comments:</u> Department records indicate that the previous operating permit expired on October 29, 2020. Your renewal application and permit processing fee needed to be submitted no later than May 2, 2020. It was submitted on August 8, 2020.  <u>Rule/Permit Reference:</u> F.A.C. Rule 62-620.335(1) states that a Permittee shall submit an application to renew the existing permit at least 180 days before the expiration date of the existing permit. Timely and sufficient submittal of the renewal application and permit processing fee is important (and in your best interest) as it automatically extends the expiration date on the existing permit until the Department takes final action on the renewal application. A tardy application could result in non-compliance. Department records indicate that the previous operating permit expired on October 29, 2020. Your renewal application and permit processing fee needed to be submitted no later than May 2, 2020.	Yes	PFSA	PSSC

<b>Corrective Actions:</b> The renewal application was submitted to the Department on August 8, 2020 and issued on September 23, 2020 with an effective date of October 30, 2020 and an expiration date of October 29, 2025. <b>No further action.</b>				
1.6	<b>Observation:</b> Has the permittee for the facility changed?	No	PSSC	
1.7	<b>Observation:</b> Is the Department notified of this change?	NA		PERC
1.8	<b>Observation:</b> Is the permit accompanied by a Consent Order or Administrative Order? <b>Additional Comment:</b> Administrative Order FLA014349009	Yes	PEAO	
1.9	<b>Observation:</b> Is wastewater diverted from a portion of the treatment process without Department approval?	No	UNBY	
1.10	<b>Observation:</b> Is the facility discharging to waters of the state without an appropriate FDEP permit?	No	PDWS	
1.11	<b>Observation:</b> Does the facility have a substantial plant modification placed into service without Department approval?	No	UNPM	

## 2. Compliance Schedules (COMS) Out-of-Compliance

Compliance Schedule in Permit met?	Yes
Compliance Schedule(s) in Order are being met?	Yes

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
2.1 <b>Observation:</b> Is the facility under a compliance schedule?	Yes	PSSC	
<b>Improvement Actions</b>	<b>Date Due</b>	<b>Completed?</b>	
1. Complete the installation of baffles in the settling tank.	11/29/2020	Yes	
2. Complete repairs to biosolids tank valve.	12/15/2020	Yes	
3. Complete repairs to air pipes.	12/29/2020	Yes	
4. Complete repairs to all tank weeps/leaks.	12/29/2020	Yes	
5. Complete cleanout of equalization tank.	1/15/2021	Yes	
6. Complete percolation pond cleaning and berm repair.	4/28/2021	Yes	
7. Perform a smoke test or video inspection of collection system	10/30/2022	Pending	
<b>Administrative Order</b>	<b>Date Due</b>	<b>Completed?</b>	
Sample the effluent monthly for total nitrogen and total phosphorus concentrations.	December 1, 2020	Yes, ongoing	
Retain a licensed engineer or geologist to evaluate the capacity of the facility to meet the new effluent limits or the impact of the effluent to the groundwater.	Within 30 days of permit issuance	Yes	

Submit the licensed engineer or geologist's report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge.	July 30, 2021	Pending		
If the report provided to the Department does not demonstrate compliance with the new limits for Total Nitrogen and Total Phosphorus, the Permittee shall: i i. Submit a complete application to modify the treatment facility for nutrient removal, ii ii. Submit a complete application to incorporate a groundwater monitoring plan into the permit. iii iii. Submit a complete application to modify the reuse or disposal system, or iv iv. Submit a complete application for a domestic wastewater collection system connection to another wastewater treatment facility	Within 3 weeks of Department receipt of report.	Pending		
The permittee shall report the concentrations of total Nitrogen and Total Phosphorus in the effluent, monthly on the Interim Discharge Monitoring Report	Monthly	Yes, ongoing		
The Permittee shall submit quarterly status reports (due by the 28th of January, April, July, and October) which show progress of the actions required to bring the facility into compliance.	Quarterly	No		
2.2 <u>Deficiency:</u> Is the facility meeting the compliance schedule? <u>Additional Comment:</u> The utility owner verbally requested an extension for Item #5 quarterly reports until April 20, 2021. A report was submitted on May 17, 2021. The next required report due on July 28, 2021 was not received.  <u>Rule/Permit Reference:</u> 403.161(1)(b), F.S. It shall be a violation of this chapter, and it shall be prohibited for any person: (b) To fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the department pursuant to its lawful authority.  <u>Corrective Action:</u> Please submit the next required quarterly status report.	No	CSCP	CFSI	
2.3 <u>Observation:</u> Has the permittee requested an extension of time for the schedule requirements?  <u>Additional Comment:</u> The utility owner verbally requested an extension for Item #5 quarterly reports until April 20, 2021. A Report was submitted on May 17, 2021.	Yes	CEXT	PSSC	
2.4 <u>Observation:</u> Has the permittee exceeded a construction milestone event by 90 days or more?	NA	CEME		
2.5 <u>Observation:</u> Has the permittee failed to meet an enforcement order schedule by 90 days or more?	No	FCCS		
2.6 <u>Observation:</u> Has the permittee exceeded a final compliance date by 90 days or more?	No	FC90		
2.7 <u>Observation:</u> Has a certificate of completion of construction submitted prior to placing the facility into service?	NA	COCS	CCOC	
2.8 <u>Observation:</u> Have progress reports been submitted as required by the Order(s)?	NE	PSSC	CFPR	
2.9 <u>Observation:</u> Is the facility in compliance with the Consent Order (CO) or the Administrative Order (AO)?	Yes	CFIC	CFSI	

### 3. Laboratory (LABS)

In-Compliance

Contract Lab Name and Certification #	Pace Analytical Services, LLC., E83079
Facility DOH Certification #	Not Applicable

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
3.1 <u>Observation</u> : Does the facility have a certified lab on site or contract a certified lab for the samples collected?  <u>Additional Comments</u> : The facility has a contract with Pace Analytical Services, LLC – Ormond Beach, FL (E83079) to collect and analyze the samples outlined in their permit. The laboratory then submits the sample results back to the facility, who is responsible for properly and correctly reporting those results on their DMRs.	Yes	LACD	LNCE
3.2 <u>Observation</u> : Is the laboratory certified by the National Environmental Laboratory Accreditation Conference (NELAC)?	Yes	LACD	LNCE

### 4. Sampling (SAMP)

Out-of-Compliance

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

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
4.1 <u>Observation</u> : Is there continuous monitoring?	No		

#### Sampling Locations:

Monitoring Site Number	Description of Monitoring Site
EFA-01	At discharge from the chlorine contact tank and before discharge to the percolation ponds.

Monitoring Site Number	Description of Monitoring Site
FLW-01	Elapsed time meters on the main influent lift station.
CAL-01	Calculated from flow measurements.
INF-01	At the surge tank prior to any sidestream mixing.

Monitoring Site Number	Description of Monitoring Site Calculations
RMP-01	Calculated value of biosolids removed

### Types of Sampling:

Parameter	Units	Max. /Min	Reclaimed Water Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow	MGD	Max Max	0.065 Report	3-Month Rolling Average Monthly Average	5 Days/Week	Meter	EFA-01	See I.A.3
BOD, Carbonaceous 5 day, 20C	mg/L	Max Max Max Max	20.0 30.0 45.0 60.0	Annual Average Monthly Average Weekly Average Single Sample	Bi-weekly; every 2 weeks	Grab	EFA-01	
Solids, Total Suspended	mg/L	Max Max Max Max	20.0 30.0 45.0 60.0	Annual Average Monthly Average Weekly Average Single Sample	Bi-weekly; every 2 weeks	Grab	EFA-01	
Coliform, Fecal	#/100mL	Max Max Max Max	200 200 400 800	Monthly Geometric Mean Annual Average 90th Percentile Single Sample	Bi-weekly; every 2 weeks	Grab	EFA-01	See I.A.4 and I.A.5
pH	s.u.	Min Max	6.0 8.5	Single Sample Single Sample	5 Days/Week	Grab	EFA-01	
Chlorine, Total Residual (For Disinfection)	mg/L	Min	0.5	Single Sample	5 Days/Week	Grab	EFA-01	See I.A.6
Nitrogen, Nitrate, Total (as N)	mg/L	Max	12.0	Single Sample	Bi-weekly; every 2 weeks	Grab	EFA-01	
Nitrogen, Total	mg/L	Max Max Max	10 12.5 20	Annual Average Monthly Average Single Sample	Monthly	Grab	EFA-01	
Phosphorus, Total (as P)	mg/L	Max Max Max	6 7.5 12	Annual Average Monthly Average Single Sample	Monthly	Grab	EFA-01	

Parameter	Units	Max. /Min	Limitations		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Flow	MGD	Max Max	0.065 Report	Quarterly Average Monthly Average	5 Days/Week	Meter	FLW-01	See I.B.4
Percent Capacity, (TMADF/Permitted Capacity) x 100	percent	Max	Report	Monthly Average	Monthly	Calculated	CAL-01	
BOD, Carbonaceous 5 day, 20C (Influent)	mg/L	Max	Report	Single Sample	Bi-weekly; every 2 weeks	Grab	INF-01	See I.B.3
Solids, Total Suspended (Influent)	mg/L	Max	Report	Single Sample	Bi-weekly; every 2 weeks	Grab	INF-01	See I.B.3

Parameter	Units	Max. /Min	Biosolids Limitation		Monitoring Requirements			Notes
			Limit	Statistical Basis	Frequency of Analysis	Sample Type	Monitoring Site Number	
Biosolids Quantity (Landfilled)	dry tons	Max	Report	Monthly Total	Monthly	Calculated	RMP-01	
Biosolids Quantity (Transferred)	dry tons	Max	Report	Monthly Total	Monthly	Calculated	RMP-01	

4.2 <u>Observation</u> : Are samples being collected and analyzed as required by the permit or enforcement action?	Yes		ANCV
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4.3	<u>Observation:</u> Is the facility conducting analysis properly for CBOD <sub>5</sub> ?	Yes		SACB
4.4	<u>Observation:</u> Are the TSS samples collected after filtration and prior to chlorination?	Yes		SASS
4.5	<u>Observation:</u> Is sample collection being performed in accordance with DEP SOP-001/01?	Yes	SOPF	SSOP
4.6	<u>Observation:</u> Are samples being collected in the proper containers in accordance with 40 CFR Part 136, Table II?	Yes		SPCO
4.7	<u>Observation:</u> Are samples being collected at locations specified in the permit?	Yes		SWLO
4.8	<u>Observation:</u> Are the sample locations safe?	Yes	SSAP	SAFA
4.9	<u>Observation:</u> Is the chain of custody form maintained for samples?	Yes		SCOC
4.10	<u>Deficiency:</u> Is the chain of custody form filled out properly?  <u>Additional Comments:</u> The following was not completed appropriately: (1) Sampler address and contact info not provided. (2) All samples are written as being taking at the same time, which seems unlikely based on sample point locations. (3) Lot numbers and expiration dates of preservatives are not documented. (4) Unclear if container is pre-preserved; if so, no sample kit ID was provided. (5) "Relinquished by" does not show person's affiliation. (6) "Received by" does not show person's affiliation.  <u>Rule/Permit Reference:</u> F.A.C. Rule 62-620.610(18)(e) states that field activities, including onsite tests and sample collection, shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in F.A.C. Chapter 62-160. The full list of DEP SOPs is available online at: <a href="https://floridadep.gov/dear/quality-assurance/content/dep-sops">https://floridadep.gov/dear/quality-assurance/content/dep-sops</a> .  <u>Corrective Action:</u> Please provide documentation demonstrating that all missing items will be included in future chain of custody forms.	No		SCHC
4.11	<u>Observation:</u> Are samples preserved properly?	Yes		SNPP
4.12	<u>Observation:</u> Are samples placed on ice?	Yes		SNPI
4.13	<u>Observation:</u> Are samples that were collected in greater frequency than required by the permit also reported on the discharge monitoring reports (DMRs)?	NA		SASF
4.14	<u>Observation:</u> Are the calibration standards and/or buffers expired?	No	CSBO	CBST
4.15	<u>Observation:</u> Is the pH meter calibrated daily?  <u>Additional Comments:</u> The operator tests the pH meter daily, but only calibrate it once or twice per week based on the calibration log.  <u>Rule/Permit Reference:</u> F.A.C. Rule 62-620.610(18)(e) states that field activities, including onsite tests and sample collection, shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in F.A.C. Chapter 62-160. The full list of DEP SOPs is available online at: <a href="https://floridadep.gov/dear/quality-assurance/content/dep-sops">https://floridadep.gov/dear/quality-assurance/content/dep-sops</a> .	No		SAPC

<p><b>Corrective Action:</b> Please provide documentation demonstrating that the operator is calibrating the pH meter daily.</p>			
<p>4.16 <b>Deficiency:</b> Are the calibration/verification logs for the pH meter complete?</p> <p><b>Additional Comments:</b> The following items were not completed properly: 1) Unit of Standard not provided.</p> <p><b>Rule/Permit Reference:</b> F.A.C. Rule 62-620.610(18)(e) states that field activities, including onsite tests and sample collection, shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in F.A.C. Chapter 62-160. The full list of DEP SOPs is available online at: <a href="https://floridadep.gov/dear/quality-assurance/content/dep-sops">https://floridadep.gov/dear/quality-assurance/content/dep-sops</a>.</p> <p><b>Corrective Action:</b> Please provide documentation showing that the Calibration/Verification Log includes Unit of Standard.</p>	No		PSSC
<p>4.17 <b>Deficiency:</b> Is the pH calibration bracketed?</p> <p><b>Additional Comments:</b> pH calibrations should be calibrated using 4.0 s.u. and 10 s.u, at minimum, daily.</p> <p><b>Rule/Permit Reference:</b> F.A.C. Rule 62-620.610(18)(e) states that field activities, including onsite tests and sample collection, shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in F.A.C. Chapter 62-160. The full list of DEP SOPs is available online at: <a href="https://floridadep.gov/dear/quality-assurance/content/dep-sops">https://floridadep.gov/dear/quality-assurance/content/dep-sops</a>.</p> <p><b>Corrective Action:</b> Please provide documentation showing that the pH calibration is bracketed.</p>	No		SAPB
<p>4.18 <b>Observation:</b> Is the chlorine meter calibrated daily?</p>	Yes		STRC
<p>4.19 <b>Deficiency:</b> Are the calibration/verification logs for the chlorine meter complete?</p> <p><b>Additional Comments:</b> The following items were not completed properly: 1) Unit of Standard not provided. 2) Acceptance criteria not provided.</p> <p><b>Rule/Permit Reference:</b> F.A.C. Rule 62-620.610(18)(e) states that field activities, including onsite tests and sample collection, shall follow the applicable standard operating procedures described in DEP-SOP-001/01 adopted by reference in F.A.C. Chapter 62-160. The full list of DEP SOPs is available online at: <a href="https://floridadep.gov/dear/quality-assurance/content/dep-sops">https://floridadep.gov/dear/quality-assurance/content/dep-sops</a>.</p> <p><b>Corrective Action:</b> Please provide documentation showing that the Calibration/Verification Log includes Unit of Standard and the acceptance criteria.</p>	No		PSSC
<p>4.20 <b>Observation:</b> Are the calibration/verification logs for the turbidity meter complete?</p>	NA		PSSC
<p>4.21 <b>Observation:</b> Are self-monitoring records maintained in an organized manner?</p>	Yes		SASM
<p>4.22 <b>Observation:</b> Does the facility collect and/or analyze routine follow-up toxicity samples?</p>	NA		FTOX

4.23	<u>Observation:</u> Does the facility have composite sampling?	No		
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<b>5. Records and Reports (RRPT)</b>	<b>Out-of-Compliance</b>
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Documents/Records Reviewed	Time Frame
Discharge Monitoring Reports (DMRs)	From 08/01/2019 To 05/31/2021

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
5.1 <u>Observation:</u> Are copies of the operator license current and onsite?  <u>Additional Comments:</u> Operator Licenses: Chris Gilbert #C0012787, Otto Krucker #C0008619, Daniel Holmes #C0005929, Darald Pugh #B0002727	Yes	OCAO	ROPL
5.2 <u>Observation:</u> Is a copy of the current laboratory certification available onsite?  <u>Additional Comments:</u> Pace Analytical Services, LLC – Ormond Beach, E83079; Pace Analytical Services, LLC – Pompano, E86240; Pace Analytical Services, LLC – Tampa, E84129	Yes	LCAI	LCNA
5.3 <u>Observation:</u> Does the facility have all records of sampling available and complete?	Yes		RECD
5.4 <u>Observation:</u> Are the DMRs submitted on the proper form?	Yes		RDMR
5.5 <u>Observation:</u> Is an authorized representative signing the DMRs?	Yes		RARS
5.6 <u>Deficiency:</u> Does a review of the DMRs reveal any deficiencies? <u>Additional Comments:</u> See table below.	Yes	RDMV	RRDS

Monitoring Period	DMR Deficiencies
Oct-2020	-Chlorine total residual (EFA-01) minimum does not match on Part A and B
Apr-2020	-Flow (FLW-01) Calculation rounding error.

Rule/Permit Reference: F.A.C. Rule 62-600.650(5) states that the owner, manager, or operator of a domestic wastewater facility, or agent or employee thereof, shall not submit misleading, false, or inaccurate information or operational reports to the Department, either knowingly or through neglect.

Corrective Action: Please resubmit the DMRs for April 2020 and October 2020 with all the corrected information. Also, please check the box “Re-Summitted DMR” on the first page of the DMRs so that the Department will know that this is a re-submittal.

5.7 <u>Observation:</u> Is there failure to correct incomplete/deficient DMRs for 30 days or more after Department notice?	No	RDID	
5.8 <u>Observation:</u> Is the facility submitting fraudulent data?	No	RSFD	
5.9 <u>Observation:</u> Has the facility failed to submit any DMR required by rule, permit, or enforcement action in a timely manner?	No	FDMR	

5.10	<u>Observation</u> : Does the facility have two or more DMRs not submitted to the Department within a 6-month period?	No	RD26	
5.11	<u>Observation</u> : Does a review of the last toxicity test reveal any deficiencies?	NA	TTRD	RRTX
5.12	<u>Observation</u> : Are all required documents and reports available at the plant well organized and complete?	Yes	RALL	PSSC
5.13	<u>Observation</u> : Does the facility maintain records of their daily calibration of their pH meter?	Yes		RRPH
5.14	<u>Observation</u> : Does the facility maintain records of their daily calibration of their chlorine meter?	Yes		RTRC
5.15	<u>Observation</u> : Does the facility maintain records of their daily calibration of their dissolved oxygen meter?	NA		RRDO
5.16	<u>Observation</u> : Does the facility maintain records of their daily checks of their in-line meter(s) with their field meter(s)?	NA		RDIM
5.17	<u>Observation</u> : Is a copy of the Operation and Maintenance (O & M) Manual available onsite?	Yes		ROMM
5.18	<u>Observation</u> : Has the permittee submitted an annual Reclaimed Water and/or Effluent Analysis Report?	NA		RARR
5.19	<u>Observation</u> : Is the annual Reclaimed Water and/or Effluent Analysis report on the correct form?	NA		GFOR
5.20	<u>Observation</u> : Does the facility submit their monitoring results for Giardia and Cryptosporidium in a timely manner?	NA		RNGC
5.21	<u>Observation</u> : Does the facility fail to maintain the records onsite for the required retention period?	No	FMRR	
5.22	<u>Observation</u> : Are records well organized?	Yes	RORG	
5.23	<u>Observation</u> : Is the logbook available onsite?	Yes		RNOM
5.24	<u>Observation</u> : Are the entries in the operator logbook clear, concise, informative and relevant?	Yes	ROPC	
5.25	<u>Observation</u> : Is the logbook complete and contain all required information?	Yes	LOGI	RLOG
5.26	<u>Deficiency</u> : Has the permittee failed to notify the Department of any event or activity that requires notification as required by permit or rule?  <u>Additional Comments</u> : Permittee failed to notify the Department of an Abnormal Event (solids went into the percolation pond in December 2020, prior to the inspection).  <u>Permit/Rule or Other Reference</u> : F.A.C. Rule 62-620.610(20) states that the permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be	Yes	RSWP	

<p>provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.</p> <p><b>Corrective Action:</b> Please provide the Department with a completed Abnormal Event Report Form for the release of solids into the percolation pond in December 2020 noted during the inspection and any subsequent Abnormal Events.</p>			
<p>5.27 <b>Deficiency:</b> Has the facility failed to submit any report required by rule, permit, enforcement action or inspection activity, except for DMRs?</p> <p><b>Additional Comments:</b> Facility failed to submit an Abnormal Event Report for the release of solids into the percolation pond.</p> <p><b>Permit/Rule or Other Reference:</b> F.A.C. Rule 62-620.610(20) states that the permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the non-compliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.</p> <p><b>Corrective Action:</b> Please provide the Department with a completed Abnormal Event Report Form for the release of solids into the percolation pond in December 2020 noted during the inspection and any subsequent Abnormal Events.</p>	Yes	FRPT	
<p>5.28 <b>Observation:</b> Does the facility have and maintain their SPCC Plan?</p>	Yes	SPCC	FSPC

**6. Facility Site Review (FACS) Out-of-Compliance**

Facility Site Review (Plant/Site Grounds)	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
6.1 <b>Observation:</b> Are odors emanating from the facility and permeating beyond the plant site at the time of the inspection?	No	FAFO	FANO
6.2 <b>Observation:</b> Is there excessive noise which could be heard beyond the boundaries of the facility?	No	FAEN	
6.3 <b>Observation:</b> Are facility grounds well maintained?	Yes	FACM	FGNM
6.4 <b>Observation:</b> Is the area surrounding the facility overgrown with vegetation?	No	FAVE	
6.5 <b>Observation:</b> Is the site secured properly?	Yes	FAPS	FNPS
6.6 <b>Observation:</b> Is the fence around the facility compromised?	No	FAAC	

6.7	<u>Observation:</u> Is adequate lighting available at the facility?	NA		FAAL
6.8	<u>Observation:</u> Are rags, grit and/or screening being disposed on the facility grounds?	No	FARG	
6.9	<u>Observation:</u> Is sludge being disposed on the facility grounds?	No	FASL	
6.10	<u>Observation:</u> Is leachate from the screening dumpster(s) discharging onto the facility grounds?	NA	FLDG	
6.11	<u>Observation:</u> Is the leachate discharging to a nearby storm drain?	NA	FLDS	
6.12	<u>Observation:</u> Is there adequate access to all monitoring locations?	Yes		FAMA

<u>Facility Site Review (RPZ)</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.13	<u>Observation:</u> Is an RPZ in place on the potable water supply line?	NA	RPZI	FANB
6.14	<u>Observation:</u> Is the RPZ(s) leaking and/or in need of a repair and/or replacement?	NA	RRPZ	RPOK
6.15	<u>Observation:</u> Is a record of testing available on the RPZ(s)?	NA		FARB
6.16	<u>Observation:</u> Are there any cross connections between the potable water supply and the facility?	NA	FACC	

<u>Facility Site Review (Headworks)</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.17	<u>Observation:</u> Are there excessive odors emanating from the headworks?	No		FNEO
6.18	<u>Observation:</u> Is there excessive corrosion in the area surrounding the headworks?	No	FECO	
6.19	<u>Observation:</u> Are screenings and grit being collected in suitable containers?	Yes	FSGS	FANC
6.20	<u>Observation:</u> Are screenings and grit being disposed at a Class I Landfill?	Yes	FSG1	FAC1
6.21	<u>Observation:</u> Are records of the disposal of the screenings and grit collected at the headworks available?	NA	FSRA	FARD
6.22	<u>Observation:</u> Is the disposal of the screenings and grit being placed on drying beds and causing vector attraction?	No	FADB	
6.23	<u>Observation:</u> Is there excessive debris on the bar screen?	No	FEDA	FBSC
6.24	<u>Observation:</u> Is the mechanical bar screen operational?	NA		FMSF
6.25	<u>Observation:</u> Is the bar screen damaged?	No	FBCD	
6.26	<u>Observation:</u> Does the operator logbook indicate that the bar screen is cleaned routinely?	Yes		FABS
6.27	<u>Observation:</u> Is there evidence of recent overflows at the headworks?	No	FARO	
6.28	<u>Observation:</u> Is the odor control system operational?	NA		FOCF

6.29	<u>Observation:</u> Is the comminutor operational?	NA		FCNF
6.30	<u>Observation:</u> Is the grit separator operational?	NA		FCSF

<u>Facility Site Review (Surge Tanks)</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.31	<u>Observation:</u> Are there two functioning pumps in the surge tank(s)?	Yes		FS2P

<u>Facility Site Review (Aeration Basin(s))</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.32	<u>Observation:</u> Is the aeration basin providing adequate mixing?	Yes	FACG	FABM
6.33	<u>Deficiency:</u> Is even distribution of air observed?  <u>Additional Comments:</u> Diffuser at the western end of the third basin appeared to be clogged.  <u>Permit/Rule Reference:</u> F.A.C. Rule 62-600.410(3) states that all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and bio-solids shall be maintained, at a minimum, so as to function as intended.  <u>Corrective Action:</u> Please provide documentation to the Department indicating that the equipment is functioning as intended.	No		FADC
6.34	<u>Deficiency:</u> Are the air line(s) to the aeration basin(s) free from leaks?  <u>Additional Comments:</u> Airline at far west end of the plant had a leak.  <u>Permit/Rule Reference:</u> F.A.C. Rule 62-600.410(3) states that all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and bio-solids shall be maintained, at a minimum, so as to function as intended.  <u>Corrective Action:</u> Per verbal notification from the facility owner, the airline was repaired in December. Documentation stating this was provided on May 17, 2021. No further action required.	No	FAOK	FALL
6.35	<u>Observation:</u> Is thick foam observed in the aeration basin(s)?	No	FWBF	
6.36	<u>Observation:</u> Is the clock for the aeration system control operational?  <u>Additional Comments:</u> The plant is running continuously at this time.	NE	FCLO	FTCA
6.37	<u>Observation:</u> Is the return activated sludge (RAS) line properly located so that it comes in contact with the influent?	Yes	FRLP	FRIL
6.38	<u>Observation:</u> Is there excessive splashing from the RAS line causing solids to be discharged outside the tank?	No	FESR	
6.39	<u>Observation:</u> Is excessive foaming being carried over into the clarifiers?	No	FFOA	

<u>Facility Site Review (Blowers)</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.40	<u>Observation:</u> Are dual blowers and motors required to run the facility?	No	F2BR	

6.41	<u>Observation:</u> Are the blowers equipped with belt guards?	Yes	BHBG	BGMB
6.42	<u>Observation:</u> Are the blowers excessively loud?	No	FB2L	
6.43	<u>Observation:</u> Is the blower operational at the time of the inspection?	Yes	FBWK	FBNW
6.44	<u>Observation:</u> Is the secondary blower missing?	No	F2BM	
6.45	<u>Observation:</u> Is the secondary blower motor operational?	Yes	F2OK	F2BI
6.46	<u>Observation:</u> Is there excessive wear on blowers?	No	FBBW	
6.47	<u>Observation:</u> Do the motor(s) have air filters?	Yes	FBFR	
6.48	<u>Observation:</u> Does the blower motor air filter need to be replaced?	No	FBAR	
6.49	<u>Observation:</u> Are spare parts and a second standby blower stored onsite?	Yes	FSPS	
6.50	<u>Observation:</u> Is one of the dual blower motor(s) undersized?	No	F1BU	
6.51	<u>Observation:</u> Is the electrical box wiring for the blowers adequately protected?	Yes		FBWI

<u>Facility Site Review (Clarifier(s))</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.52	<u>Observation:</u> Is the clarifier effluent clear and free of solids?	Yes	FCLR	FESO
6.53	<u>Observation:</u> Are solids discharging over the clarifier weir(s)?	No	FCSD	
6.54	<u>Deficiency:</u> Is there excessive sand and/or grit accumulated in the clarifier?  <u>Additional Comments:</u> Excessive sand in the clarifier was noted.  <u>Permit/Rule Reference:</u> F.A.C. Rule 62-600.410(3) states that all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and biosolids shall be maintained, at a minimum, so as to function as intended.  <u>Corrective Action:</u> The Permittee has requested an extension of the deadline for the removal of sand from the equalization tank and clarifiers due to availability. An extension was granted until April 20, 2021. Documentation showing the work was completed was provided on May 17, 2021. <u>No further action required.</u>	Yes	FPES	
6.55	<u>Observation:</u> Is excessive scum and/or trash overflowing from the clarifier?	No	FAEX	
6.56	<u>Observation:</u> Does the skimmer appear to be functional?	Yes	FSKP	FSTH
6.57	<u>Observation:</u> Is the sludge pump functional?	Yes		FSPF
6.58	<u>Observation:</u> Is the RAS very watery indicating the pump is not functioning?	No	FRAS	
6.59	<u>Observation:</u> Is the sludge collector functional?	NA		FSCF
6.60	<u>Observation:</u> Are the clarifier weir(s) level?	Yes	FCWA	FCWL
6.61	<u>Observation:</u> Are the clarifier weir(s) overgrown with algae?	No	FCWC	
6.62	<u>Observation:</u> Is there evidence of short circuiting in the clarifier?	No	FSHO	

6.63	<u>Observation:</u> Is gasification occurring to cause solids to rise to the surface?	No	FGAS	
<u>Facility Site Review (Chlorine Contact Chamber(s))</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.64	<u>Observation:</u> Is the Chlorine Contact Chamber (CCC) effluent clear with no scum or debris observed?	Yes	FCCC	FOAT
6.65	<u>Observation:</u> Is it free of an accumulation of solids?	Yes		FSOL
6.66	<u>Deficiency:</u> Are the baffles functioning as intended?  <u>Additional Comments:</u> At least two baffles are disconnected from the sides of the tank.  <u>Permit/Rule Reference:</u> F.A.C. Rule 62-600.410(3) states that all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and biosolids shall be maintained, at a minimum, so as to function as intended.  <u>Corrective Action:</u> Documentation stating that the work was completed was provided on May 17, 2021. <b>No further action required.</b>	No	FBMD	
6.67	<u>Observation:</u> Does the chlorine injection point provide optimal mixing to occur?	Yes		FCIP
6.68	<u>Observation:</u> Is the chlorine pump operational?	Yes	FPRI	
6.69	<u>Observation:</u> Is there an adequate chlorine supply for disinfection?	Yes		FCNO
6.70	<u>Observation:</u> Is the chlorine storage area protected from the elements?	Yes		FCHL
<u>Facility Site Review (Digester(s))</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.71	<u>Observation:</u> Were the tank contents in the aerobic digester(s) well mixed?	Yes	FDWM	FADX
6.72	<u>Observation:</u> Are the diffusers clogged providing for uneven mixing?	No	FDMX	
6.73	<u>Observation:</u> Are the digester(s) free from excessive odors?	Yes	FDNO	FDOD
6.74	<u>Observation:</u> Are the digester(s) free from excessive foaming?	Yes	FDNF	FEFO
6.75	<u>Observation:</u> Is the digester full?	No	FULL	
<u>Facility Site Review (Lift Station(s))</u>		Inspection Result	For DEP Use Only Database Codes	
			Yes	No
6.76	<u>Observation:</u> Is the area around the lift station(s) maintained?	Yes		FLAO
6.77	<u>Observation:</u> Are there warning signs with emergency contact information on and/or around the lift station(s)?	Yes		FNWS
6.78	<u>Observation:</u> Does the facility have a gate around their lift station(s)?	Yes		
6.79	<u>Observation:</u> Is the gate around the lift station locked?	Yes		FGLL

6.80	<u>Observation:</u> Is the cover to the lift station(s) locked?	NA		FCLL
6.81	<u>Observation:</u> Is the cover to the lift station(s) a safety hazard?	NA	FLCR	
6.82	<u>Observation:</u> Are there two functioning pumps that alternate?	Yes		FL2R
6.83	<u>Observation:</u> Are both pumps at the lift station functional?	Yes		FLPN
6.84	<u>Observation:</u> Does the electrical panel need to be repaired and/or replaced?	No	FREW	
6.85	<u>Observation:</u> Is the lift station(s) warning system functional?	Yes	PSSC	FWSN
6.86	<u>Observation:</u> Is an RPZ in place on the potable water supply line?	NA	RPZI	NRPZ
6.87	<u>Observation:</u> Is there a record of testing available on the RPZ?	NA		FARB

### 7. Flow Measurement (FLOW) In-Compliance

Flow Meter Present and Location as per Permit?	Yes
Easy Access to Flow Meter?	Yes
Date of Last Flow Meter Calibration?	03/02/2020

Flow Meter Location	CCC weir
Flow Meter Type	Ultrasonic

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
7.1 <u>Observation:</u> Is the flow measuring device installed?	Yes		NOFL
7.2 <u>Observation:</u> Is the flow measuring device installed properly?	Yes	FLPI	FLII
7.3 <u>Observation:</u> Is the flow measurement device operational?	Yes		PSSC
7.4 <u>Observation:</u> Is a copy of the flow calibration report current?	Yes	FCRP	FLDC
7.5 <u>Observation:</u> Is the flow measurement device calibrated properly?	Yes	FLCO	
7.6 <u>Observation:</u> Is the flow measurement device operating within +/- 10% of the actual flow?	Yes	F10A	

### 8. Operation and Maintenance (OPMA) Out-of-Compliance

Facility being operated as per permit?	Yes
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	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
8.1 <u>Observation:</u> Is a certified operator operating the wastewater treatment facility with the appropriate license level for the size of the plant?	Yes	O602	ONCO

8.2	<u>Observation</u> : Is the operator performing treatment plant operation and maintenance duties in a responsible and professional manner?	Yes	OMPM	OPMM
8.3	<u>Observation</u> : Does the facility have adequate plant staffing?	Yes		OAST
8.4	<u>Observation</u> : Are the any of the features at the plant in disrepair providing for an unsafe work environment?	No	HCTR	
8.5	<u>Deficiency</u> : Are leaks noted on the exterior of the tanks, wall, and/or pipes of the facility?  <u>Additional Comments</u> : A leak was noted at the connection point of a pipe and wall. <u>Permit/Rule Reference</u> : F.A.C. Rule 62-600.410(3) states that all facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and biosolids shall be maintained, at a minimum, so as to function as intended. <u>Corrective Action</u> : Documentation stating that the leak had been repaired was provided on May 17, 2021. <b>No further action required.</b>	Yes	LITP	
8.6	<u>Observation</u> : Is the facility operated in accordance with the O & M Manual?	Yes		IONM
8.7	<u>Observation</u> : Is the facility maintaining a log documenting routine equipment maintenance?  <u>Additional Comments</u> : Facility keeps separate maintenance logbook in mailbox.	Yes		OLOG
8.8	<u>Observation</u> : Are critical spare parts available?	Yes	OSPA	OSPN
8.9	<u>Deficiency</u> : Does the facility have an inflow and infiltration problem causing collection system issues and/or operational issues?  <u>Additional Comments</u> : Flow rates run particularly high during rain events and the MGD monthly average has reached the limit in recent months. <u>Permit/Rule Reference</u> : F.A.C. Rule 62-604.500(3) states that all equipment necessary for the collection/transmission of domestic wastewater, including equipment provided pursuant to subsection 62-604.400(2), F.A.C., shall be maintained so as to function as intended. <u>Corrective Action</u> : Per permit Compliance Schedule Item #7, a smoke test or video inspection of the collection system must be completed. Any issues or items of concern found in the collection system from that test must be addressed in a timely fashion. <b>No further action - item required to be completed by October 30, 2022 per permit.</b>	Yes	ININ	
8.10	<u>Observation</u> : Does the facility fail to replace malfunctioning equipment, which resulted in a high potential for water supply quality or health impacts?	No	OFRE	
8.11	<u>Observation</u> : Is the facility operating in a manner that results in a high potential for water quality violations?	No	OHPV	
8.12	<u>Observation</u> : Does the facility fail to perform maintenance, which resulted in a high potential for water quality violations?	No	OFPM	

**9. Effluent Quality (EFLQ)**

**Out-of-Compliance**

DMR Review Period	From 08/01/2019 To 05/31/2021
Any Exceedances?	Yes

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
9.1 <u>Observation:</u> Is the effluent clear?	Yes	EFCL	
9.2 <u>Observation:</u> Is excessive foaming observed in the final discharge stream?	No	EFOA	
9.3 <u>Observation:</u> Is suspended solids, scum and/or color observed in the final effluent stream?	No	ETSS	
9.4 <u>Observation:</u> Are grease balls observed in the final effluent stream?	No	EGRE	
9.5 <u>Observation:</u> Is a visible sheen observed in the final effluent stream?	No	EOIL	
9.6 <u>Observation:</u> Is the final effluent excessively turbid?	No	ETUR	
9.7 <u>Observation:</u> Did you sample the effluent?	Yes		EFNS
9.8 <u>Observation:</u> Is the effluent within the acceptable total residual chlorine (TRC)?  TRC = <u>2.20 mg/L</u> (measured with DEP meter # 1)	Yes	ECRA	E5RC (0.5 mg/L) E1VI (1.0 mg/L)
9.9 <u>Observation:</u> Does the facility violate the permit or enforcement narrative effluent limitation(s)?	No	XNEV	
9.10 <u>Deficiency:</u> Does the facility violate the permit or enforcement effluent limitation(s)?  <u>Permit/Rule Reference:</u> F.A.C. Rule 62-600.410(1) states that all domestic wastewater facilities shall be operated and maintained in accordance with the applicable provisions of this chapter and related regulations as to attain, at a minimum, the reclaimed water or effluent quality required by the wastewater facility permit.  <u>Corrective Action:</u> The facility noted that they were making modifications to the plant to address the exceedances and no exceedances were noted in the subsequent months. <b>No further action required.</b>	Yes	ESEV	ENEV

Table of Effluent Exceedances

Date	Monitoring Location	Parameter	Description	Result	Limit	Units	Statistical Base	DMR Comments
Jul-20	EFA-01	P 00620	Nitrogen, Nitrate, Total (as N)	13	12.0	mg/L	MB - Maximum	Making adjustments to the plant.
Feb-21	EFA-01	P 00600	Nitrogen, Total	10.4	10.0	mg/L	AB - Annual Average	Making adjustments to the plant.

Feb-21	EFA-01	P 00600	Nitrogen, Total	22	12.5	mg/L	MK - Monthly Average	Making adjustments to the plant.	
Feb-21	EFA-01	P 00600	Nitrogen, Total	22	20.0	mg/L	MB - Maximum	Making adjustments to the plant.	
9.11 <u>Observation:</u> Is the facility violating an effluent limitation four out of six months?							No	PSSC	
9.12 <u>Observation:</u> Does the facility have a discharge that resulted in a fish kill?							No	XFSH	

<b>10. Effluent Disposal (EFLD)</b>	<b>Out-of-Compliance</b>
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Facility Discharging?	Yes		
Discharge Location(s) as per Permit?	Yes		
	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
10.1 <u>Observation:</u> Is the facility discharging?	Yes	EDAI	ENOD
10.2 <u>Observation:</u> Is advisory signage posted around the disposal site(s)?	Yes		EWAR
10.3 <u>Observation:</u> Is an aerosol mist leaving the boundaries of the land application?	No	EMIS	
10.4 <u>Observation:</u> Is the facility operating an unauthorized disposal system?	No	PSSC	
10.5 <u>Observation:</u> Is the disposal system failing resulting in a high potential for water quality and/or health impacts?	No	PSSC	
10.6 <u>Observation:</u> Is the facility modifying their disposal system without proper approval?	No	PSSC	

<u>Effluent Disposal (Percolation Pond(s))</u>	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
10.7 <u>Deficiency:</u> Are the percolation ponds well maintained?	No	EPDM	PSSC
<u>Additional Comments:</u> Excessive vegetation is growing in the ponds and sludge was also noted in the ponds.			
<u>Permit/Rule Reference:</u> F.A.C. Rule 62-610.523(6) Design and Operation Requirements states that rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.			
<u>Corrective Action:</u> Please provide documentation to the Department demonstrating that the percolation pond has been scarified.			
10.8 <u>Deficiency:</u> Is excessive vegetation growing within the pond?	Yes	FVEG	

<p><b>Permit/Rule Reference:</b> F.A.C. Rule 62-610.523(6) Design and Operation Requirements states that rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.</p> <p><b>Corrective Action:</b> Please provide documentation to the Department demonstrating that the percolation pond has been scarified.</p>			
10.9 <b>Observation:</b> Is excessive vegetation growing on the pond berms?	No	EDOV	
10.10 <b>Deficiency:</b> Is accumulated sludge observed in the pond?	Yes	FSLU	
<p><b>Permit/Rule Reference:</b> F.A.C. Rule 62-610.523(6) Design and Operation Requirements states that rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids.</p> <p><b>Corrective Action:</b> Please provide documentation to the Department demonstrating that the percolation pond has been scarified.</p>			
10.11 <b>Observation:</b> Is there a fence around the ponds?	Yes		FSTO
10.12 <b>Observation:</b> Is the fencing around the ponds compromised?	No	EEFN	

<b>11. Biosolids (RESS)</b>	<b>In-Compliance</b>
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	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
11.1 <b>Observation:</b> Does the facility maintain adequate records for sludge hauling?  <b>Additional Comments:</b> Sludge hauled July 30, 2020.	Yes	PSSC	RE5Y
11.2 <b>Observation:</b> Are the biosolids being disposed of in accordance with the permit?  <b>Additional Comments:</b> Biosolids generated by this facility may be transferred to City of Avon Park WWTP FLA014313 or disposed of in a Class I solid waste landfill. Transferring biosolids to an alternative biosolids treatment facility does not require a permit modification. However, use of an alternative biosolids treatment facility requires submittal of a copy of the agreement pursuant to Rule 62-640.880(1)(c), F.A.C., along with a written notification to the Department at least 30 days before transport of the biosolids.	Yes	RMET	RDIS

<b>12. Groundwater Quality (GWQL)</b>	<b>Not Applicable</b>
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DMR Review Period	From 08/01/2019 To 05/31/2021
Any Exceedances?	NA
All monitoring wells accessible, secured and locked?	NA

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No

12.1	<u>Observation</u> : Is the facility exempt from groundwater monitoring?	Yes	GWEX	
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<b>13. SSO Survey (SSOS)</b>	<b>Significant-Out-of-Compliance</b>
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Does the facility have an Operating and Maintenance Manual for their collection system?	Yes
Does the facility track spills in their collection system?	No
Does the facility have procedures for minimizing spills?	Yes
Are those procedures included in the Operation and Maintenance Manual or a separate document?	Yes
How often is the Manual updated?	As needed

	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
<p><b>13.1</b> <u>Deficiency</u>: Does the facility have any abnormal events?</p> <p><u>Additional Comments</u>: The facility has had at least one spill between the dates: December 8, 2019 and December 8, 2020. The Department has developed new guidance on how Sanitary Sewer Overflows (SSO) are addressed statewide, which was implemented July 1, 2019. According to the guidance, each SSO incident is evaluated and rated and the appropriate document is filed/issued. Either a memo to file, a Compliance Assistance Offer, or Warning Letter is sent for each incident.</p> <p><u>Rule/Permit Reference</u>: F.A.C. Rule 62-604.130 states that the release or disposal of excreta, sewage, or other wastewaters or residuals without providing proper treatment approved by the Department; construction or operation of a wastewater collection system not in compliance with this rule; or any act otherwise violating provisions of this rule or any other rules of the Department.</p> <p><u>Corrective Action</u>: Please complete and submit the Abnormal Event Report for each spill.</p>	<b>Yes</b>	<b>PSSC</b>	
<p><b>13.2</b> <u>Deficiency</u>: Does the facility report the spill(s) to the Department within 24 hours of discovery?</p> <p><u>Additional Comments</u>: The spill(s) have not been reported to the Department at this time.</p> <p><u>Permit/Rule Reference</u>: F.A.C. Rule 62-620.610(20) states that the permittee shall report to the Department any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time the permittee becomes aware of the circumstances. A written submission shall also be provided within five days of the time the permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and time, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance.</p> <p><u>Corrective Action</u>: Please complete and submit the Abnormal Event Report for each spill.</p>	<b>No</b>		<b>SS04</b>

13.3	<u>Observation</u> : Does the facility follow up on spills?	NE	PSSC	PSSC
13.4	<u>Observation</u> : Are there any spills that made it to surface water, include storm-water conveyance system and/or drainage ditch?	No	SS01	
13.5	<u>Observation</u> : Is the facility sampling for any spills that reached surface water(s)?	NA		SS03
13.6	<u>Deficiency</u> : Are there any spills released to the ground?  <u>Additional Comments</u> : At the time of the inspection, solids were observed in the percolation pond.  <u>Rule/Permit Reference</u> : F.A.C. Rule 62-604.100 states: Section 403.021(2), Florida Statutes, as amended, the Florida Air and Water Pollution Control Act, established that no wastes are to be discharged to any waters of the state without first being given the degree of the treatment necessary to protect the beneficial uses of such water.  <u>Corrective Action</u> : Please notify the Department of any future overflows and complete and submit the Abnormal Event Report for each spill the spill	Yes	SS06	
13.7	<u>Deficiency</u> : Does the facility keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system(s)?  <u>Additional Comments</u> : No record of the spill was observed in either the operator's log or maintenance log.  <u>Rule/Permit Reference</u> : F.A.C. Rule 62-604.500 states that copies of record drawings and the operation and maintenance manual shall be available at a site within the boundaries of the district office or delegated local program permitting the collection/transmission system, for use by operation and maintenance personnel and for inspection by Department personnel.  <u>Corrective Action</u> : Please maintain records of all Abnormal Events onsite.	No		SS02
13.8	<u>Observation</u> : Does the facility have an emergency response plan including the collection/transmission system(s)?	Yes		PSSC
13.9	<u>Observation</u> : Does the facility perform routine preventative maintenance to keep the collection/transmission system(s) in good working order?	Yes		SS05

<b>14. Other (OTHE)</b>	Not Evaluated
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	Inspection Result	For DEP Use Only Database Codes	
		Yes	No
14.1 <u>Observation</u> : Not Evaluated.	NE	NENE	NENE

Sebring Ridge Utilities WWTP  
(FLA014349)  
Photos by H. Hoffman on December 8,  
2021

I certify that these photos represent the true  
on-site conditions observed  
and have not been altered in any way.



1  
Percolation pond gate



2  
Sludge in percolation pond



3  
Effluent pipe



4  
Chlorine tank



5  
Surge tank



6  
Surge tank to first aeration basin

Sebring Ridge Utilities WWTP  
(FLA014349)  
Photos by H. Hoffman on December 8,  
2021

I certify that these photos represent the true  
on-site conditions observed  
and have not been altered in any way.



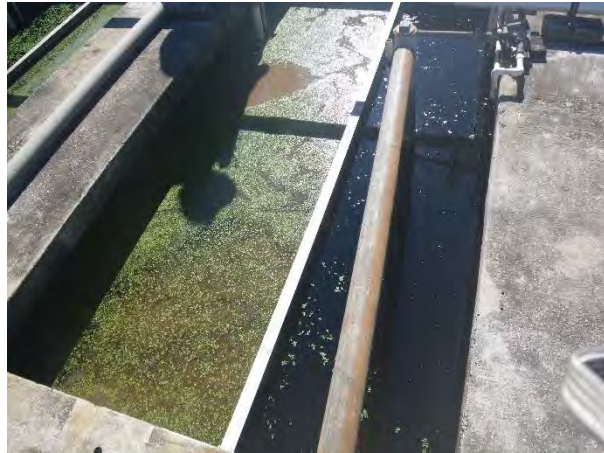
7  
Aeration basins



8  
Fourth aeration basin and digesters



9  
Dead spot at diffuser in third basin



10  
Clarifier



11  
Clarifier weir



12  
Leak around pipe connection

Sebring Ridge Utilities WWTP  
(FLA014349)

Photos by H. Hoffman on December 8,  
2021

I certify that these photos represent the true  
on-site conditions observed  
and have not been altered in any way.



13  
Chlorine dispersal point



14  
Chlorine contact chamber



15  
Separated baffle in CCC



16  
Separated baffle in CCC



17  
Ultrasonic flow meter



18  
Clam Dr. lift station sign

Sebring Ridge Utilities WWTP  
(FLA014349)

Photos by H. Hoffman on December 8,  
2021

I certify that these photos represent the true  
on-site conditions observed  
and have not been altered in any way.



19  
Clam Dr. lift station



20  
Clam Dr. electrical box



21  
Shad Dr. lift station



22  
Shad Dr. electrical box



23  
Sturgeon Dr. lift station



24  
Sturgeon Dr. electrical box



# FLORIDA DEPARTMENT OF Environmental Protection

South District  
Post Office Box 2549  
Fort Myers, FL 33902-2549  
SouthDistrict@FloridaDEP.gov

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Alexis A. Lambert**  
Secretary

February 20, 2025

Sebring Ridge Utilities  
Attn: Josiah Cox, President  
1630 Des Peres Rd. Suite 140  
Des Peres, MO 63131  
Email: [jcox@cswrgroup.com](mailto:jcox@cswrgroup.com)

Re: Warning Letter  
Sebring Ridge Utilities WWTP  
FLA014349  
Highlands County – DW

Dear Mr. Cox:

A Compliance Evaluation Inspection and Sanitary Sewer Overflow Preventive Inspection were conducted for your facility on **January 24, 2025**, respectively under the authority of Section 403.061, Florida Statutes (F.S.). During these inspections, possible violations of Chapters 62-4, 62-600, 62-604, 62-610 and 62-620, of the Florida Administrative Code (F.A.C.), were observed.

During these inspections, Department personnel noted the following:

- The permittee failed to abide by the conditions of the facility permit's improvement schedule and Administrative Order action items.
- The Discharge Monitoring Reports were not completed properly.
- The permittee failed to submit all the Quarterly Status Reports (due by the 28th of January, April, July, and October) from the Administrative Order to show progress of the actions required to bring the facility into compliance.
- The Clarifiers were not free from solids discharging over the weirs.
- Both Clarifier Skimmers were not functional because they were sitting too high, above water level.
- The Aeration Basins were not providing adequate mixing.
- The Splitter Tank connected to the RAS line was excessively splashing with some solids leaking out the edges of the tank lid.
- The Aeration Basins did not have even air distribution.
- One Digester exhibited excessive foaming.
- The Chlorine Contact Chamber (CCC) effluent was not clear and free from scum, solids accumulation and/or debris.

- The land application system was not being maintained. One of the two percolation ponds had excessive vegetation and solids.
- The facility had an inflow and infiltration problem causing collection system issues and/or operational issues.
- A review of the Discharge Monitoring Reports revealed effluent exceedances, where some were chronic effluent exceedances.
- The effluent was not free from excessive suspended solids in the discharge stream.
- The Rapid Infiltration Basin System was not being loaded and rested per permit conditions.
- The facility was not able to provide an Operation and Maintenance Manual for their collection system.

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 **Jonathan Hammel**, at (239) 344-5626 or [Jonathan.Hammel@FloridaDEP.gov](mailto:Jonathan.Hammel@FloridaDEP.gov) within **15 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. Any document submittals can be made to our email mailbox at [SD-WWinspect@FloridaDEP.gov](mailto:SD-WWinspect@FloridaDEP.gov) or may be mailed to the above address. You may bring anyone with you to the meeting that you feel could help resolve this matter.

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,



Elizabeth Sweigert  
Director of District Management  
South District Office  
Florida Department of Environmental Protection

Enclosure: Inspection Report

ec: Keanu Wadhams (via email: [Keanu.Wadhams@clearwatersolutions.com](mailto:Keanu.Wadhams@clearwatersolutions.com))  
Jessica Thomas (via email: [jthomas@cswrgroup.com](mailto:jthomas@cswrgroup.com))  
Shari Lynn Clague (via email: [shari.clague@clearwatersolutions.com](mailto:shari.clague@clearwatersolutions.com))  
Allen Slater (via email: [Allen.Slater@FRWA.net](mailto:Allen.Slater@FRWA.net))



# FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION WASTEWATER COMPLIANCE INSPECTION REPORT

## Facility Details

<b>Facility Name</b>	Sebring Ridge Utilities WWTP			<b>WAFR ID</b>	FLA014349	
<b>Physical Address</b>	2186 Clam Dr			<b>City, State, Zip</b>	Sebring, FL 33870-1103	
<b>County</b>	Highlands			<b>Facility Phone #</b>	(863) 385-8542	
<b>Permit Issued:</b>	9/23/2020			<b>Permit Expiration:</b>	10/29/2025	
<b>Facility Type</b>	Domestic Wastewater			<b>Is the Facility NPDES (Y/N)</b>	No	
<b>Latitude</b>	<b>Degrees °</b>	27	<b>Minutes ‘</b>	32	<b>Seconds “</b>	24.58 N
<b>Longitude</b>	<b>Degrees °</b>	81	<b>Minutes ‘</b>	28	<b>Seconds “</b>	59.85 W

## Inspection Details

<b>Inspection Type</b>	<b>Entry Date</b>		<b>Exit Date</b>		
CEI	1/24/2025		1/24/2025		
	<b>Entry Time (HH:MM AM/PM)</b>		<b>Exit Time (HH:MM AM/PM)</b>		
SSOP	10:30 AM		11:45 AM		
<b>Samples Taken (Y/N)</b>	No	<b>RQ#</b>	N/A	<b>QA Conducted (Y/N)</b>	No
<b>Name(s) and Title of Field Representatives(s)</b>	<b>Operator Certification</b>		<b>Email</b>		<b>Phone Number</b>
Keanu William Wadhams	C - 0028644		Keanu.Wadhams@clearwatersolutions.com		(352) 640-4976
<b>Name(s) and address of Permittee / Designated Rep.</b>	<b>Title</b>		<b>Email</b>		<b>Phone Number</b>
Josiah Cox 1630 Des Peres Rd. Suite 140 Des Peres, MO 63131	President		jcox@cswrgroup.com		(863) 385-8542

## Inspector Information

<b>Name(s) and Signature(s) of Inspectors(s)</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Jonathan Hammel	SD/ (239) 344-5626	1/31/2025
<b>Name and Signature of Reviewer</b>	<b>District Office/Phone Number</b>	<b>Date</b>
Landon Reigelman	SD/ (239) 344-5633	2/19/2025

## Facility Compliance Eval Areas

<i>IC = In Compliance; MC = Minor Out of Compliance; NC = Out of Compliance; SC = Significant Out of Compliance;            NA = Not Applicable; NE = Not Evaluated</i> <i>Significant Non-Compliance Criteria Should be Reviewed when Out of Compliance Ratings Are Given in Areas Marked by a “*”</i>							
<b>Overall Compliance Determination</b>				Significant Out of Compliance			
NC	*Permit	IC	Laboratory	SC	Facility Site Review	SC	*Effluent Quality
SC	*Compliance Schedules	IC	Sampling	IC	Flow Measurement	NC	*Effluent Disposal
NC	*Records & Reports	IC	Biosolids	SC	*Operation & Maintenance	NA	*Groundwater
NC	SSO Survey	NE	Other	NA	Nutrient Management Plan	NA	Access Control
NA	Site Restrictions & Setbacks	NA	Odor/Nuisance	NA	Site Monitoring	NA	MLPW Disposal
NA	Manure Solids						

<b>Clear Report</b>	<b>Hide/Unhide Placeholders</b>	<b>Generate Blank Rows (for field paper setup)</b>	<b>Generate Deficiency &amp; Observation Rows</b>	<b>Finish Inspection Report Form</b>
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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 National Environmental Laboratory Accreditation Conference (NELAC).	LNCE
<input type="checkbox"/>	Sampling	Monitoring Violations - Analysis not Conducted	The facility failed to collect and/or analyze samples as required by permit or enforcement action.	ANCV
<input type="checkbox"/>	Sampling	Monitoring Violations - Failure to Monitor for Toxicity Requirements	The facility failed to collect and/or analyze routine or follow-up toxicity samples.	FTOX
<input type="checkbox"/>	Records and Reports	Management Practice Violations - Failure to Develop Adequate SPCC Plan	The facility failed to develop or maintain their Spill Prevention Control and Countermeasures (SPCC) plan.	FSPC
<input type="checkbox"/>	Records and Reports	Management Practice Violations - Failure to Maintain Records	The facility failed to maintain records for the required retention period.	FMRR
<input type="checkbox"/>	Records and Reports	Reporting Violations - Failure to Notify	The permittee failed to notify the department of any event or activity that requires notification as required by permit or rule.	RSWP
<input type="checkbox"/>	Records and Reports	Reporting Violations - Failure to Submit DMRs	The permittee failed to submit any DMR required by rule, permit, or enforcement action in a timely manner.	FDMR
<input checked="" 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.	IONM
<input checked="" 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(l)(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

# Permit

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Questions</b>				
*Is the permit current?	Yes			
Is a copy of the permit available onsite?	Yes			
Is the facility operated in accordance with the permit?	Yes			
*Was the facility constructed or modified with an appropriate or valid permit issued by the Department?	N/A			
Has the facility submitted the permit renewal application 180 days prior to the expiration date?	N/A			
If the permittee for the facility has changed did the department receive notification of this change?	Yes			
If the permit is accompanied by a Consent Order or Administrative Order, are they abiding by the conditions of the order?	No			
Is wastewater from a portion of the treatment process diverted with Department approval?	N/A			
*Is the facility discharging to waters of the state with an appropriate FDEP permit?	N/A			
*Was the facility free from unpermitted discharge, bypass, collection system, or residuals with a high potential for water quality or health impacts?	N/A			
Is the facility free from any Permit violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "X"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				
If the permit is accompanied by a Consent Order or Administrative Order. are they abiding by the conditions of the order? [403.088(2)(f) F.S., 62-4.120 (1) F.A.C.]	Deficiency: (Narrative) The permittee failed to abide by the conditions of the Administrative Order. Please see Table A of Appendix.			
	Corrective Action(s): (Narrative) Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.			
<b>Observations:</b>				
Department records indicate that the current operating permit will expire on October 29, 2025. F.A.C. Rule 62-620.335 (1) states that a permittee shall submit an application to renew the existing permit at least 180 days before the expiration date of the existing permit. Timely and sufficient submittal of the renewal application and permit processing is important (and in your best interest) as it automatically extends the expiration date on the existing permit until the Department takes final action on the renewal application. A tardy application could result in non-compliance. Your renewal application and permit processing fee must be submitted no later than May 2, 2025.				

# Compliance Schedule

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Questions</b>				

If the facility has a compliance schedule in a permit, Administrative Order or Enforcement Action, are they in compliance with the schedule?	<b>No</b>
*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date?	<b>No</b>
Has the facility completed construction and submitted a Notification of Completion of Construction for Wastewater Facilities or Activities (Form 62-620.910 (12)), if required?	<b>N/A</b>
Has the Notification of Availability of Record Drawings and Final Operation and Maintenance Manuals (Form 62-620.910 (13)) been submitted as required?	<b>N/A</b>
If the facility is under a Toxicity Corrective Action Plan, are they in compliance with the plan?	<b>N/A</b>
Is the facility free from any Compliance Schedule violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
If the facility has an Administrative Order or Compliance Order, are they meeting the compliance schedule for the permit? [62-620.620 (6)(a) F.A.C., 403.161(1)(b) F.S.]	Deficiency: (Narrative) The permittee failed to abide by the conditions of the permit’s Administrative Order and improvement schedule. Please see Table A of Appendix.
	Corrective Action(s): (Narrative) Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.
*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date? [40 CFR Part 123.45(a)(2)(ii)]	Deficiency: (Narrative) The permittee failed to abide by the conditions of the permit’s Administrative Order and improvement schedule. Please see Table A of Appendix.
	Corrective Action(s): (Narrative) Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.
<b>Observations:</b>	
Please see Table A in the Appendix for completed, in progress, or missing items.	

## Laboratory

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>
<b>Questions</b>				
Is there a current copy of the laboratory certification onsite?	<b>Yes</b>			
If the facility has an onsite laboratory does it have a Florida Department of Health Environmental Laboratory Certification Program certification?	<b>N/A</b>			
Facility DOH Certification #	<b>N/A</b> <b>N/A</b>			
Contract Lab Name and DOH Certification #	Advanced Environmental			

	Laboratories, INC. E82574 <b>Yes</b>
Does the onsite laboratory use sample analysis methods prescribed in 40 CFR part 136 or a test method that has gone through the EPA alternative method approval process?	<b>N/A</b>
Does the facility have standard operating procedures that follow the methods set in 62-620.10 (18) F.A.C. including 40 CFR Part 136; including required instrumentation, glassware cleaning, reagent/standard use, and troubleshooting procedures?	<b>N/A</b>
Does the facility have a QA/QC program with a written QA/QC manual as required by 40 CFR 122.41 that is up to date and available for review?	<b>N/A</b>
Does the facility follow the procedures set in the QA/QC manual; including instrument calibration/maintenance, checks on standard solutions, sample analysis precision/accuracy limits on a prescribed bases and QC samples (duplicate, spiked, blank in at least 10%)?	<b>N/A</b>
Is the detailed record complete and available for review for each set of analyses performed including the order of calibration, QA/QC, bracketing, and samples analyzed?	<b>N/A</b>
Does the facility have QA/QC records on the reagent preparation, instrument calibration/maintenance, incubator temperature and purchase of laboratory supplies?	<b>N/A</b>
Does the facility's laboratory documentation of the sample results use qualifier codes when sample QA/QC fall outside acceptable precision and accuracy limits set in the QA/QC manual?	<b>N/A</b>
Does the facility's laboratory take and record corrective actions or trouble shooting steps when data falls out of the precision and accuracy limits?	<b>N/A</b>
Are records of standard(s) and reagent(s) preparation maintained at the laboratory?	<b>N/A</b>
Is the laboratory maintaining adequate records for reagent preparation(s)?	<b>N/A</b>
Does the laboratory have a system for uniformly recording, correcting, processing and reporting data; including formulas, significant figures, rounding rules, units, cross-checking calculations?	<b>N/A</b>
Is the facility's laboratory adequate for analyzing samples; including pure water, clean bench space for instrument use/storage free of contamination, necessary equipment, vibration free area, ventilation, humidity and temperature control?	<b>N/A</b>
Does the Laboratory meet NELAC and EPA standards including; dry and clean sample storage locations, sample custodian(s) to ensure upon receipt of samples, proper sample storage, preservation and custody documentation?	<b>N/A</b>
Does the facility use appropriate standards that are prepared in volumetric glassware, checked against reliable primary standards, labeled properly, stored in clean containers, and discarded when expired or degraded?	<b>N/A</b>
Does the facility's laboratory analyst(s) demonstrate competency and appropriate training; including ability to follow procedures, ability to meet precision and accuracy limits, knowledge of equipment and analytical methods.	<b>N/A</b>
If the facility test requires temperature measurement, is there a thermometer present that is routinely calibrated against NIST thermometer within calibration date range?	<b>N/A</b>
Is the sample refrigerator temperature correct to meet the preservation requirements for the samples stored within?	<b>N/A</b>
Is the facility free from any Laboratory violation not listed above that needs to be addressed?	<b>Yes</b>
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Observations:</b>	
The Facility’s contracted laboratory DOH certification will expire June 30, 2025. Please make sure a copy of the new DOH certification is located at the facility.	

# Sampling

Compliance Rating	In Compliance			
Does this section apply to the facility?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Questions				
In facility logbooks or other documentation, are the daily records appropriately recorded, including composite sampler or other temperatures, and daily calibration of meters.			Yes	
Does the facility maintain records of their daily calibration of their pH meter, Chlorine meter, Dissolved Oxygen meter?			Yes	
Does the facility maintain records of their daily checks of their in-line meter(s) with their field meter(s)?			Yes	
Do field sheets document that the collection and analysis of field tests were analyzed within the 15-minute holding time.			N/A	
Are meters calibrated and sample analysis conducted at the facility done in accordance with DEP SOP and NELAC guidelines? (Calibration frequency and sample bracketing for pH, Total Residual Chlorine (TRC), Turbidity, DO)			N/A	
Are all the primary and secondary standards used to calibrate and verify meters, used prior to expiration dates and verified against primary standards appropriate for pH, TRC, Turbidity, DO?			Yes	
Are the inline meters reading within established limits compared to the bench meters? (TRC ≤ 20%, Turbidity ≤ 20%, pH 0.2 SU)			N/A	
Were safe access points for obtaining representative influent/effluent samples available?			Yes	
Are influent sampling points put prior to internal facility return lines including supernatant, filter backwash and return activated sludge (RAS)?			Yes	
Are samples being collected and analyzed as required by the permit or enforcement action; including location, type (grab/composite), time, and frequency?			N/A	
Are samples being collected in the proper containers, preserved and analyzed in appropriate hold times in accordance with 40 CFR Part 136, Table II?			N/A	
If the facility has a composite sampler with cooling system at the influent/effluent sampling location is there a thermometer present in the sampler that is annually checked against NIST thermometers?			N/A	
Is composite sampling being conducted appropriately; including purging, sampling velocity at least 2fps, clean tubing, individual sample volume of at least 100 mL, sample storage of <6°C preservation, hold times and representative samples?			N/A	
Did the facility have their Chain of Custody records?			Yes	
If sampling was conducted and observed during the inspection did the sampling follow DEP SOP requirements?			N/A	
Did the facility collect and/or analyze routine or follow-up toxicity samples as required by permit or enforcement action?			N/A	
Is the facility free from any Sampling violation not listed above that needs to be addressed?			Yes	
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>				
Observations:				
Please refer to Table B in the Appendix for lot numbers and expiration dates of buffers, standards, and reagents.				

# Records and Reports

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>
<b>Questions</b>				
Are the entries in the operator logbook clear, concise, informative and relevant?	<b>Yes</b>			
Was copy of the current O&M manual available at the time of the inspection?	<b>Yes</b>			
Is there a current operator license?	<b>Yes</b>			
Is there a current RPZ certification?	<b>N/A</b>			
Is there a copy of the current Operating Protocol for Part 3 Reuse?	<b>N/A</b>			
Does the facility have and maintain their Spill Prevention Control and Counter measurement (SPCC) Plan?	<b>N/A</b>			
Are all required documents and reports available at the plant well organized and complete?	<b>Yes</b>			
Does the facility maintain the records onsite for the required retention period?	<b>Yes</b>			
Discharge Monitoring Reports (DMRs) Review Period	December 2023 – December 2024 <b>Yes</b>			
Are the discharge monitoring reports completed properly?	<b>No</b>			
Are the DMRs submitted on the proper form?	<b>Yes</b>			
Is an authorized representative signing the DMRs?	<b>Yes</b>			
Has the permittee submitted an annual Reclaimed Water and/or Effluent Analysis Report?	<b>N/A</b>			
Does the facility submit their monitoring results for Giardia and Cryptosporidium in a timely manner?	<b>N/A</b>			
A review of the last toxicity test did not reveal any deficiencies?	<b>N/A</b>			
Has the facility submitted all report(s) during the review period that are required by rule, permit, enforcement action or inspection activity, other than DMRs?	<b>No</b>			
*Has the facility timely submitted DMRs as required by rule, permit, or enforcement action? (If either reports are >30 days late meets SNC criteria)	<b>N/A</b>			
Has the facility submitted all final compliance schedule reports as required by rule, permit, or enforcement action?	<b>Yes</b>			
Has the permittee notified the Department of any event or activity that requires notification as required by permit or rule?	<b>N/A</b>			
*Are records or reports free from falsified data?	<b>Yes</b>			
Is the facility free from any Records and Reports violation not listed above that needs to be addressed?	<b>Yes</b>			
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>				
<b>Deficiencies &amp; Corrective Actions:</b>				
Are the discharge monitoring reports completed properly? [403.161(1)(b) F.S., 62-600.680 F.A.C.]	Deficiency: (Narrative) The Discharge Monitoring Reports were not completed properly. Please see Table D of the appendix for DMR deficiencies. Corrective Action(s): (Narrative) Please correct and resubmit the incorrect Discharge Monitoring Reports and inform the department once the Discharge Monitoring Reports have been resubmitted.			
The facility failed to submit any report required by rule,	Deficiency: (Narrative) The permittee failed to submit Quarterly Status Reports (due by the 28th of January, April, July, and October) from the Administrative Order to show progress of the actions required to			

permit, enforcement action or inspection activity except for DMRs. [62-610.870 (3) F.A.C., 62-610.865 (11) F.A.C., 62-600.405 F.A.C., 403.161(1)(b) F.S., FRPT]	bring the facility into compliance. Corrective Action(s): (Narrative) The facility submitted the Q4 2024 Quarterly Report on January 30, 2025. Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.
<b>Observations:</b>	
Please Refer to Table C in the Appendix for current operator licenses.	
The facility submitted the 2024 Annual Capacity Analysis Report on September 30, 2024. Please note as stated in the permit under Specific Condition V.B.1, "The application to renew this permit shall include an updated capacity analysis report prepared in accordance with Rule 62-600.405, F.A.C. [62-600.405(5)]"	

## Facility Site Review

Compliance Rating	Significant Out of Compliance			
Does this section apply to the facility?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Questions				
The headworks was free from excessive corrosion.		Yes		
The headwork is free from evidence of recent overflows.		Yes		
Is the odor control system operational at the headworks?		N/A		
Is the comminutor operational at the headworks?		N/A		
Is the grit separator operational at the headworks?		N/A		
Is the bar screen cleaned on a routine basis?		Yes		
Is the mechanical bar screen functioning as intended?		N/A		
Are screenings and grit being collected from the headworks in suitable containers?		Yes		
Rags, grit and/or screening are being disposed of properly.		N/A		
Are screenings and grit from the headworks being disposed at a Class I Landfill?		N/A		
Are records of the disposal of the screenings and grit collected at the headworks available?		N/A		
The leachate from the screening dumpster(s) is piped to the headworks and not onto the ground.		N/A		
Is the clarifier free from solids discharging over the weir(s)?		No		
Is the clarifier free from excessive sand and/or grit accumulation?		N/A		
Is the clarifier free from excessive scum, algae and/or trash overflowing the weir?		Yes		
Does the skimmer appear to be functional in the clarifier?		No		
Is the sludge collector and pump functional in the clarifier?		Yes		
Are the clarifier weir(s) level?		Yes		
Is the clarifier free from short circuiting with loss over the weir?		Yes		
Are the aeration basins diffusers free from clogs and providing adequate mixing?		No		
Was the time clock or manual controls for the aeration system operational at the time of the inspection?		Yes		
Is the RAS line properly located?		Yes		
The RAS line was free from excessive splashing that could cause solids to be discharged outside the tank.		No		
The mixed liquor (MLSS) in the oxidation ditch was appropriately colored with no black coloring.		N/A		

Is even distribution of air observed in the aeration basin?	<b>No</b>
Are the air line(s) to the aeration basin(s) free from leaks?	<b>Yes</b>
The brushes and paddles in the oxidation ditch were all in good working order.	<b>N/A</b>
Is the velocity in the oxidation ditch sufficient to prevent settling of solids?	<b>N/A</b>
Are dual blower motors present as required by rule?	<b>Yes</b>
Are the blower motors equipped with belt guards?	<b>Yes</b>
The blower motors are free from excessive noise.	<b>Yes</b>
Are all the blower motors present and operational at the time of the inspection?	<b>Yes</b>
Are spare parts and a second standby blower motors stored onsite?	<b>Yes</b>
Is the electrical box wiring for the blower motors adequately protected?	<b>Yes</b>
Were the tank contents in the aerobic digester(s) well mixed?	<b>N/A</b>
Are the digester(s) free from excessive odors and/or foaming?	<b>No</b>
Is the digester at the appropriate operational capacity?	<b>Yes</b>
Are there two functioning pumps in the surge tank(s)?	<b>Yes</b>
What was the biomass color of the trickling filter at the time of the inspection?	<b>N/A</b> <b>N/A</b>
Is trickling filter media free from excessive ponding?	<b>N/A</b>
Are center columns and distribution arms of the trickling filter free from leaks?	<b>N/A</b>
Are the distribution arm orifices free from clogs, trash and/or scum resulting in uneven distribution of flow on the trickling filter media?	<b>N/A</b>
Is the RBC free from black biomass indicating solids and/or BOD loading?	<b>N/A</b>
Is the RBC free from white biomass indicating the presence of bacteria, which feed on sulfur compounds?	<b>N/A</b>
Is the RBC free from excessive grinding/whining noise(s) from the motor, drive shaft, and bearings?	<b>N/A</b>
Are all RBC rotating disks and/or paddles present and in good working?	<b>N/A</b>
Is the RBC unit drive shaft free from excessive vibration?	<b>N/A</b>
Are all the aerators in the lagoon operational at the time of the inspection?	<b>N/A</b>
Is the base of the lagoon free from lateral seepage at the time of the inspection?	<b>N/A</b>
Does the treatment lagoon have adequate freeboard space?	<b>N/A</b>
Is the treatment lagoon properly secured to prevent unauthorized access?	<b>N/A</b>
Is the treatment lagoon free from excessive foaming?	<b>N/A</b>
Are the treatment lagoon berms properly stabilized?	<b>N/A</b>
Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris?	<b>No</b>
Are the baffles in the CCC functioning as intended?	<b>Yes</b>
Does the chlorine injection point provide optimal mixing to occur in the CCC?	<b>Yes</b>
Is the CCC chlorine pump operational, providing adequate chlorine supply for disinfection and at the permitted location?	<b>Yes</b>
Is the chlorine storage area protected from the elements?	<b>Yes</b>
Is the alarm indicator for the chlorine system operational?	<b>N/A</b>
Is the chlorine supply covered in frost indicating an issue with the system?	<b>N/A</b>
Is the fan inside the chlorine room operational?	<b>N/A</b>
Are the chlorine scales operational?	<b>N/A</b>
Is an operational Self-Contained Breathing Apparatus (SCBA) available for the chlorine room?	<b>N/A</b>
Are the chlorine gas cylinders properly secured?	<b>Yes</b>
Is a fresh supply of ammonia available to test for leaks in the gas chlorination system?	<b>N/A</b>
Do the UV ballast control boxes have adequate ventilation?	<b>N/A</b>

Does the plant staff have access to UV protective eyeglasses?	N/A
Is the facility maintaining adequate records of UV lamp operating hours?	N/A
Are the UV lamps and ballast being cleaned in accordance with the manufacturer's recommendation?	N/A
Does the facility have an adequate inventory of spare parts for the UV system?	N/A
Is the facility conducting routine performance checks on the UV system?	N/A
Is the UV intensity monitoring equipment operational?	N/A
Is the stilling well free from a thick layer of sludge and/or trash?	Yes
Is the chlorine contact chamber providing a minimum contact time of 15 minutes?	Yes
Chlorine and SO2 cylinders marked with empty/full tags?	N/A
Is the automatic SO2 feed operational within de-chlorination process?	N/A
Is the SO2 system free from frost within de-chlorination process?	N/A
Are the bisulfite (SO2) gas cylinders properly secured for de-chlorination?	N/A
Was there adequate ventilation in the SO2 room?	N/A
Is the filter media free from solids that could cause plugging and/or overflow?	N/A
Is the land application system being maintained?	No
If an injection well was plugged or abandoned, was it completed appropriately with DEP approval?	N/A
If a well was constructed, was it permitted prior to beginning construction and constructed as required by permit?	N/A
Is the injection well Operation and Maintenance done satisfactorily?	N/A
Is there adequate access to all monitoring locations?	Yes
Is the exterior of the tanks, wall, and/or pipes of the facility free from leaks?	Yes
Are the facility grounds clean and well maintained?	Yes
Is the required signage adequate?	Yes
The facility was free from odors emanating from the facility.	Yes
The facility was free from excessive noise which could be heard beyond the boundaries of the facility.	Yes
Is the facility providing safety measures at all times including adequate lighting?	N/A
The facility is disposing of sludge appropriately, with no sludge being disposed of on the facility grounds.	N/A
Was an alternative power source available at the facility?	N/A
Is the onsite generator tested under load on a monthly basis?	N/A
Are records available for the testing of the generator?	N/A
Is the area around the lift station(s) maintained?	Yes
Are there warning signs with emergency contact information on and/or around the lift station(s)?	Yes
Does the facility have a fence around their lift station(s)?	Yes
Is the gate around the lift station and the cover to the lift station locked?	Yes
Is the cover to the lift station(s) free from safety hazards?	Yes
Are there two functioning pumps that alternate?	Yes
Is the electrical panel in good working order and free from needed repair and/or replacement?	Yes
Was the collection system or lift station free from offsite objectionable odors?	Yes
The lift station visual and audio alarm operating satisfactory?	Yes
Are the potable water supply lines and the facility free from cross connections?	N/A
Is an RPZ in place and free of leaks on all potable water supply lines?	N/A
Is there a record of testing available on the RPZ?	N/A

Is the facility free from any Facility Site Review violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• <i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li>• <i>Questions with “No” responses indicate deficiencies</i></li> <li>• <i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
Is the clarifier free from solids discharging over the weir(s)? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, the Clarifiers were not free from solids discharging over the weirs. Please see photos 15-18 in the photo log.</p> <p>Corrective Action(s): (Narrative) Please ensure that the clarifiers are free from solids discharging over the weirs and provide documentation to the department showing this upon completion.</p>
Does the skimmer appear to be functional in the clarifier? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, both clarifier skimmers were not functional because they were sitting too high above water level.</p> <p>Corrective Action(s): (Narrative) Please return clarifier skimmers to function as they were intended and provide documentation to the department upon completion.</p>
Are the aeration basins diffusers free from clogs and providing adequate mixing? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, the aeration basins were not providing adequate mixing.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that the aeration basins provide adequate mixing.</p>
The RAS line was free from excessive splashing that could cause solids to be discharged outside the tank. [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, the Splitter Tank connected to the RAS line was excessively splashing with some solids leaking out the edges of the tank lid. Please see photos 19-21 in the photo log.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that solids are no longer being discharged outside the tank.</p>
Is even distribution of air observed in the aeration basin? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, the aeration basins did not have an even distribution of air.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that the aeration basins have an even distribution of air.</p>
Are the digester(s) free from excessive odors and/or foaming? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, one digester exhibited excessive foaming.</p> <p>Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that the digesters are free from excessive odors and/or foaming.</p>
Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, the Chlorine Contact Chamber (CCC) effluent was not clear and free from scum, solids accumulation and/or debris. Please see photos 25-29 in the photo log.</p> <p>Corrective Action(s): (Narrative) Please submit documentation to the department demonstrating that the Chlorine Contact Chamber (CCC) effluent is clear and free from scum, solids accumulation and debris.</p>

The land application system was not being maintained. [62-600.410 F.A.C., 62-620.300 (5) F.A.C., LASN]	Deficiency: (Narrative) At the time of inspection, the land application system was not being maintained. One of the two percolation ponds had excessive vegetation and solids. Please see photos 32-35 in the photo log.
	Corrective Action(s): (Narrative) Please submit documentation to the department demonstrating that the land application system is being maintained.
<b>Observations:</b>	
The facility does not have an RPZ.	
There were 2 lift stations inspected at this facility and their lift station(s) warning system were both functional with Audio and Visual alarms.	

## Flow Measurement

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Questions</b>				
Is there easy access to flow meter?	Yes			
Is the flow meter in the correct location?	Yes			
Is the flow measuring device installed properly?	Yes			
Is the flow meter calibrated at least annually and is it current?	Yes			
When was the flow meter last calibrated?	11/18/2024 Yes			
Is the flow measurement device operating within +/- 10% of the actual flow?	Yes			
Is the flow meter operating properly at the time of the inspection?	Yes			
The chart recorder and/or totalizer for the flow meter was operational at the time of the inspection.	N/A			
The elapsed time meters on the lift station pumps were functioning.	N/A			
The flow entering the convergence section of the Parshall Flume was free of excessive turbulence.	Yes			
Is the facility free from any Flow Measurement violation not listed above that needs to be addressed?	Yes			
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>				
<b>Observations:</b>				
No further observations.				

## Operations and Maintenance

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
<b>Questions</b>				
Does the facility have adequate plant staffing?	Yes			

Is a certified operator operating the wastewater treatment facility with the appropriate license level for the size of the plant?	Yes
Is the operator performing treatment plant operation and maintenance duties in a responsible and professional manner?	Yes
Is the plant O&M log maintained in a hard-bound book with consecutive page numbering, or another approved format?	Yes
Does the facility have an O&M manual, and does the facility's O&M manual reflect the current configuration of the facility?	Yes
*Is the facility operated in accordance with the O&M Manual? (If there is a high potential for water quality or health impacts meets SNC criteria)	Yes
Is the facility maintaining a log that documents routine equipment maintenance?	Yes
Is the plant free of any treatment components that are in disrepair that would provide for unsafe operation?	Yes
Is the facility without an inflow and infiltration problem which would cause collection system and/or operational issues?	No
*Does the facility replace malfunctioning equipment, which can result in a high potential for water supply quality or health impacts?	Yes
Dike berms appeared to be in satisfactory condition.	N/A
Handrails/catwalks/ladders were in good working order providing for safe conditions.	Yes
The liner(s) in the containment pond(s) appeared to be functioning as intended.	N/A
The plant operator is fulfilling the minimum site requirements as required by the Permit.	Yes
Preventative maintenance is being performed in the accordance with the manufacturer's recommendations.	Yes
The facility maintains an adequate spare parts inventory.	Yes
Swales were being maintained.	N/A
Is the facility free from any Operations and Maintenance violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a "*"</li> <li>• Questions with "No" responses indicate deficiencies</li> <li>• Questions with "N/A" responses do not apply to the facility</li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
The facility had an inflow and infiltration problem causing collection system issues and/or operational issues. [62-600.410 (3) F.A.C., 62-604.500 (3) F.A.C., ININ]	Deficiency: (Narrative) There are multiple exceedances for the facility's flow limit and in the DMR comments, the operator attributed this to the facility's inflow and infiltration problem.
	Corrective Action(s): (Narrative) Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted flow limitation and resolve the Inflow and Infiltration problem. Also please include a timeline for when compliance is expected to be achieved.
<b>Observations:</b>	
No further observations.	

## Effluent Quality

<b>Compliance Rating</b>	Significant Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

<b>Questions</b>	
DMR review period:	December 2023 – December 2024 <b>Yes</b>
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	Please see Table G of the Appendix. <b>No</b>
A review of the inspection sampling results revealed the following effluent exceedance(s).	N/A <b>N/A</b>
*Did the effluent limits exceed the Technical Review Criteria less than two times in six months?	<b>N/A</b>
*Are the effluent limits without exceedances four out of six months (chronic criteria)?	<b>No</b>
*Did the total residual chlorine levels meet disinfection limits? (If below required minimum 10% or more of the time in a rolling 6-month period, meets SNC criteria)	<b>Yes</b>
Was the facility free of a discharge of wastewater that resulted in a fish kill?	<b>Yes</b>
*Is persistent acute toxicity documented through follow-up tests?	<b>N/A</b>
*Is persistent chronic toxicity documented through follow-up tests?	<b>N/A</b>
*Is persistent acute or chronic toxicity documented in the effluent through the use of routine and follow-up tests?	<b>N/A</b>
Does the facility meet the permit or enforcement narrative effluent limitation(s)? (Non-DMR visible sheen defined as iridescence present so as to cause taste or odor, or otherwise interfere with the beneficial use of the receiving water)	<b>Yes</b>
Is the effluent free from excessive (suspended solids, foam, grease, scum) in the discharge stream?	<b>No</b>
*Was the facility free from any other violation with a high potential for water quality or health impacts?	<b>Yes</b>
Is the facility free from any Effluent Quality violation not listed above that needs to be addressed?	<b>Yes</b>
<b>Department Sampling Results Comments:</b> Sampling was not conducted by Department personnel.	
<ul style="list-style-type: none"> <li><i>Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</i></li> <li><i>Questions with “No” responses indicate deficiencies</i></li> <li><i>Questions with “N/A” responses do not apply to the facility</i></li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	Deficiency: (Narrative) A review of the Discharge Monitoring Reports revealed effluent exceedances. Please see Table G of Appendix for details of the exceedances. [Rules 62-600 and 62-610, F.A.C.]
	Corrective Action(s): (Narrative) Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted effluent limitations and a timeline for when compliance is expected to be achieved.
*Are the effluent limits without exceedances four out of six months (chronic criteria)? [40 CFR Part 123.45]	Deficiency: (Narrative) Please see Table G of Appendix for details of the exceedances. [Rules 62-600 and 62-610, F.A.C.]
	Corrective Action(s): (Narrative) Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted effluent limitations and a timeline for when compliance is expected to be achieved.
	Deficiency: (Narrative)

Is the effluent free from excessive (suspended solids, foam, grease, scum) in the discharge stream? [62-620.300 (4) F.A.C.]	Please see Table E of Appendix for details of the exceedances. A review of the data indicates the Facility has exceedances for Total Suspended Solids.
	Corrective Action(s): (Narrative) Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted effluent limitations and a timeline for when compliance is expected to be achieved.
<b>Observations:</b>	
At the time of the inspection, the Total Residual Chlorine reading gave a >2.2 mg/L as measured with DEP Meter 5.	

## Effluent Disposal

Compliance Rating	Out of Compliance			
Does this section apply to the facility?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
Questions				
Are discharge location(s) as per permit?				Yes
What type of reuse is the facility approved for?				Part IV Rapid Infiltration Basins Yes
Has a cross-connection control program been implemented within the areas where reclaimed water is provided for use (Part III, VII)?				N/A
Is all reclaimed water piping and equipment color-coded Pantone purple (522C)?				N/A
Hose bibbs met access restrictions and other requirements.				N/A
Reclaimed water valves and outlets were appropriately tagged and /or labeled.				N/A
Are advisory signs posted in English and Spanish in areas where non-potable Public Access Reuse water is being applied (Part III, VII)?				N/A
Is the reclaimed water retained on the application site?				N/A
No significant ponding was observed on the reclaimed water application site.				N/A
There was no aerosol mist leaving the boundaries of the land application?				N/A
There was no evidence of solids loss in the treatment process or from the plant?				N/A
The RIBs and/or percolation ponds were free from excessive vegetation and sludge?				No
The percolation ponds were free from accumulated sludge.				N/A
Does the percolation ponds have at least 3 ft of freeboard?				Yes
The absorption field was free from excessive vegetation.				N/A
Do the reclaimed water storage ponds have adequate freeboard?				N/A
Are RIBs well maintained and free from excessive vegetation?				N/A
There was no evidence of a bypass or failure at the effluent storage and/or disposal site(s)?				N/A
Are all effluent disposal areas such as RIBs, ponds, and sprayfields being loaded and rested per permit conditions?				No
The disposal pond berms were free from excessive growth or vegetation.				N/A
There was no evidence of a bypass or failure from the storage ponds observed during the inspection.				N/A
No unauthorized discharge to waters of the state was observed during the inspection.				Yes
Are the sprinklers functioning as intended for the absorption field(s) or sprayfield(s)?				N/A
The facility is meeting the minimum setback distances.				N/A
Does the facility maintain a supply of spare parts for the absorption field(s) or sprayfield(s)?				N/A
The effluent disposal and/or storage area was free from sinkholes.				Yes
Are the sprayfields free from grazing dairy cattle?				N/A

The sprayfield was free from ponding.	N/A
The sprayfield was free from excessive vegetation.	N/A
Edible food crops were being properly irrigated with reclaimed water.	N/A
What cover crop and/or vegetation is planted on the reclaimed water area(s)?	N/A N/A
*The disposal system was being operated as designed with a low potential for water quality or health impacts.	N/A
*There was no unauthorized operation or modification of the disposal system.	Yes
Fencing around the effluent disposal site for access control was complete and in good repair.	Yes
There were no dead animals observed in the discharge stream.	Yes
Is the facility free from any Effluent Disposal violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
The RIBs and/or percolation ponds were free from excessive vegetation and sludge? [62-610.523 (6) F.A.C.]	Deficiency: (Narrative) At the time of inspection, one of the percolation ponds was not free from excessive vegetation and sludge. Please see photos 32-35 in the photo log.
	Corrective Action(s): (Narrative) Please submit documentation to the department showing the percolation pond free from excessive vegetation and solids.
Are all effluent disposal areas such as RIBs, ponds, and sprayfields being loaded and rested per permit conditions? [62-610.523 (4) F.A.C.]	Deficiency: (Narrative) At the time of inspection, department personnel observed signs indicating that the percolation ponds were not being loaded and rested per permit conditions. After further discussion with the operator, it was confirmed that percolation ponds were not being loaded and rested per permit conditions.
	Corrective Action(s): (Narrative) According to the facility’s permit conditions, each cell normally shall be loaded for 7 days and shall be rested for 7 days. Infiltration basins shall be allowed to dry during the resting portion of the cycle. Please provide documentation that ensures that the percolation ponds are loaded and rested according to permit conditions going forward.
<b>Observations:</b>	
At the time of the inspection, adequate signage was noted at the facility entrance.	

## Biosolids

<b>Compliance Rating</b>	In Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Questions</b>				
Does the facility's method of biosolids use or disposal match what is allowed in the facility permit (i.e., landfill, land application, distribution and marketing, transfer to another facility, biofuel/bioenergy)?	Yes			
Does the permittee keep records of biosolids quantities for five years, as applicable (quantities generated, received from source facilities, treated, distributed and marketed, land applied, used as a biofuel or for bioenergy, transferred to another facility, or landfilled)?	Yes			
Are biosolids quantities reported on the facility RMP-Q DMR?	Yes			

Are the biosolids quantities reported on the RMP - Q DMRs correct and accurate?	<b>Yes</b>
The facility's treatment, management, transportation, use, land application, or disposal of biosolids does not result in objectionable odors, i.e., does not result in a violation of the odor prohibition in subsection 62-296.320 (2).	<b>Yes</b>
If there is an objectionable odor, please describe the odors characteristics, frequency, duration, and migration, etc.	N/A <b>N/A</b>
Is the storage of biosolids or other solids at this facility in accordance with the Facility Biosolids Storage Plan?	<b>Yes</b>
Does the treatment facility ensure no biosolids are spilled from or tracked off the treatment facility property by the hauling vehicle?	<b>Yes</b>
The biosolids for this facility are classified as _____: (AA, A, and/or B)	N/A <b>N/A</b>
Does the class of biosolids produced for beneficial use match the authorized class in the facility permit (Class AA, A, or B)?	<b>N/A</b>
Does the facility use the biosolids pathogen reduction alternative option identified in the permit?	<b>N/A</b>
Are all the operational and process parameters monitored to demonstrate compliance for pathogen reduction?	<b>N/A</b>
Do the biosolids meet the treatment requirements for pathogen reduction option used?	<b>N/A</b>
Does the facility use the biosolids vector attraction reduction option identified in the permit?	<b>N/A</b>
Are all the operational and process parameters monitored to demonstrate compliance for vector attraction reduction?	<b>N/A</b>
Do the biosolids satisfactorily meet the treatment requirements for vector attraction reduction?	<b>N/A</b>
If the Specific Oxygen Uptake Rate (SOUR) test is used for vector attraction reduction, is it conducted within 15 minutes of sample collection by a certified laboratory or under the direction of an operator certified in accordance with Chapter 62-602, F.A.C?	<b>N/A</b>
Does treatment of biosolids or septage for the purpose of meeting pathogen reduction or vector attraction reduction requirements take place at the permitted facility (e.g., not in the tank of a hauling vehicle)?	<b>N/A</b>
Are the biosolids monitored at the frequency required by the permit?	<b>N/A</b>
Are the biosolids monitoring results reported on the facility DMR (RMP-AA, RMP-A, or RMP-B)?	<b>N/A</b>
Are the biosolids monitored for all the required parameters for the class of biosolids?	<b>N/A</b>
Do the Class AA, A, or B biosolids comply with the ceiling pollutant limits?	<b>N/A</b>
Are the correct analysis methods used for biosolids?	<b>N/A</b>
Is a certified laboratory used for the analysis of the biosolids?	<b>N/A</b>
Are all biosolids samples representative and taken after final treatment of the biosolids but before land application or distribution and marketing, unless otherwise approved?	<b>N/A</b>
Are all biosolids samples taken at the location specified in the facility permit?	<b>N/A</b>
Are the correct sample types properly taken for the type of biosolids (POTW Sludge Sampling Manual)?	<b>N/A</b>
Are the Class AA biosolids monitored monthly?	<b>N/A</b>
Do the Class AA biosolids meet the Class AA parameter limits?	<b>N/A</b>
Are Class AA biosolids that are stored for more than 45 days re-sampled for fecal coliform or Salmonella sp. at the frequency specified in the permit, if required?	<b>N/A</b>
For distribution and marketing, does the facility have a fertilizer license, sell or given-away to someone with a fertilizer license, or is enrolled in the US Composting Council's Seal to Testing Assurance program (USCC STA program does not apply in the Lake Okeechobee, St. Lucie River, and Caloosahatchee River watersheds)?	<b>N/A</b>

If the facility discovered that distributed and marketed biosolids did not meet Class AA standards, did the facility notify, within 24 hours, the Department and all persons to whom they delivered or distributed and marketed the Class AA biosolids?	N/A
Does the facility make available to users by product labels or other means the following information - fertilizer label or equivalent information; name and address of the facility; statement that the biosolids meet subsection 62-640.700(5), F.A.C.; recommend application rates; and, recommendations for storage (including the more than one dry ton/seven-day provision)?	N/A
Are all the sites where biosolids are land applied listed on the Treatment Facility Biosolids Plan form (DEP Form 62-640.219(2)(a))?	N/A
If a permitted site not listed in the Treatment Facility Biosolids Plan was used, did the permittee notify DEP at least 24 hours prior to land application at the site and submit a revised form within 30 days after using the site?	N/A
Did the facility only use permitted sites - i.e., no unpermitted sites were used for land application (i.e., the site did not have a valid DEP permit)?	N/A
Does the permittee maintain hauling records for shipments to land application sites and do they contain the required information?	N/A
Does the permittee provide a copy of the hauling records to the biosolids site manager, were records free of any discrepancies regarding the quantities delivered, and any discrepancies were reported to DEP within 24 hours of discovery?	N/A
Did all biosolids sent to sites meet pathogen reduction, vector attraction reduction, and pollutant limits?	N/A
If biosolids not meeting standards were sent to a site, did the permittee notify DEP, the site manager, the site permittee within 24 hours of discovery?	N/A
Does the permittee maintain copies for each site used of the Biosolids Application Site Annual Summary forms received from the site permittees indefinitely?	N/A
Has the permittee submitted Treatment Facility Biosolids Annual Summary reports to DEP by February 19 each year?	N/A
Was the information in the Treatment Facility Biosolids Annual Summary accurate?	N/A
Is any incineration or use of biosolids as a biofuel or for bioenergy in accordance with DEP's air regulations and RCRA?	N/A
Does the permittee keep the required hauling records to track transport of biosolids between facilities?	N/A
If the facility receives biosolids from a source facility, did the permittee report any discrepancies in the quantities of biosolids to DEP within 24 hours of discovery?	N/A
If the facility is a source facility and sends biosolids to another facility, does the permittee provide a copy of their hauling records for each shipment to the receiving facility?	Yes
If the facility receives biosolids from a source facility, does the receiving facility permit allow receipt of biosolids from other facilities?	N/A
Does the facility have copies of the required written agreement(s) between the receiving and source facility?	Yes
Did the permittee (source or receiving facility) submit all new written agreements to DEP within 30 days before transporting biosolids (unless approval given otherwise)?	Yes
Is operator staffing requirements met?	N/A
Are the biosolids receiving and handling operations satisfactory?	N/A
Are grit and screenings, etc., from the headworks properly disposed of in a landfill?	Yes
Is the facility free from any Biosolids violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> </ul>	

- Questions with "N/A" responses do not apply to the facility

**Observations:**

Biosolids generated by this facility may be transferred to City of Avon Park WWTP FLA014313 or disposed of in a Class I solid waste landfill. Transferring biosolids to an alternative biosolids treatment facility does not require a permit modification. However, use of an alternative biosolids treatment facility requires submittal of a copy of the agreement pursuant to Rule 62-640.880(1)(c), F.A.C., along with a written notification to the Department at least 30 days before transport of the biosolids. [62-620.320(6), 62-640.880(1)]

The facility provided notification to the Department, on May 3, 2021, for notification to use AMS, Inc. Central BTF (FLA467049) in Polk County as an alternative biosolids treatment facility.

The facility last hauled 11,000 gallons of biosolids to the City of Avon Park WWTP on 01/02/2025 with Sapp Environmental Services.

## Groundwater

<b>Compliance Rating</b>	Not Applicable			
<b>Does this section apply to the facility?</b>	<input type="checkbox"/>	<b>Yes</b>	<input checked="" type="checkbox"/>	<b>No</b>
<b>Questions</b>				
DMRs review period	N/A N/A			
Are the groundwater monitoring results sent to the Department on Discharge Monitoring Report, Form 62-620.910 (10), F.A.C. and submitted by the DMR due date?	N/A			
After a review of the Discharge Monitoring Reports, are the compliance well parameters meeting the groundwater standards in the time period reviewed (12 months or greater)?	N/A			
A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).	N/A N/A			
Do the facilities purging logs on DEP Form FD 9000-24 indicate that purging was done properly; including sufficient volume, purge rate, depth to water, and stability criteria (pH, Temperature, Conductivity, Dissolved Oxygen, Turbidity)?	N/A			
Is the groundwater monitoring report complete and accurate, including analysis method, laboratory method detection limits, static water level, purging logs, sample collection procedures and treatment?	N/A			
Do the groundwater monitoring wells meet DEP requirements including; tamper-proof locks, unique well label(s), concrete well pad with protective bumpers not containing numerous cracks, and is free of clutter for sampling purposes?	N/A			
If or when new well construction was completed did the facility plug and properly abandoned the existing well and submit Monitoring well completion Report, Form 62-520.900 (3) to DEP within 60 days?	N/A			
If a monitoring well became damaged or inoperable, was maintenance conducted and notification sent to DEP within 2 days of discovery?	N/A			
Is the well(s) that the facility is sampling at part of the approved groundwater monitoring plan?	N/A			
Are the monitoring wells operable to the extent that sampling is possible?	N/A			
Are groundwater samples being collected and analyzed as required by the permit or enforcement action; including location, well type, sample type (grab/composite), time, and frequency?	N/A			
If sampling was observed were the sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A			

If sampling was observed was equipment in satisfactory condition?	N/A
If sampling was not observed is the description of sample collection activities being performed in accordance with DEP SOP FS 2200?	N/A
Is the facility free from any Groundwater violation not listed above that needs to be addressed?	N/A
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>	
<b>Observations:</b>	
Not applicable; the facility’s permit does not contain groundwater monitoring provisions at this time.	

## SSO Survey

<b>Compliance Rating</b>	Out of Compliance			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Questions</b>				
Does the facility have an Operation and Maintenance Manual for their collection system?	No			
How often is the Operation and Maintenance Manual updated?	Will be submitted with the permit renewal application in May. N/A			
Does the O&M manual reflect the current collection system configuration?	N/A			
Are procedures available for minimizing spills in either the Operation and Maintenance Manual or in a separate document?	Yes			
Does the facility have a Sewer Overflow Response Plan/procedures for minimizing spills?	Yes			
Did the facility collect and/or analyze bacteriological samples as outlined in their SORP?	N/A			
Does the facility have a map of its collection system?	Yes			
Are the SORP and collection system maps immediately available to SSO response staff, including during power failures?	Yes			
Did the facility collect and/or analyze bacteriological samples for sewage spills that reached surface waters?	N/A			
Does the facility perform routine preventative maintenance to keep the collection/transmission system in good working order?	Yes			
Does the facility maintain a ready-to-use supply of equipment, tools and materials for responding to SSOs?	Yes			
How many lift stations have permanent emergency back-up power generators?	N/A N/A			
In the last 12 months, was the facility free from sewage spills or abnormal event from any part of a collection/transmission system or treatment plant that discharged to the ground or did not make it to surface waters, i.e., stormwater collection system, drainage ditch, stream, pond, or lake?	Yes			
Does the facility report the spill(s) to the Department within 24 hours of discovery?	Yes			
Does the facility follow up on spills?	N/A			
Does the facility keep routine documentation and reporting records of spills, and/or operation and maintenance activities on the collection/transmission system(s)?	Yes			

In the last 12 months, was the facility free from sewage spills or abnormal events from any components of a collection/transmission system or from a treatment plant that reached surface waters including stormwater conveyance system or drainage ditch?	Yes
Is the facility free from any SSO violation not listed above that needs to be addressed?	Yes
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>	
<b>Deficiencies &amp; Corrective Actions:</b>	
Does the facility have an Operation and Maintenance Manual for their collection system? [62-604.500(4) F.A.C.]	<p>Deficiency: (Narrative) At the time of inspection, the facility was not able to provide an Operation and Maintenance Manual for their collection system. Facility representatives explained that it will be submitted with the permit renewal application in May 2025.</p> <p>Corrective Action(s): (Narrative) Please submit a copy of the Operation and Maintenance Manual for the collection system to the department.</p>
<b>Observations:</b>	
<p>The Facility reported a spill of 50 gallons of raw wastewater that occurred on March 7, 2024. Please refer to Table F of the Appendix for additional details. The department has developed new guidance on how Sanitary Sewer Overflows (SSO) are addressed statewide, which was implemented July 1, 2019. According to the guidance, each SSO incident is evaluated and rated, and the appropriate document is filed/issued. Either a memo to file, a Compliance Assistance Offer, or Warning Letter is sent for each incident. The Department issued a Memo to File for the aforementioned spill on April 8, 2024.</p> <p>April 2024 Memo to File: <a href="https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&amp;[guid=38.1281191.1]&amp;[profile=Discovery Compliance]">https://depdms.dep.state.fl.us:443/Oculus/servlet/shell?command=getEntity&amp;[guid=38.1281191.1]&amp;[profile=Discovery Compliance]</a></p> <p>No further action is required at this time, but the Department may require formal enforcement on the SSOs at another time, pursuant to your permit conditions, Chapter 62-620, Fla. Admin. Code, and Chapter 403, Fla. Stat.</p>	

## Other

<b>Compliance Rating</b>	Not Evaluated			
<b>Does this section apply to the facility?</b>	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
<b>Questions</b>				
*Is the facility free from any violation not listed above, or pattern of noncompliance, resulting in a high potential for water quality or health impacts (Any violations considered significant by the Secretary, Deputy Secretary, Director of District Management, or the Division Director meet SNC criteria)	N/A			
Please describe any potential non-wastewater violations (i.e. Hazardous Waste, Stormwater, SLERP, Air and Storage Tanks) that were referred.	N/A N/A			
<ul style="list-style-type: none"> <li>• Significant Non-Compliance Criteria per Program Guidance Memo OWM-00-01 Should be Reviewed when Checklist Items Deficiencies are Noted and Marked by a “*”</li> <li>• Questions with “No” responses indicate deficiencies</li> <li>• Questions with “N/A” responses do not apply to the facility</li> </ul>				
<b>Observations:</b>				
Not evaluated.				

# Deficiencies Summary

Evaluation Area: Permit	
<p>If the permit is accompanied by a Consent Order or Administrative Order, are they abiding by the conditions of the order? [403.088(2)(f) F.S., 62-4.120(1) F.A.C.]</p>	<p>Deficiency: (Narrative) The permittee failed to abide by the conditions of the Administrative Order. Please see Table A of Appendix.</p>
	<p>Corrective Action(s): (Narrative) Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.</p>

Evaluation Area: Compliance Schedule	
<p>If the facility has an Administrative Order or Compliance Order, are they meeting the compliance schedule for the permit? [62-620.620 (6)(a) F.A.C., 403.161(1)(b) F.S.]</p>	<p>Deficiency: (Narrative) The permittee failed to abide by the conditions of the permit's Administrative Order and improvement schedule. Please see Table A of Appendix.</p>
	<p>Corrective Action(s): (Narrative) Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.</p>
<p>*Are the Compliance Date(s), Construction Milestone(s), Enforcement Order Schedule(s) or Final Compliance Date started/completed within 90 days of the due date? [40 CFR Part 123.45(a)(2)(ii)]</p>	<p>Deficiency: (Narrative) The permittee failed to abide by the conditions of the permit's Administrative Order and improvement schedule. Please see Table A of Appendix.</p>
	<p>Corrective Action(s): (Narrative) Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.</p>

Evaluation Area: Records and Reports	
<p>Are the discharge monitoring reports completed properly? [403.161(1)(b) F.S., 62-600.680 F.A.C.]</p>	<p>Deficiency: (Narrative) The Discharge Monitoring Reports were not completed properly. Please see Table D of the appendix for DMR deficiencies.</p>
	<p>Corrective Action(s): (Narrative) Please correct and resubmit the incorrect Discharge Monitoring Reports and inform the department once the Discharge Monitoring Reports have been resubmitted.</p>
<p>The facility failed to submit any report required by rule, permit, enforcement action or inspection activity except for DMRs. [62-610.870 (3) F.A.C., 62-610.865 (11) F.A.C.,</p>	<p>Deficiency: (Narrative) The permittee failed to submit Quarterly Status Reports (due by the 28th of January, April, July, and October) from the Administrative Order to show progress of the actions required to bring the facility into compliance.</p>
	<p>Corrective Action(s): (Narrative) The facility submitted the Q4 2024 Quarterly Report on January 30, 2025. Please schedule a meeting with the Department in response to this Warning Letter to create a plan to return to compliance.</p>

62-600.405 F.A.C., 403.161(1)(b) F.S., FRPT]	
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<b>Evaluation Area: Facility Site Review</b>	
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Is the clarifier free from solids discharging over the weir(s)? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, the Clarifiers were not free from solids discharging over the weirs. Please see photos 15-18 in the photo log.
	Corrective Action(s): (Narrative) Please ensure that the clarifiers are free from solids discharging over the weirs and provide documentation to the department showing this upon completion.
Does the skimmer appear to be functional in the clarifier? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, both clarifier skimmers were not functional because they were sitting too high above water level.
	Corrective Action(s): (Narrative) Please return clarifier skimmers to function as they were intended and provide documentation to the department upon completion.
Are the aeration basins diffusers free from clogs and providing adequate mixing? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, the aeration basins were not providing adequate mixing.
	Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that the aeration basins provide adequate mixing.
The RAS line was free from excessive splashing that could cause solids to be discharged outside the tank. [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, the Splitter Tank connected to the RAS line was excessively splashing with some solids leaking out the edges of the tank lid. Please see photos 19-21 in the photo log.
	Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that solids are no longer being discharged outside the tank.
Is even distribution of air observed in the aeration basin? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, the aeration basins did not have an even distribution of air.
	Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that the aeration basins have an even distribution of air.
Are the digester(s) free from excessive odors and/or foaming? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, one digester exhibited excessive foaming.
	Corrective Action(s): (Narrative) Please provide documentation to the department demonstrating that the digesters are free from excessive odors and/or foaming.
Is the Chlorine Contact Chamber (CCC) effluent clear and free from scum, solids accumulation and debris? [62-600.410 F.A.C., 62-620.300 (5) F.A.C.]	Deficiency: (Narrative) At the time of inspection, the Chlorine Contact Chamber (CCC) effluent was not clear and free from scum, solids accumulation and/or debris. Please see photos 25-29 in the photo log.
	Corrective Action(s): (Narrative) Please submit documentation to the department demonstrating that the Chlorine Contact Chamber (CCC) effluent is clear and free from scum, solids accumulation and debris.
	Deficiency: (Narrative)

<p>The land application system was not being maintained.</p> <p>[62-600.410 F.A.C., 62-620.300 (5) F.A.C., LASN]</p>	<p>At the time of inspection, the land application system was not being maintained. One of the two percolation ponds had excessive vegetation and solids. Please see photos 32-35 in the photo log.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please submit documentation to the department demonstrating that the land application system is being maintained.</p>

**Evaluation Area: Operations and Maintenance**

<p>The facility had an inflow and infiltration problem causing collection system issues and/or operational issues.</p> <p>[62-600.410 (3) F.A.C., 62-604.500 (3) F.A.C., ININ]</p>	<p>Deficiency: (Narrative)</p> <p>There are multiple exceedances for the facility’s flow limit and in the DMR comments, the operator attributed this to the facility’s inflow and infiltration problem.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted flow limitation and resolve the Inflow and Infiltration problem. Also please include a timeline for when compliance is expected to be achieved.</p>

**Evaluation Area: Effluent Quality**

<p>A review of the Discharge Monitoring Reports revealed the following effluent exceedance(s).</p>	<p>Deficiency: (Narrative)</p> <p>A review of the Discharge Monitoring Reports revealed effluent exceedances. Please see Table G of Appendix for details of the exceedances.</p> <p>[Rules 62-600 and 62-610, F.A.C.]</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted effluent limitations and a timeline for when compliance is expected to be achieved.</p>
<p>*Are the effluent limits without exceedances four out of six months (chronic criteria)?</p> <p>[40 CFR Part 123.45]</p>	<p>Deficiency: (Narrative)</p> <p>Please see Table G of Appendix for details of the exceedances.</p> <p>[Rules 62-600 and 62-610, F.A.C.]</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted effluent limitations and a timeline for when compliance is expected to be achieved.</p>
<p>Is the effluent free from excessive (suspended solids, foam, grease, scum) in the discharge stream?</p> <p>[62-620.300 (4) F.A.C.]</p>	<p>Deficiency: (Narrative)</p> <p>Please see Table E of Appendix for details of the exceedances. A review of the data indicates the Facility has exceedances for Total Suspended Solids.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please submit documentation to the Department demonstrating how the facility will come into compliance with its permitted effluent limitations and a timeline for when compliance is expected to be achieved.</p>

**Evaluation Area: Effluent Disposal**

<p>The RIBs and/or percolation ponds were free from excessive vegetation and sludge?</p> <p>[62-610.523 (6) F.A.C.]</p>	<p>Deficiency: (Narrative)</p> <p>At the time of inspection, one of the percolation ponds was not free from excessive vegetation and sludge. Please see photos 32-35 in the photo log.</p>
	<p>Corrective Action(s): (Narrative)</p> <p>Please submit documentation to the department showing the percolation pond free from excessive vegetation and solids.</p>
	<p>Deficiency: (Narrative)</p>

<p>Are all effluent disposal areas such as RIBs, ponds, and sprayfields being loaded and rested per permit conditions? [62-610.523 (4) F.A.C.]</p>	<p>At the time of inspection, department personnel observed signs indicating that the percolation ponds were not being loaded and rested per permit conditions. After further discussion with the operator, it was confirmed that percolation ponds were not being loaded and rested per permit conditions.</p>
	<p>Corrective Action(s): (Narrative) According to the facility's permit conditions, each cell normally shall be loaded for 7 days and shall be rested for 7 days. Infiltration basins shall be allowed to dry during the resting portion of the cycle. Please provide documentation that ensures that the percolation ponds are loaded and rested according to permit conditions going forward.</p>

<p><b>Evaluation Area: SSO Survey</b></p>	
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<p>Does the facility have an Operation and Maintenance Manual for their collection system? [62-604.500 (4) F.A.C.]</p>	<p>Deficiency: (Narrative) At the time of inspection, the facility was not able to provide an Operation and Maintenance Manual for their collection system. Facility representatives explained that it will be submitted with the permit renewal application in May 2025.</p>
	<p>Corrective Action(s): (Narrative) Please submit a copy of the Operation and Maintenance Manual for the collection system to the department.</p>

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**Table A – Improvement Schedules  
Permit VI. Schedule**

1. In accordance with section 403.088(2)(e) and (f), Florida Statutes, a compliance schedule for this facility is contained in Administrative Order AO-FLA014349009 which is hereby incorporated by reference.

2. The following improvement actions shall be completed according to the following schedule:

<b>Improvement Schedule</b>	<b>Due Date</b>	<b>Completed?</b>
1. Complete the installation of baffles in the settling tank.	11/29/2020	Yes
2. Complete repairs to biosolids tank valve.	12/15/2020	Yes
3. Complete repairs to air pipes.	12/29/2020	Yes
4. Complete repairs to all tank weeps/leaks.	12/29/2020	Yes
5. Complete cleanout of equalization tank.	01/15/2021	Yes
6. Complete percolation pond cleaning and berm repair.	04/28/2021	Yes
7. Perform a smoke test or video inspection of collection system.	10/30/2022	No

**Administrative Order schedule:**

IT IS ORDERED,

1. The Permittee shall be in full compliance with the final conditions of the permit by January 1, 2022.

2. The Permittee shall submit comply with the following schedule:

<b>Action Item</b>	<b>Due Date</b>	<b>Completed?</b>
Sample the effluent monthly for total nitrogen and total phosphorus concentrations.	December 1, 2020	Yes
Retain a licensed engineer or geologist to evaluate the capacity of the facility to meet the new effluent limits or the impact of the effluent to the groundwater.	Within 30 days of permit issuance	Yes
Submit the licensed engineer or geologist's report demonstrating that the effluent discharge complies with the new limits for Total Nitrogen and Total Phosphorus outside the zone of discharge.	July 30, 2021	No
If the report provided to the Department does not demonstrate compliance with the new limits for Total Nitrogen and Total Phosphorus, the Permittee shall:  I. Submit a complete application to modify the treatment facility for nutrient removal, II. Submit a complete application to incorporate a groundwater monitoring plan into the permit. III. Submit a complete application to modify the reuse or disposal system, or	Within 3 weeks of Department receipt of report.	NA

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IV. Submit a complete application for a domestic wastewater collection system connection to another wastewater treatment facility		
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4. The permittee shall report the concentrations of total Nitrogen and Total Phosphorus in the effluent, monthly on the Interim Discharge Monitoring Report.

5. The Permittee shall submit quarterly status reports (due by the 28th of January, April, July, and October) which show progress of the actions required to bring the facility into compliance.

**Table B- Buffer, Reagent, and Standard Lot Numbers and Expiration Dates**

Standard/Buffer	Lot No.	Expiration Date
DPD Chlorine Low Range Secondary Standards Kit	A3198	07/2025
DPD Reagent	A3103	04/2028
pH 4.00 s.u.	4GG0232	07/2026
pH 7.00 s.u.	4GF1173	06/2026
pH 10.00 s.u.	4GK0200	11/2026

**Table C – Current Operator License(s)**

Name	Class	License Number	Issue Date	Expiration Date
Keanu William Wadhams	C	0028644	09/13/2022	04/30/2025
Patrick John Smith	A	0023779	10/03/2022	04/30/2025

**Table D – DMR Deficiencies**

Monitoring Period	R-001 DMR Deficiencies
March, April, May, June, October, and November 2024	<p>The Coliform, Fecal monthly geometric mean is reported as 0.5 but should be reported as &lt;1.</p> <p>When making calculations, an MDL such as &lt;1 should be calculated using ½ the value, 0.5 in this case. However, if the average you are calculating is found to be less than the MDL (&lt;1), it should still be reported as such.</p> <p><a href="https://floridadep.gov/water/water-compliance-assurance/documents/helpful-tips-completing-dmrs">https://floridadep.gov/water/water-compliance-assurance/documents/helpful-tips-completing-dmrs</a></p>
March – December 2024	<p>There are two places on the DMRs where the 3-month average for Flow is reported. One place reads "(3MonAvg)", the other place reads, "(Qtrr Avg)". From March through December 2024, the place on the DMR Part A that said, "(3MonAvg)" was reported as 0.059 each month while the correct 3-month average for Flow was reported where the DMR Part A said, "(Qtrr Avg)". These numbers should be the same.</p>

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December 2023 – December 2024	Miscalculations on the Total Suspended Solids Annual Average and the Fecal Coliform Annual Average.
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**Table E – Late and/or Missing DMRs**

Monitoring Period	Date Received	Date Due	Days Late
August 2024	09/30/2024	09/28/2024	2
March 2024	04/29/2024	04/28/2024	1

**Table F – SSOs**

LOCATION	DATE DISCHARGE OCCURRED	DATE DISCHARGE REPORTED	SPILL VOL (GAL)	VOL RECOVERED	SPILL CHARACTERISTIC	CAUSE	AREA AFFECTED	CLEAN-UP
2186 Clam Dr	3/7/2024	3/7/2024	50	50	Unknown	Negligence	Ground	Lime, Washed down area, Raked and disposed of debris

**Table G – Effluent Exceedances**

Date	Monitoring Group	Monitoring Location	Parameter	Description	Result	Limit	Units	Statistical Base	DMR Comments
12/31/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	22.3	20.0	mg/L	AB - Annual Average	Holdover from previous months. Wasting has been increased and both blowers are running at peak flow times to take care of the incoming BOD.
12/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	119.73	20.0	mg/L	AB - Annual Average	Average from previous months due to the performance of the plant. Plant is at capacity. Increased wasting and extra aeration are helping bring this number down.
12/31/2024	R-001	EFA-01	P 74055	Coliform, Fecal	6849.3	200.0	#/100mL	AB - Annual Average	Hold over from previous reports. CL2 is kept higher now due to the increased chances of higher TSS/CBOD.
12/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	26.2	10.0	mg/L	AB - Annual Average	Air adjustments have to be made carefully. Recent changes to the blower run times is to blame for the higher than previous NO3 numbers.
12/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	13.3	12.5	mg/L	MK - Monthly Average	TN has been trending down over the last several months. Plant is at capacity so both blowers have been used during peak flow times. The

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									plant cannot suffice off just one blower all day.
12/31/2024	R-001	FLW-01	P 50050	Flow	.067	0.065	MGD	QA - Quarterly Average	Plant is running at and near capacity every day. The system has bad I&I as well.
11/30/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	23.5	20.0	mg/L	AB - Annual Average	Plant is running at and over capacity every day. Having to keep a very low solids level in the plant to prevent solids going over the weirs.
11/30/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	122.78	20.0	mg/L	AB - Annual Average	Plant is running at and over capacity every day. Having to keep a very low solids level in the plant to prevent solids going over the weirs.
11/30/2024	R-001	EFA-01	P 74055	Coliform, Fecal	6852	200.0	#/100mL	AB - Annual Average	Plant is running at and over capacity every day. Having to keep a very low solids level in the plant to prevent solids going over the weirs. Due to higher effluent TSS and CBOD numbers we have had to up our CL2 or else it gets depleted quickly.
11/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	31	10.0	mg/L	AB - Annual Average	TN (mostly Ammonia) have been an issue for a year due to the flows. We are running both blower more and more to try and nitrify the ammonia coming into the plant.
11/30/2024	R-001	FLW-01	P 50050	Flow	0.072	0.065	MGD	QA - Quarterly Average	Plant flows have been at or over daily capacity almost every day or at least a few times a week. Engineering is working on an expansion plan,
10/31/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	25.5	20.0	mg/L	AB - Annual Average	Plant washout due to loss of power and extreme I&I. Solids washed out.
10/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	124.85	20.0	mg/L	AB - Annual Average	Plant washout due to loss of power and extreme I&I. Solids washed out. Plant couldn't keep up with the high amounts of flow coming in...
10/31/2024	R-001	EFA-01	P 74055	Coliform, Fecal	6852	200.0	#/100mL	AB - Annual Average	Higher CBOD, TSS, Flow numbers caused the facility to face conditions it couldn't keep up with. CL2 was raised as high as it could to try and disinfect.
10/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	35.4	10.0	mg/L	AB - Annual Average	System can't Nitrify enough of the influent. Both Aerators are running at certain times

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									of the day to try and nitrify. Plant has too much flow.
10/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	17.2	12.5	mg/L	MK - Monthly Average	Nitrates have risen due to the fact of two blowers coming on and off during peak flow times. Not enough Hold time in the plant to denitrify before being discharged.
10/31/2024	R-001	FLW-01	P 50050	Flow	0.0713	0.065	MGD	QA - Quarterly Average	High Flows due to I&I concerns in the collection system. Hurricane Milton rain affected this number as well.
9/30/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	25.9	20.0	mg/L	AB - Annual Average	Facility is over design capacity almost every day. The facility doesn't have enough retention time to retain all of the solids. Recirculation rates and solids have been evaluated and adjusted to the best of our ability.
9/30/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	30.5	30.0	mg/L	MK - Monthly Average	Higher flows due to Hurricane Helene and daily flows exceeding design capacity are the reason for exceedances on CBOD and TSS.
9/30/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	125.1	20.0	mg/L	AB - Annual Average	TSS can hardly be controlled due to the plant flows being over the plants design capacity...
9/30/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	46	30.0	mg/L	MK - Monthly Average	TSS is high due to flows through the facility. The plant is over capacity and cannot retain all of its solids.
9/30/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	51	45.0	mg/L	WA - Weekly Average	TSS is high due to flows through the facility. The plant is over capacity and cannot retain all of its solids.
9/30/2024	R-001	EFA-01	P 74055	Coliform, Fecal	6859.1	200.0	#/100mL	AB - Annual Average	CL2 levels have been increased to ensure we have ample amounts of CL2 to overcome the higher TSS and CBOD levels. CBOD and TSS are the reason we have hit for FC so much in the past.
9/30/2024	R-001	EFA-01	P 74055	Coliform, Fecal	1938.1	400.0	#/100mL	9A - 90th Percentile	Stenner tubing needed replaced as it wasn't keeping prime. CL2 barrel was also down to its last 60 gallons during this sampling time frame.
9/30/2024	R-001	EFA-01	P 74055	Coliform, Fecal	2419.6	800.0	#/100mL	MB - Maximum	Stenner tubing needed replaced as it wasn't keeping

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									prime. CL2 barrel was also down to its last 60 gallons during this sampling time frame.
9/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	34.3	10.0	mg/L	AB - Annual Average	Averages high due to TKN (Ammonia) numbers being so high in the past. Blower timers for both blowers have been added so that we can run two blowers during peak flow times.
9/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	17.9	12.5	mg/L	MK - Monthly Average	TKN (ammonia) has come down some since the last month. More DO is still needed in order to Nitrify. Two blowers are being run during peak flow times now.
9/30/2024	R-001	FLW-01	P 50050	Flow	0.07	0.065	MGD	QA - Quarterly Average	Plant is over design capacity. Plant has some I&I issues to overcome along with a growing neighborhood/community.
8/31/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	23.7	20.0	mg/L	AB - Annual Average	Plant has received to much flow for it to be able to retain the solids in the plant. The plant is hydraulically overloaded each month.
8/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	122.31	20.0	mg/L	AB - Annual Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
8/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	30.7	30.0	mg/L	MK - Monthly Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
8/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	47	45.0	mg/L	WA - Weekly Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
8/31/2024	R-001	EFA-01	P 74055	Coliform, Fecal	203.6	200.0	#/100mL	AB - Annual Average	Exceeded due to historical FC issues at the plant. Partially due to weather event & general flows at facility.
8/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	32.8	10.0	mg/L	AB - Annual Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
8/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	30.1	20.0	mg/L	MB - Maximum	The TN for this facility cant be controlled because of how quickly everything runs

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									through the plant. Both blowers stay running 24/7. Cant Nitrify
8/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	30.1	12.5	mg/L	MK - Monthly Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
7/31/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	21.86	20.0	mg/L	AB - Annual Average	Plant has received to much flow for it to be able to retain the solids in the plant. The plant is hydraulically overloaded each month.
7/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	120	20.0	mg/L	AB - Annual Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
7/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	30.44	10.0	mg/L	AB - Annual Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
7/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	40	12.5	mg/L	MK - Monthly Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
7/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	40	20.0	mg/L	MB - Maximum	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
6/30/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	118.2	20.0	mg/L	AB - Annual Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
6/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	27.24	10.0	mg/L	AB - Annual Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
6/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	20	12.5	mg/L	MK - Monthly Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify

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5/31/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	20.35	20.0	mg/L	AB - Annual Average	Plant has received to much flow for it to be able to retain the solids in the plant. The plant is hydraulically overloaded each month.
5/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	117.48	20.0	mg/L	AB - Annual Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
5/31/2024	R-001	EFA-01	P 00620	Nitrogen, Nitrate, Total (as N)	22	12.0	mg/L	MB - Maximum	No comments provided.
5/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	25.67	10.0	mg/L	AB - Annual Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
5/31/2024	R-001	FLW-01	P 50050	Flow	0.072	0.065	MGD	QA - Quarterly Average	No comments provided.
4/30/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	21.3	20.0	mg/L	AB - Annual Average	Plant has received to much flow for it to be able to retain the solids in the plant. The plant is hydraulically overloaded each month.
4/30/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	117.35	20.0	mg/L	AB - Annual Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
4/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	24.99	10.0	mg/L	AB - Annual Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
4/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	34.8	20.0	mg/L	MB - Maximum	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
4/30/2024	R-001	EFA-01	P 00600	Nitrogen, Total	34.8	12.5	mg/L	MK - Monthly Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
4/30/2024	R-001	FLW-01	P 50050	Flow	0.074	0.065	MGD	QA - Quarterly Average	No comments provided.

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3/31/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	20.35	20.0	mg/L	AB - Annual Average	Plant has received to much flow for it to be able to retain the solids in the plant. The plant is hydraulically overloaded each month.
3/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	116.45	20.0	mg/L	AB - Annual Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
3/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	38	30.0	mg/L	MK - Monthly Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
3/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	64	60.0	mg/L	MB - Maximum	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
3/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	64	45.0	mg/L	WA - Weekly Average	The Solids continue to breach the weirs. Especially during any type of Weather event. The plant is overloaded with flow and needs expansion.
3/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	23.26	10.0	mg/L	AB - Annual Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
3/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	37.5	20.0	mg/L	MB - Maximum	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
3/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	37.5	12.5	mg/L	MK - Monthly Average	The TN for this facility cant be controlled because of how quickly everything runs through the plant. Both blowers stay running 24/7. Cant Nitrify
3/31/2024	R-001	FLW-01	P 50050	Flow	0.073	0.065	MGD	QA - Quarterly Average	No comments provided.
2/29/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	93	60.0	mg/L	MB - Maximum	No comments provided.
2/29/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	65	30.0	mg/L	MK - Monthly Average	No comments provided.

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 Inspection on January 24, 2025

2/29/2024	R-001	EFA-01	P 80082	BOD, Carbonaceous 5 day, 20C	93	45.0	mg/L	WA - Weekly Average	No comments provided.
2/29/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	112.8	20.0	mg/L	AB - Annual Average	No comments provided.
2/29/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	122	45.0	mg/L	WA - Weekly Average	No comments provided.
2/29/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	122	60.0	mg/L	MB - Maximum	No comments provided.
2/29/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	115.5	30.0	mg/L	MK - Monthly Average	No comments provided.
2/29/2024	R-001	EFA-01	P 74055	Coliform, Fecal	2400	800.0	#/100mL	MB - Maximum	No comments provided.
2/29/2024	R-001	EFA-01	P 74055	Coliform, Fecal	2160.05	400.0	#/100mL	9A - 90th Percentile	No comments provided.
2/29/2024	R-001	EFA-01	P 00600	Nitrogen, Total	22.17	10.0	mg/L	AB - Annual Average	No comments provided.
2/29/2024	R-001	EFA-01	P 00600	Nitrogen, Total	55.8	20.0	mg/L	MB - Maximum	No comments provided.
2/29/2024	R-001	EFA-01	P 00600	Nitrogen, Total	55.8	12.5	mg/L	MK - Monthly Average	No comments provided.
2/29/2024	R-001	EFA-01	P 00665	Phosphorus, Total (as P)	12	7.5	mg/L	MK - Monthly Average	No comments provided.
1/31/2024	R-001	EFA-01	P 00530	Solids, Total Suspended	35	30.0	mg/L	MK - Monthly Average	No comments provided.
1/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	18.79	10.0	mg/L	AB - Annual Average	No comments provided.
1/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	29.4	12.5	mg/L	MK - Monthly Average	No comments provided.
1/31/2024	R-001	EFA-01	P 00600	Nitrogen, Total	29.4	20.0	mg/L	MB - Maximum	No comments provided.
12/31/2023	R-001	EFA-01	P 00530	Solids, Total Suspended	54	45.0	mg/L	WA - Weekly Average	No comments provided.
12/31/2023	R-001	EFA-01	P 00530	Solids, Total Suspended	54	30.0	mg/L	MK - Monthly Average	No comments provided.
12/31/2023	R-001	EFA-01	P 00530	Solids, Total Suspended	91	60.0	mg/L	MB - Maximum	No comments provided.
12/31/2023	R-001	EFA-01	P 74055	Coliform, Fecal	203.8	200.0	#/100mL	AB - Annual Average	No comments provided.
12/31/2023	R-001	EFA-01	P 74055	Coliform, Fecal	2400	400.0	#/100mL	9A - 90th Percentile	No comments provided.

Appendices in relation to the Sebring Ridge Utilities WWTP (FLA014349)  
 Inspection on January 24, 2025

12/31/2023	R-001	EFA-01	P 74055	Coliform, Fecal	2400	800.0	#/100mL	MB - Maximum	No comments provided.
12/31/2023	R-001	EFA-01	P 00600	Nitrogen, Total	71.3	12.5	mg/L	MK - Monthly Average	No comments provided.
12/31/2023	R-001	EFA-01	P 00600	Nitrogen, Total	71.3	20.0	mg/L	MB - Maximum	No comments provided.

I certify that these photos represent the  
true on-site conditions observed  
and have not been altered in any way.

*Jonathan Hammel*

1. Equalization Basin



2. Aeration



3. Aeration



4. Aeration



5. Aeration



6. Aeration



*Jonathan Hammel*

7. Aeration



8. Aeration



9. Aeration



10. Digesters



11. Digester #1



12. Digester #2



*Jonathan Hammel*

13. Digester #2



14. Digester #3



15. Clarifier #1



16. Clarifier #1



17. Clarifier #2



18. Clarifier #2



I certify that these photos represent the  
true on-site conditions observed  
and have not been altered in any way.

*Jonathan Hammel*

19. Sludge Holding Tank



20. Sludge Holding Tank



21. Sludge Holding Tank



22. Chlorine Storage



23. Blowers



24. Chlorine Contact Chamber (CCC)



*Jonathan Hammel*

25. CCC



26. CCC



27. CCC



28. CCC



29. CCC



30. CCC



*Jonathan Hammel*

31. CCC



32. Percolation Pond #1



33. Percolation Pond #1



34. Percolation Pond #1



35. Percolation Pond #1



36. Percolation Pond #2



*Jonathan Hammel*

37. Percolation Pond #2



38. Percolation Pond #2



39. Lift Station #1



40. Lift Station #1



41. Lift Station #1



42. Lift Station #1

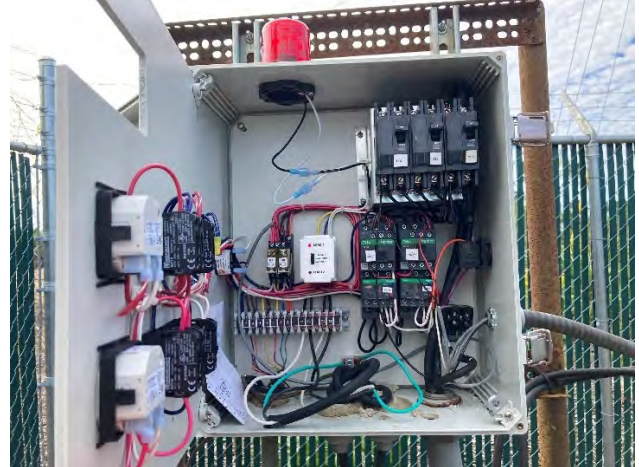


*Jonathan Hammel*

43. Lift Station #1



44. Lift Station #1



45. Lift Station #2



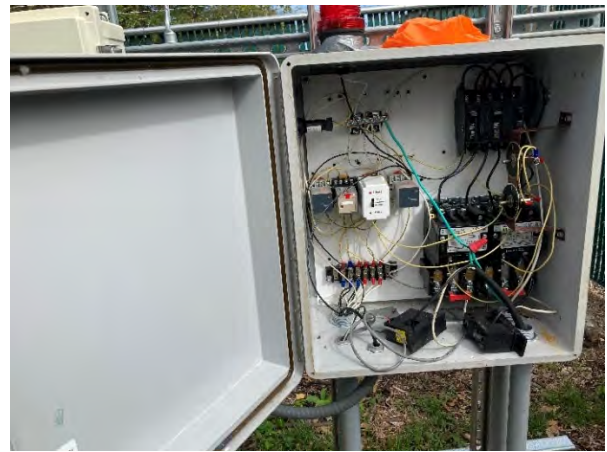
46. Lift Station #2



47. Lift Station #2



48. Lift Station #2





# 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 10, 2020

Thad Terry, Owner  
Sun Lake Estates Homeowners Association  
5600 N US Highway 1  
Cocoa, FL 32927

Re: Return to Compliance  
Sun Lake Estates WWTF  
DW FLA010353  
Brevard County

Dear Mr. Terry:

Department personnel conducted a review of the response to the Compliance Assistance Offer Letter issued November 14, 2019. Based on the information provided in your response, the facility was determined to have resolved the identified issues and has returned to compliance with the Department's rules and regulations.

The Department appreciates your efforts to maintain this facility in compliance with state and federal rules. Should you have any questions or comments, please contact Carolyn Hall at 407-897-4114 or via e-mail at [Carolyn.X.Hall@floridaDEP.gov](mailto:Carolyn.X.Hall@floridaDEP.gov).

Sincerely,

*David Smicherko*

David Smicherko, Manager  
Central District  
Florida Department of Environmental Protection

cc: JERRY PADRICK [jpadrick67@bellsouth.net](mailto:jpadrick67@bellsouth.net)



# 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

August 3, 2020

Charles DeMenzes, President  
Tradewinds Utilities Inc.  
2925 NE 43rd Pl  
Ocala, Florida 34478  
utilitiesmanagementteam@gmail.com

Re: Warning Letter  
Tradewinds WWTF  
DW FLA010699  
Marion County

Dear Mr. Demenzes:

A Compliance Evaluation Inspection (CEI) was conducted at your facility on July 14, 2020. During this inspection, possible violations of Chapter 403, F.S., Chapter 62-610, Florida Administrative Code (F.A.C.), and Chapter 62-620, F.A.C. were observed.

During the inspection Department personnel noted the following:

- Failure to meet Administrative Order AO-SS-16-016 reporting requirements
- Failure to meet secondary treatment requirements for Total Suspended Solids (TSS)
- Failure to submit quarterly groundwater monitoring reports
- Failure to maintain the clay lined holding pond
- Failure to maintain the spray field

Please contact Carolyn Hall, at (407) 897-4114, 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.

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.

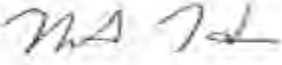
Tradewinds WWTF; Facility ID No.: FLA010699

Warning Letter

Page 2 of 2

Date

Sincerely,



*On behalf of:*

Aaron Watkins, Director

Central District

Florida Department of Environmental Protection

AW/nh/ds/ch

Enclosures: Inspection Report (with attachments)

cc: Steve McGee [smcgee1953@yahoo.com](mailto:smcgee1953@yahoo.com)

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

<b>Facility Name and Physical Address</b> Tradewinds WWTF 2925 NE 43rd Pl Ocala, FL 34479	<b>WAFR ID</b> FLA010699	<b>County</b> Marion	<b>Entry Date</b> 7/14/2020	<b>Entry Time</b> 9:38 am
	<b>Facility Phone #</b> N/A		<b>Exit Date</b> 7/14/2020	<b>Exit Time</b> 10:21 am

LAT	29	°	13	'	53.37	"
LONG	82	°	5	'	48.28	"

<b>Name(s) of Field Representatives(s) and Title</b> Steve McGee	<b>Operator Certification #</b> C-0008154	<b>Email</b> smcgee1953@yahoo.com	<b>Phone</b> (352)598-2121
---	--	--------------------------------------	-------------------------------

<b>Name &amp; Address of Permittee / Designated Rep.</b> Charles DeMenzes PO Box 5220 Ocala, FL 34478	<b>Title</b> President	<b>Email</b> <a href="mailto:utilitiesmanagementteam@gmail.com">utilitiesmanagementteam@gmail.com</a>	<b>Phone</b> (352) 622-4949
--	---------------------------	--	--------------------------------


<b>Inspection Type</b>	C	E	I	<b>Samples Taken(Y/N):</b> N	<b>Sample ID#:</b> N/A	<b>Samples Split (Y/N):</b> 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	SC	9. ♦ Effluent Quality
NA	2. ♦ Compliance Schedules	IC	4. Sampling	IC	7. Flow Measurement	NC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	IC	8. ♦ Operation & Maintenance	IC	11. Biosolids
						NC	12. ♦ Groundwater
NA	14. Other					IC	13. ♦ SSO Survey

<b>Facility and/or Order Compliance Status:</b>	<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: Warning Letter**

<b>Name(s) and Signature(s) of Inspector(s)</b> Carolyn Hall 	<b>District Office/Phone Number</b> Central District (407) 897-4114	<b>Date</b> 7/15/2020
---	---	--------------------------

<b>Name and Signature of Reviewer</b> David Smicherko 	<b>District Office/Phone Number</b> Central District (407) 897-4169	<b>Date</b> 8/3/2020
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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 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:

An existing 0.081 million gallon day (mgd) annual average daily flow (AADF) permitted capacity extended aeration domestic wastewater treatment plant (a 0.065 mgd plant in parallel with a 0.050 mgd plant) consisting of flow equalization, aeration, secondary clarification, chlorination, and aerobic digestion of biosolids.

**Land Application R-001:** An existing 0.081 MGD annual average daily flow permitted capacity slow-rate restricted public access reuse system. R-001 consists of a three-day clay-lined holding pond and a 2.34 acre sprayfield located approximately at latitude 29°13' 59" N, longitude 82°5' 45" W.

### 1. ♦Permit: In-Compliance

Current Permit available on-site?	Yes
Date Permit issued	December 22, 2015
Date Permit Expires	December 21, 2020
Permit Renewal Application due by	June 24, 2020
Administrative or Judicial Orders?	Administrative Order

- 1.1 Observation: The facility is currently under Administrative Order AO-SS-16-016. Please see deficiency 5.1 and observations about the AO.
- 1.2 Observation: At the time of inspection the permit renewal is in house.
- 1.3 Observation: At the time of inspection a copy of the current permit was available on site.

### 2. ♦Compliance Schedules: Not Applicable

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

- 2.1 Observation: At the time of inspection there are no compliance schedules listed in permit or the administrative order.

### 3. Laboratory: In-Compliance

Contract Lab Name and Certification #	Aqua Pure Water & Sewer Service E83265
Facility NELAC Certification #	Not Applicable

- 3.1 Observation: At the time of inspection a copy of the current lab certification was on site and valid until June 30, 2021.

**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

- 4.1 Observation: At the time of inspection the operator is able to identify the correct sampling locations for EFA-1 as the chlorine contact chamber.

**5. ♦Records and Reports:** Out-of-Compliance

Documents/Records reviewed	Time frame
Discharge Monitoring Reports (DMRs)	From 06/01/2019 to 06/30/2020

- 5.1 **Deficiency: The biannual Total Nitrogen status reports have not been submitted for January 1, 2020 and July 1, 2020 in accordance with the Administrative Order AO-SS-16-016.**

Rule/Permit Reference: 403.161(1)(b), F.S. It shall be a violation of this chapter, and it shall be prohibited for any person: (b) To fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the department pursuant to its lawful authority. Administrative Order AO-SS-16-016 (1): An Administrative Order (AO) is attached to this permit revision and is incorporated into the permit for this wastewater treatment facility. The AO requires that Total Nitrogen in the reclaimed water from the wastewater facility referenced above be monitored, reported and subsequently reduced to 6.0 mg/L by October 26, 2020 since this facility is located within the Primary Protection Zone. The attached AO also requires biannual status reports discussing the facility’s ability and/or plans to meet this new reclaimed water limit. The reports will be due January 1 and July 1 beginning in 2017. Your current operating permit expires December 21, 2020.

Corrective Action: Please submit the status reports on how the facility will comply with the Total Nitrogen limit set forth in AO-SS-16-016.

- 5.2 Observation: Historical department records indicate groundwater sampling was added to this facility because the clay lined holding pond may be percolating.
- 5.3 Observation: At the time of inspection the RPZ was last calibrated on September 16, 2019 and is not due yet.
- 5.4 Observation: At the time of inspection the operation and maintenance manual were available on site.

- 5.5 Observation: At the time of inspection the operator's certification for Steve McGee (C-0008154) was on site.
- 5.6 Observation: At the time of inspection the log book was on site. It was bound and numbered. It contained relevant sampling and maintenance.
- 5.7 Observation: At the time of inspection the operator is meeting and exceeding on site time requirements at 6 days a week for a half hour each day.

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

- 6.1 Observation: *Access Control*- At the time of inspection the facility grounds for the plant were properly locked and secured by a fence. An advisory sign was posted at the gate entrance. There were no excessive odors. No spills or leaks, excessive noise, or corrosion were noted at time of inspection. An RPZ backflow was present with no visible leaks.
- 6.2 Observation: *Headworks*- Influent is pumped in from one of the six lift station, through a bar screen and into a surge tank. From the surge tank water is diverted through a splitter box into one of two trains (McNeil and Marlof). The bar screen is manual and cleaned at each site visit. Debris are disposed of in a covered screenings container. There are minimal odors at the time of inspection, but within the boundary of the facility.
- 6.3 Observation: *Aeration Basin/Blower*- The facility contains two (2) blowers, one per train. At the time of inspection both blowers were operational. Each blower was covered. The RAS was in the correct position. The McNeil side of the plant contains two aeration basins. The contents in the aeration chambers were brown in color and appeared to be adequately mixed with no excessive foaming. No excessive noise or odor was noted. The Marolf side of the plant contains a total of 10 aeration basins. The contents were brown in color and appeared to be adequately mixed. There was no excessive foaming or excessive odors.
- 6.4 Observation: *Clarifier*- The McNeil plant contains two clarifiers. At the time of inspection, the surface of the clarifier was very turbid. The stilling well had minor debris. The skimmer was operational in each clarifier. The weirs appeared level with no fouling and to be functioning properly. Effluent from each clarifier was turbid. There are chlorine tablets in each weir, leaving the weirs clean and free of algae at the time of inspection. The Marolf plant contains one clarifier. Effluent in this plant was also turbid. The stilling well had minor debris and the skimmer was operational. Effluent leaving the weir was slightly turbid. The weir was level and without fouling.
- 6.5 Observation: *Disinfection*- The effluent from each plant joins into a wet well where it then goes to the chlorine contact chamber. Sodium hypochlorite was used for disinfection on site. There was one Chem Tech 100, 30 gpd hypo pump and it was operational. There is one baffle present. The chlorine contact chamber contained cloudy effluent and did not appear to have solids during inspection. Effluent is then pumped put into the spray field by two pumps.

- 6.6 Observation: Digester/ Sludge Holding Tank- The facility contains one sludge holding basin per train. At the time of inspection there was sufficient storage available in each, no excessive odors or vectors were noticed.
- 6.7 Observation: Lift Station- The facility contains six operational lift stations throughout the community that were not evaluated at the time of inspection.

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

Flow meter present and location as per permit?	Yes
Easy access to flow meter?	Yes
Date of last flow meter calibration	See Observation

- 7.1 Observation: At the time of inspection a copy of the current flow calibration was not directly on site. It was located in the office for the permit renewal process. Department records show the flow calibration was completed on May 20, 2020 by Florida Rural Water Association.
- 7.2 Observation: At the time of inspection, a review of the logbook indicates the facility has a few days of exceeded flow. The operator notes Florida Rural Water association has been brought in to address this issue. Their current percent capacity is running around 90% and should be monitored.

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

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

- 8.1 Observation: At the time of inspection the facility appears to be operating per the permit conditions.

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

DMRs review period	From 06/01/2019 to 06/30/2020
Any exceedances?	Yes

- 9.1 Deficiency: The following exceedances were noted during the DMR review period of June 1, 2019 to June 30, 2020.

Month	Monitoring Location	Parameter	Result	Limit
05/2020	EFA-1	BOD Monthly Avg	60 mg/L	30 mg/L
05/2020	EFA-1	BOD Weekly Avg	60 mg/L	45mg/L
05/2020	EFA-1	TSS Annual Avg	23.4 mg/L	20 mg/L
04/2020	EFA-1	TSS Annual Avg	23.7 mg/L	20 mg/L
03/2020	EFA-1	TSS Annual Avg	28.1 mg/L	20 mg/L

03/2020	EFA-1	TSS max	85 mg/L	60 mg/L
03/2020	EFA-1	TSS Weekly Avg	85 mg/L	45 mg/L
03/2020	EFA-1	TSS monthly Avg	85 mg/L	30 mg/L
02/2020	EFA-1	TSS Annual Avg	22 mg/L	20 mg/L
02/2020	EFA-1	TSS Monthly Avg	35 mg/L	30 mg/L
01/2020	EFA-1	TSS Monthly Avg	42 mg/L	30 mg/L
07/2019	EFA-1	TSS Annual Avg	21.8 mg/L	20 mg/L
07/2019	EFA-1	TSS Monthly Avg	48 mg/L	30 mg/L
07/2019	EFA-1	TSS Weekly Avg	48 mg/L	45 mg/L

Rule/Permit Reference: Chapter 62-610.420(b), F.A.C. Except as specifically required by other Department rules or Florida Statutes, all domestic wastewater facilities shall provide, at a minimum, secondary treatment of wastewater prior to reuse or disposal. Secondary treatment requirements are specified below:

(b) Total Suspended Solids

1. The annual average shall not exceed 20.0 mg/L,
2. The monthly average shall not exceed 30.0 mg/L,
3. The weekly average shall not exceed 45.0 mg/L; and,
4. The maximum-permissible concentration in any single sample shall not exceed 60.0 mg/L.

Corrective Action: The exceedances were reported on the DMR and marked as an exceedance. No further action is required at this time.

**9.2 Observation: The following Total Nitrogen limits were observed through the DMR review period of June 1, 2019 through June 30, 2020. These levels are trending upwards and will not meet the new requirements of the AO-SS-16-016 effective October 27, 2020.**

Month	Monitoring Location	Parameter	Result	New AO Limit Effective 10/27/2020
05/2020	EFA-1	Nitrogen, Total Annual Avg	30.7 mg/L	6 mg/L
04/2020	EFA-1	Nitrogen, Total Annual Avg	30.2 mg/L	6 mg/L
03/2020	EFA-1	Nitrogen, Total Annual Avg	29.2 mg/L	6 mg/L

02/2020	EFA-1	Nitrogen, Total Annual Avg	26.3 mg/L	6 mg/L
01/2020	EFA-1	Nitrogen, Total Annual Avg	22.2 mg/L	6 mg/L
12//2019	EFA-1	Nitrogen, Total Annual Avg	21.29 mg/L	6 mg/L
11/2019	EFA-1	Nitrogen, Total Annual Avg	19.95 mg/L	6 mg/L
10/2019	EFA-1	Nitrogen, Total Annual Avg	18.13 mg/L	6 mg/L
09/2019	EFA-1	Nitrogen, Total Annual Avg	17.91 mg/L	6 mg/L
08/2019	EFA-1	Nitrogen, Total Annual Avg	17.45 mg/L	6 mg/L
07/2019	EFA-1	Nitrogen, Total Annual Avg	24 mg/L	6 mg/L
06/2019	EFA-1	Nitrogen, Total Annual Avg	15.14 mg/L	6 mg/L

**10. ♦ Effluent Disposal: Out-of-Compliance**

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

**10.1 Deficiency: At the time of inspection the clay lined holding pond had excessive vegetation, reducing the storage capacity.**

Rule/Permit Reference: Chapter 62-610.523, F.A.C.: (6) Rapid infiltration basins, percolation ponds, basins, trenches, or cells shall be routinely maintained to control vegetation growth and to maintain percolation capability by scarification or removal of deposited solids

Corrective Action: Please remove the excessive vegetation and provide photos to the department by email.

**10.2 Deficiency: At the time of inspection the spray field was missing several spray heads.**

Rule/Permit Reference: Ch. 62-620.610(7) F.A.C. - All facilities and equipment necessary for the treatment, reuse, and disposal of domestic wastewater and biosolids shall be maintained, at a minimum, so as to function as intended. 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. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to maintain or achieve compliance with the conditions of the permit.

Corrective Action: Please repair the missing spray heads and provide photos to the department by email.

- 10.3 Observation: At the time of inspection the holding pond had dense aquatic vegetation in the center of the pond. Minimal water was noted in the pond.
- 10.4 Observation: At the time of inspection the spray field was recently on so only the perimeter was walked. It was noted at least 5 spray heads were missing and the valves to these spray head were turned off.
- 10.5 Observation: At the time of inspection the spray field appeared to have mostly even vegetative growth, but it was recently mowed. No ponding was observed.

**11. Biosolids:** In-Compliance

- 11.1 Observation: At the time of inspection there are copies of older hauling records (2017) on site from American Pipe and tank. The operator notes the new ones are in the office.

**12. ♦Groundwater Quality:** Out-of-Compliance

DMRs review period	From 06/01/2019-06/30/2020
Any exceedances?	See Observation
All monitoring wells accessible, secured & locked?	See Observation

- 12.1 **Deficiency: The required MWC-1 ground water monitoring reports (Part D) have not been submitted to the department quarterly in accordance with the frequency in the Permit. The facility is currently missing 3<sup>rd</sup> and 4<sup>th</sup> Quarter reports for 2019 and 1<sup>st</sup> and 2<sup>nd</sup> Quarter reports for 2020.**

Rule/Permit Reference: Permit Condition III.10 The following parameters shall be analyzed for each monitoring well identified in Permit Condition III.9.:

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Water Level Relative to NGVD	Report	ft	In Situ	Quarterly
Nitrogen, Nitrate, Total (as N)	10	mg/L	Grab	Quarterly
Solids, Total Dissolved (TDS)	500	mg/L	Grab	Quarterly

Parameter	Compliance Well Limit	Units	Sample Type	Monitoring Frequency
Chloride (as Cl)	250	mg/L	Grab	Quarterly
Arsenic, Total Recoverable	10	ug/L	Grab	Quarterly
Cadmium, Total Recoverable	5	ug/L	Grab	Quarterly
Chromium, Total Recoverable	100	ug/L	Grab	Quarterly
Lead, Total Recoverable	15	ug/L	Grab	Quarterly
Coliform, Fecal	4	#/100mL	Grab	Quarterly
pH	6.5-8.5	s.u.	Grab	Quarterly
Turbidity	Report	NTU	Grab	Quarterly
Nitrogen, Total	Report	mg/L	Grab	Quarterly

**Corrective Action: Please submit Part D ground water monitoring reports for 3<sup>rd</sup> and 4<sup>th</sup> Quarter 2019 and 1<sup>st</sup> and 2<sup>nd</sup> Quarter 2020.**

**13. ♦SSO Survey: In-Compliance**

13.1 Observation: At the time of inspection there have been no sanitary sewer overflows from June 1, 2019 to June 30, 2020.

**14. Other: Not Applicable**



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

October 31, 2022

Charles DeMenzes, Owner  
Tradewinds Utilities Inc  
2925 NE 43rd Place  
Ocala, Florida 34478  
[charlie@altfo.com](mailto:charlie@altfo.com)

Re: Tradewinds WWTF  
DW Facility ID #FLA010699  
OGC Case #20-1413  
Marion County

Dear Mr. DeMenzes:

The purpose of this letter is to inform you that the Department's enforcement case against Tradewinds Utilities Inc. has been closed. A records review conducted on October 26, 2022, found that the requirements of Consent Order OGC File No.: 20-1413 have been satisfied.

The Department appreciates your efforts and cooperation in bringing this facility into compliance with state and federal rules. Should you have any questions or comments, please contact Carolyn Hall at 407-897-4114 or via e-mail at [Carolyn.Hall@floridadep.gov](mailto:Carolyn.Hall@floridadep.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

Aaron Watkins,  
Director, Central District

Init/init

cc: Laurie Roughton, OGC  
Daun Festa, Central District  
Carolyn Hall, Central District



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

October 6, 2022

Charles DeMenzes, Owner  
Tardewinds Utilities Inc  
2925 NE 43rd Place  
Ocala, Florida 34478  
[charlie@altfo.com](mailto:charlie@altfo.com)

Re: Tradewinds WWTF  
DW Facility ID #FLA010699  
OGC Case #20-1413

Dear Mr. DeMenzes:

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 Carolyn Hall at 407-897-4114 or via e-mail at [Carolyn.Hall@floridaDEP.gov](mailto:Carolyn.Hall@floridaDEP.gov)

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Watkins".

*On behalf of:*

Aaron Watkins  
Director, Central District

Enclosure

cc: Lea Crandall, OGC  
Daun Festa, Central District



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

September 21, 2022

Tradewinds Utilities Inc  
Charles DeMenzes  
2925 NE 43<sup>rd</sup> Place  
Ocala, Florida 34478  
[charlie@altfo.com](mailto:charlie@altfo.com)

SUBJECT: Department of Environmental Protection v. Tradewinds Utilities Inc.  
OGC File No.: 20-1413  
FLA010699

Mr. DeMenzes:

The State of Florida Department of Environmental Protection ("Department") finds that Tradewinds Utilities Inc ("Respondent") had chronic effluent limit violations that were significantly out of compliance for total suspended solids, did not demonstrate the ability to meet the AO-SS-16-016 total nitrogen limits through biannual status reports, and did not maintain the clay lined holding pond and spray heads on the spray field in violation of Rule 62-620 F.A.C. and 62-610 F.A.C.. Before sending this letter, the Department requested that the Respondent undertake certain actions to resolve the violation(s). These actions have since been completed by completing connection to Marion County Utilities. However, due to the nature of the violation(s), the Respondent remains subject to civil penalties. The Respondent is also responsible for costs incurred by the Department during the investigation of this matter.

### The Department's Offer

Based on the violations described above, the Department is seeking \$ 2,000.00 in civil penalties and \$ 250.00 for costs and expenses the Department has incurred in investigating this matter, which amounts to a total of \$ 2,250.00.

### Respondent's Acceptance

If you wish to accept this offer and fully resolve the enforcement matter pending against the Respondent, please sign this letter and return it to the Department at Central District, 3319 Maguire Blvd., suite 232, Orlando, Florida 32803 by **October 7, 2022**. The Department will then countersign it and file it with a designated clerk of the

RECEIVED

OCT 05 2022

DEP Central District

Department. Once the document is filed with the designated clerk, it will constitute a final order of the Department pursuant to Section 120.52(7), F.S. and will be effective unless a request for an administrative hearing is filed by a third party in accordance with Chapter 120, F.S. and the attached Notice of Rights.

By accepting this offer you, Charles DeMenzes:

- (1) certify that you are authorized and empowered to negotiate, enter into, and accept the terms of this offer in the name and on behalf of Respondent;
- (2) acknowledge and waive Respondent's right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this offer, once final;
- (3) acknowledge and waive Respondent's right to an appeal pursuant to Section 120.68, F.S.; and
- (4) acknowledge that payment of the above amount does not constitute a waiver of the Department's right, if any, to recover emergency response related costs and expenses for this matter.

The Department acknowledges that the Respondent's acceptance of this offer does not constitute an admission of liability for the violation(s) referenced above.

#### Respondent's Performance

After signing and returning this document to the Department,

- (1) Respondent must pay \$ 2,250.00 in full by October 31, 2022.
- (2) 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.fldepportal.com/go/pay/>  
It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

The Department may enforce the terms of this document, once final, and seek to collect monies owed pursuant to Sections 120.69 and 403.121, F.S.

Until clerked by the Department, this letter is only a settlement offer and not a final agency action. Consequently, neither the Respondent nor any other party may request an administrative hearing to contest this letter pursuant to Chapter 120, F.S. Once this letter is clerked and becomes a final order of the Department, as explained above, the

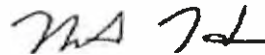
attached Notice of Rights will apply to parties, other than the Respondent, whose interests will be substantially affected.

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.

Please be aware that if the Respondent declines to respond to the Department's offer, the Department will assume that the Respondent is not interested in resolving the matter and will proceed accordingly.

If you have any questions, please contact Carolyn Hall at 407-897-4114 or at Carolyn.Hall@floridaDEP.gov.

Sincerely,



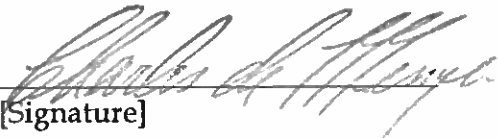
*On behalf of:*

---

Aaron Watkins  
District Director  
Central District

FOR THE RESPONDENT:

I, Charles de Menzes [Type or Print Name], HEREBY ACCEPT  
THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.

By:  Date: 10-5-22  
[Signature]

Title: Charles de Menzes  
[Type or Print]

---

FOR DEPARTMENT USE ONLY

DONE AND ORDERED this 6 day of October, 2022, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

 on behalf of

Aaron Watkins  
District Director  
Central District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department  
Clerk, receipt of which is hereby acknowledged.

 October, 6, 2022  
Clerk Date

Attachments: Notice of Rights

Final clerked copy furnished to:  
Lea Crandall, Agency Clerk ([lea.crandall@dep.state.fl.us](mailto:lea.crandall@dep.state.fl.us))

## NOTICE OF RIGHTS

Persons who are not parties to this Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Order means that the Department's final action may be different from the position it has taken in the Order.

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

(a) The name and address of each agency affected and each agency's file or identification number, if known;

(b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;

(c) A statement of when and how the petitioner received notice of the agency decision;

(d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;

(e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;

(f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

(g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency\_Clerk@floridadep.gov, within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at the address indicated above. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under Sections 120.569 and 120.57, Florida Statutes. Mediation under Section 120.573, Florida Statutes, is not available in this proceeding.



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

March 18, 2024

T.Brent Jenkins, Registered Agent  
Tymber Creek Utilities Inc  
265 Clyde Morris Blvd  
Ormond Beach, FL  
[32174tbjenkinspa@aol.com](mailto:32174tbjenkinspa@aol.com)

Re: Tymber Creek WWTF  
DW Facility ID #FLA011193  
OGC Case No: 24-0066

Dear Mr. Jenkins:

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@floridadep.gov](mailto:phil.kane@floridadep.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Watkins".

*On behalf of:*

Aaron Watkins  
Director, Central District

Enclosure CO 24-0066

cc: FDEP: Lea Crandall, Daun Festa, Anitra Spencer

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. 24-0066
	)	
TYMBER CREEK UTILITIES INC	)	
_____	)	

**CONSENT ORDER**

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and Tymber Creek Utilities INC (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 Tymber Creek WWTF, a 0.131 MGD extended aeration domestic wastewater treatment plant with rapid infiltration basin system. R-001 is a reuse system which consists of five rapid infiltration basins Facility. The Facility is operated under Wastewater Permit No. FLA011193 Permit, which was issued on October 24, 2022, and will expire on October 23, 2027. The Facility is located at 1951 Sr 40 Off Sand Spring Ormond Beach, FL 32174, in Volusia County, Florida (Property). Respondent owns the Property on which the Facility is located.
4. The Department finds that the following violations occurred:
  - a) A sanitary sewer overflow of 20,000 gallons from the facility collection system was reported on November 17, 2023 in violation of Chapter 62-604.130 (1)

b) The facility failed to notify the Department of the overflow in a timely manner in violation of Chapter 62-604.550(2) F.A.C.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:

6. Within 60 days of the effective date of this Order, Respondent shall submit to the Department an evaluation conducted by a professional engineer registered in the state of Florida, of the Facility and the associated collection system, to discover the cause or causes of the violations identified in paragraph 4 above.

7. Within 60 days of the due date for submission of the evaluation in paragraph 6, Respondent shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraph 4 above and ensure the Facility and collection system will function in full and consistent compliance with all applicable rules.

8. Within 30 days of the due date for submission of the design modification(s) in paragraph 7, Respondent shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 7, if such a permit is required. In the event the Department requires additional information to process the permit application Respondent shall provide a written response containing the information requested by the Department within 90 days of the date of the request.

9. Within 180 days after issuance of the wastewater permit referenced in paragraph 8 above, or if no permit is required, within 180 days of the approval of the design modification(s) in paragraph 7, Respondent shall complete construction of the modification(s) submitted pursuant to paragraph 7.

10. Within 30 days after completion of the construction, Respondent shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required the design modification(s) submitted pursuant to paragraph 7.

11. Every 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.

12. Respondent's completion of all corrective actions required by paragraphs 5 through 11 within the respective deadlines specified thereunder shall constitute full compliance with Rule 600, F.A.C.

13. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$12,660.00 in settlement of the regulatory matters addressed in this Order. This amount includes \$12,160.00 for civil penalties and \$500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The civil penalty in this case includes 1 violations that each warrant a penalty of \$2,000.00 or more.

14. Respondent agrees to pay the Department stipulated penalties in the amount of \$1,000.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph(s) 5, through 11 of this Order. Additionally, Respondent shall pay the Department stipulated penalties for any discharges of wastewater from the WWTF and/or collection/transmission system. Respondent shall pay penalties as follows:

<u>Amount per/day per/discharge</u>	<u>Discharge Volume</u>
\$1000.00	up to 5,000 gallons
\$2,000.00	5,001 to 10,000 gallons
\$5,000.00	10,001 to 25,000 gallons
\$10,000	25,001 to 100,000 gallons
\$15,000	in excess of 100,000 gallons

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 paragraph 17, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to the civil penalties agreed to in paragraph 13 of this Order.

15. 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

16. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Dr. Phil Kane, Department of Environmental Protection, FDEP Central District 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803.

17. 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.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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 \$15,000.00 per day per violation, and criminal penalties.

24. 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.

25. 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.

26. 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.

27. 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.

28.

Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

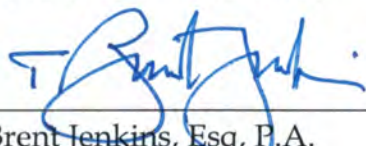
The petition for administrative hearing must contain all of the following information:

- a) The name and address of each agency affected and each agency's file or identification number, if known;
- b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- c) A statement of when and how the petitioner received notice of the agency decision;
- d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at Agency\_Clerk@floridadep.gov, within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at FDEP Central District 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803. Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

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

FOR THE RESPONDENT:

  
\_\_\_\_\_  
T. Brent Jenkins, Esq, P.A.  
Registered Agent

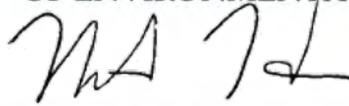
*P.R. + Trustee*

3/11/24  
Date

-----FOR DEPARTMENT USE ONLY-----

DONE AND ORDERED this 18 day of March, 2024, in  
Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



on behalf of

Aaron Watkins  
District Director  
Central District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



March 18, 2024

Clerk

Date

Final clerked copy furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35

**ELRA Penalty Calculation Worksheet**

FLA01193 Facility ID	Tymber Creek Utilities Respondent(s)	Tymber Creek Utilities WWTF Site Name	DEP DIRECTIVE 923 403.121, F.S. (ELRA) Enforcement Manual Peer Review SOP
Volusia County	1951 SR 40 (off Sand Spring Road) Ormond Beach, Florida 32174 Address		Please see ELRA Table worksheets for program specific guidelines.
12/27/2023 Date	Dr. Phil Kane Penalty Calculation Prepared By	<input checked="" type="radio"/> ELRA penalty for purposes of settlement via Consent Order <input type="radio"/> Administrative penalty action via Notice of Violation	

**Part I - Penalty Schedule Determinations**

Division	Program	Violation Type	Violation Description	ELRA Base Penalty	# of Violations	Multi-Day Penalty		Total
						Amount	# Days	
Water	WW	An unpermitted or unauthorized discharge or effluent limitation exceedance that resulted in a surface water or groundwater quality violation. [403.121(3)(b)]	A raw domestic wastewater spill of 20,000 gallons to surface water.	\$10,000	1			\$10,000
Water	WW	Failure to submit required notification to the department. [403.121(4)(e)]	Failure to notify the State Watch office within 24 hours.	\$1,500	1			\$1,500
				\$0				\$0
				\$0				\$0
				\$0				\$0
<b>Part I - Penalty Subtotal</b>								<b>\$11,500</b>

Click the "Add Violation Row" button to add rows -->

Department Costs and Expenses	Dollar Amount
Minimum enforcement case range: \$100 to \$500	
Average enforcement case range: \$500 to \$1000	\$500
Complex enforcement case range: \$1000 to \$5000	

<b>Part I With Dept. Costs and Expenses Subtotal</b>	<b>\$12,000</b>
--	-----------------

**Part II - Adjustments**

**Economic Benefit (EB) Calculations**

$EB = AC(1-T) + DC(I) + DirC$

AC = Avoided Costs - expenditures nullified by violator's failure to comply (operating and maintenance costs)

T = Corporate Tax Rate = 21% (in 2023)

DC = Delayed Costs - expenditures deferred by violator's failure to comply

I = Interest rate charged by IRS for delinquent accounts = 4% (in 2023)

DirC = Direct Costs - Special category Avoided costs. E.g. Monitoring, Permit Fees, or WW treatment costs

Violation	Description	AC	T	DC	I	DirC	Count	EB
1				21%		4%		\$0.00
2				21%		4%		\$0.00
3				21%		4%		\$0.00
4				21%		4%		\$0.00
5				21%		4%		\$0.00
<b>Total Economic Benefit</b>								<b>\$0.00</b>

Click the "Add EB Calc Row" button to add rows -->

Type	Adjustment Description and Justification	Dollar Amount
Economic Benefit (see calculations above)	20,000 gallons X 0.033 cents =	\$660.00
Good faith/lack of good faith prior to discovery		
Good faith/lack of good faith after discovery		
History of non-compliance		
Ability to pay		
Other unique factors		
<b>Part II Subtotal</b>		<b>\$660</b>

<input type="checkbox"/>	Cap Penalties at \$50,000
<input type="checkbox"/>	Environmental School \$750 Reduction

<b>Penalty With Part II Adjustments</b>	<b>\$12,660</b>
---	-----------------

**Part III - Other Adjustments Made After Meeting With the Responsible Party (only complete this part if adjustments are made to the initial (approved) penalty assessment)**

Type	Adjustment Description and Justification	Dollar Amount
Relative Merits of the Case		
Resource Considerations		
Other Justification		
<b>Part III Subtotal</b>		<b>\$0</b>

<b>Additional Notes/Justification</b>

Penalty is greater than \$75,000 and Secretary approval is required.	<input type="checkbox"/>
Penalty is greater than \$50,000 and Deputy Secretary approval is required.	<input type="checkbox"/>

<b>Total Penalty After Part III Adjustments</b>	<b>\$12,660</b>
---	-----------------

**Penalty Calculation Worksheet Signatures**

*MA JL*

Assistant Director of District Management

1/4/2024

Date

Director of District Management / Division Director

Date

Peer Reviewed by Division

Date

Deputy Secretary (if required by guidelines)

Date

Office of General Counsel

Date



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd, Suite 232  
Orlando Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Alexis A. Lambert**  
Secretary

January 22, 2025

Todd Thomas  
Sr. Vice President  
CSWR Florida Utility Operating  
Company, LLC  
1630 Des Peres Rd., Ste. 140,  
St. Louis, MO 63131  
[tthomas@cswrgroup.com](mailto:tthomas@cswrgroup.com)

Re: Tymber Creek WWTF  
DW Facility ID # FLA011193  
OGC Case No: 24-3098  
Volusia County

Dear Mr. Thomas:

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@floridadep.gov](mailto:phil.kane@floridadep.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

Aaron Watkins  
Director, Central District

Enclosure: Consent Order OGC#24-3098

cc: FDEP: Lea Crandall, Anitra Spencer  
[jthomas@cswrgroup.com](mailto:jthomas@cswrgroup.com), [echavez@cswrgroup.com](mailto:echavez@cswrgroup.com), and [DKeck@mckimcreed.com](mailto:DKeck@mckimcreed.com)



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Alexis A. Lambert**  
Secretary

December 17, 2024

Todd Thomas  
Sr. Vice President  
CSWR Florida Utility Operating  
Company, LLC  
1630 Des Peres Rd., Ste. 140,  
St. Louis, MO 63131  
[tthomas@cswrgroup.com](mailto:tthomas@cswrgroup.com)

Re: Tymber Creek WWTF  
DW Facility ID # FLA011193  
OGC Case No: 24-3098  
Volusia County

Dear Mr. Thomas:

Enclosed is a Consent Order ("Order") prepared by the Department for resolution of the referenced enforcement case. Please review this document and within 20 days of receipt, either: 1) return a signed copy to the Department or 2) provide comments and suggested changes. Once fully executed, a copy of the final document will be forwarded to you.

Should you have any questions or comments, please contact Dr. Phil Kane at 407-897-4156 or via e-mail at [phil.kane@FloridaDEP.gov](mailto:phil.kane@FloridaDEP.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

---

Aaron Watkins, Director  
Central District

Enclosure: Consent Order

cc: Enrique Chavez, Jr., Central States Water Resources, [echavez@cswrgroup.com](mailto:echavez@cswrgroup.com)  
Dan Keck, McKim & Creed, [DKeck@mckimcreed.com](mailto:DKeck@mckimcreed.com)

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. 24-3098
	)	
CSWR FLORIDA UTILITY OPERATING	)	
COMPANY, LLC	)	
_____	)	

**CONSENT ORDER**

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and CSWR Florida Utility Operating Company, LLC (Respondent) pursuant to Section 120.57(4), Florida Statutes, to settle 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(9), F.S.
3. Respondent is the owner and is responsible for the operation of the Tymber Creek WWTF, a 0.131 MGD extended aeration domestic wastewater treatment plant with rapid infiltration system. R-001 is a reuse system which consists of five rapid infiltration basins Facility. The Facility is operated under Wastewater Permit No. FLA011193 Permit, which was issued on October 24, 2022, and will expire on October 23, 2027. The Facility is located at 1951 Sr 40 Off Sand Spring Ormond Beach, FL 32174, in Volusia County, Florida (Property). Respondent owns the Property on which the Facility is located. Tymber Creek WWTF was previously owned by Tymber Creek Utilities Inc. The change of ownership was

effective on May 31, 2024 whereby the Respondent acquired the facility. The Department entered into a Consent Order with Tymber Creek Utilities Inc. on March 18, 2024 to allow for corrective actions to remedy the violations in paragraph 4, below. Tymber Creek Utilities Inc paid \$12,660.00 in penalties and Department costs on March 25, 2024.

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

a) A sanitary sewer overflow of 20,000 gallons from the facility collection system was reported on November 17, 2023 in violation of Chapter 62-604.130 (1).

b) The facility failed to notify the Department of the overflow in a timely manner in violation of Chapter 62-604.550(2) F.A.C.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:

6. Within 60 days of the effective date of this Order, Respondent shall submit to the Department an evaluation conducted by a professional engineer registered in the state of Florida, of the Facility, including the effluent disposal system and associated collection system, to discover the cause or causes of the violations identified in paragraph 4 above.

7. Within 90 days of the due date for submission of the evaluation in paragraph 6, Respondent shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraph 4 above and ensure the Facility and effluent disposal system will function in full and consistent compliance with all applicable rules.

8. Within 30 days of the due date for submission of the design modification(s) in paragraph 7, Respondent shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 7, if such a permit is required. In the event the Department requires additional information to process the permit

application Respondent shall provide a written response containing the information requested by the Department within 90 days of the date of the request.

9. Within 300 days after issuance of the wastewater permit referenced in paragraph 8 above, or if no permit is required, within 300 days of the approval of the design modification(s) in paragraph 7, Respondent shall complete construction of the modification(s) submitted pursuant to paragraph 7.

10. Within 30 days after completion of the construction, Respondent shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required the design modification(s) submitted pursuant to paragraph 7.

11. Every 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.

12. Respondent's completion of all corrective actions required by paragraphs 5 through 11 within the respective deadlines specified thereunder shall constitute full compliance with Rule 62-600, F.A.C.

13. Respondent agrees to pay the Department stipulated penalties in the amount of \$1,000.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraph(s) 5 through 11 of this Order. Additionally, Respondent shall pay

the Department stipulated penalties for any discharges of wastewater from the WWTF and/or collection/transmission system. Respondent shall pay penalties as follows:

<u>Amount p/day p/discharge</u>	<u>Discharge Volume</u>
\$1000.00	up to 5,000 gallons
\$2,000.00	5,001 to 10,000 gallons
\$5,000.00	10,001 to 25,000 gallons
\$10,000	25,001 to 100,000 gallons
\$15,000	in excess of 100,000 gallons

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 paragraph 14 , below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order.

14. 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

15. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Dr. Phil Kane, Department of Environmental Protection, FDEP Central District 3319 Maguire BL VD. Suite 232 Orlando, Florida 32803.

16. Respondent shall allow all authorized representatives of the Department access to the Facility and the Property at reasonable times for the purpose of determining compliance with the terms of this Order and the rules and statutes administered by the Department.

17. In the event of a sale or conveyance of the Facility or of the Property upon which the Facility is located, if all of the requirements of this Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the Facility or Property, (a) notify the Department of such sale or conveyance, (b) provide the name and address of the purchaser, operator, or person(s) in control of the Facility, and (c) provide a copy of this Order with all attachments to the purchaser, operator, or person(s) in control of the Facility. The sale or conveyance of the Facility or the Property does not relieve Respondent of the obligations imposed in this Order.

18. If any event, including administrative or judicial challenges by third parties unrelated to Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of Respondent and could not have been or cannot be overcome by Respondent's due diligence. Neither economic circumstances nor the failure of a contractor, subcontractor, materialman, or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines shall be considered circumstances beyond the control of Respondent (unless the cause of the contractor's late performance was also beyond the contractor's control). Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department by the next working day and shall, within seven calendar days notify the Department in writing of (a) the anticipated length and cause of the delay, (b) the measures taken or to be taken to prevent or minimize the delay, and (c) the timetable by which Respondent intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended. The agreement to extend compliance must identify the provision or provisions extended, the new compliance date or dates, and the additional measures Respondent must take to avoid or minimize the delay, if any. Failure of Respondent to comply with the notice requirements of this paragraph in a timely manner constitutes a

waiver of Respondent's right to request an extension of time for compliance for those circumstances.

19. The Department, for and in consideration of the complete and timely performance by Respondent of all the obligations agreed to in this Order, hereby conditionally waives its right to seek judicial imposition of damages or civil penalties for the violations described above up to the date of the filing of this Order. This waiver is conditioned upon Respondent's complete compliance with all of the terms of this Order.

20. This Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Order is not a settlement of any criminal liabilities which may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law. Entry of this Order does not relieve Respondent of the need to comply with applicable federal, state, or local laws, rules, or ordinances.

21. The Department hereby expressly reserves the right to initiate appropriate legal action to address any violations of statutes or rules administered by the Department that are not specifically resolved by this Order.

22. Respondent is fully aware that a violation of the terms of this Order may subject Respondent to judicial imposition of damages, civil penalties up to \$15,000.00 per day per violation, and criminal penalties.

23. Respondent acknowledges and waives its right to an administrative hearing pursuant to sections 120.569 and 120.57, F.S., on the terms of this Order. Respondent also acknowledges and waives its right to appeal the terms of this Order pursuant to section 120.68, F.S.

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

25. The terms and conditions set forth in this Order may be enforced in a court of competent jurisdiction pursuant to sections 120.69 and 403.121, F.S. Failure to comply with the terms of this Order constitutes a violation of section 403.161(1)(b), F.S.

26. This Consent Order is a final order of the Department pursuant to section 120.52(7), F.S., and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, F.S. Upon the timely filing of a petition, this Consent Order will not be effective until further order of the Department.

27. Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

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

- a) The name and address of each agency affected and each agency's file or identification number, if known;
- b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- c) A statement of when and how the petitioner received notice of the agency decision;
- d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and

- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov), within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at [Insert District Office and Address](#). Failure to file a petition within the 21-day period constitutes a person's waiver of the right to request an administrative hearing and to participate as a party to this proceeding under sections 120.569 and 120.57, Florida Statutes. Before the deadline for filing a petition, a person whose substantial interests are affected by this Consent Order may choose to pursue mediation as an alternative remedy under section 120.573, Florida Statutes. Choosing mediation will not adversely affect such person's right to request an administrative hearing if mediation does not result in a settlement. Additional information about mediation is provided in section 120.573, Florida Statutes and Rule 62-110.106(12), Florida Administrative Code.

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

FOR THE RESPONDENT:

*Todd Thomas*

\_\_\_\_\_  
Todd Thomas  
Sr. Vice President

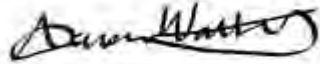
13/01/2025

\_\_\_\_\_  
Date

FOR DEPARTMENT USE ONLY:

DONE AND ORDERED this 22nd day of January, 2025, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



---

Aaron Watkins  
District Director  
Central District

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



---

Clerk

January 22, 2025

---

Date

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35






# 24.12.8 Tymber Creek Utilities INC\_FL A011193\_new COLetter

Final Audit Report

2025-01-14

Created:	2025-01-13
By:	Isabel Sassen (isassen@cswrgroup.com)
Status:	Signed
Transaction ID:	CBJCHBCAABAAEzftTx9aGhqk0jBBE84x-PqZtYyHBd4N

## "24.12.8 Tymber Creek Utilities INC\_FL A011193\_new COLetter" History

-  Document created by Isabel Sassen (isassen@cswrgroup.com)  
2025-01-13 - 8:28:18 PM GMT
-  Document emailed to Todd Thomas (tthomas@cswrgroup.com) for signature  
2025-01-13 - 8:28:37 PM GMT
-  Email viewed by Todd Thomas (tthomas@cswrgroup.com)  
2025-01-14 - 1:42:25 PM GMT
-  Document e-signed by Todd Thomas (tthomas@cswrgroup.com)  
Signature Date: 2025-01-14 - 1:44:21 PM GMT - Time Source: server
-  Agreement completed.  
2025-01-14 - 1:44:21 PM GMT



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

July 14, 2022

**Certified Mail: 7021 2720 0002 9933 5978**

T. Brent Jenkins, Registered Agent  
Tymber Creek Utilities Inc  
265 Clyde Morris Blvd  
Ormond Beach, FL 32174  
[tbjenkinspa@aol.com](mailto:tbjenkinspa@aol.com)

Re: Notice of Violation  
Tymber Creek WWTF  
OGC Case No. 21-1025  
Volusia County

Dear Mr. Jenkins:

Enclosed is a Notice of Violation (NOV) issued by the Department in the referenced case. The NOV addresses allegations of violations of Florida Statutes and Department Rules.

The NOV's Notice of Rights section explains what recourse the Respondent has concerning resolution of the allegations contained in the NOV. Please read this section carefully.

Please contact Dr. Phil Kane of the Central District Office at 407-897-4156 or via e-mail at [phil.kane@FloridaDEP.gov](mailto:phil.kane@FloridaDEP.gov) if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

---

Aaron Watkins  
Director, Central District

Enclosures: Notice of Violation

cc: Anne Willis, OGC

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE  
CENTRAL DISTRICT

Petitioner,

v.

OGC File No. 21-1025

TYMBER CREEK UTILITIES, INCORPORATED,

Respondent.

\_\_\_\_\_ /

NOTICE OF VIOLATION,  
ORDERS FOR CORRECTIVE ACTION, AND  
ADMINISTRATIVE PENALTY ASSESSMENT

To: T. Brent Jenkins, Registered Agent  
TyMBER Creek Utilities Inc  
265 Clyde Morris Blvd  
Ormond Beach, FL 32174

Pursuant to the authority of Section 403.121(2), Florida Statutes (Fla. Stat.), the State of Florida Department of Environmental Protection (Department) gives notice to TYMBER CREEK UTILITIES, INCORPORATED (Respondent) of the following findings of fact and conclusions of law with respect to violations of Chapter 403, Fla. Stat., and Florida Administrative Code (Fla. Admin. Code) Title 62.

FINDINGS OF FACT  
PARAGRAPHS APPLICABLE TO ALL COUNTS

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, Fla. Stat., and the rules promulgated thereunder in Fla. Admin. Code Title 62.

2. Respondent is the owner of the Tymber Creek Waste Water Treatment Facility (WWTF), a 0.131 million gallon per day (MGD) annual average daily flow with extended aeration domestic wastewater treatment plant consisting of flow equalization, influent screening, aeration, secondary clarification, filtration, chlorination, and aerobic digestion of biosolids with a 0.131 MGD annual average daily flow permitted capacity rapid infiltration basin system. (Facility). The Facility is operated under Wastewater Permit No. FLA011193 (Permit), which was issued on October 28, 2016 and expired on October 27, 2021. The Facility is located at 1951 SR 40 Ormond Beach, FL 32174, in Volusia County, Florida (Property). Respondent owns the Property on which the Facility is located.

3. Department staff conducted an inspection on April 14, 2021, and informed Respondent during the inspection that possible violations existed at the Facility. At that time, Respondent was encouraged to resolve the issues within 30 days, otherwise enforcement action would be necessary. The identified possible violations included Total Suspended Solids (TSS) limits exceedances for several months. Additionally, the Respondent did not have an Operation and Maintenance Manual for the collection system and a Sanitary Sewer Response Plan, in violation of Chapter 403 Fla. Stat., Chapters 62-600 and 62-604, Fla. Admin. Code.

4. On May 24, 2021 a written Compliance Assistance Offer Letter (CAO Letter) was issued to Respondent as part of an agency investigation preliminary to agency action within the meaning of Section 120.57(5), Fla. Stat. This CAO Letter requested that Respondent respond in writing within 30 days to address the identified potential violations. Respondent failed to respond in writing within 30 days.

5. On January 20, 2022 a proposed draft Consent Order agreement was sent to Respondent. As of the date of this Notice, Respondent has failed to correct the identified violations, as well as to sign the Consent Order agreement to resolve said violations.

COUNT I

Failure to maintain Total Suspended Solids within permit limits.

6. The facts in paragraphs 1-5 are realleged and incorporated herein.

7. The table below reflects the Total Suspended Solids (TSS) under Permit condition/requirement I.A.1. that were exceeded for the months indicated below.

MONTH	PARAMETER	LOCATION	LIMIT mg/L	RESULT mg/L
May 2020	TSS	EFB-1	5	98
September 2020	TSS	EFB-1	5	7
October 2020	TSS	EFB-1	5	12
December 2020	TSS	EFB-1	5	6.5
January 2021	TSS	EFB-1	5	5.5
March 2021	TSS	EFB-1	10	47

COUNT II

Failure to provide an Operation and Maintenance Manual with a Sanitary Sewer Response Plan for the collection system.

8. The facts in paragraphs 1-5 are realleged and incorporated herein.

9. The Respondent was unable to provide an Operation and Maintenance Manual for the collection system upon inspection.

COUNT III

Department Costs

10. The Department has incurred expenses to date while investigating this matter in the amount of not less than \$250.00.

## CONCLUSIONS OF LAW

The Department has evaluated the Findings of Fact regarding the requirements of Chapters 600, 604, 610, and 403, Fla. Stat., and Fla. Admin. Code Title 62. Based on the foregoing facts the Department has made the following conclusions of law:

11. Wastewater Facilities are regulated under Fla. Admin. Code Chapters 62-600, 62-610, 62-620, and 62-699.

12. The Wastewater Treatment Facility is a “wastewater facility” as defined in Fla. Admin. Code Rule 62-620.200(55).

13. Respondent is a “person” within the meaning of 403.031(5), Fla. Stat.

14. Respondent is a “permittee” as defined in Fla. Admin. Code Rule 62-699.200(12).

15. The Department is imposing an administrative penalty of less than or equal to \$50,000 in this Notice of Violation as calculated in accordance with Section 403.121, Fla. Stat.

### Administrative Fines

16. The facts in Count I constitute a violation of Fla. Admin. Code Rules 62-600.440(6)(a)3 and 62-610.850(1), which require that TSS do not exceed the permit limits. The facts also constitute a violation of Section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

17. The violation in Count I requires the assessment of an administrative penalty under Section 403.121(3)(b), Fla. Stat., of \$4,000.00 for failure to maintain TSS within permit limits.

18. The facts in Count II constitute a violation of Fla. Admin. Code Rule 62-604.500(4), which requires the facility maintain an Operation and Maintenance Manual for the collection system. The facts also constitute a violation of Section 403.161, Fla. Stat., which makes it a violation to fail to comply with Department rules.

19. The administrative penalties assessed for Counts I and II total \$4,000.00.

20. The costs and expenses related in Count III are reasonable costs and expenses incurred by the Department while investigating this matter, which are recoverable pursuant to Section 403.141(1) Fla. Stat.

### ORDERS FOR CORRECTIVE ACTION

The Department has alleged that the activities related in the Findings of Fact constitute violations of Florida law. The Orders for Corrective Action state what you, Respondent, must do in order to correct and redress the violations alleged in this Notice.

The Department will adopt the Orders for Corrective Action as part of its Final Order in this case unless Respondent either files a timely request for a formal hearing or informal proceeding, pursuant to Section 403.121(2)(c), Fla. Stat., or files written notice with the Department opting out of this administrative process, pursuant to 403.121(2)(c), Fla. Stat. (See Notice of Rights). If Respondent fails to comply with the corrective actions ordered by the Final Order, the Department is authorized to file suit seeking judicial enforcement of the Department's Order pursuant to Sections 120.69, 403.121, and 403.131, Fla. Stat.

Pursuant to the authority of Sections 403.061(8) and 403.121, Fla. Stat., the Department proposes to adopt in its Final Order in this case the following specific corrective actions that will redress the alleged violations:

21. **Within 60 days of the effective date of this Order**, Respondent shall submit to the Department an evaluation conducted by a professional engineer registered in the state of Florida, of the Facility, including the effluent disposal system and associated collection system, to discover the cause or causes of the violations identified in paragraph 7 above.

22. **Within 30 days of the due date for submission of the evaluation in paragraph**

**21,** Respondent shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraph 7 above and ensure the Facility and effluent disposal system will function in full and consistent compliance with all applicable rules.

**23. Within 30 days of the due date for submission of the design modification(s) in paragraph 22,** Respondent shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 22, if such a permit is required. In the event the Department requires additional information to process the permit application Respondent shall provide a written response containing the information requested by the Department within 90 days of the date of the request.

**24. Within 360 days after issuance of the wastewater permit referenced in paragraph 23 above, or if no permit is required, within 360 days of the approval of the design modification(s) in paragraph 22,** Respondent shall complete construction of the modification(s) submitted pursuant to paragraph 23.

**25. Within 30 days after completion of the construction,** Respondent shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required the design modification(s) submitted pursuant to paragraph 23.

**26. 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 calendar quarter.

27. **Within 30 days of the effective date of this Order**, Respondent shall pay \$4,000.00 to the Department for the administrative penalties imposed above. Payment shall be made by cashier's check, money order or on-line payment. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No.21-1025" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

28. In addition to the administrative penalties, **within 30 days of the effective date of this Order**, Respondent shall pay \$250.00 to the Department for costs and expenses. Payment shall be made by cashier's check or money order. Cashier's check or money order shall be made payable to the "State of Florida Department of Environmental Protection" and shall include thereon the notations "OGC Case No.21-1025" and "Water Quality Assurance Trust Fund." The payment shall be sent to the State of Florida Department of Environmental Protection, 3319 Maguire BLVD. Suite 232 Orlando, Florida 32803. Online payments by e-check can be made by going to the DEP Business Portal at: <http://www.fldepportal.com/go/pay/>. It will take a number

of days after this order becomes final, effective and filed with the Clerk of the Department before ability to make online payment is available.

### NOTICE OF RIGHTS

Respondent's rights to negotiate, litigate or transfer this action are set forth below.

#### Right to Negotiate

29. This matter may be resolved if the Department and Respondent enter into a Consent Order, in accordance with Section 120.57(4), Fla. Stat., upon such terms and conditions as may be mutually agreeable.

#### Right to Request a Hearing

30. Respondent has the right to a formal administrative hearing pursuant to Sections 120.569, 120.57(1), and 403.121(2), Fla. Stat., if Respondent disputes issues of material fact raised by this Notice of Violation, Orders for Corrective Action, and Administrative Penalty Assessment (Notice). At a formal hearing, Respondent will have the opportunity to be represented by counsel or qualified representative, to present evidence and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence.

31. Respondent has the right to an informal administrative proceeding pursuant to Sections 120.569 and 120.57(2), Fla. Stat., if Respondent does not dispute issues of material fact raised by this Notice. If an informal proceeding is held, Respondent will have the opportunity to be represented by counsel or qualified representative, to present to the agency written or oral evidence in opposition to the Department's proposed action, or to present a written statement challenging the grounds upon which the Department is justifying its proposed action.

32. If Respondent desires a formal hearing or an informal proceeding, Respondent must file a written responsive pleading entitled "Request for Administrative Proceeding" within 20 days

of receipt of this Notice. The request must be in the form required by Fla. Admin. Code Rule 28-106.2015 and include the following:

- (a) The name, address, and telephone number, and facsimile number (if any) of each respondent if the respondent is not represented by an attorney or qualified representative;
- (b) The name, address, telephone number, and facsimile number of the attorney or qualified representative of respondent, if any, upon whom service of pleadings and other papers shall be made;
- (c) A statement of when respondent received the Notice;
- (d) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the request for hearing must so indicate; and
- (e) The notation “OGC Case No. 21-1025” shall be included in the request.

A request for hearing is filed when it is received by the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov).

#### Right to Mediation

33. If Respondent timely files a request challenging the Notice in accordance with Section 403.121(2)(e) Florida Statute, the Respondent has the right to mediate the issues raised in the Notice. If requested, a mediator will be appointed to assist the Department and Respondent to reach a resolution of some or all of the issues. The mediator is chosen from a list of mediators provided by the FCRC Consensus Center (“FCRC”). The FCRC will provide up to 8 hours of free mediation services to the Respondent. A mediator cannot require the parties to settle the case.

If mediation is unsuccessful, both parties retain their full rights to litigate the issues before an administrative law judge. The Respondent must select the mediator and notify the FCRC within 15 days of receipt of the list of mediators. The mediation process does not interrupt the time frames of the administrative proceedings and the mediation must be completed at least 15 days before the date of the final hearing.

34. The written request to appoint a mediator must be made within 10 days after receipt of the Initial Order from the administrative law judge appointed to hear the case. The request must be received by the FCRC Consensus Center, Attn. Chris Pedersen, 296 Champions Way, UCC6140, Tallahassee, Florida, 32306-2641, [cpedersen@fsu.edu](mailto:cpedersen@fsu.edu). Once the request is timely received, the FCRC will provide the parties with a list of mediators and the necessary information as required by Section 403.121(2)(e) Florida Statutes.

#### Right to Opt Out of the Administrative Proceeding

35. If Respondent does not wish to contest the issues before an administrative law judge, Respondent may file a notice with the Department opting out of the administrative process. Respondent must file its written opt out notice within 20 days after service of the Notice. The written notice to opt out is filed when it is received by the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov).

36. Once the Respondent opts out of the administrative process, the Department may sue the Respondent for injunctive relief, damages, costs and expenses and civil penalties. If the Respondent opts out of the administrative process, the Department may ask the judge to assess civil penalties in excess of the amounts in this Notice up to \$15,000.00 per day per violation. The election to opt out of the administrative process is permanent and once the election is made the

administrative process cannot be restarted.

#### Waivers

37. Respondent will waive the right to a formal hearing or an informal proceeding if either

a. a request for a formal hearing or informal proceeding is not filed with the Department within 20 days of receipt of this Notice, or

b. a notice opting out of the administrative proceeding is not filed with the Department within 20 days of receipt of this Notice.

These time limits may be varied only by written consent of the Department.

#### General Provisions

38. The findings of fact and conclusions of law of this Notice together with the Orders for Corrective Action will be adopted by the Department in a Final Order if Respondent fails to timely file a request for a formal hearing or informal proceeding, pursuant to Section 403.121, Fla. Stat. A Final Order will constitute a full and final adjudication of the matters alleged in this Notice.

39. If Respondent fails to comply with the Final Order, the Department is authorized to file suit in circuit court seeking a mandatory injunction to compel compliance with the Order, pursuant to Sections 120.69, 403.121, and 403.131, Fla. Stat. The Department may also seek to recover damages, all costs of litigation including reasonable attorney's fees and expert witness fees, and civil penalties of not more than \$15,000.00 per day for each day that Respondent has failed to comply with the Final Order.

40. Copies of Department rules referenced in this Notice may be examined at any Department Office or may be obtained by written request to the District Office. They may also be

obtained at: <https://dep.state.fl.us/ogc/ogc/content/rules>.

DATED this 14<sup>th</sup> day of July, 2022.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION



Aaron Watkins  
Director, Central District

Copies furnished to:  
Kirk White, OGC Litigation Section  
Alexis Montiglio, OGC Litigation Section



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

July 29, 2022

T.Brent Jenkins, Registered Agent  
Tymber Creek Utilities Inc  
265 Clyde Morris Blvd  
Ormond Beach, FL  
[32174tbjenkinspa@aol.com](mailto:32174tbjenkinspa@aol.com)

Re: Tymber Creek WWTF  
DW Facility ID #FLA011193  
OGC Case #21-1025

Dear Mr. Jenkins:

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@floridadep.gov](mailto:phil.kane@floridadep.gov).

Your cooperation in this matter will be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "A. Watkins".

*On behalf of:*

Aaron Watkins  
Director, Central District

Enclosure: Consent Order OGC#21-1025

cc: Lea Crandall, OGC  
Alexis Montiglio, OGC  
Daun Festa, Central District  
Mark Cadenhead, [mark\\_cadenhead@bellsouth.net](mailto:mark_cadenhead@bellsouth.net)



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

January 20, 2022

T. Brent Jenkins, Esq, P.A., Estate Attorney  
Tymber Creek Utilities Inc  
1951 State Road 40  
Ormond Beach Florida 32174  
[tbjenkinspa@aol.com](mailto:tbjenkinspa@aol.com)

Re: Tymber Creek WWTF  
DW Facility ID #FLA011193  
OGC Case No: 21-1025  
Volusia County

Dear Mr. Jenkins:

Enclosed is a Consent Order ("Order") prepared by the Department for resolution of the referenced enforcement case. Please review this document and within 20 days of receipt, either: 1) return a signed copy to the Department or 2) provide comments and suggested changes. Once fully executed, a copy of the final document will be forwarded to you.

Should you have any questions or comments, please contact Dr. Phil Kane at 407-897-4156 or via e-mail at [phil.kane@FloridaDEP.gov](mailto:phil.kane@FloridaDEP.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Watkins".

Aaron Watkins, Director  
Central District

RECEIVED

JUL 29 2022

DEP Central District

Enclosure: Consent Order

cc: Mark Cadenhead [mark\\_cadenhead@bellsouth.net](mailto:mark_cadenhead@bellsouth.net)  
Glen Weatherall [wtssales@aol.com](mailto:wtssales@aol.com)

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. 21-1025
	)	
TYMBER CREEK UTILITIES INC	)	
_____	)	

**CONSENT ORDER**

This Consent Order (Order) is entered into between the State of Florida Department of Environmental Protection (Department) and Tymber Creek Utilities INC (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 Tymber Creek WWTF, a 0.131 million gallon per day (MGD) annual average daily flow with extended aeration domestic wastewater treatment plant consisting of flow equalization, influent screening, aeration, secondary clarification, filtration, chlorination, and aerobic digestion of biosolids with a 0.131 MGD annual average daily flow permitted capacity rapid infiltration basin system. (Facility). The Facility is operated under Wastewater Permit No. FLA011193 (Permit), which was issued on October 28, 2016 and expired on October 27, 2021. The Facility is located at 1951 SR 40 (Off Sandy Spring Road) Ormond Beach, FL 32174, in Volusia County, Florida (Property). Respondent owns the Property on which the Facility is located.
4. The Department finds that the following violation(s) occurred:

a) Total Suspended Solids (TSS) and Nitrate exceedances of the permit limits were noted on the Discharge Monitoring Reports (DMR) during the following months, in violation of Chapters 62-610.850(1) & 62-600.440(6)(a)3. Florida Administrative Code (FAC).

MONTH	PARAMETER	LOCATION	LIMIT mg/L	RESULT mg/L
May 2020	TSS	EFB-1	5	98
September 2020	TSS	EFB-1	5	7
October 2020	TSS	EFB-1	5	12
December 2020	TSS	EFB-1	5	6.5
January 2021	TSS	EFB-1	5	5.5
March 2021	TSS	EFB-1	5	47
April 2021	TSS	EFB-1	5	7
May 2021	TSS	EFB-1	5	9
June 2021	TSS	EFB-1	5	10
July 2021	TSS	EFB-1	5	12
August 2021	TSS	EFB-1	5	77.5
September 2021	TSS	EFB-1	5	21
October 2021	Nitrogen, Nitrate, Total (as N)	EFB-1	12	21
October 2021	TSS	EFB-1	5	114

b) An Operation and Maintenance Manual for the collection system and Sanitary Sewer Response Plan were not available on site in violation of Chapter 62-604.500(4) F.A.C.

Having reached a resolution of the matter Respondent and the Department mutually agree and it is

**ORDERED:**

5. Respondent shall comply with the following corrective actions within the stated time periods:

6. Respondent shall operate the facility in a manner consistent with maintaining required effluent limitations.

7. Within 60 days of the effective date of this Order, Respondent shall submit to the Department an evaluation conducted by a professional engineer registered in the state of Florida, of the Facility, including the effluent disposal system and associated collection system, to discover the cause or causes of the violations identified in paragraph 4 above.

8. Within 30 days of the due date for submission of the evaluation in paragraph 7, Respondent shall submit to the Department Facility design modifications, prepared and submitted under seal by a professional engineer registered in the state of Florida, to remedy the cause or causes of the violations identified in paragraph 4 above and ensure the Facility and effluent disposal system will function in full and consistent compliance with all applicable rules.

9. Within 30 days of the due date for submission of the design modification(s) in paragraph 8, Respondent shall submit a complete application for a Department wastewater permit to construct the modifications submitted pursuant to paragraph 8, if such a permit is required. In the event the Department requires additional information to process the permit application Respondent shall provide a written response containing the information requested by the Department within 90 days of the date of the request.

10. Within 360 days after issuance of the wastewater permit referenced in paragraph 9 above, or if no permit is required, within 360 days of the approval of the design

modification(s) in paragraph 8, Respondent shall complete construction of the modification(s) submitted pursuant to paragraph 8.

11. Within 30 days after completion of the construction, Respondent shall 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, effluent disposal system, and collection system have been constructed in accordance with the provisions of the Permit or, if no Permit is required the design modification(s) submitted pursuant to paragraph 8.

12. Every 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.

13. Respondent's completion of all corrective actions required by paragraphs 7,8,9, 10 and 11 within the respective deadlines specified thereunder shall constitute full compliance with Rule 600, F.A.C.

14. Within 30 days of the effective date of this Order, Respondent shall pay the Department \$4,250.00 in settlement of the regulatory matters addressed in this Order. This amount includes \$4,000.00 for civil penalties and \$250.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Order. The civil penalty in this case includes 1 violation that warrant a penalty of \$4,000.00 or more.

15. Respondent agrees to pay the Department stipulated penalties in the amount of \$1,000.00 per day for each and every day Respondent fails to timely comply with any of the

requirements of paragraph(s) 6,7,8,9, 10 and 11 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 paragraph 16, below. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Order. Any stipulated penalties assessed under this paragraph shall be in addition to the civil penalties agreed to in paragraph 14 of this Order.

16. 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.fldepportal.com/go/pay/>. It will take a number of days after this order is final, effective and filed with the Clerk of the Department before ability to make online payment is available.

17. Except as otherwise provided, all submittals and payments required by this Order shall be sent to Dr. Phil Kane, Department of Environmental Protection, Central District 3319 Maguire BLVD Suite 232 Orlando, Florida 32803.

18. 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.

19. 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.

20. 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.

21. 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.

22. 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.

23. 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.

24. 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 \$15,000.00 per day per violation, and criminal penalties.

25. 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.

26. 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.

27. 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.

28. 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.

29.

Persons who are not parties to this Consent Order, but whose substantial interests are affected by it, have a right to petition for an administrative hearing under sections 120.569 and 120.57, Florida Statutes. Because the administrative hearing process is designed to formulate final agency action, the filing of a petition concerning this Consent Order means that the Department's final action may be different from the position it has taken in the Consent Order.

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

- a) The name and address of each agency affected and each agency's file or identification number, if known;
- b) The name, address, any e-mail address, any facsimile number, and telephone number of the petitioner, if the petitioner is not represented by an attorney or a qualified representative; the name, address, and telephone number of the petitioner's representative, if any, which shall be the address for service purposes during the course of the proceeding; and an explanation of how the petitioner's substantial interests will be affected by the agency determination;
- c) A statement of when and how the petitioner received notice of the agency decision;
- d) A statement of all disputed issues of material fact. If there are none, the petition must so indicate;
- e) A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the agency's proposed action;
- f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the agency's proposed action, including an explanation of how the alleged facts relate to the specific rules or statutes; and
- g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the agency to take with respect to the agency's proposed action.

The petition must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 or received via electronic correspondence at [Agency\\_Clerk@floridadep.gov](mailto:Agency_Clerk@floridadep.gov), within 21 days of receipt of this notice. A copy of the petition must also be mailed at the time of filing to the District Office at



DONE AND ORDERED this 29 day of July, 2022, in Orange County, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

 on behalf of

\_\_\_\_\_  
Aaron Watkins  
District Director  
Central

Filed, on this date, pursuant to section 120.52, F.S., with the designated Department Clerk,  
receipt of which is hereby acknowledged.



\_\_\_\_\_  
Clerk

July 29, 2022

\_\_\_\_\_  
Date

Copies furnished to:

Lea Crandall, Agency Clerk  
Mail Station 35



# FLORIDA DEPARTMENT OF Environmental Protection

Central District Office  
3319 Maguire Blvd., Suite 232  
Orlando, Florida 32803

**Ron DeSantis**  
Governor

**Jeanette Nuñez**  
Lt. Governor

**Shawn Hamilton**  
Secretary

November 17, 2023

T.Brent Jenkins, Registered Agent  
Tymber Creek Utilities Inc  
265 Clyde Morris Blvd  
Ormond Beach, FL 32174  
[tbjenkinspa@aol.com](mailto:tbjenkinspa@aol.com)

Re: Warning Letter  
Tymber Creek WWTF  
DW FLA011193  
Volusia County

Dear Mr. Jenkins:

An Office File Investigation (OFI) and Complaint Inspection (CI) were conducted regarding your facility on November 16 and 17, 2023. During the OFI and CI, possible violations of Chapter 403, F.S., Chapter 62-604, Florida Administrative Code (F.A.C.), were observed.

During the OFI and CI Department personnel noted the following:

- A complaint of an ongoing Sanitary Sewer Overflow (SSO) from a manhole near 88 Hollow Branch Crossing, Ormond Branch was reported to the Department on November 15, 2023.
- The SSO was verified as occurring by Department personnel on November 17, 2023.
- This SSO was not reported to the Department of Environmental Protection (DEP) or to the State Watch Office (SWOP). Any unpermitted, unauthorized discharge in excess of 1000 gallons must be reported to the SWO within twenty-four (24) hours of discovery, followed by the written report submitted to the DEP within 5 days. Any spill of 1000 gallons or less must be reported to the DEP within 24-hours of discovery, followed by the written report submitted to the DEP within 5 days.

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 and 403.161, Florida Statutes.

Tymer Creek Utilities; Facility ID No.:FLA011193  
Warning Letter  
Page 2 of 2  
November 17, 2023

Please contact David Smicherko at (407) 897-4169, within **3 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.

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,



Aaron Watkins, Director  
Central District  
Florida Department of Environmental Protection

AW/ds

cc: Carolyn McDaniel, [tymbercreekutil@aol.com](mailto:tymbercreekutil@aol.com)  
Enrique Chavez Jr, CSWR, [echavez@cswrgroup.com](mailto:echavez@cswrgroup.com)  
Phil Kane, David Smicherko, FDEP

**CERTIFICATE OF AUTHENTICITY**

I hereby certify, pursuant to §90.902, F.S., the following: I am Matthew Knoll, Deputy Director, for the Division of Water Resource Management within the Florida Department of Environmental Protection (Department), 2600 Blair Stone Road, Tallahassee, FL 32399. In my capacity as Deputy Director, I am authorized to act as the custodian of the Department's records pertaining to the CSWR-Florida Utility Operating Company and hereby certify to the best of my knowledge that Attachment A: CSWR – Public Water Systems and Wastewater Facilities Complaint Summary and Attachment B: CSWR – Public Water Systems and Wastewater Facilities Compliance Summary, are accurate summaries of the enforcement and compliance activities as logged in our program databases and document management system. Dated at Tallahassee, Leon County, Florida on this day 3rd of March, 2026.

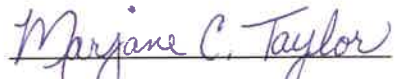


Matthew Knoll  
Deputy Director  
Division of Water Resource Management  
Department of Environmental Protection

STATE OF FLORIDA:  
COUNTY OF LEON:

SWORN AND SUBSCRIBED to me by (name/title) Matthew Knoll, Deputy Director, personally known to me, on the 3rd day of March, 20 26.



  
Notary Public, State of Florida

My Commission Expires: March 9, 2026