

BEFORE THE FLORIDA PUBLIC SERVICE COMMISSION

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In re: Application for increase in water/wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

DOCKET NO. 100330-WS

DATED: October 6, 2011

COMMISSION CLERK

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Direct Testimony of Daniela Sloan has been served by U.S. Mail this 6th day of October, 2011, to the following:

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Office of Public Counsel
J. R. Kelly/ Patricia Christensen
c/o The Florida Legislature
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Tallahassee, Florida 32399-1400

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FPSC-COMMISSION CLERK

CERTIFICATE OF SERVICE
DOCKET NO. 100330-WS
PAGE 2

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Commissioner
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FLORIDA PUBLIC SERVICE COMMISSION
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DOCKET NO. 100330-WS - Application for increase in water/wastewater rates in Alachua, Brevard, DeSoto, Hardee, Highlands, Lake, Lee, Marion, Orange, Palm Beach, Pasco, Polk, Putnam, Seminole, Sumter, Volusia, and Washington Counties by Aqua Utilities Florida, Inc.

WITNESS: Direct Testimony of Daniela Sloan
Appearing on Behalf of the Staff of the Florida Public Service Commission.

DATE FILED: October 6, 2011

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FPSC-COMMISSION CLERK

DIRECT TESTIMONY OF DANIELA SLOAN

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- Q. Please state your name and business address.
- A. Daniela Sloan, Polk County Health Department, 2090 E. Clower St., Bartow, FL 33830.
- Q. Please provide a brief description of your educational background and experience.
- A. I received a Bachelor of Science Degree in Biology from University of Bucharest (Romania), a Master of Science Degree in Environmental Protection and Management of Natural Resources from University of Bucharest, a Master of Science Degree in Biology from Georgia Southern University and a Doctor of Philosophy Degree in Industrial Hygiene from University of South Florida. I have been employed by PCHD since May 2007, currently as an Environmental Specialist II.
- Q. What are your general responsibilities at PCHD?
- A. I am responsible for ensuring that public water systems in Polk County are in compliance with federal and state Safe Drinking Water Act (SDWA) regulations. My job duties include performing site inspections and sanitary surveys, reviewing bacteriological main clearances, bi-weekly dosage corrosion reports, lead and copper sampling plans and results, entering data in the state Oracle database and initiating enforcement action when necessary.
- Q. Are you familiar with the Aqua Utilities Florida, Inc. (Aqua) Breeze Hill, Lake Gibson Estates, Gibsonia Estates, Orange Hill/Sugar Creek, Rosalie Oaks and Village Water systems in Polk County?
- A. Yes.
- Q. Has Aqua been the subject of any PCHD enforcement action in the past three years?
- A. The Breeze Hill water system has not been subject to any enforcement action in the past three years and has been in compliance with all bacteriological and chemical

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1 monitoring requirements. However, positive coliform samples were collected in May
2 2010. The only out of compliance deficiency found during the 2010 and 2011 annual
3 sanitary surveys was a leaking well seal, which was corrected on June 23, 2011. The
4 Lake Gibson Estates water system was not subject to any enforcement action during
5 the past three years but has been placed in out of compliance status due to leaks around
6 both well seals. The Orange Hill/Sugar Creek water system, Gibsonia Estates water
7 system and Rosalie Oaks Water system were sent a warning notice (AKA warning
8 letter) for failure to sample for nitrates/nitrites in 2010. These letters are attached as
9 Exhibit DS-1. The Village Water system was not subjected to any enforcement action
10 during the past three years.

11 Q. Please describe the violation regarding Total Coliform.

12 A. A Breeze Hill resident who owns a nearby mobile home park mistakenly collected four
13 bacteriological samples from her Breeze Hill residence and submitted them as the
14 monthly required samples for the mobile home park. The mistake was discovered
15 upon receiving the positive results. Further investigation and bacteriological sampling
16 by PCHD revealed that the positive samples were due to a dirty, malfunctioning filter
17 at the point of entry to the residence and not the quality of the water provided by Aqua.
18 No further action was required.

19 Q. Please describe the warning notice.

20 A. The Orange Hill/Sugar Creek, Gibsonia Estates and Rosalie Oaks water systems
21 were sampled for nitrates/nitrites in a timely manner and the results were below the
22 MCL, but the results were not submitted to our office by the deadline.

23 Q. Is the overall maintenance of the treatment plant and distribution facilities satisfactory?

24 A. Yes. I conducted annual sanitary surveys of the Breeze Hill water system on May
25 24, 2011, May 25, 2010, April 23, 2009 and March 7, 2008. The only out of

1 compliance violation during these four years was the leaking well seal, which was
2 corrected in a timely manner each time. Minor deficiencies included no screen and
3 elbow on the air release valve, maintenance manual not on site, chlorine injection leak,
4 outdated bacteriological sampling plan, no tank inspection report on site and corrosion
5 on some components. The system was also reminded that during future alterations the
6 well must be outfitted with a vent and access port. I also recommended that the casing
7 height be increased to 12 inches above the concrete pad. I conducted sanitary surveys
8 of the Orange Hill/ Sugar Creek system on June 9, 2011, May, 26, 2010 and August 6,
9 2009. The only out of compliance violations involved leaking well seals in 2010. All
10 deficiencies were corrected according to the schedule. I conducted annual sanitary
11 surveys of the Rosalie Oaks water system on May 24, 2011, May 25, 2010 and June
12 10, 2009. The system had only minor deficiencies, which were addressed immediately
13 following the sanitary surveys. I conducted annual sanitary surveys of the Gibsonia
14 Estates water system on June 2, 2011 and October 27, 2010. The only out of
15 compliance deficiencies were found during the 2010 sanitary survey when both well
16 seals were leaking. The seals were repaired according to the schedule, and the back-up
17 well had the casing height raised and a new access port and vent installed. I conducted
18 the annual sanitary survey for the Village Water system on February 22, 2011. This is
19 a consecutive water system with no treatment facilities, which purchase water from
20 Polk County Utilities. For the past three years this system had no deficiencies. In
21 general, the utility is doing a good job about acknowledging the deficiencies found
22 during inspections and correcting them.

23
24 Q. Are the plant and distribution systems otherwise in compliance with all environmental
25 requirements?

A. Yes.

1 Q. Do you have anything further to add?
2 A. These facilities have had 23 boil water notices since 2009. Attached as Exhibit DS-2
3 is an Excel spreadsheet which lists each occurrence. In each instance the notices were hand
4 delivered to all affected water connections (customers). Our Department was sent Boil Water
5 and rescission notices along with the Boil Water Notification Form. One time, a BWN for
6 Lake Gibson Estates was not able to be rescinded on the specified date; in this case, the
7 operator notified our Department by email, listing the changes made.

8 Q: Does this conclude your testimony?

9 A: Yes.

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January 20, 2011

Aqua Utilities Florida Inc.
c/o Roy H. Stahl
762 West Lancaster Avenue
Bryn Mawr, PA 19010

RE: Orange Hill – Sugar Creek, Winter Haven, FL
PWS ID No. 6531305

Warning Notice No. 11-653PW1305A

Dear Public Water System Owner:

The purpose of this letter is to advise you of the violations of law for which the above mentioned facility's public water system may be responsible, and to seek your cooperation in resolving the matter. A review of the facility's drinking water records indicates that violations of Florida Statutes and Rules may exist at the facility.

- You may have failed to monitor for Nitrate and Nitrite in 2010 as required by Chapter 62-550.512 of the Florida Administrative Code.
- You may have failed to provide public notice that your system failed to monitor in accordance with Chapter 62-550 and Chapter 62-560 of the Florida Administrative Code.

You are requested to contact Owen Devine at (863) 519-8330 Ext. 12151 within fifteen (15) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing 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 resolution of this matter.

POLK COUNTY HEALTH DEPARTMENT

Environmental Engineering Division
2090 East Clower Street, Bartow, FL 33830-6741
Phone (863) 519-8300 FAX (863) 534-0245
www.mypolkchd.org

Daniel O. Haight, MD, FACP
Director

Hillory Register, Jr., MPH
Interim Assistant Director

Sincerely,



Donald R. Ehlenbeck, P.E.
Administrator
Environmental Engineering

DRE/od

Copy to:

Roland Reis, Legal Counsel
Polk County Health Department
1290 Golfview Avenue, 4th floor
Bartow, Florida 33830

Email copy to:

[Patrick Farris] PAFarris@aquaamerica.com

[Steve Fuller] SLFuller@aquaamerica.com

[David Evans] devans@aquaamerica.com



January 20, 2011

Aqua Utilities Florida Inc.
c/o Roy H. Stahl
762 West Lancaster Avenue
Bryn Mawr, PA 19010

RE: Rosalie Oaks, Lake Wales, FL
PWS ID No. 3531546

Warning Notice No. 11-353PW1546A

Dear Public Water System Owner:

The purpose of this letter is to advise you of the violations of law for which the above mentioned facility's public water system may be responsible, and to seek your cooperation in resolving the matter. A review of the facility's drinking water records indicates that violations of Florida Statutes and Rules may exist at the facility.

- You may have failed to monitor for Nitrate and Nitrite in 2010 as required by Chapter 62-550.512 of the Florida Administrative Code.
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Daniel O. Haight, MD, FACP
Director

Hillory Register, Jr., MPH
Interim Assistant Director

Sincerely,



Donald R. Ehlenbeck, P.E.
Administrator
Environmental Engineering

DRE/od

Copy to:

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Polk County Health Department
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Bartow, Florida 33830

Email copy to:

[Patrick Farris] PAFarris@aquaamerica.com

[Steve Fuller] SLFuller@aquaamerica.com

[David Evans] devans@aquaamerica.com



January 20, 2011

Aqua Utilities Florida Inc.
c/o Roy H. Stahl
762 West Lancaster Avenue
Bryn Mawr, PA 19010

RE: Gibsonia Estates, Lakeland, FL
PWS ID No. 6530079

Warning Notice No. 11-653PW0079A

Dear Public Water System Owner:

The purpose of this letter is to advise you of the violations of law for which the above mentioned facility's public water system may be responsible, and to seek your cooperation in resolving the matter. A review of the facility's drinking water records indicates that violations of Florida Statutes and Rules may exist at the facility.

- You may have failed to monitor for Nitrate and Nitrite in 2010 as required by Chapter 62-550.512 of the Florida Administrative Code.
- You may have failed to provide public notice that your system failed to monitor in accordance with Chapter 62-550 and Chapter 62-560 of the Florida Administrative Code.

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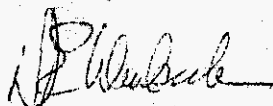
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Daniel O. Haight, MD, FACP
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Interim Assistant Director

Sincerely,



Donald R. Ehlenbeck, P.E.
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[Steve Fuller] SLFuller@ aquaamerica.com

[David Evans] devans@aquaamerica.com

SYSTEM	BWN DATE	REASON	RESCINDED
Breeze Hill	4/9/2010	line break	4/12/2010
	12/8/2009	tank inspection	12/11/2009
Gibsonia Estates	1/12/2011	line repair	1/14/2011
	2/25/2009	valve replacement	2/27/2009
	1/13/2009	leak repair	1/15/2009
Orange Hill/Sugar Creek	1/4/2011	line break	1/7/2011
	9/27/2010	line replacement	9/30/2010
	6/10/2010	water main repair	6/14/2010
	6/1/2010	valve, line replacement	6/7/2010
	2/24/2010	PVC pipe replacement	3/1/2010
	2/9/2009	water main repair	2/11/2009
Rosalie Oaks	2/8/2011	tank replacement	2/11/2011
	12/8/2009	tank inspection	12/11/2009
Lake Gibson Estates	1/10/2011	water main break	1/14/2011
	11/12/2010	tank inspection	11/15/2010
	9/7/2010	line break	9/13/2010
	7/19/2010	isolation valve replacement	7/22/2010
	4/19/2010	fire hydrant replacement	4/23/2010
	9/15/2009	water main leak	9/17/2009
	5/8/2009	water main repair	5/12/2009
Village Water	12/1/2009	water main repair	12/4/2009
	10/26/2009	water main repair	10/29/2009
	2/24/2009	water main break	2/26/2009