

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

Diane Loughlin has been served by U.S. Mail this 6th day of October, 2011, to the following:

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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 Diane Loughlin  
Appearing on Behalf of the Staff of the Florida Public Service Commission.

**DATE FILED:** October 6, 2011

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DIRECT TESTIMONY OF DIANE LOUGHLIN

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2 Q. Please state your name and business address.

3 A. Diane Loughlin, Florida Department of Environmental Protection (FDEP), South  
4 District, 2295 Victoria Avenue, Suite 364, Fort Myers, FL 33902.

5 Q. Please provide a brief description of your educational background and experience.

6 A. I received a Bachelor of Science degree from the University of Central Florida. I have  
7 been with the Department of Environmental Protection since November of 2010.

8 Q. What are your general responsibilities at the Department of Environmental Protection?

9 A. I am a wastewater compliance and enforcement inspector. My typical duties and  
10 responsibilities include: identifying and documenting violations found during compliance  
11 inspections, preparing compliance and enforcement documents, and conducting compliance  
12 and enforcement meetings.

13 Q. Are you familiar with the AUF wastewater systems in Highlands County, particularly  
14 the Leisure Lakes Utilities WWTP?

15 A. Yes.

16 Q. Is this system in compliance with all applicable construction and operating permits?

17 A. Yes.

18 Q. Has this AUF system been the subject of any FDEP compliance enforcement action  
19 within the past three years?

20 A. A Warning Letter was sent to AUF on February 23, 2010, regarding potential  
21 violations revealed at the Leisure Lakes Utilities WWTP during compliance inspections  
22 performed on January 8 and January 15, 2010. On these dates, a copy of the current permit  
23 was not available on site, and evidence was found that suggested that wastewater may have  
24 been leaking from the wastewater treatment plant structure. In addition, it appeared that a  
25 sludge spill may have occurred on site and solids and debris were observed in the percolation

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1 pond, but the Department had no record of receiving an abnormal event report regarding  
2 possible violations or spills. The Department and AUF met for an enforcement meeting on  
3 March 25, 2010, and a facility visit on March 31, 2010, to discuss the violations identified in  
4 the Warning Letter. At that time, it was determined that AUF had corrected and resolved the  
5 violations, so no further enforcement actions were taken.

6 Q. Other than any violations discussed above, is AUF in compliance with all FDEP  
7 requirements for their wastewater systems in Highlands County?

8 A. Yes.

9 Q. Is the overall operation and maintenance of these wastewater treatment plants and  
10 collection facilities satisfactory?

11 A. Yes.

12 Q. Do you have anything further to add?

13 A. No, I do not.

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