

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-

RECEIVED - FPSC
12 JUL 7 AM 11:06
COMMISSION
CLERK

DATE: July 17, 2012
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Robert Simpson, Engineering Specialist II, Division of Engineering
RE: Docket No. 110165-SU; Application for staff-assisted rate case in Highlands County by Utility Corporation of Florida, Inc.

Attached are customer letters from staff's customer meeting and DEP correspondence regarding this rate case. Please add this documentation to the docket.

Should you have any questions regarding this matter, feel free to contact me.

Attachments

CONSUMER

DOCUMENT NUMBER - DATE

04733 JUL 17 2012

FPSC - COMMISSION CLERK

Exhibit #1

Spring Lake Club, Inc

100 Clubhouse Lane

Sebring, Florida, 33876

Office: 863 655 0900 Fax: 863 655 0600

Waterway Patio Homes II
Board of Directors
P.O. Box 65
Lorida, FI 33857

October 3, 2007

RE: Sewer treatment rate schedule 2008.

Beginning January 01, 2008 the new monthly service rate will be \$32.00 per unit.

In 2007 Spring Lake Club, Inc negotiated to sell the sewer plant to a large public utility to provide for a stable long term environment for this vital service. One of the objections to the sale was the artificially low service rate which has been subsidized by Spring Lake Club, Inc as an accommodation to the various developments at Spring Lake.

The assets of the plant will be transferred to a new entity, Utility Corporation of Florida, Inc. This transfer will separate the budget for the sewer plant from the other business activity of Spring Lake Club, Inc. With these changes we hope to get back on track with the negotiations for the sale of the plant to the public utility.

Utility Corporation of Florida, Inc will begin billing each association at the new rate January 01, 2008.

Sincerely,



Michael A Telschow, President
Spring Lake Club, Inc

Exhibit #2

Utility Corporation of Florida, Inc.
100 Clubhouse Lane, Sebring, FL 33876

October 31, 2008

Waterway Patio Homes 2
Box 65
Lorida, FL 33857

To Whom it May Concern:

The Florida Public Service Commission issued a ruling on October 6, 2008 approving the Utility Corporation of Florida's application for a wastewater certificate. They also ordered a monthly service rate of \$32.00 per unit, effective October 31.

Please let us know if you have any questions.

Sincerely,

Lois Schlabach
Utility Corporation of Florida, Inc.

Phone: 863-655-0900

Fax: 863-655-0600

Exhibit #3

SPRING LAKE CLUB, INC.
100 CLUBHOUSE LANE **SEBRING, FL 33876**

To the Board of Directors
Waterway Homeowners II, Association
Sebring Florida

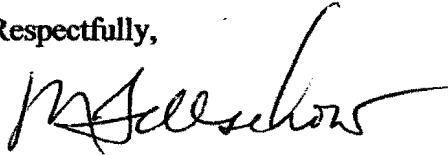
January 25, 2010

Dear Sirs,

Upon the advice of our attorney, this letter will serve as formal notice that Spring Lake Club, Inc. will no longer service nor repair any/all of the Septic Tanks located within your subdivision.

Additionally, we will be terminating the Emergency Call phone as of January 31, 2010. Please make other arrangements.

Respectfully,



Michael Tellschow, President

Cc: Mark Breed P.A.

Letter to Public Service Board meeting on February 9, 2012

Gary Behrendt, 42 Clubhouse Lane

I feel that the proposed sewage rate increase does not consider all of the history of this Utility. There is an ownership question of the PEP system which delivers effluent, under pressure to the processing plant. Legal council is being retained to settle this dispute. Establishing a new utility rate may be premature, at this time.

Following is a brief history for your consideration, as the facts are known to me:

Spring Lake Club, Inc. originally set up a sewer system to process effluent from villas and condos which were built to house vacationing golf groups and the treated wastewater was recycled to irrigate the golf course properties owned by Spring Lake Club, Inc. This reuse system is somewhat unique and has provided the owner above average access to irrigation water at times when other Florida courses were subject to outside agency restrictions. According to the 2008 annual report by Utility Corp of Florida, 7.1 mil gal of effluent was treated and 7.1 mil gal of wastewater was delivered for club house use and course irrigation.

I believe there are now 313 villas and condo units, a clubhouse with restaurant, restrooms and laundry facility feeding the utility processing plant. 75 of these units are still in the rental program administered by Spring Lake Club, Inc. 11 of the 42 units in Waterway Patio 1 are shown to be in the rental pool. Occupancy in these rental units is seasonal. Several of the other non-rental units in Waterway 1 are only occupied seasonally and are empty half of each year. As a full time resident my average water usage was 2,620 gallons per month for 2011.

According to the engineering report for Waterway Patio Homes the on-lot components of the PEP system were to be installed, and to remain, the property of Spring Lake Club, Inc. The tank, pump and control devices were to be installed in a maintenance easement, one tank to be fed by 4 condo units. I am willing to pay a reasonable charge to a utility willing and able to maintain the delivery system, in its' entirety, even if it means a larger increase in user fees.

The maintenance and operation of a sewer system was not included in the condominium documents which were delivered upon the purchase of my home and I am not financially capable of repairing or replacing the PEP components which Spring Lake Club insists that I own.

I dispute the notion that he who pays the electric bill to run the pumps is the owner of the system, or if, when asked to pay for components of that system, ownership is implied. I don't own the cable for the phone line or the meter and pipe to supply my drinking water. Please don't hold me hostage to bad business practices of previous homeowners, or worse, hold me accountable for property I do not believe I own.

I ask you for a re-evaluation of those who use this system the most, those responsible for the maintenance and those receiving the most benefit of its continued operation. Thank You.

✓

January 31, 2011

Utility Corporation of Florida, Inc., II
200 Healthy Way
Sebring, FL 33876

RE: WATERWAY PATIO HOMES CONDOMINIUM ASSOCIATION
PHASE II

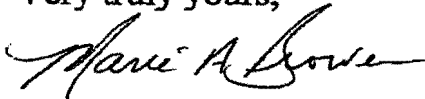
To Whom It May Concern:

Please find the Association check enclosed in the amount \$1,024.00 (one thousand and twenty-four dollars.) The check made payable to your utility for payment of the statement received by our Association from your utility company.

Please be advised that it has been and remains our position, that the maintenance of the STEP System within our development is the responsibility of your utility. In order to assure the proper treatment of wastewater generated by our Development, we have paid maintenance for the foregoing STEP system including payment of cost of the electricity for said system. We have been forced to do so because your company has defaulted in its obligations to maintain said STEP System.

Please be advised that the enclosed payment is made under protest until this matter can be resolved either administratively or judicially.

On behalf of the Board of Directors,
Very truly yours,



Marie A Brower
CAM



Department of Environmental Protection COPY

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

David B. Struhs
Secretary

December 21, 1999

Mike Tellschow, President
Spring Lake Club, Inc.
100 County Club Lane
Sebring, Florida 33870

Re. Highland County - DW
Spring Lake Golf and County Club WWTP
Permit Number: FLA014315-250101
Facility ID. No.: FLA014315
Lake Wales Ridge EMA

Dear Mr. Tellschow:

The notification of completion of construction for wastewater facilities, DEP Form 62-620.910(12) and the notification of availability of record drawing and final operation and maintenance manuals, DEP Form 62-620.910(13), received dated November 8, 1999 as submitted by Chris Lynch, P.E. of Kennedy, Lynch and Associates, Inc., for the project authorized by the above referenced permit number have been reviewed. Based on the Department Staff review of the converting an existing percolation pond to a 416,000 gallon reclaimed water-reuse storage pond, an isolated reuse irrigation pond at the golf course, and irrigation of grass on a 97 acre public access golf course site of December 16, 1999, the modification to existing wastewater treatment plant under the Permit Number FLA014315-250101 may be placed into operation.

Should you have any questions, please contact Bennie T. Shoemaker at (941) 332-6975, (ext. 107).

Sincerely,

John A. Armstrong, P.E.
Wastewater Permitting Supervisor

JAA/BTS/jmo

cc: Chris Lynch, P.E. ✓
Andy Barienbrock, FDEP

"More Protection, Less Process"

Printed on recycled paper.



Department of Environmental Protection

Jeb Bush
Governor

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549
January 25, 2000

David B. Struhs
Secretary

(941) 332-6975

PERMITTEE:

Mike Tellshow, President
Spring Lake Club, Inc.
100 Country Club Lane
Sebring, FL 33870

Permit No.: 40649-001DWC
DEP File No.: 40649
Date of Issue: January 25, 2000
Expiration Date: January 24, 2005
County: Highlands
Sec: 15 & 16 Twn: 35S R: 30E
Project: Waterway Patio Homes @ Spring Lake
Connected to: Sebring Lake Golf & Country Club WWTP

Dear Mr. Tellshow :

This permit is issued under the provisions of Chapter 403, Florida Statutes (F.S.), and Florida Administrative Code (F.A.C.) Rules 62-4, 62-600, 62-604 and 62-620.

The above named permittee is hereby authorized to perform the work or operate the facility shown on the application and approved drawing(s), plans, and other documents, attached hereto or on file with the Department and made a part hereof and specifically described as follows:

This project is to install a domestic wastewater collection/transmission system to serve Waterway Patio Homes @ Spring Lake as depicted on the drawings sheets 2,3,4 of 5 and other documents, submitted by Christopher Lynch, P.E. of Kennedy, Lynch and Associates, Inc. on January 19, 2000 in support of this permit. The project is located at Clubhouse Lane, Waterway Patio Homes, Highlands County, Florida.

General Conditions: 1-15
Specific Conditions: 1-7

Page 1 of 5

"More Protection, Less Process"

Printed on recycled paper.

PERMITTEE:

Mike Tellshow, President
Spring Lake Club, Inc.

Permit No.: 40649-001 DWC
DEP File No.: 40649
Date of Issue: January 25, 2000
Expiration Date: January 24, 2005

(Civil Liabilities)
(Penalties)
(Water Quality)

GENERAL CONDITIONS:

1. The terms, conditions, requirements, limitations, and restrictions set forth in this permit are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in Subsections 403.087(6) and 403.722(5) F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in the permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by any order from the Department.
6. The permittee shall 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, as required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credential or other documents as may be required by law, and at reasonable times, access to the premises where the permitted activity is located or conducted to:
 - a. Have access to and copy any records that must be kept under the conditions of the permit;
 - b. Inspect the facility, equipment, practices, or operations regulated or required under this permit; and
 - c. Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:
 - a. A description of and cause of non-compliance; and

PERMITTEE:

Mike Tellshow, President
Spring Lake Club, Inc.

Permit No.: 40649-001 DWC
DEP File No.: 40649
Date of Issue: January 25, 2000
Expiration Date: January 24, 2005

GENERAL CONDITIONS:

- b. The period of non-compliance, including dates and times; or, if not corrected, the anticipated time the non-compliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence of the non-compliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or revocation of this permit.
9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source, which are submitted to the Department, may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.
10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance, provided however, the permittee does not waive any other rights granted by Florida Statutes or Department rules. A reasonable time for compliance with a new or amended surface water quality standard, other than those standards addressed in Rule 62-3.051, shall include a reasonable time to obtain or be denied a mixing zone for the new or amended standard.
11. This permit is transferable only upon Department approval in accordance with F.A.C. Rules 62-4.120 and 62-30.300, F.A.C. as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.
12. This permit or a copy thereof shall be kept at the work site of the permitted activity.
13. This permit also constitutes:
 - (a) Determination of Best Available Control Technology (BACT)
 - (b) Determination of Prevention of Significant Deterioration (PSD)
 - (c) Certification of compliance with State Water Quality Standards (Section 401, PL 92-500)
 - (d) Compliance with New Source Performance Standards
14. The permittee shall comply with the following:
 - (a) Upon request, the permittee shall furnish all records and plans required under Department rules. During enforcement actions, the retention period for all records will be extended automatically, unless otherwise stipulated by the Department.
 - (b) The permittee shall hold at the facility or other location designated by this permit records of all monitoring—information (including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation), required by the permit, copies of all reports required by this permit, and records of all data used to complete the application for this permit. These materials shall be retained at least three years from the date of the sample, measurement, report or application unless otherwise specified by Department rule.

PERMITTEE:

Mike Tellshow, President
Spring Lake Club, Inc.

Permit No.: 40649-001 DWC
DEP File No.: 40649
Date of Issue: January 25, 2000
Expiration Date: January 24, 2005

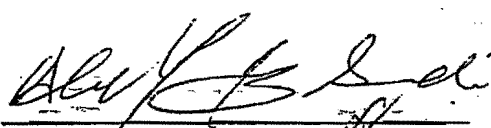
SPECIFIC CONDITIONS:

7. The design and construction of the wastewater collection/transmission system shall be in accordance with provisions of Florida Administrative Code (F.A.C.) Rule 62-604.

Note: In the event of an emergency the permittee shall contact the Department by calling (850) 488-1320. During normal business hours, the permittee shall call (941) 332-6975.

Issued this 25th day of January, 2000.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Richard W. Cantrell
Director of
District Management

RWC/RDB

ENGINEERING REPORT
PRESSURE SEWER COLLECTION SYSTEM
FOR
WATERWAY PATIO HOMES
SEBRING, FLORIDA

I. INTRODUCTION

Pressure sewer systems are presently being utilized in many parts of the country and in Florida where unique situations exist and where conventional gravity systems do not provide the best solution in these situations. Generally, pressure sewer systems have proven to have advantages over gravity sewer collection systems where subsurface conditions require special construction techniques. The installation of a gravity sewage collection system requires large capital expenditures and presents safety problems with deep trench excavations, especially when unstable soil conditions are encountered.

As a result of the high groundwater conditions that are known to exist throughout the area and other soci-economic considerations, Spring Lake Golf and Country Club Management determined that pressure sewers should be considered for use in Waterway Patio Homes Project.

II. PURPOSE AND SCOPE

The purpose of this report is to establish the guidelines and criteria under which a pressure sewer system would be designed and installed at Waterway Patio Homes Project by the developer, Spring Lake Club, Inc.(Spring Lake). This report along with the plans , and specifications submitted with the permit, includes detailed information on the design procedure used for the pressure pipeline and background information on estimated flows. Exhibits and details are included which depict the on-lot facilities to be installed at Waterway Patio Homes Project as customers connect to the system.

III. PROPOSED PRESSURE SEWER SYSTEM

A. General

Under special circumstances, usually adverse subsurface conditions, pressure sewer systems are a viable alternative to conventional gravity sewers. Utilizing pressure sewers eliminates many of the safety hazards associated with deep sewer main construction and inflow and infiltration problems are minimized.

The pressure sewer system proposed for installation in Waterway Patio Homes Project is the septic tank effluent pumping (STEP) type of system. This type of system is also known as a pretreatment effluent pumping system (PEP) and will be referred to as this in the remainder of this report. The PEP system consists of a pretreatment tank, pump and controls, and the pressure main collection system.

B. Design Criteria

Design Criteria established for this project include:

1. number of dwelling units
2. flow per dwelling unit
3. minimum pipeline velocity
4. pipeline materials
5. miscellaneous construction details
6. on-lot components

All of the above factors were established based upon the best available information and good engineering practice. The following provides a basis for the design criteria.

The number of dwelling units proposed for Waterway Patio Homes is 45 units. These multifamily, townhouse type units are grouped in clusters of two. The design sewage flow rate has been estimated at 250 gpd per unit. This estimate is based on 2.5 persons per dwelling unit, 100 gpd/person water usage rate.

Minimum pipeline velocity for scouring action in sewage force mains is usually 2 to 2.5 fps. Velocity is often a trade off in design because the higher the velocity the greater the friction headloss and consequently require higher head pumps. This typical design velocity may be greater than is necessary in PEP systems since sand and grit, the two components in sewage most likely to settle out, have been removed in the pretreatment tank. Therefore, it is a reasonable design assumption to reduce the minimum pipeline velocity below the standard 2 to 2.5 fps. In the design of the pressure main network, the velocity ranged from 1 fps to 2.85 fps in the 2 inch service lines. The velocity in the 3 and 4 inch lines will be 2 fps for more most of the time. The variable is the number of pumps operating at any given time. As is often the case, the velocity necessary to resuspend any settled matter will often be attained in the system, so it is not expected to be a problem. In line and end of line cleanouts have been included for the periodic flushing of the system.

The pressure main system will be constructed of PVC pipe. All pipe will utilize integral bell and spigot joints with elastomeric seals and conform with Section 8, PRESSURE PIPELINE Specifications. Cleanout assemblies will be constructed of Schedule 60 PVC with screw type joints as shown in the details included with the plans.

The on-lot components of the PEP system will be installed by Spring Lake and remain the property of Spring Lake. The on-lot components consist of the pretreatment tank, pump, level control device, control panel, and miscellaneous appurtenances. The tank, pump and control devices will be installed in a maintenance easement adjacent to the homes being served. The control panel will be installed in a convenient location on the outside wall of the dwelling unit.

The pretreatment tank to be used in Waterway Patio Homes will be constructed of Fiberglass reinforced plastic (FRP) and will have a capacity of 2250 gallons. This tank capacity exceeds the volume requirements of Chapter 64E-6 for the anticipated flows. The tank also meets or exceeds the structural requirements for FRP septic tanks as defined in Chapter 64E-6. The design considerations utilized in the sizing of this tank provide nearly 48 hour detention time at average daily flow for 4 units and allows for an overflow capacity of 200 gallons after the high level alarm. This will provide a minimum storage of 4 hour at average flow rates for 4 units, which should be adequate since response time is expected to be less than 1 hour. The occupants of the dwelling units will have to be educated to reduce water usage in the home during this period until the alarm condition is corrected. Exhibit I shows a typical fiberglass pretreatment tank and appurtenances.

Duplex pumps are proposed which will enhance the reliability of the system. The pumps to be used in this system will be oil filled, submersible pumps with 1/2 HP motors requiring 115 VAC, single phase power supply, Myers Model W11R15 or equal. The control devices to be used in this system are to be Rotofloat direct acting Mercury float switches or equal. Both the pumps and control devices will be connected to a control panel which will include a pump alternator and audio-visual alarms. Other appurtenances which will be installed in the pump chamber as shown in Exhibit 2 include a check valve, PVC pipe, flexible coupling with a ball valve installed immediately outside the chamber. Design operating levels will ensure that liquid level is maintained above the pumps eliminating the concern for NEMA Explosion proof requirements. Service connections to the pressure main will have a check valve and isolating valve as shown on Exhibit 3.

C. Design Methods

The PEP system pressure main network design was based on "Computer Analyses of Flow in Pipe Networks" using the Kentucky Pipe Model. The system is modeled by setting up a network of pipes, junction nodes and fixed grade nodes. The flow was determined by multiplying the average daily flow per dwelling unit (200 gpd) by a peaking factor (4x) to obtain the peak flow per unit. The peak flow per unit was then multiplied by the number of units between two nodes to determine the flow in the pipe connecting those two nodes and so on. This method was used initially to size the mains. The model was then used to fine tune the network and identify which pipes had high head losses and needed to be increased. Finally, pumps were selected and 3 operating points on the pump characteristic curve were input for A finite number of nodes.

*
ALPHA SEPTIC
Kendallwood Blvd
382-1544

Hughes Supply
8700 Hwy 27 S
Sebring, FL
655-2411

D. Odor Control

Odors at the individual on-lot PEP unit will be minimal. Like a standard septic tank, odors generated at the PEP tank are vented to the atmosphere through the vent stack of the dwelling unit. Generation of odors at the pump station into which the PEP system will discharge will be minimized by locating the invert of the force main entering the wetwell below the operating level. The location of the pump station is not in a populated area so any nuisance odors that may be generated are not expected. to cause any complaints.

IV. OPERATION AND MAINTENANCE

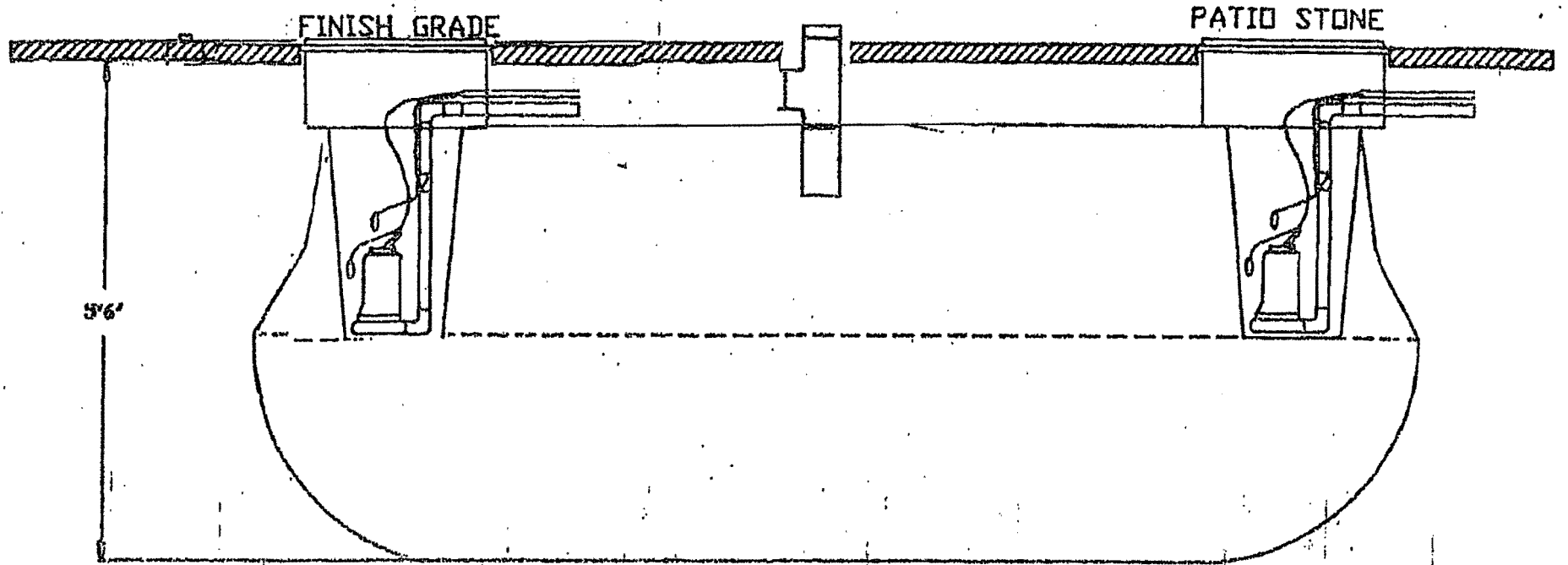
Spring Lake Club, Inc. is the owner and operator of the wastewater treatment plant which will serve this development. ~~Spring Lake Club, Inc. will also be responsible for the operation and maintenance of the PEP system serving Waterway Patio Homes in accordance with the rules and regulations of the FDER which apply to this system.~~

V. TREATMENT

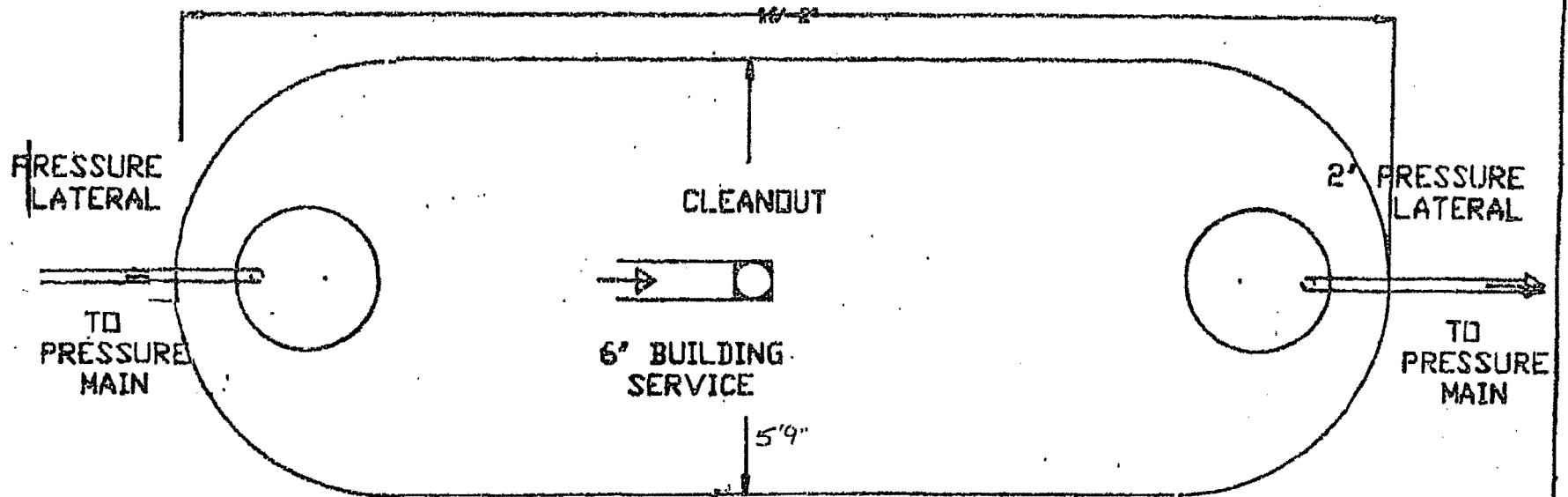
Pep system effluent typically is in the range of 110 to 170 mg/L BOD and 50 to 100 mg/L TSS, about 50% of the concentration of raw wastewater from a conventional gravity system treating domestic wastewater. Dissolved sulfides and ammonia may be somewhat higher, but should not cause treatment problems.

* FLA Dept of Env Res.
IS NOW FLA Dept of ENVIRONMENTAL PROTECTION

EXHIBIT 1 TYPICAL PEP UNIT



PLAN



Utility Corporation of Florida, Inc.

100 Clubhouse Lane, Sebring, FL 33876

November 2, 2010

Jeffrey Klingbiel
1117 Dogwood Terrace
Sebring, FL 33876

Dear Mr. Klingbiel,

You have recently had repairs made to your septic collection tank , and you would now like the Utility Corporation of Florida, Inc. to pay for those repairs. As I explained to you in person, we are a regulated public utility, and we are not permitted to repair homeowners' tanks.

The Florida Public Service Commission has granted the Utility Corporation of Florida certificate # SU916-09-S-R to operate as a public utility, and has set our fee at \$32 per unit. A review of the approved tariff (available on-line or in our office) will show that the \$32 fee does not include maintenance or repair of customers' collection tanks or pumps. We are licensed to treat effluent delivered to our collection system only, and our fee structure has been set accordingly.

Please note that we are specifically excluded from the "maintenance and operation of the Customer's pipes and facilities" in Sections 7.0 and 19.0 of the approved tariff. The "Customer's Installation" is defined in section 7.0 of original sheet 5.0 of the tariff: "all pipes, shut-offs, valves, fixtures and appliances or apparatus of every kind and nature used in connection with or forming a part of the installation for disposing of wastewater located on the Customer's side of the Service Connection whether such installation is owned by the Customer or used by the Customer under lease or other agreement."

Pursuant to FPSC ruling 25-30.125, the Utility Corporation of Florida Inc. has on file "maps, drawings and/or records of its system and facilities" which clearly show that homeowners' collection tanks are NOT a part of our system. These drawings are also a matter of public record as a part of our application to the Public Service Commission, docket # 080079-SU.

While we have the right to inspect homeowners' tanks and pumps, and to refuse service to properties having substandard systems, we have neither the authority nor the fee structure to make repairs. (see original sheet number 19.0, item 1).

I hope this clarification is helpful.

Sincerely,

Lois Schlabach, Secretary/Treasurer

CC: Florida Public Service Commission

Phone: 863-414-2586

Fax: 863-655-0600

January 31, 2011

Utility Corporation of Florida, Inc., II
200 Healthy Way
Sebring, FL 33876

**RE: WATERWAY PATIO HOMES CONDOMINIUM ASSOCIATION
PHASE II**

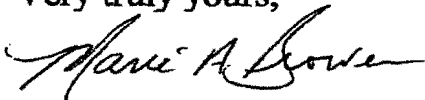
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Please find the Association check enclosed in the amount \$1,024.00 (one thousand and twenty-four dollars.) The check made payable to your utility for payment of the statement received by our Association from your utility company.

Please be advised that it has been and remains our position, that the maintenance of the STEP System within our development is the responsibility of your utility. In order to assure the proper treatment of wastewater generated by our Development, we have paid maintenance for the foregoing STEP system including payment of cost of the electricity for said system. We have been forced to do so because your company has defaulted in its obligations to maintain said STEP System.

Please be advised that the enclosed payment is made under protest until this matter can be resolved either administratively or judicially.

On behalf of the Board of Directors,
Very truly yours,



Marie A Brower
CAM

Utility Corporation of Florida, Inc.

200 Healthy Way, Sebring, FL 33876

April 20, 2012

Diane Loughlin
Florida DEP
P.O. Box 2549
Fort Myers, FL 33902-2549

Dear Ms. Loughlin,

In response to your letter of 3/29/2012:

1. A new generator has been purchased and will be on-site at the wastewater treatment plant by May 1, 2012.
2. We have consulted MBV Engineering and have a plan in place to repair the surge tank. Step one of the process is to temporarily divert flow to surge tank #2, as per our discussion with Brandon Ivey.
3. See attachment.
4. MBV Engineering has begun the application process to renew the permit.

Sincerely,

Lois Schlabach
Utility Corporation of Florida, Inc.

EXHIBIT "A"

LEGAL DESCRIPTION OF PROPERTY TRANSFER FROM
GOLF COURSE ASSOCIATES OF SPRING LAKE, INC.
TO
COUNTRY CLUB VILLAS I OF SPRING LAKE
HOMEOWNERS' ASSOCIATION, INC.

ALL OF THE EXISTING ROADWAYS AND COMMONS AREAS OF COUNTRY CLUB VILLAS I OF SPRING LAKE AS PER PLAT RECORDED IN PLAT BOOK 15, PAGE 74; COUNTRY CLUB VILLAS I PHASE II OF SPRING LAKE AS PER PLAT RECORDED IN PLAT BOOK 15, PAGE 111, AND COUNTRY CLUB VILLAS I PHASE III OF SPRING LAKE AS PER PLAT RECORDED IN PLAT BOOK 15, PAGE 139, PUBLIC RECORDS OF HIGHLANDS COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

All of the property known as COUNTRY CLUB VILLAS I OF SPRING LAKE as per plat recorded in Plat Book 15, Page 74; LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTIES:

TRACT A;
TRACT B;
TRACT C (except as specifically described hereinafter);
DUPLEX 1, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1107;
DUPLEX 1, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1108;
DUPLEX 2, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1109;
DUPLEX 2, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1110;
DUPLEX 3, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1111;
DUPLEX 3, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1112;
CLUSTER 1, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1113;
CLUSTER 1, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1114;
CLUSTER 1, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1115;
CLUSTER 1, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1116;
CLUSTER 1, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1117;
CLUSTER 1, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1118;
CLUSTER 2, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1119;
CLUSTER 2, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1120;

CLUSTER 2, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1121;

CLUSTER 2, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1122;

CLUSTER 2, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1123;

CLUSTER 2, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1124;

CLUSTER 3, UNITS A, B, C, and D;

CLUSTER 3, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1125;

CLUSTER 3, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1290, Page 1661;

CLUSTER 4, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1126;

CLUSTER 4, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1127;

CLUSTER 4, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1193, Page 1500;

CLUSTER 4, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1193, Page 1498;

CLUSTER 4, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1128;

CLUSTER 4, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1321, Page 413;

CLUSTER 5, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1129;

CLUSTER 5, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1130;

CLUSTER 5, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1131;

CLUSTER 5, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1132;

CLUSTER 5, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381 Page 1133;

CLUSTER 5, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1134;

CLUSTER 6, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1135;

CLUSTER 6, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1136;

CLUSTER 6, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1137;

CLUSTER 6, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1138;

CLUSTER 6, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1139;

CLUSTER 6, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1140;

CLUSTER 7, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1256, Page 850;

CLUSTER 7, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1141;

CLUSTER 7, UNITS C and D;

CLUSTER 7, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1142;

CLUSTER 7, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1143;

CLUSTER 9, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1148;

CLUSTER 9, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1149;

CLUSTER 9, UNITS C, D, E, and F;

CLUSTER 10, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1150;

CLUSTER 10, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1323, Page 622;

CLUSTER 10, UNITS C and D;

CLUSTER 10, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1151;

CLUSTER 10, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1152;

CLUSTER 11, UNITS A and B;

CLUSTER 11, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1153;

CLUSTER 11, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1192, Page 1057;

CLUSTER 11, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1154;

CLUSTER 11, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1155;

CLUSTER 33, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1180, Page 507;

CLUSTER 33, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1182, Page 1523;

CLUSTER 33, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1182, Page 1521;

CLUSTER 33, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1182, Page 1519;

CLUSTER 33, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1187, Page 197;

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CLUSTER 33, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1186, Page 970;

AND

All of the property known as COUNTRY CLUB VILLAS I PHASE II OF SPRING LAKE as per plat recorded in Plat Book 15, Page 111, Public Records of Highlands County, Florida, LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTIES.

- CLUSTER 8, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1381, Page 1144;
- CLUSTER 8, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1381, Page 1145;
- CLUSTER 8, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1381, Page 1146;
- CLUSTER 8, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1381, Page 1147;
- CLUSTER 12, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1193, Page 532;
- CLUSTER 12, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1193, Page 527;
- CLUSTER 12, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1186, Page 956;
- CLUSTER 12, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1186, Page 1116;
- CLUSTER 13, UNITS C, D, E, F, G, and H;
- CLUSTER 13, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1198, Page 1713;
- CLUSTER 13, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1200, Page 1039;
- CLUSTER 13, UNIT I, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1197, Page 558;
- CLUSTER 13, UNIT J, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1198, Page 1709;
- CLUSTER 14, UNITS C, D, E, F, G, and H;
- CLUSTER 14, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1206, Page 520;
- CLUSTER 14, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1211, Page 735;
- CLUSTER 14, UNIT I, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1213, Page 280;
- CLUSTER 14, UNIT J, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1208, Page 493;
- CLUSTER 15, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1202, Page 17;
- CLUSTER 15, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1205, Page 1335;

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CLUSTER 15, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1204, Page 1417;

CLUSTER 15, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1202, Page 1308;

CLUSTER 15, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1193, Page 744;

CLUSTER 15, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1189, Page 1062;

CLUSTER 16, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1198, Page 1711;

CLUSTER 16, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1200, Page 125;

CLUSTER 16, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1213, Page 1518;

CLUSTER 16, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1211, Page 19;

CLUSTER 16, UNITS E and F;

CLUSTER 17, UNITS A, B, C, D, E, F, G, H, I, and J;

CLUSTER 18, UNITS C and D;

CLUSTER 18, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1212, Page 918;

CLUSTER 18, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1213, Page 1516;

CLUSTER 18, UNIT E, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1211, Page 11;

CLUSTER 18, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1208, Page 835;

CLUSTER 19, UNITS A, B, C, D, E, F, G, H, I, and J;

AND

All of the property known as COUNTRY CLUB VILLAS I PHASE III OF SPRING LAKE as per plat recorded in Plat Book 15, Page 139, Public records of Highlands County, Florida, LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTIES:

CLUSTER 20, UNITS A, B, E, and F;

CLUSTER 20, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1254, Page 851;

CLUSTER 20, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1257, Page 1145;

CLUSTER 21, UNITS A, B, C, D, E, F, G, H, and I;

CLUSTER 21, UNIT J, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1239, Page 1613;

CLUSTER 22, UNITS B, C, D, E, F, G, H, and I;

CLUSTER 22, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1250, Page 823;

CLUSTER 22, UNIT J, together with the portion of the common area more particularly described in deed recorded in O.R.
Book 1257, Page 93;

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CLUSTER 23, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1257, Page 91;
CLUSTER 23, UNIT B, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1391, Page 1275;
CLUSTER 23, UNITS C, D, E, F, G, H, and I;
CLUSTER 23, UNIT J, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1257, Page 1512;
CLUSTER 24, UNITS A, B, C, D, E, F, G, and H;
CLUSTER 24, UNIT I, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1381, Page 1156;
CLUSTER 24, UNIT J, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1296, Page 295;
CLUSTER 25, UNITS A, B, C, D, E, F, G, H, I, and J;
CLUSTER 26, UNITS B, E, and F;
CLUSTER 26, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1261, Page 1411;
CLUSTER 26, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1241, Page 1864;
CLUSTER 26, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1241, Page 1862;
CLUSTER 27, UNITS A, B, C, D, E, F, G, H, I, and J;
CLUSTER 28, UNITS B and E;
CLUSTER 28, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1254, Page 852;
CLUSTER 28, UNITS C and D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1254, Page 1871;
CLUSTER 28, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1241, Page 1862;
CLUSTER 29, UNITS B, C, D, E, F, G, H, I, and J;
CLUSTER 29, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1236, Page 1402;
CLUSTER 30, UNITS B and E;
CLUSTER 30, UNIT A, together with the portion of the common area more particularly described in deed recorded in O.B. Book 1255, Page 338;
CLUSTER 30, UNIT C, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1257, Page 1031;
CLUSTER 30, UNIT D, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1236, Page 162;
CLUSTER 30, UNIT F, together with the portion of the common area more particularly described in deed recorded in O.R. Book 1248, Page 348;

wpkp/gcahome.dee

FILE # 980615 RCD: Apr 14 1998 @ 02:21PM
L. E. "Luke" Brooker, Clerk, Highlands County



Florida Department of Environmental Protection

South District
P.O. Box 2549
Fort Myers, Florida 33902-2549

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

December 15, 2010

Mr. Michael A. Telschow
100 Clubhouse Lane
Sebring, FL 33876-8300

Mr. J. Timothy Sheehan
Sheehan & Celaya
300 Dal Hall Boulevard
Lake Placid, FL 33852

RE: Highlands County - DW
Responsibility for STEP Systems

Dear Mr. Telschow and Mr. Sheehan:

The purpose of this letter is to address recent questions regarding the responsibility of operation and maintenance of the Septic Tank Effluent Pumping (STEP) sewer systems at several subdivisions, to wit, Country Club Villas and Waterway Patio I & II. Ultimately, the owner of the STEP sewer systems is responsible for their operation and maintenance. However, there appears to be a question as to who owns the STEP sewer systems.

Mr. Telschow, on behalf of Spring Lake Club, Inc., provided to the Department a deed purporting to show the transfer of ownership of all the common areas and appurtenances to the Country Club Villas I of Spring Lake Homeowners' Association, Inc (homeowners association). The Department understands that it is Mr. Telschow's position that this transfer of ownership included the STEP sewer systems to the various subdivision associations as an "appurtenances" to the common areas. However, the Department also understands that it is the homeowners' associations' position that the STEP sewer systems were not transferred as "appurtenances" and that they never accepted ownership of the STEP sewer systems. The deed submitted to the Department is silent on whether the STEP systems are included as "appurtenances."

It is clear that the responsibility to maintain and operate the STEP systems falls to the owner of the systems however; the Department does not have the authority or jurisdiction to determine the property rights of individuals, this is instead the province of the circuit courts of Florida. See Art. V, Sec. 20(c)(3), Florida Constitution; see also § 26.012(2)(g), Florida Statutes. It is also clear that the STEP systems are owned by either the homeowners association or the wastewater facility and that it is vital to both parties

that the STEP systems be maintained regularly to avoid spills and potential upsets at the wastewater plant.

Given this situation, it is in the best interest of all parties' to amicably resolve the issue of operating and maintaining the STEP systems. If the parties cannot come to an agreement as to how the STEP systems will be operated and maintained, it is within the Department's authority to pursue legal action and hold both parties jointly and severally liable pursuant to section 403.141, Florida Statutes, for any violations of Department rules or statutes related to the STEP sewer systems.

The Department expects the parties to come to an agreement and inform the Department as to how the STEP sewer systems will be operated and maintained in the future. Please feel free to contact Gary Maier at (239) 332-6975 ext 165 if you have any questions.

Sincerely,



Jon M. Iglehart
Director of
District Management

JMI/GM/jl

Copies furnished to:

Keith Kleinmann, DEP - Ft. Myers

Robert Simpson

From: Loughlin, Diane [Diane.Loughlin@dep.state.fl.us]
Sent: Monday, April 30, 2012 8:09 AM
To: Robert Simpson
Cc: Ivey, Brandon
Subject: RE: Highlands County
Attachments: Spring Lake attachment 4-20-12.pdf; Spring Lake response 4-20-12.docx

Robert,

Attached is the response that I received from the Utility Corporation of Florida regarding my latest inspection at the Spring Lake WWTP. As you can see, they expect to have a back-up generator in place by May 1 and have a plan to repair the severely rusted surge tank (you might want to follow-up with Brandon Ivey for more details on their discussion regarding this item). However, given this facility's history, I am not comfortable classifying it as "in compliance" at this time. If you recall, following my previous inspection in October, the utility responded saying that a backup generator would be in place by the end of November. As of my March inspection, it was still not in place. I would have to conduct a follow-up inspection before I would be willing to say that this facility is now back in compliance. I'm also a little concerned with their response regarding the effluent violations (see attachment). It appears that the facility has a lot of equipment failures. At my last inspection, the operator stated that he thinks these should no longer be an issue now because they built a protective covering/roof for the chlorine supply/meter equipment. I would like to see a few months worth of DMRs without any exceedances to make sure this is the case.

If you have any further questions, please let me know.

Thanks,
Diane

From: Robert Simpson [<mailto:RSimpson@PSC.STATE.FL.US>]
Sent: Thursday, April 26, 2012 9:17 AM
To: Loughlin, Diane
Subject: FW: Highlands County

Diane:
Did the utility respond regarding the deficiencies found in the latest inspection? The deficiencies included the poor state of the surge tank, a nonoperational electrical generator, and issues relating to effluent quality. Was the response satisfactory? Thanks.

Robert

From: Loughlin, Diane [<mailto:Diane.Loughlin@dep.state.fl.us>]
Sent: Monday, March 26, 2012 9:38 AM
To: Robert Simpson
Subject: RE: Highlands County

Robert,

Attached is a copy of my report for last week's inspection of the Spring Lake WWTP in Highlands County. If you have any questions about anything in the report, please let me know.

7/17/2012

Thanks,
Diane

From: Robert Simpson [<mailto:RSimpson@PSC.STATE.FL.US>]
Sent: Wednesday, March 07, 2012 11:17 AM
To: Loughlin, Diane
Subject: RE: Highlands County

I would like to have a copy of the inspection report of March 19th. I do not need the inspection done sooner. Thanks for that.

Robert

From: Loughlin, Diane [<mailto:Diane.Loughlin@dep.state.fl.us>]
Sent: Wednesday, March 07, 2012 11:10 AM
To: Robert Simpson
Subject: RE: Highlands County

Robert,

That is the most recent inspection report at the moment. Inspections are typically performed every 6 months. I was planning on inspecting this facility the week of March 19th. I can send you my inspection report/comments following that inspection, if you would like. If you need the inspections results sooner than that, I may be able to adjust my schedule. Please let me know.

Thanks,
Diane

From: Robert Simpson [<mailto:RSimpson@PSC.STATE.FL.US>]
Sent: Wednesday, March 07, 2012 11:04 AM
To: Loughlin, Diane
Subject: FW: Highlands County

Diane:

The last inspection was on October 6, 2011. Is there another current one? Does Utility Corporation have any compliance issues right now?

Regards,

Robert

From: Loughlin, Diane [<mailto:Diane.Loughlin@dep.state.fl.us>]
Sent: Thursday, December 01, 2011 8:57 AM
To: Robert Simpson
Subject: RE: Highlands County

Robert,

7/17/2012

Sorry for the delay in my response. I was out in the field yesterday.

For the most part, the response is satisfactory and appropriately addresses most of the deficiencies in the non-compliance letter. However, there are a few outstanding items at the facility that I am still concerned about. The response does not really adequately address the structural integrity of the surge tank, nor does it give any estimated deadline for when the second clarifier skimmer will be repaired and functional. I re-inspected the facility again more recently on October 6, 2011. The documents associated with the most recent inspection are attached. As you can see, these two items were still not functioning properly in October, and the response does not provide a definite timeline for their repair/replacement.

The default for this facility is for the final treated effluent to go to the reuse system so that it can be used for golf course irrigation. The only time water is not used for irrigation is when it does not meet the reuse quality limits. It is then sent to a reject pond where it can either percolate into the ground or be pumped back to the facility for re-treatment. The DMRs do not directly state the quantity of treated water used for reuse versus reject, but it can be determined by reviewing the Part B form and the comments/explanations provided by the operator. When the effluent does not meet the reuse requirements, it automatically switches to reject. The operator notes these occurrences on the DMR, so if you were to subtract the daily flows for the days that the facility is in reject-mode from the total monthly flows, you could determine how much flow is going to reuse. I believe the reuse amount should also be reported on the Annual Reuse Report which is submitted to Tallahassee.

I hope this information helps. Please let me know if you have any further questions.

Thank you,
Diane

From: Robert Simpson [<mailto:RSimpson@PSC.STATE.FL.US>]
Sent: Wednesday, November 30, 2011 9:46 AM
To: Loughlin, Diane
Subject: FW: Highlands County

Ms. Loughlin:

I am writing a recommendation regarding the response the Utility made with respect to the 10 deficiencies that were identified in the April 13 wastewater plant inspection. I would like to know whether the response was satisfactory to DEP?

Is Utility Corp. providing reuse to the golf course for irrigation purposes? If so, does the Discharge Monitoring Report identify how much of the treated wastewater is used for reuse?

Thank you.

Robert

From: Loughlin, Diane [<mailto:Diane.Loughlin@dep.state.fl.us>]
Sent: Tuesday, July 05, 2011 3:36 PM
To: Robert Simpson
Cc: Coleman, Maria
Subject: RE: Highlands County

Mr. Simpson,

7/17/2012

I've attached the most recent inspection report, non-compliance letter, and response letters from Utility Corporation of Florida/Spring Lake Golf and Country Club. If you have any other questions, please let me know.

Thank you,

Diane Loughlin
Environmental Specialist
Florida Department of Environmental Protection
2295 Victoria Avenue, Suite 364
Fort Myers, Florida 33902
Phone: 239-344-5641
Fax: 850-412-0590

From: Coleman, Maria
Sent: Tuesday, July 05, 2011 3:24 PM
To: Loughlin, Diane
Subject: FW: Highlands County

Please see Mr. Simpson's email below.

Maria Coleman
Senior Clerk - Water Facilities
South District Office
2295 Victoria Avenue, Ste 364
P.O. Box 2549
Fort Myers, FL 33902
239-344-5624 Direct Number
239-344-5600 Main Number
850-412-0590 Fax Number

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. Therefor, your e-mail messages may be subject to public disclosure.

From: Robert Simpson [<mailto:RSimpson@PSC.STATE.FL.US>]
Sent: Friday, July 01, 2011 2:00 PM
To: Coleman, Maria
Subject: RE: Highlands County

Maria:

I would like to see the latest compliance inspection report for Utility Corporation of Florida, Inc. in Highlands County with DEP ID# of FLA 014315. In addition, please add any responses from the company regarding any compliance issues related to the wastewater plant. Thank you.

Sincerely,

Robert Simpson
Engineering Specialist II

7/17/2012

Florida Public Service Commission
2540 Shumard Oak Boulevard
Tallahassee, Florida 32399
Phone: (850) 413-7001
Fax: (850) 413-7002

From: Coleman, Maria [<mailto:Maria.Coleman@dep.state.fl.us>]
Sent: Friday, July 01, 2011 1:54 PM
To: Robert Simpson
Cc: Loughlin, Diane
Subject: Highlands County

I am sorry but I forgot to write down the facility that you were asking about. Please let me know and I will see what I can find and I will also have Diane give you a call about it on Tuesday.

Thanks,

Maria Coleman
P.O. Box 2549
Fort Myers, FL 33902-2549
239-344-5624 Direct
850-412-0590 Fax
239-344-5600 Main

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Herschel T. Vinyard Jr. is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.