

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:** September 20, 2010  
**TO:** Ann Cole, Commission Clerk, Office of Commission Clerk  
**FROM:** Anna Williams, Attorney, Office of the General Counsel *AW*  
**RE:** Docket No. 100318-WS – Petition for order to show cause against Service Management Systems, Inc. in Brevard County for failure to properly operate and manage water and wastewater system.

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Please place the attached correspondence in the docket file.

Thank you.

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# Florida Department of Environmental Protection

Central District  
3319 Maguire Boulevard, Suite 232  
Orlando, Florida 32803-3767

Charlie Crist  
Governor

Jeff Kottkamp  
Lt. Governor

Michael W. Sole  
Secretary

SENT VIA E-MAIL TO: [thor.ibsen@askar.is](mailto:thor.ibsen@askar.is)

January 13, 2010

SERVICE MANAGEMENT SYSTEMS, INC  
POST OFFICE BOX 510388  
MELBOURNE BEACH, FLORIDA 32951

OCD-C-WW-10-

ATTENTION THOR IBSEN  
MANAGER

Brevard County - DW  
Aquarina Beach Community WWTF  
Wastewater Facility - Permit No. FLA010352  
Response to NCL-OCD-C-WW-09-0980

Dear Mr. Ibsen:

Department has reviewed your response to the noncompliance letter dated December 17, 2009. The Department understands the financial constraints the wastewater facility has imposed on you. However, in order to comply with Department rules and permit conditions you must implement the required corrective actions in the following terms listed below:

1. Within sixty (60) days from the date of this letter the Department requires that the clarifier drive unit be installed and operational.
2. Within sixty (60) days from the date of this letter the Department requires that a backup blower be installed and operational.
3. Within ninety (90) days from the date of this letter submit to the Department a Filter Media Evaluation Report as required in Part VI of your wastewater permit.

Also, it has come to our attention that the ownership of this facility may have changed. If so, please complete the enclosed transfer form and promptly return it to this office for processing with an application fee of \$50.00.

The Department requests a written response addressing the items within 5 days from the date of this letter. Your response should include an explanation of any corrective actions that either been taken or that you plan to take. Please note that this letter is part of the Departments investigation, is preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. Please direct your response and any questions to Tom Powers at (407) 893-3313.

Sincerely,

Clarence C. Anderson

Supervisor  
Wastewater Compliance/Enforcement

CCA/tp/ar  
cc: Domestic Waste Permitting Section

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