

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-

DATE: September 16, 2011
TO: Ann Cole, Commission Clerk, Office of Commission Clerk
FROM: Melissa C. Jones-Alexis, Regulatory Analyst II, Division of Economic Regulation *MKCA*
RE: Docket No. 110022-WU, Application for certificate to operate water utility in Pasco County by HV Utility Systems, L.L.C.

Please add the attached Florida Department of Environmental Protection compliance documentation with regard to HV Utility Systems, L.L.C.'s water facilities to the above-reference docket. Thank you.

Attachment

cc: ECR (Walden)
GCL (Norris)

RECEIVED-FPSC
11 SEP 16 PM 3:37
COMMISSION
CLERK

DOCUMENT NUMBER-DATE

06682 SEP 16 =

FPSC-COMMISSION CLERK



Florida Department of Environmental Protection

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

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

April 1, 2008

CERTIFIED MAIL 7004 1350 0002 5576 9176
RETURN RECEIPT REQUESTED

Mr. Kenneth A. Kroot, Vice President
& Deputy General Counsel
HV Utility Systems, L.L.C.
Two North Riverside Plaza, Suite 800
Chicago, Illinois 60606

Re: Execution of Consent Order, OGC File No. 07-0348
Hacienda Village WWTF
Facility ID No. FLA012793
Pasco County

Dear Mr. Kroot:

Enclosed is an executed copy of the Consent Order, OGC File No. 07-0348, regarding the above-referenced facility. The effective date of the Consent Order is April 1, 2008. Paragraph 22, of the Consent Order requires that a payment of \$36,377.00 be submitted within 30 days. The payment shall be sent to the Department of Environmental Protection, Domestic Wastewater Section, 13051 North Telecom Parkway, Temple Terrace, Florida, 33637-0926, attention Thomas Gucciardo.

Should you have any questions, please contact Jerry Nichols at (813) 632-7600, extension 411, or e-mail: jerry.nichols@dep.state.fl.us.

Sincerely,

Thomas Gucciardo
Environmental Manager
Domestic Wastewater Section

TG/jen

Enclosure

BEFORE THE STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT)
OF ENVIRONMENTAL PROTECTION,)
)
Complainant,)
)
vs.)
)
HV UTILITY SYSTEMS, L.L.C.,)
)
Respondent.)
_____)

IN THE OFFICE OF THE
SOUTHWEST DISTRICT

OGC File No. 07-0348

CONSENT ORDER

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department") and HV Utility Systems, L.L.C. ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and Respondent neither admits nor denies 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 thereunder, Title 62, Florida Administrative Code ("F.A.C."). The Department has jurisdiction over the matters addressed in this Consent Order.

2. Respondent is a Foreign Limited Liability Company registered to conduct business in Florida. Respondent is a person within the meaning of Section 403.031(5), F.S.

3. Respondent operates the Hacienda Village Mobile Home Park Wastewater Treatment Facility, a 0.095 million gallons per day Type III extended aeration domestic wastewater treatment plant discharging chlorinated effluent to a disposal system consisting of one unlined holding pond and two remote percolation/evaporation ponds ("Facility"). Respondent

owns the property upon which the Facility is located at 7100 Granada Avenue, New Port Richey, Pasco County, Florida, Parcel ID Number 0326160070059000000 ("Property").

4. Respondent operates the Facility under Department Permit Number FLA012793, which expires on September 11, 2011 ("Permit").

5. Respondent was notified of alleged violations of Chapter 403, F.S., and Rules 62-601.200(17), 62-600.410(6), 62.620.350, 62-610.510(1), 62.620.610(20), 62-620.610(7), 62-610.523(7), 62-610.523(4) and 62-620.610(18)(a), F.A.C., in Department Warning Letter No. WL05-0043DW51SWD, dated January 3, 2006. The Department found:

- a) On November 30, 2005, Respondent failed to maintain site records. Specifically, the Department was unable to locate the operator's log and the weekly circular flow charts or the annual flow meter calibration.
- b) A review of the monthly Discharge Monitoring Reports ("DMRs") received by the Department for the reporting period of May 2003 through August 2004 revealed the permit single sample maximum limit for Nitrate was exceeded in May and August 2004.
- c) The Department did not receive DMRs for January through April 2004, September through November 2004, and March through October 2005.
- d) On November 30, 2005, the lift station to the remote ponds was in disrepair. Specifically, the remote pond lift station pumps were inoperable, the lift station cover was a safety hazard and the lift station alarms were self-canceling.
- e) On November 30, 2005, the surge tank manual bar screen was not properly maintained. Specifically, there was evidence of an overflow at the headworks.
- f) On November 30, 2005, the Facility's equipment was in disrepair. Specifically, the second blower was out of service, the air line to the clarifier air-lift pump was leaking and the circular chart was not in use.
- g) On November 28, 2005, inflow and infiltration caused solids to discharge to the chlorine contact chamber and ponds.
- h) On November 30, 2005, the percolation/evaporation pond bottoms were not level.
- i) On November 30, 2005, the percolation/evaporation ponds were not properly rotated. Specifically, the two remote ponds were not used from June 26, 2005 to January 3, 2006.

6. On January 25 and May 22, 2006, the Department met with Respondent to discuss Warning Letter No. WL05-0043DW51SWD and an April 25, 2006, follow-up inspection.

7. A subsequent field inspection and Facility file review on February 22, 2007 found the following:

- a) Respondent failed to maintain equipment. Specifically, the air diffuser down pipe was leaking, lift station pumps were inoperable, lift station check valves were not functional, tankage was leaking and the collection/transmission system was not properly maintained.
- b) Respondent failed to maintain adequate spare parts and backup equipment, specifically, the blower/motor air filters and the lift station pumps.
- c) Respondent failed to maintain the percolation/evaporation ponds. Specifically, the remote ponds were not rotated and rested from December 13, 2006 to February 22, 2007. The south percolation/evaporation pond regular maintenance was not performed from August 29, 2006 to February 22, 2007.
- d) Respondent failed to make the Facility safe. Specifically, the handrails around the aeration tank supports were rusted off at the bases and there was oil under the blower units.
- e) Respondent failed to maintain Facility records. Specifically, copies of the current Permit, the current flow meter calibration and the Reduce Pressure Zone backflow preventer test were not available.
- f) Respondent failed to conduct required monitoring for Carbonaceous Biological Oxygen Demand, Total Suspended Solids, Nitrate and Fecal Coliform, during January and July 2006.
- g) Respondent failed to report inoperable lift station equipment to the Department.
- h) Respondent failed to post emergency telephone numbers for the current operating company.
- i) Respondent failed to adequately address the lateral seepage from the north percolation/evaporation pond. Specifically, the Department observed evidence of lateral seepage or mounding, along the outside of the fence to the north, east and west.
- j) Respondent failed to properly operate the Facility, resulting in a release of sludge to the south percolation/evaporation pond.

8. A subsequent field inspection and Facility file review on October 18, 2007 found the following:

- a) Respondent failed to maintain equipment. Specifically, the number two blower was reported as inoperable and the control valve to the south remote percolation/evaporation pond was out of service. The November 30, 2007 response letter from Respondent's parent company, Equity LifeStyle Properties, Inc., stated that both items would be repaired by December 7, 2007.
- b) Respondent failed to maintain adequate spare parts and backup equipment, specifically, the secondary blower/motor and the remote pond control valve.
- c) Respondent failed to maintain the percolation/evaporation ponds. Specifically, the remote ponds were not rotated and rested for the two weeks prior to the inspection. The north percolation/evaporation pond was mowed, but not scarified. The south pond was mowed and scarified, but the pond bottom integrity was disturbed by animals. The unlined holding pond was covered with duckweed.

9. Respondent remedied many of the deficiencies observed by the Department. Department personnel observed that a liner was installed in the north and east berms of the north percolation/evaporation pond to alleviate lateral seepage or mounding. Respondent has also re-configured pond piping, performed pond maintenance, increased digester capacity and rehabilitated many components of the Facility.

10. The Department's findings in Paragraphs 5, 7 and 8 of this Consent Order constitute violations of Rules 62-600.740(2)(a), 62-600.740(2)(c), 62-604.500(3), 62-600.410(2), 62-600.410(6), 62-600.410(7), 62-600.410(9), 62-620.350, 62-601.500(2), 62-620.610(20), 62-610.518(1), and 62-610.523(4), F.A.C., and Sections 403.121(4)(b), 403.121(4)(d), 403.121(4)(e), 403.121(4)(f), and 403.161(1)(b), F.S. Along with the monetary settlement reached to address the violations, corrective action under this Consent Order is required to remedy the violations as noted in Paragraphs 5, 7 and 8 of this Consent Order. Having reached a resolution of all pending issues concerning the Facility, the Department and Respondent mutually agree and it is

ORDERED:

11. Effective immediately, Respondent shall:
- a) Comply with the operating and record keeping criteria of Chapters 62-600, 62-601, 62-610, 62-604, 62-620 and 62-640, F.A.C.
 - b) Ensure that site records are maintained and made available for inspection at the Facility.

- c) Ensure that sampling and monitoring data shall be collected, analyzed and reported at the frequency specified in the Permit.
- d) Ensure that the Facility and equipment function as intended. Respondent shall report to the Department any equipment malfunction, unpermitted wastewater and effluent discharges from the Facility and the collection/transmission system, as soon as possible, but within 24 hours from when Respondent becomes aware of the abnormal event, as required by Rule 62-604.550, F.A.C. and Rule 62-620.610(20), F.A.C.
- e) Rest and rotate the remote percolation/evaporation ponds in accordance with the Permit requirements and monitor the remote ponds for any lateral seepage through the berms. Respondent shall document the resting and rotation of the remote percolation/evaporation ponds in a bound logbook, along with any observation of lateral seepage through the berms of the remote percolation/evaporation ponds. If Respondent is unable or unwilling to document the resting and rotation, and observation of lateral seepage through the berms of the percolation/evaporation ponds, the Department reserves the right to seek other relief to require the Respondent to comply with its Rules and the Permit issued to Respondent.

12. Within 90 days of the effective date of this Consent Order, Respondent shall implement the Sanitary Conveyance Plan ("Plan") submitted to the Department on December 21, 2006. Respondent shall not be required to submit to the Department a permit application, for any repair or replacement of existing wastewater collection/transmission lines for the Facility, as long as the replaced collection system line is of the same capacity and general location as the collection system line currently in use. If Respondent determines that a different line will be used, then the submittal of appropriate information, an application ("Application"), DEP Form 62-604.300(8)(a) and fee will be required. Respondent shall not place into service any lines for which a Department permit was issued prior to applying for and receiving clearance from the Department. If Respondent is unable or unwilling to replace the existing collection/transmission line, the Department reserves the right to seek other relief to require Respondent to comply with its Rules and the Permit issued to Respondent.

13. Within 365 days of the effective date of this Consent Order, Respondent shall repair, and place into service the collection system lines that were identified as "High" priority in the Plan. Within 730 days of the effective date of this Consent Order, Respondent shall repair,

and place into service the collection system lines that were identified as "Medium" priority in the Plan. Within 1095 days of the effective date of this Consent Order, Respondent shall repair, and place into service the collection system lines that were identified as "Low" priority in the Plan. Respondent shall not place into service any lines for which a Department permit was issued prior to applying for and receiving clearance from the Department. If Respondent is unable or unwilling to repair and maintain the sanitary conveyance, the Department reserves the right to seek other relief to require Respondent to comply with its Rules and the Permit issued to Respondent.

14. Within 30 days of the effective date of this Consent Order, Respondent shall develop an in-stock inventory list of sufficient critical spare parts and back-up meters to achieve compliance with the conditions of the Permit, Operation and Maintenance Manual and standard operating procedures for the Facility. Within 45 days of the effective date of this Consent Order, Respondent shall provide the in-stock inventory list to the Department for approval. Within 90 days of the Department's approval of the inventory, Respondent shall obtain and maintain any missing components.

15. Within 90 days of the effective date of this Consent Order, Respondent shall obtain and maintain an in-stock inventory of lift station back-up pumps and sufficient critical spare parts to achieve compliance with the conditions of the Permit, Operation and Maintenance Manual and standard operating procedures for the wastewater collection/transmission system of the Facility. At a minimum, Respondent shall have in stock one back-up pump for each of the four different horsepower pumps used in the collection/transmission system. Within 30 days of establishing the required inventory, Respondent shall notify the Department.

16. Within 90 days of the effective date of this Consent Order, Respondent shall evaluate the lift stations served by the Facility. Within 30 days of the completion of the evaluation, Respondent shall submit a report to the Department with any identified problems. Within 180 days of the effective date of this Consent Order, Respondent shall complete all repairs to the lift stations identified in the evaluation.

17. Within 60 days of the effective date of this Consent Order, Respondent shall obtain a written contract to maintain the remote percolation/evaporation ponds to achieve compliance with the conditions of the Permit. This contract shall include, but is not limited to, mowing the inside, outside and tops of berms, mowing the percolation/evaporation pond bottoms, scarification of the percolation/evaporation pond bottoms and removal of any sludge or excessive

vegetation from the percolation/evaporation pond bottoms. Within 30 days of signing the contract, Respondent shall submit a copy of the contract to the Department.

18. Within 30 days of the effective date of this Consent Order, Respondent shall clean accumulated solids and detritus material from the unlined and unlined holding pond and remote evaporation/evaporation ponds and properly dispose of them.

19. Should the actions described in paragraphs 11.e, 17, and 18 of this Consent Order fail to eliminate the lateral seepage through the berms of the percolation/evaporation ponds, it is the intent of this Consent Order to require Respondent to divert flow from the Facility to a regional wastewater collection/transmission system ("System") and then decommission the Facility. Within 30 days of a written determination by the Department that there is lateral seepage from the percolation/evaporation ponds, Respondent shall submit an application to the proper authority of the System for approval to interconnect the Facility into its System. Respondent shall copy the Department on all correspondence between Respondent and the proper authority of the System. Within 30 days of such determination, Respondent shall submit a permit application, along with the appropriate permit fee, to Pasco County to construct a wastewater collection/transmission system to divert flow from the Facility to the System. The application shall be prepared and sealed by a professional engineer registered in the State of Florida. This interconnect shall be constructed, certified complete and put into operation on or before March 31, 2010. In the event Respondent's request to interconnect the System is denied, then within 30 days of the denial, Respondent shall submit to the Department a permit application to construct a modification of the Facility that will bring the Facility into full compliance with its Permit. If the Respondent is unable or unwilling to take the Facility off-line or to construct a modification of the Facility's disposal system as provided in this paragraph, the Department reserves the right to seek other relief to require Respondent to comply with the Department's Rules and the Permit issued to Respondent.

20. In any event, the Facility shall be in compliance within 1095 days of the effective date of the Consent Order or by June 30, 2010, whichever comes first.

21. Every six months after the effective date of this Consent Order, Respondent shall submit in writing to the Department a report containing information concerning the status and progress of projects being completed under this Consent Order, information as to compliance or noncompliance with the applicable requirements of this Consent Order including construction

requirements and effluent limitations, and any reasons for noncompliance. Such reports shall also include a projection of the work to be performed pursuant to this Consent Order during the subsequent six-month period. The reports shall be submitted to the Department within 30 days following the end of the six month period.

22. Within 30 days of the effective date of this Consent Order, Respondent shall pay to the Department \$36,377.00 in settlement of the matters addressed in this Consent Order, excluding any penalties incurred under Paragraph 24 of this Consent Order. This amount includes \$1,500.00 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order and \$34,877.00 in civil penalties. The civil penalties are apportioned as follows: \$2,000.00 for violation of Rule 62-600.740(2)(a), F.A.C., in accordance with Section 403.121(3)(b), F.S.; \$7,500.00 for violations of Rules 62-600.410(2),(6) and (7), 62-600.740(2)(c), 62-610.523(4), 62-600.740(2)(a), 62-604.500(3), and 62-610.518(1), F.A.C.; \$4,000.00 for violations of Rule 62-601.500(2), F.A.C., in accordance with Section 402.121(4)(d), F.S.; \$1,000.00 for violations of Rules 62-620.610(20) and 62-600.410(9), F.A.C., in accordance with Section 402.121(4)(e), F.S.; \$500.00 for violations of Rule 62-620.350(1) and 62-620.610(18)(a), F.A.C., in accordance with Section 403.121(4)(f), F.S.; and \$19,877.00 for the economic benefit of non-compliance in accordance with Sections 403.121(2)(g) and 403.121(12), F.S. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include thereon the OGC File No. 07-0348 assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund". The payment shall be sent to the Department of Environmental Protection, Domestic Wastewater Section, 13051 North Telecom Parkway, Temple Terrace, Florida, 33637-0926.

23. 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 Consent Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the Property or Facility, (1) notify the Department of such sale or conveyance, (2) provide the name and address of the purchaser or operator or person(s) in control of the Facility, and (3) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the Facility or the Property upon which the Facility is located shall not relieve Respondent of the obligations imposed in this Consent Order.

24. Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of Paragraphs 11 through 21 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to "The Department of Environmental Protection" by cashier's check or money order and shall include thereon the OGC File No. 07-0348 assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund". Payment shall be sent to the Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida, 33637-0926. The Department may make demands for payment at any time after violations occur. Nothing in this Paragraph shall prevent the Department from filing suit to specifically enforce any terms of this Consent Order. Any penalties assessed under this Paragraph shall be in addition to the settlement sum agreed to in Paragraph 22 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this Paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this Paragraph.

25. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay in complying with the requirements of this Consent Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, material man or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause 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 orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay, and the timetable by which Respondent intend 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 for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's rights to request an extension of time for compliance with the requirements of this Consent Order.

26. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order, have a right, pursuant to Sections 120.569 and 120.57, F.S., to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS# 35, Tallahassee, Florida 32399-3000 within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida, 33637-0926. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S.

A. The petition shall contain the following information:

1. The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located;
2. A statement of how and when each petitioner received notice of the Consent Order;
3. A statement of how each petitioner's substantial interests are affected by the Consent Order;
4. A statement of the material facts disputed by petitioner, if any;
5. A statement of facts which petitioner contends warrant reversal or modification of the Consent Order;
6. A statement of which rules or statutes petitioner contends require reversal or modification of the Consent Order;
7. A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

B. If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57,

F.S., and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, F.A.C.

C. A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, F.S., or may choose to pursue mediation as an alternative remedy under Section 120.573, F.S., before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

D. Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department, and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, MS #35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

E. The agreement to mediate must include the following:

1. The names, addresses, and telephone numbers of any persons who may attend the mediation;
2. The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
3. The agreed allocation of the costs and fees associated with the mediation;
4. The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
5. The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
6. The name of each party's representative who shall have authority to settle or recommend settlement; and
7. Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.

8. The signatures of all parties or their authorized representatives.

F. As provided in Section 120.573, F.S., the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, F.S., for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, F.S., remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

27. Respondent shall allow all authorized representatives of the Department access to the Property and Facility at reasonable times for determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

28. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, Southwest District Office, 13051 North Telecom Parkway, Temple Terrace, Florida, 33637-0926, Attention: Thomas Gucciardo.

29. This Consent Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Consent 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.

30. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order.

31. The terms and conditions set forth in this Consent 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 Consent Order shall constitute a violation of Section 403.161(1)(b), F.S.

32. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation, and criminal penalties.

33. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

34. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by Respondent and the Department.


35. Respondent acknowledges and waives the right to an administrative hearing pursuant to Sections 120.569 and 120.57, F.S., on the terms of this Consent Order. Respondent acknowledge the right to appeal the terms of this Consent Order pursuant to Section 120.68, F.S., and waive that right upon signing this Consent Order.

36. 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.

FOR RESPONDENT:

3/24/08
DATE


Kenneth A. Kroot, Vice President
& Deputy General Counsel
HV Utility Systems, L.L.C.

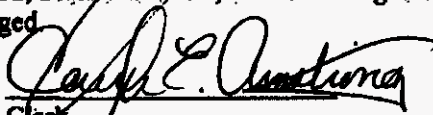
DONE AND ORDERED this 31st day of March, 2008 in Hillsborough County, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION


Deborah A. Getzoff
District Director
Southwest District

Filed, on this date, pursuant to Section 120.52, Florida Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

4/1/08
Date


Clerk

Copies furnished to:
Lea Crandall, OGC



Florida Department of
Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

March 16, 2010

Ms. Karen Doiron
Equity Lifestyle Properties, Inc.
5100 West Lemon Street, Suite 308
Tampa, FL 33609
karen_doiron@equitylifestyle.com

Re: Sanitary Survey Report
Hacienda Village Mobile Home Park
PWS-ID No. 651-0709
Pasco County

Dear Ms. Doiron:

Enclosed please find a copy of the Sanitary Survey Report for the above-referenced potable water system. No deficiencies were noted during the recent inspection.

If you have any questions, please contact me at, (813) 632-7600, extension 317, or at, Margie.DeBerry@dep.state.fl.us.

Regards,

Margie DeBerry
Environmental Specialist
Drinking Water Section

MD/dsm

Enclosure

cc: Linda Deyber, Hacienda Village, linda_deyber@equitylifestyle.com
Robin Higgins, US Water Services Corporation, rhiggins@uswatercorp.com



SURVEY	Water system: <u>HACIENDA VILLAGE MHP</u>	System PWS #: <u>6510709</u>	Date of survey: <u>02/17/2010</u>
	Inspector name: <u>MARGIE DEBERRY</u>	Person(s) contacted: <u>ROBIN HIGGINS, KAREN DOIRON</u>	
	System type: <u>C</u> Population: <u>1018</u>	Connections: <u>509</u> Design capacity: <u>375000</u>	Storage capacity: <u>5000</u>
SYSTEM	System address: <u>7107 GIBRALTAR AVENUE (MANAGER: LINDA DEYBER)</u>	City <u>NEW PORT RICHEY</u> State <u>FL</u> Zip <u>34653</u>	
	System phone: <u>727-847-1409</u>	Cell: <u>727-418-3926</u>	
	Fax number: <u>727-859-0707</u>	Email: <u>linda.deyber@equitylifestyle.com</u>	
OWNER	Owner name: <u>EQUITY LIFESTYLE PROPERTIES, INC. (ATTN: KAREN DOIRON)</u>	Owner title: <u>OWNER</u>	
	Owner address: <u>5100 W LEMON STREET</u>	City: <u>TAMPA</u> State <u>FL</u> Zip <u>33609</u>	
	Owner phone: <u>813-283-6754 ext. 34</u>	Cell: <u>813-283-8527</u>	
	Fax number: <u>813-289-7628</u>	Email: <u>karen.doiron@equitylifestyle.com</u>	
OPERATOR	Operator required? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No (If "No", Operator sections not applicable)	Operator class & cert. number: <u>B 4804</u>	
	Operator name: <u>SCOTT FINDLAY (US WATER)</u>	Phone: <u>727-848-8292</u>	
	Fax number: <u>727-848-7701</u>	Email: _____	

SOURCE – WELL INFORMATION	Well Name and/or FL Unique Well ID	Well 1 <u>AAB4603</u>	Well 2 <u>AAB4602</u>	STORAGE FACILITIES	Storage type used: <input checked="" type="checkbox"/> Hydro <input type="checkbox"/> Ground <input type="checkbox"/> Elevated <input type="checkbox"/> Bladder <input type="checkbox"/> Retention		
	All openings sealed? (Pad/conduit/openings)	Yes	Yes		Inspections compliant? (annual/5yr)	Yes Next inspection due 2013	
	Well casing 12" above grade?	Yes	Yes		Washouts compliant? (every 5 yrs)	Yes	
	Casing vent compliant?(installed, screened)	Yes	Yes		Storage capacity compliant?(1/4 max)	No	
	Check valve compliant? (installed/no leak)	Yes	Yes		HYDRO APPURTENANCES: "X" box below if not compliant, <input type="checkbox"/> PRV <input type="checkbox"/> Gauge <input type="checkbox"/> Sight glass <input type="checkbox"/> Bypass <input type="checkbox"/> Drain <input checked="" type="checkbox"/> Compliant		
	Tap Compliant? (Smooth/12" high/precheck)	Yes	Yes				
	Flow measurable? (if applicable, GPM@psi)	Yes			GROUND/ELEVATED APPURTENANCES: "X" box below if not compliant . NA <input type="checkbox"/> Hatch <input type="checkbox"/> Vent <input type="checkbox"/> Overflow <input type="checkbox"/> Drain <input type="checkbox"/> Bypass <input type="checkbox"/> Compliant		
	Flow meter accuracy checked?	Yes 8/2009					
	Well capacity > maximum day?	Yes	Yes		PUMPS/CONTROLS Manual or automatic controls? Automatic On/Off pressure of pumps? 48 / 62 HSP High Service Pumps functional? N/A HSP capacity compliant? N/A		
	Setbacks compliant?	Yes	Yes				
	Name of plant & type of chlorination	Main Plant / Hypo					
	TREATMENT	O & M log compliant?	Yes		MONITORING	Chlorine test kit compliant?	Yes
O & M manual compliant?		Yes		Chlorine grab sampling compliant?		Yes	
Cl storage compliant? (no organics/acid/sun)		Yes		Bacti sampling compliant?		Yes	
Chlorinator flow proportionate?		Yes		Chemical sampling compliant?		Yes	
Treated sample tap provided?		Yes		Lead/copper sampling compliant?(c,p)		Yes	
Cl solution strength?		10.5%		DBP monitoring compliant? (c,p)		Yes	
HYPO CL		Tank covered?(covered/etc)	See Recommendations		MANAGERIAL	MONITORING PLANS: "X" box below if not compliant <input type="checkbox"/> Bacteriological <input type="checkbox"/> Disinfection By-Products (c,p) <input type="checkbox"/> Lead & Copper (c,p)	
		Antisiphon protection compliant?	Yes			NSF: "X" box below if not compliant <input type="checkbox"/> Treatment Chemicals/Components <input type="checkbox"/> Storage <input type="checkbox"/> Pipe <input type="checkbox"/> New Meters	
		Safety: (Gloves/Apron/Eyewash/etc)	No			CCC Plan Implemented?	Yes
GAS CL		Cl room compliant?(separate/ventilation)	N/A			Record keeping compliant?	Yes Records kept onsite at WTP
		Scales compliant? (installed/functional)	N/A			Security measures compliant?	Yes
		Safety: (SCBA/Gloves/Ammonia)	N/A			Plant category and type?	Cat V / Class D
AERATE	Choose type: "X" box below if not compliant N/A <input type="checkbox"/> Screen <input type="checkbox"/> Tray <input type="checkbox"/> Lid <input type="checkbox"/> Bypass <input type="checkbox"/> Drain <input type="checkbox"/> Algae Free <input type="checkbox"/> Compliant			Plant checked 5 days/week? (owner/rep)		Yes 6x/week	
	Flushing program compliant?	Yes		Operator visits compliant?		Yes	
DISTRIBUTION	Valve maintenance compliant?	See Remarks		MORs submittal compliant?		Yes	
	Distribution PSI compliant? (> 20 PSI)	Yes					
	Chlorine residual above 0.2 mg/L?	Yes					

FIELD SAMPLING RESULTS	Plant Cl (mg/L) / pH	1.56 / N/A	Distribution Cl (mg/L) / pH	*1.33 / N/A
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TECHNICAL ASSISTANCE PROVIDERS (TAP) RECOMMENDED? Yes (see enclosed TAP information) No TAP recommended at this time

COMMENTS: * Distribution Cl: Office sink
Additional Treatment: Orthophosphate (Aqua-Mag) for Iron Sequestration

Please provide any missing information or corrections to the Department.



DEFICIENCIES

NO DEFICIENCIES NOTED

REMARKS AND RECOMMENDATIONS

Remarks

- **Valve Maintenance:** The distribution system is currently looped and there are no valves. However, there is a plan to install valves within the system. Please contact the Department before commencing any valve installations.
- **Distribution Map (62-555.350(14), F.A.C.):** Satisfactory
- **Standby Power and Emergency Preparedness/Response Plan (62-555.350(15), F.A.C.):** ERP plan on site; A 75 kW generator meets standby power requirements and is exercised weekly. This system is also interconnected with Lakewood Villas (6511034). The interconnect is located at Cypress Knoll Drive and Madrid Street. Please submit a written interconnection agreement to the Department between Hacienda Village MHP and Lakewood Villas.

Recommendations

- Please ensure that the lid on the chlorine storage tank completely covers the opening to the tank in accordance with Rule 62-555.320(13)(b)9, F.A.C.

Rule References**Rule 62-555.320(13)(b)9, F.A.C.**

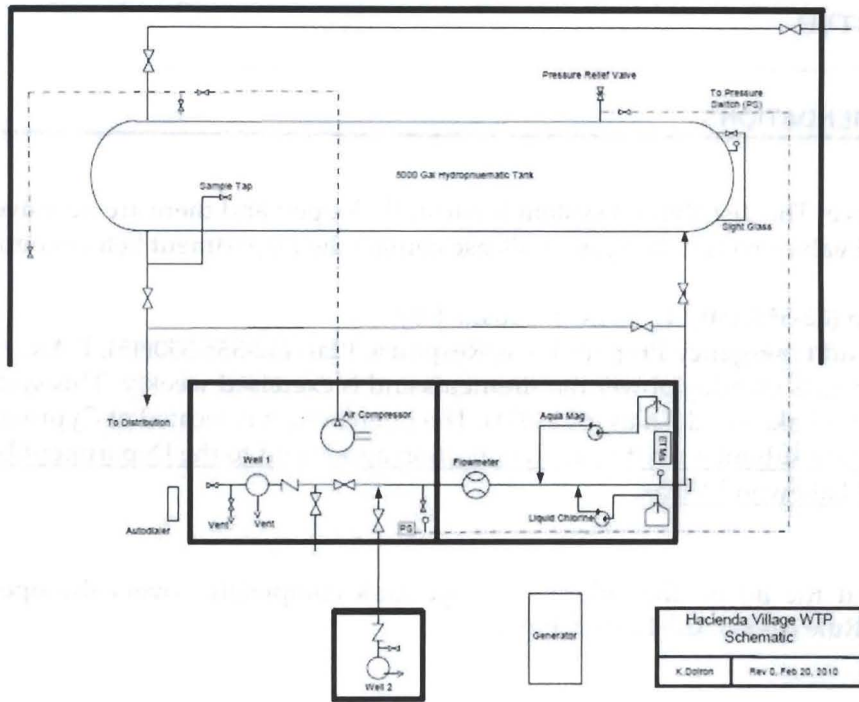
9. Hypochlorite solution or day tanks shall have a lid or cover, shall have a valved drain, and shall be scale-mounted or have a means for measuring the liquid level in the tank. For new or altered hypochlorination facilities, solution or day tanks shall be designed and constructed in accordance with Sections 5.1.10 and 5.1.11 in *Recommended Standards for Water Works* as incorporated into Rule 62-555.330, F.A.C.

Reminders

- Please refer to the attached compliance monitoring schedule for requirements.
- 2009 Consumer Confidence Reports - Your community water system is required to prepare and provide to your customers, an annual Consumer Confidence Report (CCR) in accordance with Rule 62-550.824, Florida Administrative Code. **This report must be delivered, to both customers and the Department, by July 1, 2010, and must be based on updated analytical results obtained from monitoring performed during the calendar year 2009. Please be advised, however, that the Department will only commit to a timely review of all drafts received in our office no later than April 30, 2010. Failure to complete the report before the aforementioned date will result in violation of state and federal regulations and will likely result in enforcement. Please visit the FRWA website (www.frwa.net) for directions/templates for completing your CCR.**



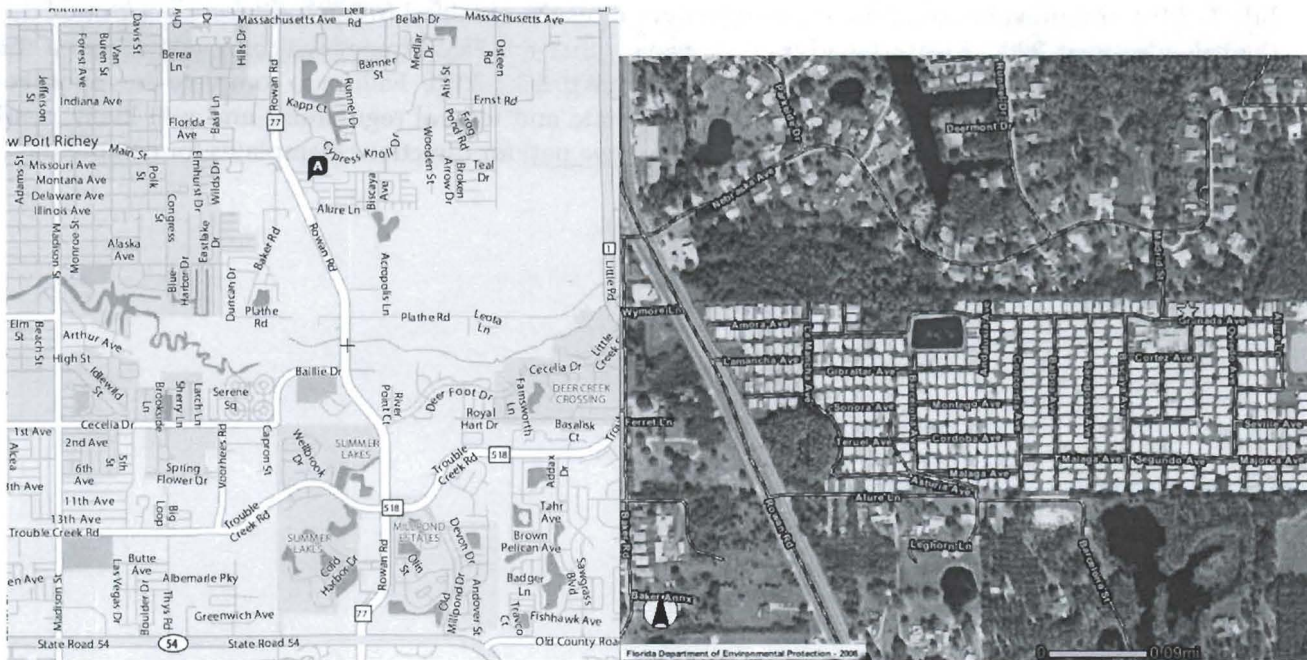
SYSTEM SCHEMATIC



TECHNICAL ASSISTANCE PROVIDERS

FLORIDA RURAL WATER ASSOCIATION
 2970 Wellington Circle W, Suite 101
 Tallahassee FL 32309-6885
 E-Mail: FRWA@frwa.net
 Home Page: <http://www.frwa.net>
 850.668.2746

MAPS OR DIRECTIONS TO SYSTEM (text and/or graphics)





DIGITAL PHOTOS

1. Type of Camera Used: Canon PowerShot A1000IS 10.0 Megapixels
2. Digital Recording Media: Kingston Technology 2 GB SD Card
3. Were the photos altered?: (Yes or No) Yes If yes, explain: Cropped, Rotated, Brightened
4. Photographer: Margie DeBerry



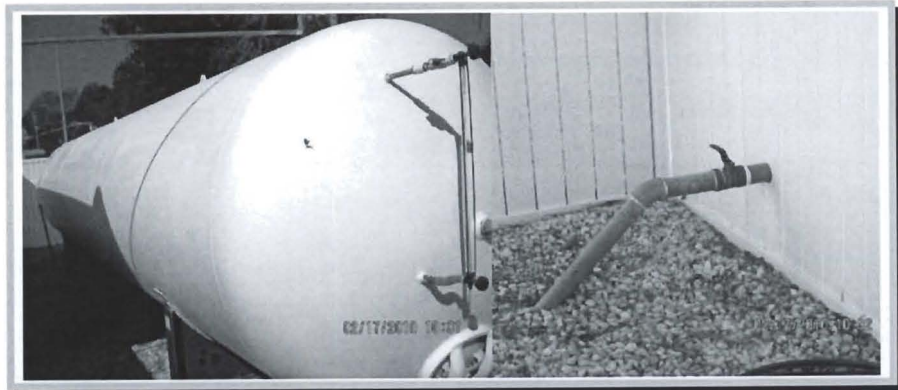
Well 1 - FLUID# AAB4603



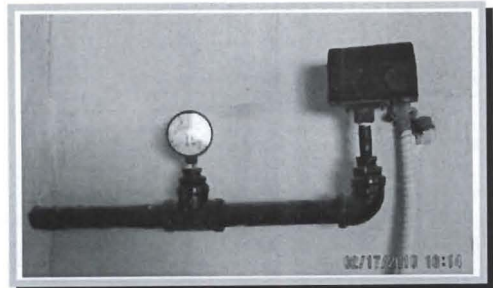
Well 2 - FLUID# AAB4602



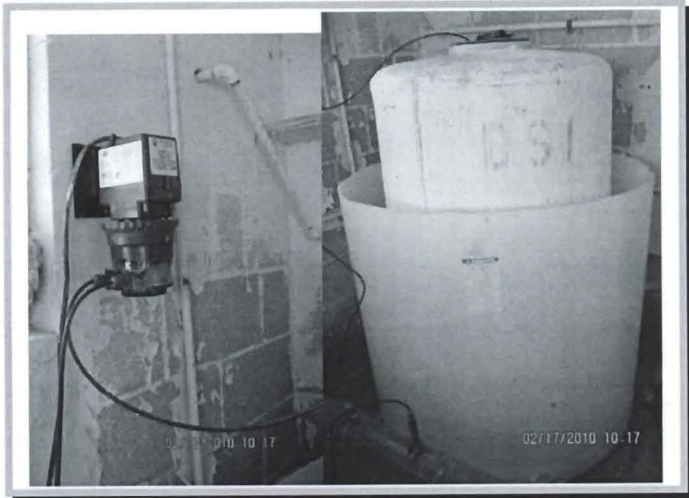
BadgerMeter Flow Meter 4"



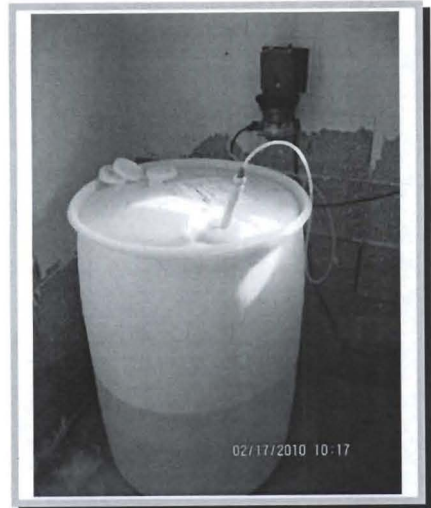
5000 gal Hydropneumatic Storage Tank; Tank Blowoff



Pressure Gauge



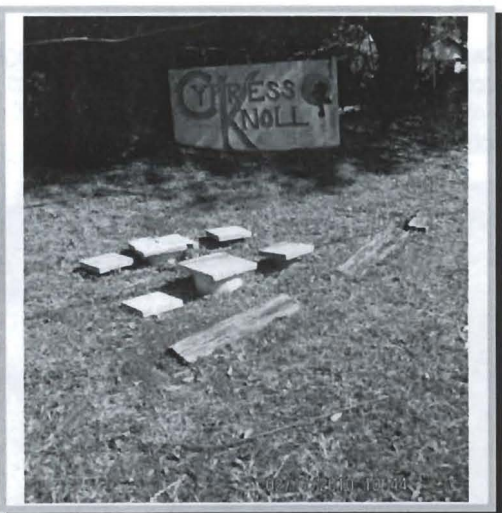
Stenner Feed Pump (17 GPD) and Chlorine Storage



Stenner Feed Pump (17 GPD) and Aqua-Mag Treatment



75 kW Generator



Location of interconnect with Lakewood Villas (6511034)

INSPECTOR'S SIGNATURE Margie DeB... TITLE ENVIRONMENTAL SPECIALIST II DATE March 16, 2010

REVIEWED BY Gerald B. Foster TITLE ENVIRONMENTAL MANAGER DATE March 16, 2010

SMALL WATER SYSTEM SANITARY SURVEY REPORT - COMPLIANCE MONITORING ADDENDUM

Form can be optionally used to aid systems with upcoming sampling.

COMPLIANCE MONITORING COMMUNITY PUBLIC WATER SYSTEMS WITH POPULATIONS LESS THAN 3300					
CONTAMINANT	# Samples Required	Sampling Location	Frequency	Sample Date	Due Date
Microbiological (Bact)	1	Each Well	Monthly	Monthly	Monthly
	2	Distribution	Monthly	Monthly	Monthly
Volatile Organics	1	POE	3 years (Note 2)	2012	2012
Synthetic Organics	1	POE	3 years (Notes 2, E) (may submit SOC waiver in 2015 & 2018)	2012	2012
Primary Inorganics (includes Nitrate/Nitrite)	1	POE	3 years (Note 2)	2012	2012
Nitrate/Nitrite	1	POE	Annually	2010	2010
Asbestos	1 (Note F)	Distribution	9 years (Note 4)	2012 or Waiver	
Secondaries	1	POE	3 years (Note 2)	2012	2012
Radionuclides	1 (Note C)	POE	3, 6, or 9 years (Note 7)	2012	2012
Lead and Copper	10	Distribution (Indoor Tap Samples)	3 years (Note 7)	2012 June-Sept	October 10, 2012
Stage 1 Disinfection By-Products	1/plant	Max Res Time	3 years (Note 7)	2012 July-Sept	October 10, 2012

POE = Point of Entry (Samples shall be taken at each entry point to the distribution system that is representative of each source after treatment.)

Schedule is modified version of the Central District's Compliance Monitoring Table

Last updated 3/16/2010 1:15:00 PM

SMALL WATER SYSTEM SANITARY SURVEY REPORT - COMPLIANCE MONITORING ADDENDUM

Form can be optionally used to aid systems with upcoming sampling.

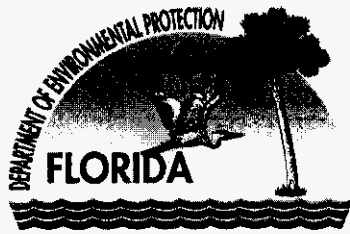
- Note A** See Rule 62-550.515(1), F.A.C. Each system shall take four consecutive quarterly samples during its assigned year in the system's first compliance period. If no contaminant is detected, the system shall monitor annually during the next three-year compliance period. If still no contaminants are detected, systems shall take one sample during each subsequent three-year compliance period.
- Note B** 4 consecutive quarterly samples for the first year of operation. Credit will be given for samples taken before January 1, 1993. After initial sampling may go to triennial sampling in 2nd year of a 3 year compliance period.
- Note C** See Rule 62-550.519, F.A.C
- Note D** Contact the Southwest District/County Drinking Water Program at (813) 632-7600 or contact the Florida Rural Water Association.
- Note E** Contact Margie DeBerry, Environmental Specialist of FDEP – Southwest District at (813) 632-7600, extension 317 to obtain an application for reduced monitoring or visit <http://www.dep.state.fl.us/water/drinkingwater/forms.htm>.
- Note F** See Rule 62-550.511(4), F.A.C. A system without asbestos-containing components shall certify to the Department in writing, using DEP Form No. 62-555.910(10), that it is asbestos free. Certification shall satisfy subsections (1), (2), and (3) of the referenced rule, and shall be submitted each nine-year compliance cycle during the specified year the system is required to monitor.
- Note G** First quarter samples shall be representative of each well. Subsequent samples shall be taken at each entry point to the distribution system that is representative of each source after treatment.
- Note 1** First year of each three-year compliance period (calendar years 2005, 2008, 2011, etc.)
- Note 2** Second year of each three-year compliance period (calendar years 2006, 2009, 2012, etc.)
- Note 3** First year of each nine-year compliance cycle (calendar years 2011, 2020, etc.)
- Note 4** Second year of each nine-year compliance cycle (calendar years 2012, 2021, etc.)
- Note 5** Third year of each 3-year compliance period (2007, 2010, 2013, etc)
- Note 6** Third year of each nine-year compliance cycle (2013, 2022, etc)
- Note 7** Requirements vary. Please contact your local District/County office for specific information.

SMALL WATER SYSTEM SANITARY SURVEY REPORT - COMPLIANCE MONITORING ADDENDUM

Form can be optionally used to aid systems with upcoming sampling.

PWS ID # 651-0709
Date 2/17/2010

MONITORING VIOLATIONS	MCL VIOLATIONS
NONE	NONE



Florida Department of
Environmental Protection
Southwest District Office
13051 North Telecom Parkway
Temple Terrace, Florida 33637-0926

Rick Scott
Governor

Jennifer Carroll
Lt. Governor

Herschel T. Vinyard Jr.
Secretary

April 28, 2011

Mr. Brad Nelson, Vice President
HV Utility Systems, LLC
5100 West Lemon Street, Suite 308,
Tampa, FL 33609
brad_nelson@equitylifestyle.com

Re: Compliance Evaluation Inspection
Hacienda Village MHP WWTF
Facility ID No. FLA012793
Pasco County

Dear Mr. Nelson:

The above-referenced wastewater treatment facility was inspected on April 25, 2011. The type of inspection conducted was a Compliance Evaluation Inspection. Please note that a Compliance Evaluation Inspection is a non-sampling inspection designed to verify permittee compliance. This inspection is intended to review all the inspection evaluation areas of a facility. Copies of the inspection summary and inspection report are attached.

The Department requests a written response addressing the items which are marked with an asterisk within 30 days of receipt of this letter. Your response should include an explanation of any corrective actions that have either been taken or that you plan to take. Please note that this letter and report, as part of the Department's investigation, are preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. Please direct your response and any questions to Frank L. Fulghum III at (813) 632-7600, extension 411 or via e-mail: frank.fulghum@dep.state.fl.us.

Sincerely,

Frank L. Fulghum III
Environmental Specialist
Compliance and Enforcement
Domestic Wastewater Section

Attachments

cc: Karen Doiron, ELP, karen_doiron@equitylifestyle.com
Gary Deremer, US Water Services Corp., gderemer@uswatercorp.com
Isabel King, FDEP, isabel.king@dep.state.fl.us
Patricia Leon, FDEP, patricia.leon@dep.state.fl.us

**FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
WASTEWATER COMPLIANCE INSPECTION REPORT
FACILITY AND INSPECTION INFORMATION**

@ = Optional

Name and Physical Location of Facility Hacienda Village MHP WWTF 7100 Granada Avenue New Port Richey, FL 34653	WAFR ID: FLA012793	County Pasco Phone	Entry Date/Time April 25, 2011/1337' @ Exit Date/Time April 25, 2011
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Names of Field Representatives	Title	Phone
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Name and Address of Permittee or Designated Representative Mr. Brad Nelson HV Utility Systems, LLC 5100 W. Lemon St. Suite 308 Tampa, FL 33609	Title Vice President	Phone	@ Operator Certification #
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Inspection Type	<input type="checkbox"/> C <input type="checkbox"/> E <input type="checkbox"/> I <input type="checkbox"/>	Samples Taken(Y/N): N	@ Sample ID#:	Samples Split (Y/N):
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<input checked="" type="checkbox"/> Domestic	<input type="checkbox"/> Industrial	Were Photos Taken(Y/N): Y	@ Log book Volume :	@ Page
---	--	----------------------------------	----------------------------	---------------


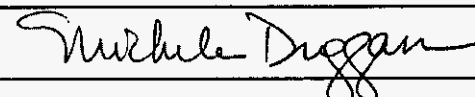
FACILITY COMPLIANCE AREAS EVALUATED

IC: In Compliance; NC: Out of Compliance; SC: Significant out of Compliance; NA: Not Applicable; NE or Blank: 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	NE	3. Laboratory	IC	6. Facility Site Review	IC	9. ♦ Effluent Quality
IC	2. ♦ Compliance Schedules	NE	4. Sampling	NC	7. Flow Measurement	IC	10. ♦ Effluent Disposal
		NC	5. ♦ Records & Reports	NC	8. ♦ Operation & Maintenance	IC	11. Biosolids
NA	13. ♦ SSO Survey					NA	12. Groundwater
NA	14. Other						

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

Recommended Actions: Letter

Names and Signatures of Inspectors Frank L. Fulghum III 	District Office/Phone Number 813-632-7600 ext. 411	Date 4/28/2011
Signature of Reviewer Michele Duggan 	District Office/Phone Number 813-632-7600 ext. 335	Date

SEV Codes: _____

INSPECTION SUMMARY

Facility Name: Hacienda Village MHP WWTF
Facility ID No.: FLA012793
Inspection Type: Compliance Evaluation Inspection
Inspection Date: April 25, 2010, 1337 hours

PERMIT

*Domestic Wastewater Permit No. FLA012793 was issued September 12, 2006 and will expire September 11, 2011. An application to renew the permit was received on January 24, 2011 and is currently under review.

COMPLIANCE SCHEDULES

The required items were completed.

SAMPLING

Sampling procedures were not evaluated.

LABORATORY

Compliance samples are analyzed at Advanced Environmental Laboratories Inc., DOH ID No. E84589, which is certified to perform permit required analysis. The laboratory was not evaluated.

RECORDS AND REPORTS

1. *The backflow prevention device must be tested annually by a certified technician. The last certification was dated February 16, 2010 and was, therefore, expired.
2. *The following records and reports were available at the time of the inspection: permit, laboratory certification, operators' licenses and discharge monitoring reports (DMRs). Please note that the current copies of operators' licenses will expire on April 30, 2011.
3. The Department received the "*Signatory Authority*" form, as required by Rule 62-620.305, Florida Administrative Code, assigning signatory authority to Mr. Deremer. This resolves a previously-cited item.
4. *During the inspection, two sinkholes, both in the southern cell of the rapid infiltration basin, were observed. The Department did not receive notice of the sinkholes, pursuant to Specific Condition No. VIII.11 of the permit. The condition states, "the permittee shall provide verbal notice to the Department as soon as practical after discovery of a sinkhole within an area for the management or application of wastewater, wastewater residuals (sludges), or reclaimed water. The permittee shall immediately implement measures appropriate to control the entry of contaminants, and shall detail these measures to the Department in a written report within seven days of the sinkhole discovery." Please address how this condition will be met in the future.

FACILITY SITE REVIEW

Facility grounds were well maintained.

FLOW MEASUREMENT

1. *Flow is measured by a 90° V-notch weir and ultrasonic meter, and must be tested annually. The most recent calibration report on-site was dated January 13, 2010 and was, therefore, expired. No records were on site for the chart recorder calibration. Please maintain copies of the 2011 calibrations for the totalizer and chart recorder at the facility.
2. An instantaneous check of the flow meter by the chlorine contact chamber indicated a staff gauge reading of 0.33 feet of head and a totalizer (used to report flow on the DMRs) reading of 70.2 GPM. The table value in the fifth edition *Isco Open Channel Flow Measuring Handbook* for a 90° V-notch weir is 70.19 GPM. The instantaneous reading was within ten percent of the table value.

OPERATION AND MAINTENANCE

1. *Solid waste was accumulating in the bar screen box then overflowing into the flow equalization tank. Increased frequency of the screen cleaning should be considered to reduce the amount of solid waste entering the facility.
2. *Excessive rust was observed on the catwalk, guard rails and along the flow equalization tank.
3. The color of the mixed liquor suspended solids in the aeration tanks was a medium brown with clear foam.
4. *The clarifier's sludge blanket depth was 14 feet. The sludge blanket level should be no more than 25% of the depth of the clarifier. The total depth is 15 feet. High sludge blankets may contribute to solids entering into the chlorine contact chamber, which was observed.
5. *Grease and solids ashing were observed on the surface of the clarifier.
6. *The active blower's air filter was dirty and must be replaced more frequently.
7. The chlorine contact chamber was full of solids. According to the operator log book, solids were removed from the chlorine contact chamber on April 22, 2011. Solids in the contact chamber, coupled with the high sludge blanket in the clarifier, indicated a need to waste more frequently.
8. The flow equalization tank, effluent lift station and the clubhouse lift station audio and visual alarms were tested. All were operable.
9. *The lift station at the clubhouse was operating with only one pump. The southern pump was removed for repairs. Please note that all lift stations are required to have two operating pumps at all times. Please indicate when the pump will be repaired.

EFFLUENT QUALITY

1. The final effluent's total chlorine residual was greater than 2.2 mg/L at 1413 hours, as measured by Department personnel.
2. A review of the discharge monitoring reports submitted from March 2010 through February 2011 revealed no effluent quality limit exceedances.

EFFLUENT DISPOSAL

1. The wastewater disposal system consists of a holding pond located adjacent to the facility and a two-cell rapid infiltration basin. Both were well maintained.
2. *There were two deep depressions in the southern cell. One was underneath the southernmost discharge pipe. The second depression at the southern end of the southern cell. The Department recommends filling both depressions with clean sand. It is recommended that a concrete structure be placed into the depression under the discharge pipe to disperse the flow energy. Please notify the Department when the repairs are completed.

BIOSOLIDS

Biosolids are hauled to and treated by Arthur Price Septic Service to Shady Hills Subregional.

GROUND WATER

There is no ground water monitoring requirements for this facility.