

State of Florida



# Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** January 14, 2026

**TO:** Adam J. Teitzman, Commission Clerk, Office of Commission Clerk

**FROM:** Jennifer Augspurger, Senior Attorney, Office of the General Counsel *JLA*

**RE:** Docket No. 20250023-WS – Application for staff-assisted rate case in Polk County, by NC Real Estate Projects, LLC d/b/a Grenelefe Utility.

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Please place the attached email and spreadsheet from Erica Peck of the Florida Department of Environmental Protection (DEP) to Jennifer Augspurger, regarding BMAP requirements and monitoring report data for Grenelefe Utility, in the docket file referenced above.

JLA/lt

Attachment

cc: Office of Commission Clerk (Docket No. 20250023-WS)

## Danyel Sims

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**From:** Peck, Erica <Erica.Peck@FloridaDEP.gov>  
**Sent:** Tuesday, January 13, 2026 10:37 AM  
**To:** GCL Discovery  
**Cc:** Larson, Emily; Disipio, Anthony  
**Subject:** FW: 20250023: Grenelefe / DEP and BMAP  
**Attachments:** Grenelefe TN TP Annual Average Data.xlsx

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Hello,

I am re-sending due to email error message, please direct this to Ms. Jennifer Augspurger.

Thank you,



**Erica Peck**

Florida Department of Environmental Protection, SW District  
Environmental Consultant  
Domestic Wastewater  
Erica.Peck@FloridaDEP.gov  
Office: 813-470-5906

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**From:** Peck, Erica  
**Sent:** Monday, January 12, 2026 4:19 PM  
**To:** 'JAugspur@psc.state.fl.us' <JAugspur@psc.state.fl.us>  
**Cc:** 'Laura King' <LKing@PSC.STATE.FL.US>; 'Marissa Ramos' <mramos@psc.state.fl.us>; 'Ailynnee Ramirez-Abundez' <ARamirez@psc.state.fl.us>; 'Jacob Imig' <JImig@psc.state.fl.us>; 'Lee Smith' <lsmith@psc.state.fl.us>; 'Tom Ballinger' <TBalling@PSC.STATE.FL.US>; Larson, Emily <Emily.Larson@FloridaDEP.gov>; Disipio, Anthony <Anthony.Disipio@FloridaDEP.gov>  
**Subject:** RE: 20250023: Grenelefe / DEP and BMAP

Hello Ms. Augspurger,

Please see my responses to your inquiry below in purple:

1. The Department of Environmental Protection does not direct a utility as to what specific facility modifications, if any, are necessary to achieve compliance with BMAP requirements. Determinations regarding any needed modifications rest solely with the utility. **That is correct, the Department directs facilities to propose feasible options of how they intend to meet the BMAP requirements for Department approval and the Department permits facility modifications, if any, as they are applied for by the utility.**
2. Based on recent reporting, DEP believes that Grenelefe appears to be trending toward BMAP compliance even in the absence of construction-related modifications to the facility. **Attached please find the facility's monthly monitoring report data for the Total Nitrogen (TN) and Total Phosphorous (TP) annual averages. In speaking with the Department's compliance inspector for the facility last week, there was a change in**

the contracted operating company in January 2026. In the data spreadsheet, some of the Results indicate 'DNP' or 'Data not provided' which are likely relics from the previous contract operating company.

The final limit for TN will be 10.0mg/L Annual Average basis and TP will be 6.0 mg/L Annual Average basis. The final limits do not come into effect until 3 months after completion of facility modifications (if needed). The Department intends to enact the final limits for TN and TP 3 months after the phase 2 modifications in the permit are completed for this facility.

Here are some additional notes for consideration:

One high result for the single sample maximum parameter during any given month can easily skew the annual averages above the permitted limit. So, the facility modifications to upgrade the treatment plant (not to rehab the collection system/pump stations) may be warranted for the facility to consistently meet the BMAP requirements. The treatment plant capacity is limited based on the effluent disposal capacity of the R-001 Rapid Infiltration Basins (RIBs).

The phase 2 modifications to the facility and the RIBs, that are currently written in the permit, will get the facility expanded to be able to treat and adequately dispose of 0.495 MGD and will enable the facility to utilize Sequencing Batch Reactors for increased biological treatment rather than just the extended aeration that is currently used. The increased biological treatment that SBRs offer is what some other utilities utilize to meet water quality-based limits such as those in the BMAP requirements.

The phase 3 modifications to expand the plant to 1MGD were incorporated into the permit modifications as they were applied for by the utility (this does not mean the utility is required to complete those modifications). However, even if the treatment plant components are modified to handle 1MGD, the permitted treatment capacity of the plant will be limited to 0.495MGD and will not be able to be fully utilized until the effluent disposal system is expanded to handle the increased capacity of the treatment plant. Currently, there are no modifications applied for or permitted to expand R-001 or to add additional disposal options so that the 1MGD of treatment capacity can be utilized.

Please let me know of any further questions.

Thank you,



**Erica Peck**

Florida Department of Environmental Protection, SW District  
Environmental Consultant  
Domestic Wastewater  
[Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov)  
Office: 813-470-5906

**From:** Jennifer Augspurger <[JAugspur@psc.state.fl.us](mailto:JAugspur@psc.state.fl.us)>

**Sent:** Thursday, January 8, 2026 1:51 PM

**To:** Peck, Erica <[Erica.Peck@FloridaDEP.gov](mailto:Erica.Peck@FloridaDEP.gov)>

**Cc:** Laura King <[LKing@PSC.STATE.FL.US](mailto:LKing@PSC.STATE.FL.US)>; Marissa Ramos <[mramos@psc.state.fl.us](mailto:mramos@psc.state.fl.us)>; Ailynnee Ramirez-Abundez <[ARamirez@psc.state.fl.us](mailto:ARamirez@psc.state.fl.us)>; Jacob Imig <[JImig@psc.state.fl.us](mailto:JImig@psc.state.fl.us)>; Lee Smith <[lsmith@psc.state.fl.us](mailto:lsmith@psc.state.fl.us)>; Tom Ballinger <[TBalling@PSC.STATE.FL.US](mailto:TBalling@PSC.STATE.FL.US)>

**Subject:** 20250023: Grenelefe / DEP and BMAP

**EXTERNAL MESSAGE**

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Good afternoon, Ms. Peck:

Thank you for taking the time to speak with me regarding Grenelefe and the Department of Environmental Protection's (DEP) BMAP requirements. I would like to confirm my understanding of our discussion:

1. The Department of Environmental Protection does not direct a utility as to what specific facility modifications, if any, are necessary to achieve compliance with BMAP requirements. Determinations regarding any needed modifications rest solely with the utility.
2. Based on recent reporting, DEP believes that Grenelefe appears to be trending toward BMAP compliance even in the absence of construction-related modifications to the facility.

If any portion of the above summary is inaccurate, please advise.

Kind regards,  
*Jen Augspurger*

Jennifer Augspurger / Senior Attorney / Office of General Counsel  
Appeals, Rules and Ethics Section  
**FLORIDA PUBLIC SERVICE COMMISSION**  
Direct Line: (850) 413-6584  
[JAugspur@psc.state.fl.us](mailto:JAugspur@psc.state.fl.us)

*PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from state officials regarding state business are considered to be public records and will be made available to the public and the media upon request. Therefore, your e-mail message may be subject to public disclosure.*



Facility ID	Facility Name	Office	Facility Type	County	Monitoring Group	Date	Monitoring Location	Parameter	Description	Qualifier	Result	Limit	Units	Statistical Base	Exceedance
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	9/30/2025	EFA-01	P 00600	Nitrogen, Total		10.5	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	8/31/2025	EFA-01	P 00600	Nitrogen, Total		10.5	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	7/31/2025	EFA-01	P 00600	Nitrogen, Total		10.8	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	6/30/2025	EFA-01	P 00600	Nitrogen, Total		10.8	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	5/31/2025	EFA-01	P 00600	Nitrogen, Total		23	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	3/31/2025	EFA-01	P 00600	Nitrogen, Total		20.65	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	2/28/2025	EFA-01	P 00600	Nitrogen, Total		DNP	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	1/31/2025	EFA-01	P 00600	Nitrogen, Total		17.616	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	11/30/2024	EFA-01	P 00600	Nitrogen, Total		13.619	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	10/31/2024	EFA-01	P 00600	Nitrogen, Total		11.59	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Resort Center	SWD	DW	POLK	R-001	9/30/2024	EFA-01	P 00600	Nitrogen, Total		11.2	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Resort Center	SWD	DW	POLK	R-001	8/31/2024	EFA-01	P 00600	Nitrogen, Total		10.1	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Resort Center	SWD	DW	POLK	R-001	7/31/2024	EFA-01	P 00600	Nitrogen, Total		11.73	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	9/30/2025	EFA-01	P 00665	Phosphorus, Total (as P)		2.67	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	8/31/2025	EFA-01	P 00665	Phosphorus, Total (as P)		2.67	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	7/31/2025	EFA-01	P 00665	Phosphorus, Total (as P)		2.57	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	6/30/2025	EFA-01	P 00665	Phosphorus, Total (as P)		2.57	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	5/31/2025	EFA-01	P 00665	Phosphorus, Total (as P)		6.1	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	3/31/2025	EFA-01	P 00665	Phosphorus, Total (as P)		1.4	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	2/28/2025	EFA-01	P 00665	Phosphorus, Total (as P)		5.7	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	1/31/2025	EFA-01	P 00665	Phosphorus, Total (as P)		2.9	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	11/30/2024	EFA-01	P 00665	Phosphorus, Total (as P)		2.9	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Water Utilities	SWD	DW	POLK	R-001	10/31/2024	EFA-01	P 00665	Phosphorus, Total (as P)		2.9	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Resort Center	SWD	DW	POLK	R-001	9/30/2024	EFA-01	P 00665	Phosphorus, Total (as P)		2.58	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Resort Center	SWD	DW	POLK	R-001	8/31/2024	EFA-01	P 00665	Phosphorus, Total (as P)		DNP	Report	mg/L	AB - Annual Average	
FLA013016	Grenelefe Resort Center	SWD	DW	POLK	R-001	7/31/2024	EFA-01	P 00665	Phosphorus, Total (as P)		3.07	Report	mg/L	AB - Annual Average	