

Florida Water Environment  
Assessment Association Utility  
Council

# ANNUAL REPORT 2000



**Dedicated to the  
Preservation and  
Enhancement  
of Florida's  
Water Environment**

## Current Members of the Council

Sarasota County Utilities, Palm Beach County Water Utilities, Orange County Utilities, Pinellas County Utilities, JEA, City of Tallahassee, City of Tampa, Martin County Environmental Services, City of St. Petersburg, Clay County Water Utilities, Charlotte County Utilities, Hillsborough County Water Department, Fort Pierce Utilities Authority, South Central Regional Wastewater, City of Cocoa Beach, City of Kissimmee, City of Key West, City of Boca Raton, City of Orlando, City of Fort Lauderdale, Miami-Dade Water and Sewer, City of West Palm Beach, City of Sarasota, Broward County, Lee County Utilities, City of Ocala Water and Sewer MTS Environmental, Inc., Carter & VerPlanck, Inc., Lewis, Longman & Walker, P.A., and EMA, Inc.

## President's Letter

Where does the time go? As President/Chairman of both the FWEA and FS/AWWA Utility Councils, it has been a very busy year. Anyone working in the water industry or reading Florida's newspapers can tell you that the current drought has everyone's attention. South Florida, as well as most areas of the State, is experiencing one of the most severe droughts on record. Many utilities are doing all they can to comply with imposed water restrictions and still keep public health and safety a priority. I am hopeful that with ongoing conservation, compliance with water restrictions, and good public awareness we can use our existing water resources to get us through this drought.

For the past year the FWEA Utility Council and the six associated working groups truly have been engaged in each one of their respective issues. The proposed EPA CMOM regulations (Capacity, Management, Operations and Maintenance); the State's TMDL (Total Maximum Daily Load) program; Treatment Plant Operator Staffing; the proposed amendments to Florida's Administrative Code, 62-604 and 62-555 (permitting, construction, and operation of distribution and collection systems); and the proposed EPA DIW (Deep Injection Well) rule are more than enough to keep everyone working full time. There is more information in this Annual Report describing our progress and other issues in detail.

The working groups within the Utility Council provide opportunities for any Council member to get involved with technical issues associated with various practice areas. In recent years these issues have commanded the attention of diverse interest groups that participate in agency rulemaking activities. It is imperative that the FWEA Utility Council represents our concerns and presents our position as the representative of our industry. Only by increased voluntary participation by our members can we maintain this current level of engagement on these issues.

I am happy to report that the Utility Council has retained the services of Holly Hanson of ILEX Services as the Council's Administrative Coordinator. Holly's responsibilities will include working to improve scheduling and meeting activities, distribution of materials and information to members, maintaining and updating our existing web site, and membership development.

As mentioned previously, time does go by fast but not so fast that we cannot pause to reflect on our achievements, focus on our future objectives, and take pride in our industry.

Fred Rapach  
*President*

The mission of the Florida Water Environment Association (FWEA) Utility Council is to assist its members to achieve, in an efficient and cost-effective manner, sound public health and environmental goals for the millions of users they serve. The Council works for the reduction and elimination of water pollution in Florida and is specifically and primarily organized to monitor and provide input to policymakers concerning the adoption and implementation of effective wastewater legislation, regulations, and policy at federal, state, regional, and local levels.

Presently, the Council has six Working Groups that are active in monitoring and participating in regulatory and legislative developments concerning wastewater collection, treatment, reclamation, and disposal. The remainder of this annual report includes a summary from each of the Working Groups on progress made throughout the year as well as other activities that should improve the effectiveness of the Council and the services provided to the membership.

## Sanitary Sewer Overflow Working Group

**Patti Anderson, City of St. Petersburg, Chairperson**

There are two major issues that the SSO Working Group has been following this past year. The first issue is the proposed U.S. Environmental Protection Agency (EPA) CMOM regulations signed by former EPA Administrator Carol Browner in January 2001. Because of the White House's change in administration, the official comment period for these rules has not yet started. The SSO Working Group is following federal proposals on this topic and will review and comment on the regulations thoroughly if they are reissued.

The second major regulatory issue this Working Group has been monitoring is the proposed revisions to Florida's Administrative Code (F.A.C.) Chapter 62-604, relating to collection systems and transmission facilities. One Technical Advisory Committee (TAC) meeting was held on September 26, 2000, in Tallahassee. The SSO Working Group will continue to monitor the deliberations of the TAC and participate in the Florida Department of Environmental Protection (FDEP) rulemaking.

## Water Quality Working Group

**Dave Pickard, City of Tampa, Chairperson**

The Council has been extensively involved in regulatory activities surrounding Florida's implementation of the TMDL program required under the federal Clean Water Act. The Council lobbied for the passage of the Florida Watershed Restoration Act, which determines how the FDEP will implement this federal program. Specifically, Ray Hanson of Orange County Utilities was picked to represent POTWs in debate surrounding allocation of TMDLs between point and non-point sources. In this regard, Mr. Hanson was chosen by Senate President Toni Jennings to be a member of the Allocation TAC created pursuant to Section 403.067(6), Florida Statutes. That TAC has finalized and recently submitted its findings to the Florida legislature and other policymakers.



This Working Group recently submitted specific written comments to FDEP regarding the November 2000 draft of proposed rules creating Chapter 62-303, F.A.C., which creates the methodology and associated criteria by which surface waters will be listed as "impaired" under the TMDL program. The Council has specifically retained Hopping Green Sams & Smith, P.A., to represent its interests in this rulemaking until adoption of the rules by the Environmental Regulation Commission, which is expected in April 2001. Finally, this Working Group continues to follow FDEP's triennial review of state surface water quality standards. That review is coming to conclusion and will likely necessitate further involvement by the Council.

## Deep Injection Well Working Group

**Tony Hui, Broward County, Chairperson**

The Deep Injection Well Working Group continues to closely monitor state and federal deep well injection issues. In the July 2000 *Federal Register*, the EPA published a proposed rule entitled, "Revision to the Federal Underground Injection Control (UIC) Requirements for Class I Municipal Wells in Florida." The proposed rule acknowledged the Council's long-held position that fluid movement should not be grounds for elimination of injection well technology; protection of underground sources of drinking water should be the key aspect of injection well permitting. While the proposed rule represented a fundamental shift in the EPA's position, it would impose some burdensome requirements prior to allowing utilities with fluid movement to continue injection well operation. In August 2000,

Working Group members met with FDEP to develop consensus on the proposed requirements. Later that month, members of the Working Group participated in two EPA public hearings. Finally, official comments from the Council and individual utilities were submitted to EPA in October 2000.

Around this time, the Working Group held a press conference in Tallahassee to provide factual information to the public. These efforts produced several fair and favorable articles in Florida newspapers. In mid-October 2000, utility directors from St. Petersburg, Broward County, and Miami-Dade represented the Council in a meeting with EPA that was organized by Congressman Bill Young's staff in Washington, D.C. This Working Group continues to support the study, "Assessment of Relative Risks of Human and Ecological Impacts from Municipal Wastewater Disposal Methods in Southeastern Florida" being conducted by the University of Miami. Preliminary results indicate that health and ecological risks from deep well injection are significantly lower than risks from other available wastewater disposal methods, and final results are expected in April or May 2001.



## Infrastructure Working Group

**Scott Kelly/Susan Hughes, JEA,  
Chairpersons**

The Infrastructure Working Group has been tracking Florida's regulatory developments including proposed amendments to Chapters 62-604 and 62-555, F.A.C., which deal with the permitting, construction, operation, and maintenance of wastewater/transmission and collection systems and public water systems. The Council and the FS/AWWA expressed interest in modifying the rules' requirements for the physical separation of water, wastewater, stormwater, and reclaimed water piping. In early 2000, the Council submitted resolutions to FDEP supporting a change to the minimum separation of the various different purpose piping.

The first of several TAC meetings to explore revisions to Chapter 62-555, F.A.C. was held in Orlando in October 2000. The Council supported the reduction of the horizontal separation of potable water from sanitary sewer, reclaimed water, and stormwater piping from 10 feet to 3 feet. A companion reduction in the vertical distance from 18 inches to 6 inches was also requested. In response, FDEP proposed alternative separation distances. FDEP is planning proposed changes to this rule chapter to incorporate alternative separation distances later in 2001. Companion changes to Chapter 62-604, F.A.C. (Operation and Maintenance of Wastewater/Transmission Systems) will also be required. The Working Group will continue to monitor

and work with FDEP on any rule proposals.

In August 2000, this Working Group participated in the FS/AWWA and FWEA Summer Seminar on trenchless technologies. Over 150 attendees were present at the Orange County Eastern Regional Water Supply Facility to explore the application of new trenchless technologies in the industry. A table discussion of Florida issues concerning the water/wastewater industry was staffed by recognized leaders on this topic in Florida, including representatives from FDEP.

## Wastewater Treatment Facility Operator Staffing Working Group

**Jim Rolston, Pinellas County,  
Chairperson**

In the September 8, 2000, edition of the *Florida Administrative Weekly*, the FDEP issued a notice of proposed rule development to clarify the lead/chief operator staffing requirements as they relate to the term "duty day." FDEP's proposed rules defined full-time duty day to mean, "employed at the plant full time, at least 5 days per week, work a minimum of 35 hours per week, including leave time." A rule development workshop was held October 11, 2000, at FDEP's Tallahassee office. This Working

Group reviewed the rule language and submitted comments to FDEP. In response, the agency distributed for public comment a revised rule proposal, which incorporated to a large degree the comments submitted by the Council.



## Reuse Working Group

**Todd Tanberg, Pinellas County,  
Chairperson**

In the past two years, the Reuse Working Group participated extensively in providing comments to FDEP in regard to rule amendments to Chapter 62-610, F.A.C., entitled, "Reuse of Reclaimed Water and Land Application." This Working Group also developed consensus position papers on various reuse issues, including reuse in the augmentation of potable water resources. This Working Group continues to monitor wastewater reuse developments in Florida and nationally. Additionally, this Group will develop educational and other materials to assist policymakers and the public in learning more about the benefits of wastewater reuse.

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