

STATE OF FLORIDA
DEPARTMENT OF HEALTH

RECEIVED
DEPARTMENT OF HEALTH
14 NOV 21 AM 8:46
OFFICE OF THE CLERK

DEPARTMENT OF HEALTH,
VOLUSIA COUNTY
HEALTH DEPARTMENT,

Petitioner,

vs.

Rendition No.: DOH-14-1661-FOI-HSW
DOH Case No.: 2014-0244
VCHD Case No.: 2014-04715

MARGARET V. GRASSO,
d/b/a DOVER LANE
SUBDIVISION PUBLIC
WATER SYSTEM #3644309,

Respondent. /

FINAL ORDER

On April 28, 2014 the Department of Health, Volusia County Health Department ("Department"), an Approved County Health Department, as delegated by the Florida Department of Environmental Protection by Interagency Agreement, dated January 2010, *as amended*, for the implementation of the Federal and Florida Safe Drinking Water Act, issued a Notice of Intent to Deny Public Water System Operating License, Notice of Violation, Orders for Corrective Action, and Administrative Penalty Assessment ("Notice") to Respondent, pursuant to the authority of Section 403.121(2), Florida Statutes. A copy of the Notice is attached and incorporated by reference herein as Exhibit A. Respondent received the Notice on April 30, 2014. A copy of the Volusia County Sheriff's return of service receipt is attached and incorporated by reference herein as Exhibit B.

The Notice informed Respondent that unless a request for hearing was filed with the Department within 20 days of receipt, the Orders for Corrective Action contained therein would become final. No responsive pleading or request for hearing has been made by Respondent. Therefore, pursuant to Section 403.121(2)(c), Florida Statutes, the Findings of Fact and Conclusions of Law contained in the Notice are deemed admitted and have become binding and

final. The Orders for Corrective Action have likewise become final and effective, pursuant to Section 403.121(2)(c), Florida Statutes.

Having considered the Notice of Violation, Orders for Corrective Action, and Administrative Penalty Assessment and Respondent's failure to timely file a responsive pleading to request a hearing, it is, therefore,

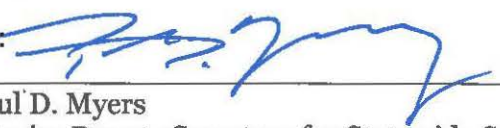
ORDERED by the State of Florida Department of Health that the Orders for Corrective Action and Administrative Penalty Assessment contained in the Department's Notice are hereby approved and adopted in full as the Final Order of the Department in the above-styled matter.

Respondent shall comply with the Orders for Corrective Action within the time frames specified above, all of which commence on the effective date of this Final Order. The effective date of this Final Order is the date on which it is filed with the designated Agency Clerk (see below).

DONE and ORDERED this 19 day of NOV., 2014 in Tallahassee, Leon County, Florida.

STATE OF FLORIDA
DEPARTMENT OF HEALTH
John H. Armstrong, MD, FACS
State Surgeon General

By:


Paul D. Myers
Interim Deputy Secretary for Statewide Services

Filed, on this date, pursuant to Section 120.52, F.S., with the designated Agency Clerk, receipt of which is hereby acknowledged.


Jaime Briggs, Agency Clerk

11/21/14
Date

Note: This is the effective date of the Final Order

NOTICE OF RIGHT TO JUDICIAL REVIEW

A PARTY ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS MAY BE COMMENCED BY FILING A NOTICE OF APPEAL WITH THE CLERK OF THE DEPARTMENT OF HEALTH AND A COPY ACCOMPANIED BY THE FILE FEE WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES OR THE FIRST DISTRICT COURT OF APPEAL. THE NOTICE MUST BE FILED WITHIN 30 DAYS OF FILING OF THIS FINAL ORDER.

Copy furnished to each of the following:

Cathy McAllister, Esq.
Florida Department of Health
Office of the General Counsel
NE Consortium Legal Office
1845 Holsonback Drive
P. O. Box 9190, Bin 120
Daytona Beach, Florida 32120
Cathy.mcallister@flhealth.gov
For Petitioner

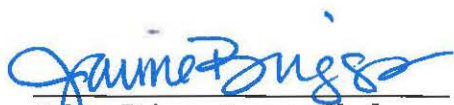
Gerald Briggs
Water and Onsite Sewage Section
Environmental Administrator
Department of Health
4052 Bald Cypress Way, Bin A-08
Tallahassee, Florida 32399-1710

Ronald Freeman, Env. Administrator
Volusia County Health Department
Environmental Health, Bin 180
121 W. Rich Avenue
DeLand, Florida 32720

F. Alexander Ford, Jr., Esq.
Landis Graham French, PA
PO Box 48
DeLand, FL 32721-0048
For Respondent

CERTIFICATE OF SERVICE

I CERTIFY that a copy of the foregoing FINAL ORDER has been served by ordinary mail via the United States Postal Service, inter-office mail, electronic transmission, or by hand delivery to each of the above-named persons this 21 day of November, 2014.



Jaime Briggs, Agency Clerk
Department of Health
4052 Bald Cypress Way, Bin A-02
Tallahassee, Florida 32399-1703
Telephone: (850) 245-4005

STATE OF FLORIDA
DEPARTMENT OF HEALTH

STATE OF FLORIDA
DEPARTMENT OF HEALTH,

Petitioner,

v.

VCHD Case No.: 2014-04715

MARGARET V. GRASSO, d/b/a
DOVER LANE SUBDIVISION PUBLIC
WATER SYSTEM #3644309,

Respondent.

NOTICE OF INTENT TO DENY
PUBLIC WATER SYSTEM OPERATING LICENSE, AND
NOTICE OF VIOLATION,
ORDERS FOR CORRECTIVE ACTION AND
ADMINISTRATIVE PENALTY ASSESSMENT

To: MARGARET V. GRASSO,
d/b/a Dover Lane Subdivision PWS #3644309
110 Dover Lane
DeLand, Florida 32724

Pursuant to the authority of Section 403.121(2), Florida Statutes ("Fla. Stat."), the State of Florida Department of Health, by and through the Volusia County Health Department ("Department") gives notice to Margaret V. Grasso, d/b/a Dover Lane Subdivision PWS #3644309 ("Respondent") of the following findings of fact and conclusions of law with respect to violations of Chapter 403, and sections 381.006, and 154.01, Fla. Stat.

EXHIBIT A

FINDINGS OF FACT
PARAGRAPHS APPLICABLE TO ALL COUNTS

1. The Department, an Approved County Health Department (“ACHD”) is the administrative agency of the state of Florida having the power and duty, as delegated by the Florida Department of Environmental Protection by Interagency Agreement, dated January 2010, *as amended*, for the implementation of the Federal and Florida Safe Drinking Water Acts to protect Florida’s water resources and to administer and enforce certain provisions of Chapter 403, Fla. Stat., and the rules promulgated thereunder in Florida Administrative Code (Fla. Admin. Code), Title 62.

2. Regulation and permitting of Respondent’s Safe Drinking Water Act public water system is a duty of the Florida Department of Health.

3. Respondent is a person within the meaning of Section 403.852(5), Fla. Stat.

4. Respondent is the owner and supplier of water to a Community Public Water System, PWS No. 3644309 located at 110 Dover Lane, DeLand, County of Volusia, Florida 32724; also known as “Dover Lane Subdivision PWS”, (“PWS” or “System”), operating pursuant to the Department’s permit (expired) Number 64-58-00256, (attached herein as Exhibit 1 and incorporated by reference).

5. Respondent’s PWS is located on her residential homestead property and is a small PWS with 20 service connections serving approximately 32 persons.

6. At all times material to this Complaint, Respondent has failed to keep the necessary water system components in good working order, specifically, has failed to replace a failed hydropneumatic tank or obtain a permit for a water system modification in lieu thereof; failed to pay state and local operating license fees to maintain a valid operating

license and permit; and, failed to sample organic, inorganic and other contaminants in a routine and timely fashion to assure water quality, all the while continuing to operate and serve customers despite being warned to correct the equipment, license, and water sampling violations.

7. At all times material to this Complaint, Respondent has been operating a Community Public Water System without valid operating licenses and permits, while continuing to sell water to customers.

COUNT I

RESPONDENT HAS FAILED TO KEEP THE NECESSARY WATER SYSTEM COMPONENTS IN GOOD WORKING ORDER AND PROPERLY PERMITTED AND CONTINUES TO REAP AN ECONOMIC BENEFIT BY NON-COMPLIANCE.

8. Rule 62-555.350(2), Fla. Admin. Code requires that suppliers of water such as the Respondent, "shall keep all necessary public water system components in operation and shall maintain such components in good operating condition so the components function as intended." Respondent has failed to keep the necessary water system components in good working order and is in violation.

9. Respondent maintained an aged and corroded hydropneumatic tank to serve the PWS. The PWS requires the use of a hydropneumatic tank, which is essential to collect and hold water and to maintain water pressure to the customers and would cease to function without such tank. By Sanitary Survey Inspection Report dated December 28, 2010, (attached herein as Exhibit 2 and incorporated by reference), Respondent was notified of the need to replace the aged and corroded permanent tank with a ASME-rated like-for-like permanent tank within the next twelve months. The tank was not replaced. On or about June 6, 2012 the aged and corroded tank failed and was removed from service. Respondent installed a temporary hydropneumatic tank on an

emergency and temporary basis. The permanent tank was sized to hold three thousand gallons (3,000 gal.) of water, while the temporary tank installed under emergency conditions held about one hundred and twenty gallons (120 gal.) of water. The two tanks are not comparable in capacity to adequately serve the water system customers as a permanent, ASME-rated like-for-like substitution and the permanent substitution is disallowed. Respondent, through her water system manager was repeatedly urged to replace the tank. During the intervening seventeen months, Respondent failed to install an ASME-rated like-for-like replacement of the failed permanent tank. Additionally, Respondent failed to obtain a permit to modify the PWS that might allow the temporary tank to remain permanently.

10. A site visit was conducted by the Department on September 3, 2013 and confirmed that Respondent continues to operate the PWS using an unapproved temporary hydropneumatic tank.

11. By Sanitary Survey Inspection Report dated September 24, 2013, (attached herein as Exhibit 3 and incorporated by reference), Respondent was again notified that she was operating with unapproved water system equipment as well as corroded and poorly maintained equipment and was given until November 1, 2013 to take extensive and detailed corrective action as more fully set out in the above-cited Sanitary Survey Inspection Report. As of this date, Respondent has not corrected the cited equipment violations.

12. In addition, in November 2013, the Department discovered that Respondent had, without prior notice or approval, changed out the one hundred and twenty gallons (120 gal.) unapproved temporary hydropneumatic tank for another unapproved temporary hydropneumatic tank with a capacity of about five hundred gallons (500 gal.). Respondent continues to use unapproved water system equipment and is in violation of law and rule.

13. Respondent has continued to provide and sell water to her customers uninterrupted. Respondent has obtained a passive economic benefit caused by not expending maintenance and capital costs associated with bringing the PWS up to regulatory compliance.

COUNT II

RESPONDENT HAS FAILED TO FULLY PAY ALL OPERATING PERMIT AND LICENSE FEES AND ARREARS, WHILE CONTINUING TO SELL WATER TO THE COMMUNITY AND TO REAP AN ECONOMIC BENEFIT BY NON-COMPLIANCE.

14. Rule 62-4.053(2), Fla. Admin. Code requires that suppliers of water such as the Respondent, pay annual operating license fees for the Department's surveillance activity. Furthermore, "[n]on-payment or late payment of an annual operating license fee shall be grounds for enforcement action pursuant to Sections 403.121, 403.141, and 403.161, Fla. Stat. Non-payment of an annual operating license fee shall be grounds for revocation or denial of an application for a drinking water construction permit," Rule 62-4.053(2)(c)3., Fla. Admin. Code.

15. Respondent has failed to fully and timely pay her annual operating license fee since 2009. Additionally, Respondent is required to pay a local annual operating permit fee, authorized by Code of Ordinances, County of Volusia, Florida, Ordinance 2010-15, and has failed to pay fully and timely since 2009.

16. Respondent has failed to fully and timely pay annual operating license fees and local annual operating permit fees for five consecutive years, (2009-2013), despite repeated demands for payment.

17. By Sanitary Survey Report dated December 28, 2010, (attached herein as Exhibit 2 and incorporated by reference), Respondent was notified that she was operating without valid permits and licenses and was given until January 10, 2011 to bring her account current. A

Compliance Inspection Report performed on August 12, 2011 cited the continued operation of the system without a valid permit and license, (attached herein as Exhibit 4 and incorporated by reference). A Complaint Inspection Report performed on September 9, 2011 cited the continued operation of the system without a valid permit and license, (attached herein as Exhibit 5 and incorporated by reference). Compliance Inspection Report performed on October 17, 2012 cited the continued operation of the system without a valid permit and license, (attached herein as Exhibit 6 and incorporated by reference).

18. On February 1, 2012 a Warning Letter, (attached herein as Exhibit 7 and incorporated by reference), was issued to the Respondent requesting that the Respondent contact the Department's Environmental Supervisor to arrange a meeting to discuss the allegations of operating a Florida Safe Drinking Water Act Public Water System without valid permits and licenses.

19. A meeting was held on February 29, 2012 in which a verbal agreement was reached between the Respondent and the Department. A letter, (attached herein as Exhibit 8 and incorporated by reference), summarizing the points agreed to was issued to the Respondent on the same day. No objection or correction was had from the Respondent. Thereafter, on March 20, 2012, a Consent Order/Settlement Agreement was provided to the Respondent, which contained the points of the verbal agreement. Respondent delayed signing the Agreement, requesting additional time to confer with her legal counsel, which time was freely granted. The parties, by their attorneys, conferred; however, Respondent failed to execute the Consent Order/Settlement Agreement without further explanation or negotiation.

20. By letter dated June 14, 2013, (attached herein as Exhibit 9 and incorporated by reference), the Department withdrew the offer of Settlement, gave notice of additional water system violations, and notified the Respondent that compliance enforcement would commence.

21. By Sanitary Survey Inspection Report dated September 24, 2013, (Exhibit 3), Respondent was again notified that she was operating without valid permits and licenses and was given until November 1, 2013 to bring her account current, but has not done so.

22. As of this date, Respondent has not corrected the permit and license fee violations and further informal attempts to promote corrective action are deemed futile.

23. Respondent has continued to provide and sell water to her customers, thereby reaping a direct economic benefit while failing to pay the regulatory agency for the privilege of public water system operation.

COUNT III

RESPONDENT HAS FAILED TO SAMPLE ORGANIC, INORGANIC AND OTHER CONTAMINANTS IN A ROUTINE AND TIMELY FASHION TO ENSURE WATER QUALITY WHILE CONTINUING TO SELL WATER TO THE COMMUNITY AND TO REAP AN ECONOMIC BENEFIT BY NON-COMPLIANCE.

24. Respondent, as sole owner and supplier of water at a Safe Drinking Water Act regulated Community Public Water System, is required to comply with all primary and secondary drinking water standards as authorized by section 403.853, Fla. Stat. and the Rules promulgated therein.

25. In 2012 and the first quarter of 2013, Respondent was required to perform certain water quality sampling and testing, which she did not perform despite a reminder letter dated February 21, 2012, (attached herein as Exhibit 10 and incorporated by reference).

26. In 2012 Respondent failed to sample inorganic contaminants (INO), nitrates and nitrites, secondary contaminants (SEC), volatile organic contaminants (VOC), and synthetic organic contaminants (SOC).

27. Additionally, in January 2013, Respondent failed to provide public notice of failure to sample the drinking water nitrates and nitrites.

28. In the first quarter of 2013 Respondent failed to provide public notice of failure to sample the drinking water for INO, SEC, VOC, and SOC.

29. By Sanitary Survey Inspection Report dated September 24, 2013, (Exhibit 3), Respondent was again notified that she was past due on water sampling and she needed to notify her customers of the failure to perform water quality monitoring as required by Florida Administrative Code.

30. Respondent has continued to provide and sell water to her customers, thereby reaping an economic benefit by her non-compliance, while failing to perform the water quality and safety sampling and testing that is required for the privilege of operating a public water system.

COUNT IV

31. The Department has incurred expenses to date while investigating this matter in the amount of not less than \$500.00, related to multiple telephone calls and attempts to communicate, extra surveillance visits and documentation above the ordinary service levels, reminders and extra billing services and documents, and repeated informal enforcement activities to gain compliance; all to no avail.

CONCLUSIONS OF LAW

The Department has evaluated the Findings of Fact with regard to the requirements of Chapter 403 and 381, Fla. Stat., and Fla. Admin. Code, Title 62. Based on the foregoing facts the Department has made the following conclusions of law:

1. Petitioner, State of Florida Department of Health, by and through the Volusia County Health Department (Department), is an "Approved County Health Department" (ACHD),

as defined by 62-550.200(4), Fla. Admin. Code, that is delegated by the Florida Department of Environmental Protection to administer and enforce the Florida Safe Drinking Water Act, Chapter 403, Florida Statutes and Rules promulgated therein, within the County of Volusia, Florida according to a January 1, 2010 Interagency Agreement for the Implementation of the Florida Safe Drinking Water Act Program between the Florida Department of Environmental Protection and the Florida Department of Health.

2. The Department has jurisdiction over the matters addressed in this Order.

3. Respondent is a "person" within the meaning of section 403.852(5), Fla. Stat., and 62-550.200(76), Fla. Admin. Code.

4. Respondent is a "supplier of water" within the meaning of section 403.852(8), Fla. Stat.

5. Respondent's business operation is an unincorporated, sole proprietorship located at 110 Dover Lane, Deland, Volusia County, Florida, and is located on her homestead property.

6. Respondent operates a "Community Public Water System", as this term is defined in s. 403.852(2) and (3), Fla. Stat., and rule 62-550.200(16) and (83), Fla. Admin. Code.

COUNT I

7. The facts related in Count I constitute a violation of Rule 62-555.350(2), Fla. Admin. Code, which requires that the supplier of water shall keep all necessary public water system components in operation and shall maintain such components in good operating condition so the components function as intended.

8. Additionally, the facts related in Count I constitute a violation of Rule 62-555.520(1), Fla. Admin. Code, which requires that the supplier of water shall obtain a

construction permit for construction or alteration of any public water system component, such as the water tank substitution.

9. The violations in Count I require the assessment of an administrative penalty under Section 403.121(4)(c), Fla. Stat., of \$3,000.00 each for failure to obtain a required permit before construction or modification of the 120 gal. and the 500 gal. unapproved temporary hydropneumatic tanks.

10. The facts show that Respondent performed a water tank substitution twice without informing the Department.

11. The facts related in Count I constitute a violation of Rule 62-4.130, Fla. Admin. Code, which requires the supplier of water to report temporary operating problems to the regulating agency in a timely manner.

12. The violation in Count I requires the assessment of an administrative penalty under Section 403.121(4)(e), Fla. Stat., of \$1,000.00 for failure to submit required notification to the Department.

13. The facts also constitute a violation of sections 403.161 and 403.859(2), Fla. Stat., which make it a violation to fail to comply with Department rules.

COUNT II

14. The facts related in Count II constitute a violation of s. 403.861(7), Fla. Stat., and Rule 62-4.053(2), Fla. Admin. Code, which require that the supplier of water shall pay annual operating license fees (surveillance fees).

15. The facts related in Count II further constitute a violation of ss. 381.006(1), and 154.01(1), (2)(a), Fla. Stat., as well as Part II, Ch. 58, Art. IV, ss. 58-125 to 58-127, Code of

Ordinances, County of Volusia, Florida, which require that the supplier of water shall pay local annual operating permit fees.

16. The facts related in Count II constitute a violation of 62-4.100, Fla. Admin. Code, which make permits invalid if expired.

17. The facts related in Count II constitute a violation of 62-4.030, Fla. Admin. Code, which prohibit operation, maintenance, construction, expansion, or modification without the appropriate and valid permits.

18. The facts related in Count II constitute violation of 62-4.070(2), Fla. Admin. Code, which requires the Respondent herein to provide reasonable assurance that the construction, modification, expansion, or operation of the installation will be in accord with applicable laws or rules, including rules of approved local programs, and if not so assured, the Department is required to deny a permit application.

19. The facts also constitute a violation of sections 403.161 and 403.859(2) and (6), Fla. Stat., which make it a violation to fail to comply with Department rules and permits.

20. The violation in Count II requires the assessment of an administrative penalty under Section 403.121(4)(a), Fla. Stat., of \$5,000.00 for failure to satisfy financial responsibility requirements.

COUNT III

21. The facts related in Count III constitute violation of 62-550.512, Fla. Admin. Code, which require annual monitoring in community PWS for nitrates and nitrites, and a related violation of Rule 62-560.410(3)(d), which requires timely notice to the public of the supplier's failure to monitor for nitrates and nitrites.

22. The violation in Count III requires the assessment of an administrative penalty under Section 403.121(4)(d), Fla. Stat., of \$2,000.00 for failure to annually monitor for nitrates and nitrites.

23. The facts also constitute a violation of sections 403.161 and 403.859(1),(2) and (6), Fla. Stat., which make it a violation to fail to comply with Department notice requirements, rules and permits.

24. Additional facts related in Count III constitute violation of 62-550.513, Fla. Admin. Code, which require monitoring once in a three-year compliance period in community PWS for inorganic contaminants (INO), and a related violation of Rule 62-560.410(3)(a), which requires timely notice to the public of the supplier's failure to monitor for INO.

25. The violation in Count III requires the assessment of an administrative penalty under Section 403.121(4)(d), Fla. Stat., of \$2,000.00 for failure to monitor once in a three-year compliance period for INO.

26. The facts also constitute a violation of sections 403.161 and 403.859(1),(2) and (6), Fla. Stat., which make it a violation to fail to comply with Department notice requirements, rules and permits.

27. Additional facts related in Count III constitute violation of 62-550.520, Fla. Admin. Code, requires monitoring once in a three-year compliance period in community PWS for secondary contaminants (SEC), and a related violation of Rule 62-560.410(3)(a), which requires timely notice to the public of the supplier's failure to monitor for SEC.

28. The violation in Count III requires the assessment of an administrative penalty under Section 403.121(4)(d), Fla. Stat., of \$2,000.00 for failure to monitor once in a three-year compliance period for SEC.

29. The facts also constitute a violation of sections 403.161 and 403.859(1),(2) and (6), Fla. Stat., which make it a violation to fail to comply with Department notice requirements, rules and permits.

30. Additional facts related in Count III constitute violation of 62-550.515, Fla. Admin. Code, which requires monitoring once in a three-year compliance period in community PWS for volatile organic contaminants (VOC), and a related violation of Rule 62-560.410(3)(a), which requires timely notice to the public of the supplier's failure to monitor for VOC.

31. The violation in Count III requires the assessment of an administrative penalty under Section 403.121(4)(d), Fla. Stat., of \$2,000.00 for failure to monitor once in a three-year compliance period for VOC.

32. The facts also constitute a violation of sections 403.161 and 403.859(1),(2) and (6), Fla. Stat., which make it a violation to fail to comply with Department notice requirements, rules and permits.

33. Additional facts related in Count III constitute violation of 62-550.516, Fla. Admin. Code, which requires monitoring once in a three-year compliance period in community PWS for synthetic organic contaminants (SOC), and a related violation of Rule 62-560.410(3)(a), which requires timely notice to the public of the supplier's failure to monitor for SOC.

34. The violation in Count III requires the assessment of an administrative penalty under Section 403.121(4)(d), Fla. Stat., of \$2,000.00 for failure to monitor once in a three-year compliance period for SOC.

35. The facts also constitute a violation of sections 403.161 and 403.859(1),(2) and (6), Fla. Stat., which make it a violation to fail to comply with Department notice requirements, rules and permits.

36. The administrative penalties assessed for Counts I, II and III total at least \$21,000.00; however, pursuant to s. 403.121(2)(b), Fla. Stat., the regulatory agency shall not impose administrative penalties in excess of \$10,000 in a notice of violation. Furthermore, s. 120.695(1), Fla. Stat., provides that it is the stated goal to attain compliance with an agency's rules as a regulatory agency's primary goal, with the collection of fines and penalties intended to be secondary. The Department has tried advocacy and persuasion over an extended time period without success attaining compliance. It is recognized that this PWS serves few customers (20 connections/32 persons). The Department additionally recognizes that the calculated fines, although justified by chronic non-compliance, may be a hardship for the Respondent. For the above reasons, the administrative penalties assessed for Counts I, II and III will be asserted for a maximum amount of \$10,000.00 in order to retain jurisdiction of the administrative procedure act.

COUNT IV

37. The costs and expenses related in Count IV are reasonable costs and expenses incurred by the State while investigating this matter, which are recoverable pursuant to Section 403.141(1), Fla. Stat.

ORDERS FOR CORRECTIVE ACTION

The Department has alleged that the activities related in the Findings of Fact constitute violations of Florida law. The Orders for Corrective Action state what you, Respondent, must do in order to correct and redress the violations alleged.

The Department will adopt these Orders for Corrective Action as part of its Final Order in this case unless you, the Respondent, file a timely petition for a formal hearing or informal proceeding, pursuant to Section 403.121(2)(c), Fla. Stat., (See, Notice of Rights), and prevail at an administrative appeal hearing.

If you, the Respondent, fail to comply with the corrective actions ordered by the Final Order, the Department is authorized to file suit seeking judicial enforcement of the Department's Order pursuant to Sections 120.69, 403.121 and 403.131, Fla. Stat.

Pursuant to the authority of Sections 403.061(8), 403.121, 381.006(1), and 154.01, Fla. Stat., the Department proposes to adopt in its Final Order in this case the following specific corrective actions that will redress the alleged violations:

A. The Respondent shall forthwith comply with all Department rules regarding Florida Safe Drinking Water Act as it relates to a Community Public Water System.

B. Respondent shall correct and redress all violations within the time periods required below and shall comply with all applicable rules in Chapters 62-4, 62-550, 62-555, 62-560, Fla. Admin. Code.

C. Respondent shall forthwith comply with all local Ordinances regarding operation of a Safe Drinking Water Act in Part II, Ch. 58, Art. IV, Code of Ordinances, County of Volusia, Florida.

D. Commencing immediately and henceforth, Respondent shall install and maintain approved water system equipment and obtain related construction or modification permits, if necessary, pursuant to Rules 62-555.350 and 62-555.520, Fla. Admin. Code, respectively.

E. Commencing immediately and henceforth, Respondent shall fully pay all state and local operating permit and license fees and arrears, pursuant to Rule 62-4.053, Fla. Admin. Code and Part II, Ch. 58, Art. IV, Code of Ordinances, County of Volusia, Florida.

F. Commencing immediately and henceforth, Respondent shall monitor its water for all regulated contaminants, pursuant to Rule 62-550.512 *et seq.*, Fla. Admin. Code.

G. Within 30 days from the effective date of this Order, Respondent shall make payment to the Department for the administrative penalties assessed for Counts I, II and III imposed above in the amount of \$10,000.00, and for costs and expenses in the amount of \$500.00, pursuant to the administrative penalty assessed for Count IV. Payment shall be made by cashier's check or money order payable to the "State of Florida Department of Health" and

shall include thereon the Case number assigned to this case and the notation "Safe Drinking Water Act". The payment shall be sent to: Volusia County Health Department, Attn. Ronald Freeman, Administrator, Engineering Bin 180, 121 West Rich Avenue, DeLand, Florida 32720. This civil administrative fine stands irrespective of Respondent's choice to comply with the above corrective actions.

H. Within 30 days from the effective date of this Order, the Respondent is further Ordered to fully and completely comply with all above segments of the above Orders for Corrective Action and reapply for an Operating License and Operating Permit;

OR,

The Department shall deny and/or revoke Respondent's expired Public Water System Operating License and Permit on Day 35 after the effective date of this Order, and find continued operation as an unlicensed and unpermitted supplier of water to be a violation of Florida Law, subject to judicial injunctive relief. The Department's petition for court injunction will seek a permanent court Order ceasing all water pumping and distribution. Such denial and/or revocation of Respondent's expired Public Water System Operating License and Permit on Day 35 after the effective date of this Order will proceed without further warning or notice to the Respondent.

I. The Respondent is further Ordered to serve written Notice that Respondent will CEASE acting as a provider of water by Certified Mail Return Receipt Requested or by in-hand delivery to all her PWS customers at their water billing addresses, and to the Department by the same method, directed to: Volusia County Health Department, Attn: Ronald Freeman, Administrator, Engineering Bin 180, 121 West Rich Avenue, DeLand, Florida 32720 by Day 35 after the effective date of this Order in the event that Respondent does not fully comply with all segments of the Order for Corrective Action within the time periods set out above. Said Notice will state that you, the Respondent, will CEASE providing water 180 days from the date of the Notice. You, the Respondent will disable the public water system, ceasing pumping and distribution of water at 180 days from the date of said Notice. If you, the Respondent, do not

timely, fully and cooperatively wind down the PWS operation and demonstrate compliance to the Department that the PWS has permanently ceased water pumping and distribution, and instead continue operation in non-compliance and ignorance of these Orders for Corrective Action, the Department will seek a permanent injunction in court to Order that all water pumping and distribution cease.

J. Additional consequences are contained in the following, *Notice of Rights*, "*General Provisions*", in particular.

NOTICE OF RIGHTS

Respondent's rights to negotiate or litigate this action are described below. Please read them carefully.

Right to Negotiate

This matter may be resolved if the Department and Respondent enters into a Consent Order, in accordance with Section 120.57(4), Fla. Stat., upon such terms and conditions as may be mutually agreeable.

Right to Request a Hearing

Respondent has the right to a formal administrative hearing pursuant to Sections 120.569 and 120.57(1), Fla. Stat., if Respondent disputes issues of material fact raised by this Notice of Violation and Orders for Corrective Action ("Notice"). At a formal hearing, Respondent will have the opportunity to be represented by counsel or other qualified representative, to present evidence and argument on all issues involved, and to conduct cross-examination and submit rebuttal evidence.

Respondent has the right to an informal administrative proceeding pursuant to Sections 120.569 and 120.57(2), Fla. Stat., if Respondent does not dispute issues of material fact raised by this Notice. If an informal proceeding is held, Respondent will have the opportunity to be represented by counsel or other qualified representative, to present to the agency written or oral

evidence in opposition to the Department's proposed action, or to present a written statement challenging the grounds upon which the Department is justifying its proposed action.

If Respondent desires a formal hearing or an informal proceeding, Respondent must file a written responsive pleading entitled "Petition for Administrative Proceeding" within 20 days of receipt of this Notice. The petition must be in the form required by Fla. Admin. Code, Rule 28-106.2015 and include the following:

- (a) The Department's Notice identification number and the county in which the subject matter or activity is located;
- (b) The name, address, and telephone number, and facsimile number (if any) of each petitioner;
- (c) The name, address, telephone number, and facsimile number of the attorney or qualified representative of respondent, if any, upon whom service of pleadings and other papers shall be made;
- (d) A statement of when petitioner received the Notice; and
- (e) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so indicate.

A petition is filed when it is received by the Department of Health's Office of General Counsel, Attn: Agency Clerk, 4052 Bald Cypress Way, BIN # A02, Tallahassee, Florida 32399-1703. The Agency Clerk's facsimile number is 850-410-1448.

Right to Request Mediation

Respondent may request mediation after filing a petition for hearing. Requesting mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The mediation will be held if the parties enter a written agreement, which is described below, within 30 days after receipt of the NOV. The mediation must be completed within 60 days of the agreement unless the parties otherwise agree.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) 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;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) The signatures of all parties or their authorized representatives.

As provided in section 120.573 of the Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by sections 120.569 and 120.57 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 the Respondent in writing that the administrative hearing processes under sections 120.569 and 120.57 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.

Waivers

Respondent will waive the right to a formal hearing or an informal proceeding if a petition is not filed with the Department within 20 days of receipt of this Notice. These time limits may be varied only by written consent of the Department.

General Provisions

The allegations of this Notice together with the Order for Corrective Action will be adopted by the Department in a Final Order if Respondent fails to timely file a petition for a formal hearing or informal proceeding, pursuant to Section 403.121, Fla. Stat. A Final Order will constitute a full and final adjudication of the matters alleged in this Notice.

If Respondent fails to comply with the Final Order, the Department is authorized to file suit in circuit court seeking a mandatory injunction to compel compliance with the Order, pursuant to Sections 120.69, 403.121, 403.131, and 403.860, Fla. Stat. The Department may also seek to recover damages, all costs of litigation including reasonable attorney's fees and expert witness fees, and civil penalties of not more than \$5,000 per day for each day that Respondent has failed to comply with the Final Order.

This matter may be resolved if the Department and Respondent enter into a Consent Order, in accordance with Section 120.57(4), Fla. Stat., upon such terms and conditions as may be mutually agreeable.

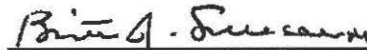
The Department is not barred by the issuance of this Notice from maintaining an independent action in circuit court with respect to the alleged violations. If such action is warranted, the Department may seek injunctive relief, damages, civil penalties of not more than \$5,000 per day, and all costs of litigation.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK.]

Copies of Department rules referenced in this Notice may be examined at any Department Office or may be obtained by written request to the Volusia County Health Department, Attn: Ronald Freeman, Administrator, Engineering Bin 180, 121 West Rich Avenue, DeLand, Florida 32720.

DATED this 29th day of April, 2014.

STATE OF FLORIDA DEPARTMENT
OF HEALTH, VOLUSIA COUNTY
HEALTH DEPARTMENT



Bonita J. Sorensen, MD, MBA

Director

Volusia County Health Department

Copies furnished to:

FDOH Agency Clerk
VCHD EH File
DEP SDWA Compliance
FDOH NE Consortium Legal Office

EXHIBIT LIST

1. Department's local permit (expired) Number 64-58-00256
2. Sanitary Survey Inspection Report dated December 28, 2010
3. Sanitary Survey Inspection Report dated September 24, 2013
4. Compliance Inspection Notice, August 12, 2011
5. Complaint Inspection Report, September 9, 2011
6. Compliance Inspection Notice, October 17, 2012
7. Warning Letter, February 1, 2012
8. Summary Letter of February 29, 2012 meeting
9. Letter of June 14, 2013
10. Reminder letter, February 21, 2012



STATE OF FLORIDA
DEPARTMENT OF HEALTH

80166

FILE COPY

Drinking Water-
PWS Community

Parent Number: 64-59-00256
State ID/PWS: 3844309

Business: Dover Lane Substation
118 Dover Ln
Deland FL 32720

Billed To: Margaret Grasso
118 Dover Lane

Deland, FL 32724

Capacity:	1
Install:	4/24/2009
Expiration Date:	9/30/2019
Amount Paid:	500.00
Date Paid:	5/28/2009



Class 5-2012-RS, CEN
CHARLES E. LUTHER, RS, CEHP
ENVIRONMENTAL HEALTH ADMINISTRATOR

Thomas R. Coleman, MS
THOMAS R. COLEMAN, M.D., MS
DIRECTOR OF VOLUSIA COUNTY HEALTH DEPARTMENT





Charlie Crist
Governor

Ana M. Viamonte Ros, M.D., M.P.H.
State Surgeon General

December 28, 2010

Margaret Grasso
110 Dover Lane
DeLand, FL 32720

Dover Lane Subdivision
PWS ID NUMBER: 3644309

Dear Mrs. Grasso:

This will confirm my visit to the Dover Lane Subdivision community public water system on December 10, 2010 in the presence of Don Pulver for the purpose of conducting a sanitary survey. The completed sanitary survey is enclosed for your reference and records.

Deficiencies were noted during the survey and were also determined from records on file in this office. On page seven of the enclosed sanitary survey there are seven deficiencies listed. Each listed deficiency includes reference to the pertinent section of the Florida Administrative Codes.

The following is a description of each noted deficiency:

1. The well casing and discharge pipe are rusty. Prepare and paint these items.
2. The hydropneumatic tank is rusty and the inspection dated September 2009 recommended replacement of this tank within 12 months. Arrange for an ASME certified tank to replace the tank on site.
3. The system must have a users agreement with the consumers allowing inspection of the premises for the purpose of cross-connection control. In addition, records of testing the devices must be kept for inspection. The system was not able to provide these records during the survey.
4. The total coliform sample plan is not being followed. Sample only from the sites in this plan or submit a revised plan.
5. The lead and copper sample plan is not being followed. Sample only from the sites in this plan or submit a revised plan.
6. System did not have records beyond 2010. Maintain all copies of bacteriological and chemical test analysis reports on the premises. Bacteriological test results must be kept for at least five years, while chemical test results must be kept at least 10 years. Maintain copies of all other reports, summaries or communications that pertain to the water system, including monthly operating reports. Most of these reports must be retained at least 10 years. Documentation relating to lead and copper monitoring must be retained at least 12 years.
7. System lacks a valid annual operating permit. Enclosed is the invoice for the outstanding permits from the past two years. Remit to this Department the payment due by January 10, 2011.

Volusia County Health Department • Environmental Health Engineering
121 W. Rich Avenue
DeLand, Florida 32720

EXHIBIT

tabbies
2

Page 2.
PWS ID# 3644309

You are required to correct the deficiencies and to provide a written statement to this Department no later than February 25, 2011 stating that all listed deficiencies have been corrected. The invoice must be paid by January 10, 2011. If any items need further explanation, please contact this Department immediately.

If you have any questions concerning this letter, please feel free to contact this writer at (386) 822-6249

Sincerely,



Leonard Erdman
Environmental Specialist II
Environmental Health Engineering

cc: PWS File 3644309
Don Pulver

State of Florida
Department of Health
Volusia County Health Department
SANITARY SURVEY REPORT

Plant Name: Dover Lane Subdivision County: Volusia PWS ID # 3844309
 Plant Location: 110 Dover Lane, DeLand, FL 32720 Phone: 386-738-2940
 Owner Name: Margaret Grasso Phone: 386-738-2940
 Owner Address: 110 Dover Lane, DeLand, FL 32720
 Contact Person: Don Pulver srvc@bellsouth.net Title: Certified Operator Phone: 386-868-5776
 This Survey Date: 12/10/10 Last Survey Date: 12/18/07 Last C.I. Date: 7/10/09

PWS TYPE & CLASS

Community (5D)

PWS STATUS

Approved system with approval number & date
Serial # 14411, 7/21/72, by Nick Mastro, P.E.

Unapproved system

SERVICE AREA CHARACTERISTICS

Residential subdivision
 Food Service: Yes No N/A

OPERATION & MAINTENANCE

Certified Operator: Yes No Not required
 Operator(s) & Certification Class-Number
Don Pulver C-4393

O & M Log: Yes No Not required
 Operator Visitation Frequency

Required: 0.2 Hrs/Wk Actual: 0.5 Hrs/Wk.

Required: 2 Days/Wk. Actual: 2 Days/Wk.

Non-consecutive Days? Yes No N/A
 MORs submitted regularly? Yes No N/A
 Data missing from MORs? No Yes N/A

O & M log lacks amount of chlorine used.

Number of Service Connections: 20

Population Served: 32 Basis: Census

Average Day (from MORs): 12117 gpd

Max. Day (from MORs): 28600 gpd 7/10

Max-day Design Capacity: 36,000 gpd

% (Max Day/Design Cap.) = 79%

Increase in Population since last SS? +3 SC

Interconnects with other PWS? None

Location of Interconnects: NA

Total System Storage: 3,000

% (Storage/Max Day Demand): 11%

Comments: None

RAW WATER SOURCE

GROUND; Number of Wells: 1

SURFACE/UDI; Source: NA

PURCHASED from PWS ID # NA

Emergency Water Source: None

Emergency Water Capacity: None

Comments: Floridan Aquifer

AUXILIARY POWER SOURCE

Yes None Not Required

Source: NA

Capacity of Standby (kW) NA

Switchover: Automatic Manual

Standby Plan: Yes No

Hrs Operated Under Load: NA hr/wk.

What equipment does it operate?

Well pumps: NA

High Service Pumps: NA

Treatment Equipment: NA

Satisfy Average day demand? Yes No Unk

Audio-visual alarm w/ auto-pager? NA

(Note: req. for +150 services)

Comments: NA

TREATMENT PROCESSES IN USE

Hypochlorination

What additional treatment is needed?

None

For control of what deficiencies?

NA

GROUND WATER SOURCE

Well Number		1
Location of Well		110 Dover Ln.
Well FLUID #		AAH7501
Year Drilled		1972
Depth Drilled		240 ft.
Drilling Method		Unknown
Length of casing		Unknown
Diameter of casing		6 in.
Material (outside casing)		Steel
Well Contamination History		None
Is inundation of well possible?		No
6' X 6' X 4" Concrete Pad		Yes
SET BACKS	Septic Tanks	104 ft./132 ft.
	ReUse Water	NA
	WW Plumbing	60 ft.
	Other Hazards	None
PUMP	Type	Submersible
	Manufacturer	Myers
	Model Number	J5050B
	Capacity (gpm)	50
	Horsepower	5 H.P.
Well casing 12" above grade?		Yes
Well Casing Sanitary Seal		O.K.
Raw Water Sampling Tap		Yes
Above Ground Check Valve		Yes
Fence/Housing		Yes
Well Vent		Yes

COMMENTS: Well casing is rusty around the bottom.

CHLORINATION (Disinfection)

Type: Hypochlorination
 Make: Sta Rite Capacity: 60 gpd
 Chlorine Feed Rate/Amount Used: 40% ~.75 GPD
 Chlorine Strength Used: 10.5%
 Chlorine Residuals :(ppm) POE:2.5 RT:2.35
 Remote tap location:MRT
 DPD Test Kit: On-site With operator
 None Not Used Daily
 Injection Points: Prior to hydropneumatic tank
 Day Tank: 40 gallon tank
 Safety Equipment: With operator.
 Comments:

AERATION (Gases, Fe, & Mn Removal)

Type NA Capacity NA
 Aerator Condition NA
 Bloodworm Presence NA
 Visible Algae Growth NA
 Protective Screen Condition NA
 Comments: NA

OPERATION AND MAINTENANCE MANUAL

Comments: Yes

FLOW METER

Comments: Calibrated 7/09

STORAGE FACILITIES

(G) Ground (H) Hydropneumatic (E) Elevated
 (B) Bladder (C) Clear well

Tank Type/Number	H
Capacity (gal)	3,000
Material	Steel
Gravity Drain	Yes
By-pass Piping	Yes
Pressure Gauge	Yes
Sight Glass or Level Indicator	Yes
Fittings for Sight Glass	Yes
Protected Openings	Yes
PRV/ARV	PRV
On/Off Pressure	30/54
Access Hatch?	Yes
Height to Max. Water Level	NA
Date Last Cleaned/ Inspected ?	9/2009
Date Installed ?	Original
Tank protected from Vandalism?	Yes

Comments: This tank is rusty and the inspection conducted in September 2009 recommended that the tank be replaced within 12 months.

HIGH SERVICE PUMPS

Pump Number	NA
Type	NA
Make	NA
Model	NA
Capacity (gpm)	NA
Motor HP	NA
Date Installed	NA
Maintenance	NA

Comments: NA

DISTRIBUTION SYSTEM MAINTENANCE

Cross-Connection Control

Date of CCC Plan on File	3/2005
Is CCC Plan Adequate?	No
Person responsible for CCC Program	Owner
Adequate Records of CCC Activity?	Some
Number Of Testable BF Devices	~4
ReUse Water in Use?	No
Enhanced Public Education & Inspections in reuse areas?	N/A

Comments: The CCC plan on file is not adequate and is not signed. The owner has some of the backflow certifications and they were unavailable for review.

DISTRIBUTION SYSTEM

Comments: 2" PVC looped.

Flushing and Valve Maintenance

Distribution System Map (Required for +150 Services)	Size of Mains Shown?	Yes
	Valves and Dead-Ends Shown?	Yes
	Hydrants Shown?	NA
Is Distribution Map Updated?		Yes
Is Flushing Plan on File? (# of sites)		N/A
Frequency of Routine Flushing?		Quart
Is Flushing/Valve Maintenance Activity Documented?		No

Comments: System distribution map shows water lines and valves. The exercising of the plant valves are to be documented.

SAMPLING PLANS

Total Coliform Sampling Plan

Approved Sampling Plan?	Yes
Total Coliform Plan Date:	2/25/02
# of Samples Required Monthly:	2
Total # of Unique Sites in Plan:	6

Comments: Sampling sites in plan are not being sampled in accordance with approved sample plan.

Disinfection By-Product (DBP) Sampling

Is The Plan Adequate?	Yes
Maximum Residence Site:	185 Dover Ln.
Plan Date:	5/2004

Comments: None

Lead and Copper (Tap Water) Sampling

Lead And Copper Plan Date:	1/15/97
Minimum Standard Sites (Rule):	10
Minimum Reduced Sites (Rule):	5
Minimum WQP Sites (Rule):	1
L&C Sample Sites (Plan)	10
WQP Samples Sites (Plan):	2
Corrosion Control Treatment Required?	No
Samples Collected from Plan Sites?	No

Comments: Not all samples collected per plan.

MISCELLANEOUS

Emergency Response Plan (ERP)

Required (+ 350 pop.)?	NA
Date Created:	NA
Location of Plan:	NA

Comments: NA

Consumer Confidence Reports (CCR)

Distribution / Reporting Timeframes Met?	Yes
CCRs In Conformance With Rules?	Yes
Delivery Methods Appropriate?	Yes
Usual Delivery Method(s):	Hand Delivery

Comments:

Recordkeeping

All records (analyses, MOR, etc.) retained for required timeframe?	No
Where are the above records stored?	Well house
Maintenance Work Properly Documented?	Yes
Customer Complaints Documented?	N/A

Comments: System needs to retain all sample analysis records, as well as Cross-Connection Control records and other system documents.

Security Issues:

Comments: Water plant has a locked fence around the system.

MONITORING REQUIREMENTS

Contaminant	Samples Required	Sampling Location	Frequency	Next Deadline For Sampling
Microbiological (Bacti)	1	Each Well	Monthly	12/31/10
	2	Distribution / Per Approved Sampling Plan	Monthly	12/31/10
Volatile Organic Contaminant Group	1	POE	Triennial	12/31/12
Synthetic Organic Contaminant Group	1	POE	Triennial or Waiver	12/31/12
Nitrate & Nitrite (as N)	1	POE	Annual	12/31/11
Inorganic Contaminant Group	1	POE	Triennial	12/31/12
Asbestos	1	Distribution / Per Approved Sampling Plan	9 Years or Waiver	12/31/12
Radionuclide Contaminant Group	1	POE	Triennial	12/31/12
Disinfection By-Products (TTHM & HAA5)	1	Distribution / Per Approved Sampling Plan	Annual or submit new plan	9/30/11
Disinfection Residual Monitoring	2	Distribution / Same as microbiological samples	Monthly	12/31/10
Secondary Contaminant Group	1	POE	Triennial	12/31/12
Lead and Copper (Tap Water)	5	Distribution / Per Approved Sampling Plan	Triennial	09/30/12

Comments: System is eligible for DBP triennial sampling upon submittal of a revised DBP Sample Plan.

Known Water Quality Issues

System has experienced high levels of Iron (Inorganic Secondary Contaminant) in the past. System has completed 4 quarters of sampling for Iron and exceeded MCL averages. However, there is no record of customer complaints concerning Iron levels and no reported issues to this Department concerning this matter. System is now on Triennial sampling for Iron.

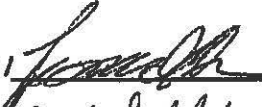
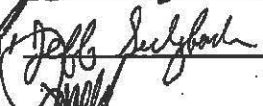

Monitoring Violations	Other Violations
	May 2008 TC MCL violation.
	May 2008- Failed to maintain chlorine residual.
	2008- CCR CoD was late.

Deficiencies:

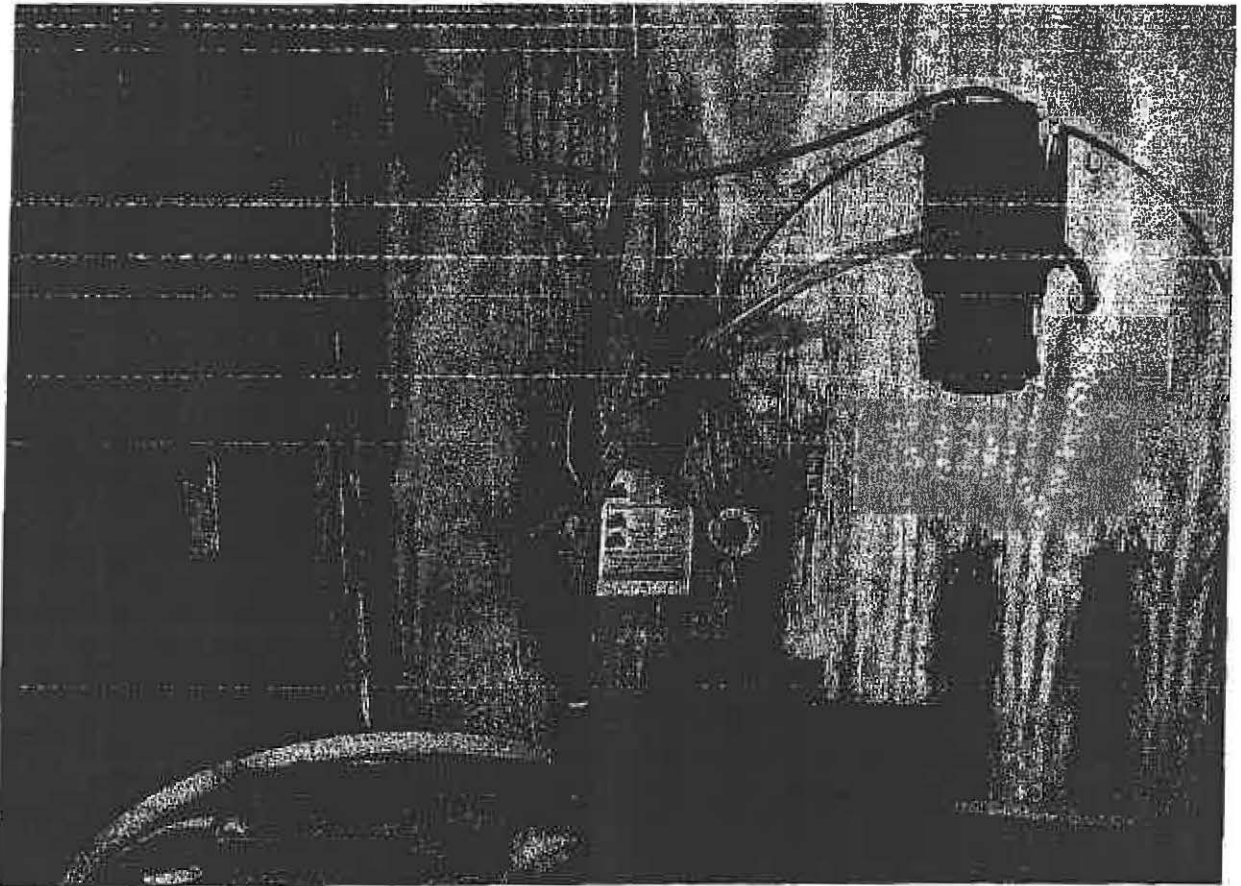
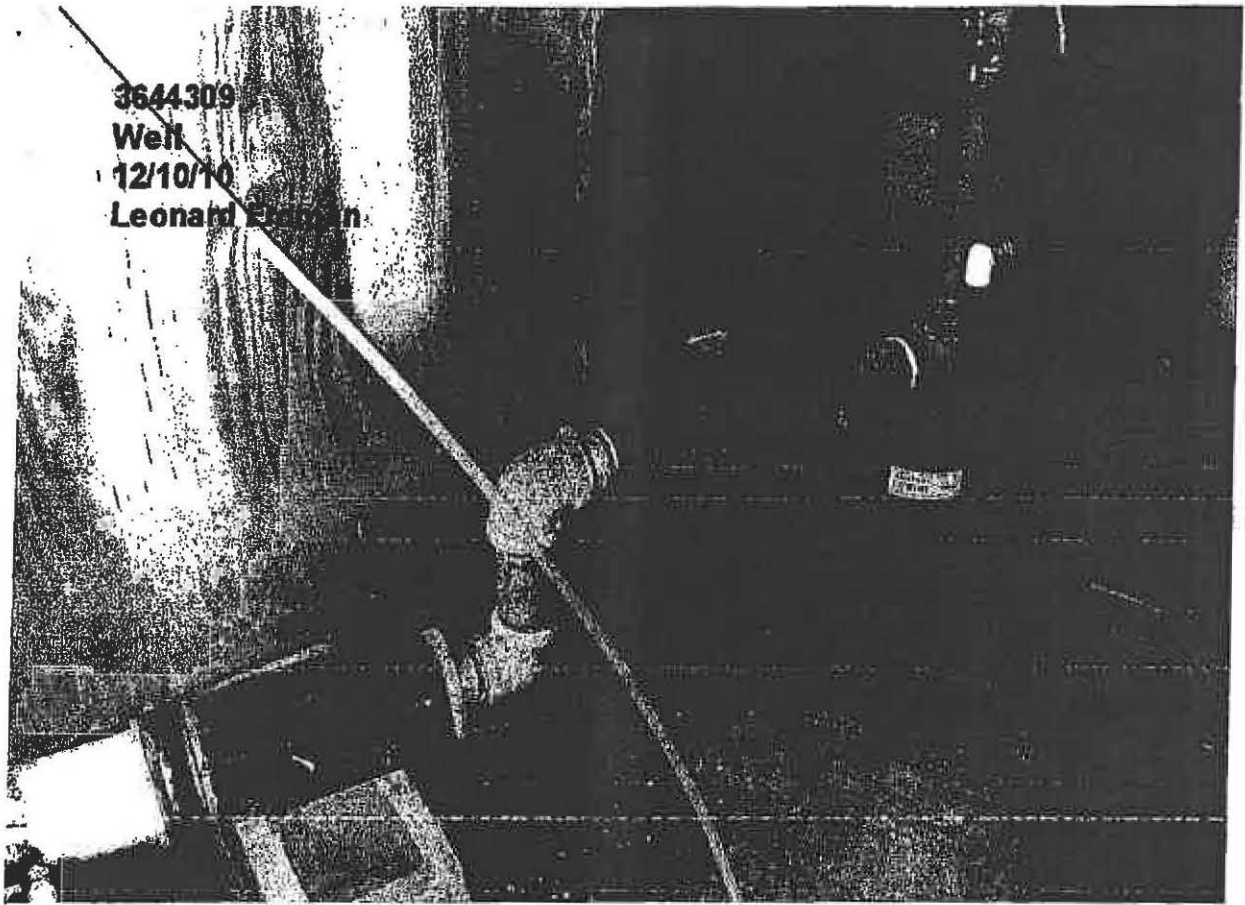
1. The well casing and discharge piping are rusty. Ch. 62-555.350(2) Florida Administrative Code (FAC).
2. The storage tank is corroded. It was also recommended in the inspection report that it be replaced. Ch 62-555.350(2) FAC.
3. The Cross Connection Control plan is not adequate and not all records are available. Ch. 62-555.360(2) FAC.
4. The total coliform sampling plan is not being followed. Ch. 62-550.518(1) FAC.
5. The lead and copper sampling plan is not being followed. Code of Federal Regulations 40 CFR 141 Subpart I.
6. System does not have complete records of chemical and bacteriological analysis reports. Ch. 62-550.720 FAC.
7. System does not have a valid annual operating permit. Ch 62-4.053 FAC.

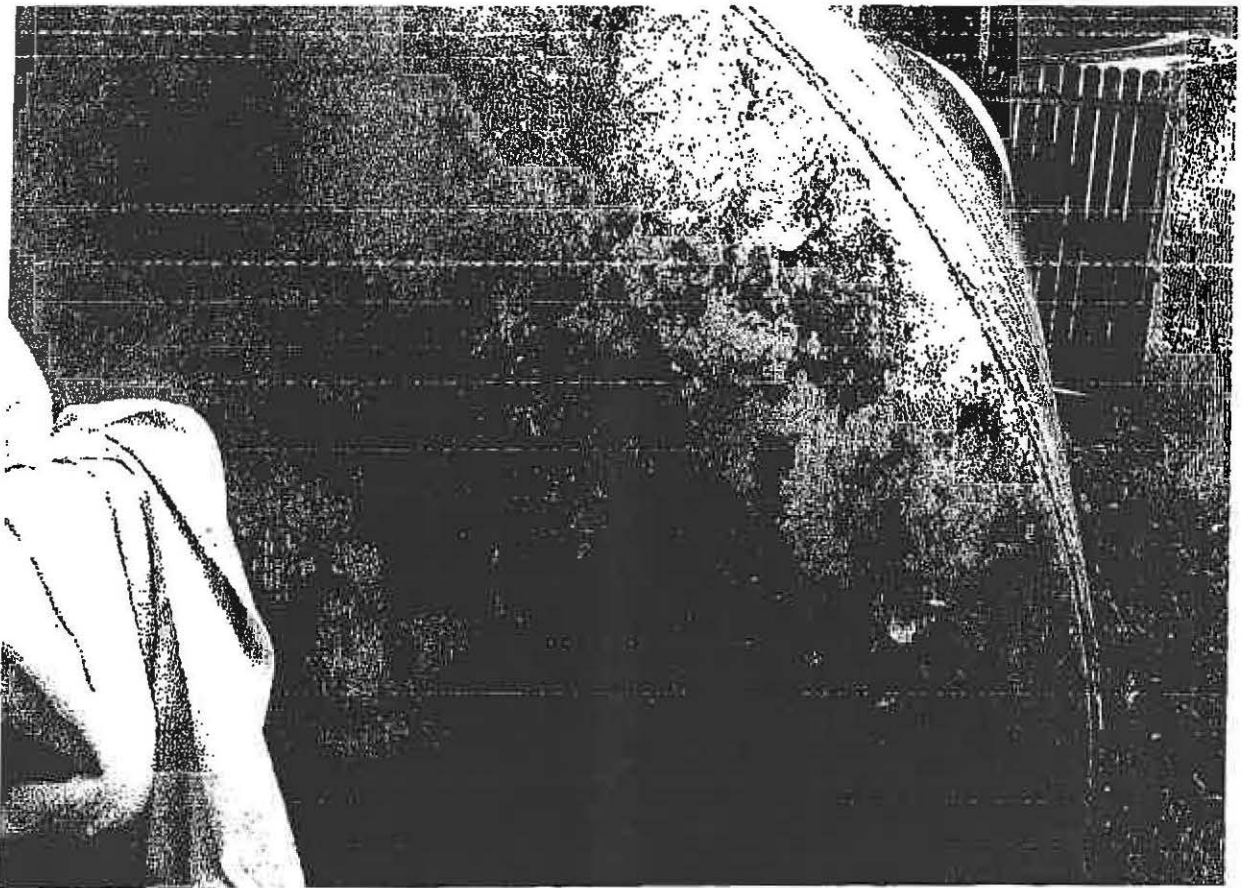
Comments/Recommendations:

1. Please submit the Back Flow Device certifications to the Department if available and maintain a file on these certifications.
2. Please contact David Hanna of the Florida Rural Water Association for assistance with the storage tank. He can be reached at (800) 872-8207. Your certified operator may also be aware of a used ASME tank suitable for this system. If there is a change in the capacity of the tank a permit will be required and the FRWA may be of assistance in this matter.

Inspector: Leonard Erdman /  Title Environmental Specialist II Date: 12/21/10
 Reviewed by: Jeff Sulzback /  Title: Environmental Specialist II Date: 12/22/10
 Approved by: Paul Hextell /  Title Environmental-Supervisor II Date 12/28/10

3644309
Well
12/10/10
Leonard E. [unclear]





**STATE OF FLORIDA
DEPARTMENT OF HEALTH
APPLICATION FOR ANNUAL DEP LICENSE
AND VCHD ANNUAL OPERATING PERMIT**

Authority, Chapter 62-4.053, F.A.C. & Volusia County Resolution No. 2010-102

PWS Number: 3644309

Permit Number: 64-58-00256

Facility : Dover Lane Subdivision
110 Dover Lane
Deland FL 32720
(386) 738-2940

System Design Capacity: 36,000
Plants: 1
Population Served: 28

Owner:

110 Dover Lane
Deland FL 32724

*Please make necessary corrections to any
information on this form.*

*Please contact the Volusia County Health Department prior to making any modifications to your water system.
Modifications may require a permit from this department.*

Signature of Owner or Agent

Date

Notification of Permit Fee Due

INVOICE FOR YEAR 7/1/2010 - 6/30/2011

*Please forward payment along with signed Application / Invoice in the enclosed self-addressed envelope.
For questions, please call (386) 822-6250, x5436.*

2009 - 2010 VCHD & FDEP Fee	\$325.00
5% Late Fee	\$16.25
2010 - 2011 VCHD & FDEP Fee	\$400.00
5% Late Fee	\$20.00

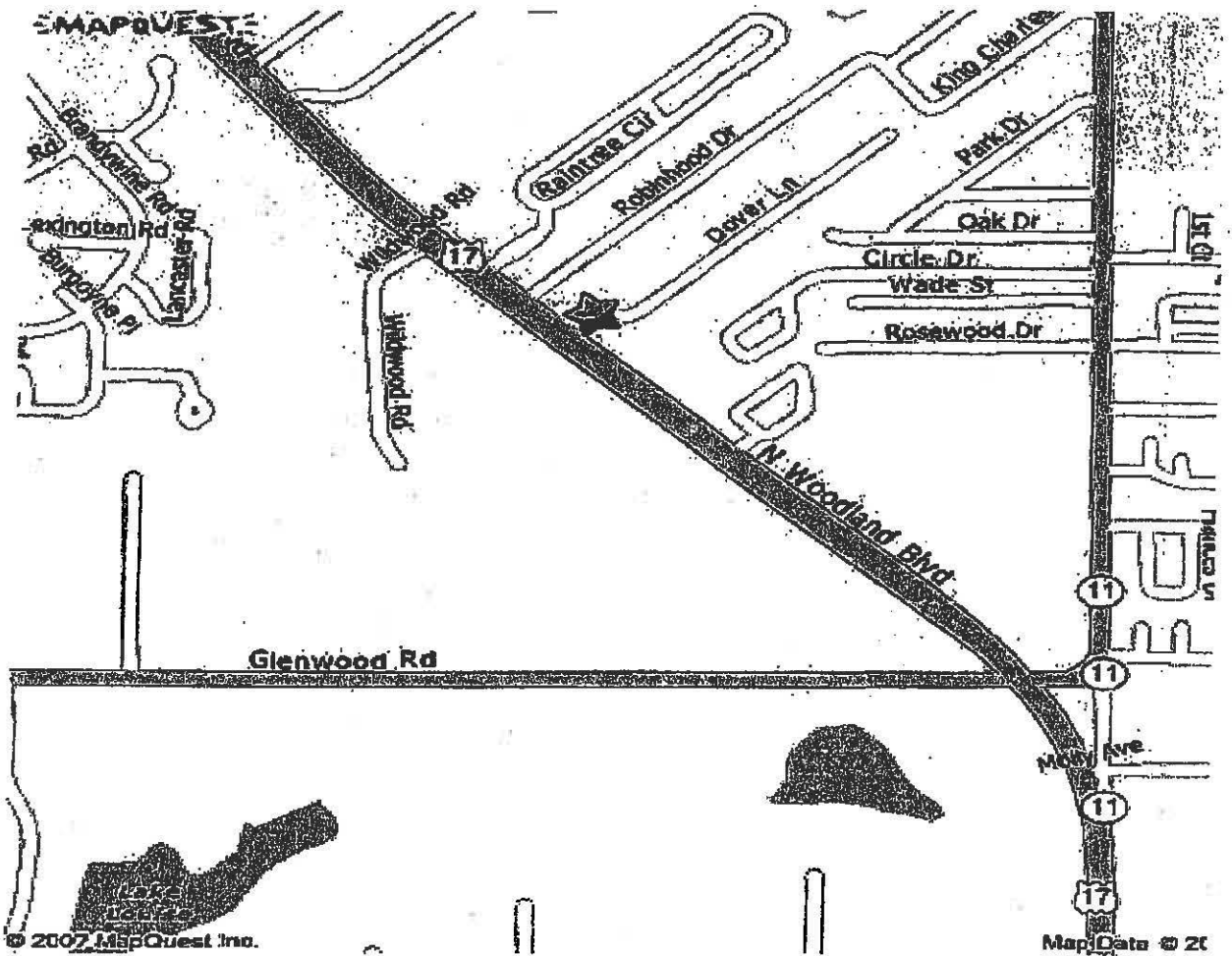
Total Amount Due: \$761.25
Payment Due Date: 07/29/2010

**Make check payable to:
Volusia County Health Department**

Environmental Health - Engineering
121 W Rich Avenue
Deland, FL 32720

Margaret Grasso
Dover Lane Subdivision
110 Dover Lane
Deland FL 32724

3644309



Well Apparatus
 1. Sample Tap
 2. Well vent
 3. Air Relief Valve

Chlorinator








Well

Hydropneumatic Tank

Drain

DISTRIBUTION SYSTEM

POE

LEGEND:	
	Check valve
	Shut-off Valve
	Pressure Relief Valve
	Pressure gauge
	Water Meter
	Sample Tap
	Point-of-Entry to Distribution System

WATER PLANT SCHEMATIC

Dover Lane
 PWS# 3644309

CREATED BY:	Leonard Erdman
VCHD	
Date:	12/10/10

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John M. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

CERTIFIED MAIL RECEIPT: 7009 2820 0000 6171 1174

September 24, 2013

Margaret Grasso
110 Dover Lane
DeLand, FL 32720

**RE: Sanitary Survey Inspection Report
Dover Lane Subdivision Community Water System / PWS # 3644309**

Dear Ms. Grasso:

This letter and the enclosed report will summarize my findings in relation to a sanitary survey that I conducted at the above referenced public water system September 3 – 24, 2013. I was accompanied during my field visits by Mr. Leonard Erdman of the Florida Department of Health in Volusia County and Mr. Don Pulver of Enviro-Care Utility Service, LLC, who is the certified drinking water plant operator for the water system.

The Department requested your assistance in completing this sanitary survey but you failed to provide such. The Department telephoned and left a message for you, sent an e-mail to you and left a business card at the door of your residence, all on 9/3/13. The Department again e-mailed you on 9/16/13 and again telephoned and left a message for you on 9/17/13. You did not respond to any of these inquiries.

The completed survey is enclosed for your reference and records. Deficiencies were noted during the survey and were also determined from records on file in this office. These nine (9) deficiencies are itemized in the sanitary survey report. The deficiencies are described below, as well as several pre-existing water quality monitoring related violations, a public notice violation and an annual operating permit violation.

The following actions are requested in regards to the listed deficiencies:

1. Remove overgrown vegetation that is overtaking the water plant enclosure.
2. Remove corrosion from the water piping near the chlorine injection point and snifter valve. Paint the prepared piping to protect against further corrosion.
3. Provide an approved storage tank meeting ASME code requirements to replace the failed hydropneumatic tank. If a tank of the same type and size is to be installed at the same

Florida Department of Health in Volusia County
Environmental Health • Engineering
121 W. Rich Ave., • DeLand FL 32720-4212
PHONE: 386-736-5430 • FAX: 386-738-5433



www.FloridasHealth.com
www.VolusiaHealth.com
TWITTER: HealthyFLA
FACEBOOK: FLDepartmentofHealth
YOUTUBE: fldoh

location, written approval must be obtained from the Department prior to installation or activation. If a tank that is not of the same type and size is to be installed, a permit must first be obtained from the Department. *Note: The temporary tank currently in use has not been approved by the Department. An approved tank must be utilized.*

4. Replace the existing loose-leaf water plant log with a hardbound book with consecutive page numbering.
5. Inspect the operation and function of the isolation valve at each end of the hydropneumatic tank and repair either or both valves so that neither is allowing water past the closed valve. Repair the inlet isolation valve to this tank so that water is not leaking past the valve stem or otherwise leaking onto the ground.
6. Provide evidence that the sodium hypochlorite (chlorine) product being used is an approved drinking water additive, per NSF International Standard 60, Water Chemicals Codex or Food Chemicals Codex, as cited in Ch. 62-555.320(3), FAC. Change to an approved product if necessary but provide evidence of an approved product in either case.
7. Provide evidence that the system is meeting recordkeeping requirements of Ch. 62-555.720, FAC, including, but not limited to, copies of bacteriological and chemical analyses, cross-connection control related documents, monthly operating reports and sanitary survey reports.
8. Create and make available for inspection by the Department a cross-connection control plan that is in conformance with Ch. 62-555.360, FAC.
9. Create and retain onsite, in a protected manner, an Operation and Maintenance manual that outlines operation and control procedures for the water system, as well as preventative maintenance and repair procedures for all water plant equipment.

The following actions are requested to be carried out with respect to monitoring and reporting, and operating permit violations:

10. Collect water samples and submit compliant analytical reports for past due rule required water quality monitoring for: 1) Synthetic Organic Contaminants, 2) Volatile Organic Contaminants, 3) Inorganic Contaminants, 4) Nitrate and Nitrite and 5) Secondary Contaminants.
11. Provide public notice to water consumers per Ch. 62-560, FAC for the failure to timely perform the water quality monitoring specified in the preceding paragraph.
12. Obtain a valid public water system operating permit and remit payment for operating permits not obtained in the past. The total amount past due is \$801.25.

The (twelve) corrective action items above are to be fully and satisfactorily resolved no later than **November 1, 2013**, by which date a written notice attesting to the completion of these items should be provided to the Department.

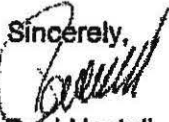
Recommendations and comments:

The Dover Lane Subdivision public water system appears to be poorly managed. The owner has failed

Page 3
Dover Lane Subdivision/PWS #3644309
Sanitary Survey

to meet several regulatory requirements concerning operation and management of the system. The owner also appears not to be planning for the routine maintenance and capital improvements necessary for long-term viability of the water system. Over the course of many years, both the Department and the Florida Rural Water Association have informally provided compliance assistance to the system. Nonetheless, the owner appears to continue to fail to undertake the actions necessary to keep the system in a condition that assures the reliable provision of safe water to customers, as well as in conformance with applicable rules and regulations. It is recommended that the owner either manage the water system in conformance with good management practices and state and federal regulations or assign those responsibilities to another party who is capable of doing so.

In conclusion, I would like to thank Mr. Pulver for the assistance he provided during the course of this survey. If you should have any questions regarding this correspondence, please contact by telephone either Leonard Erdman at (386) 822-6249 or this writer at (386) 736-5430.

Sincerely,


Paul Hextell
Environmental Supervisor II

cc: File 3644309
Leonard Erdman, Environmental Specialist II
Don Pulver, Enviro-Care Utility Service

State of Florida
Department of Health
Volusia County Health Department
SANITARY SURVEY REPORT

Plant Name: Dover Lane Subdivision County: Volusia PWS ID # 3644309
Plant Location: 110 Dover Lane, DeLand, Florida 32720 Phone: (386)738-2940
Owner Name: Margaret Grasso Phone: (386)738-2940
Owner Address: 110 Dover Lane, DeLand, Florida 32720
Contact Person: Don Pulver Title: Certified Operator Phone: (386)668-5776
This Survey Date: 9/3/13 Last Survey Date: 12/10/10 Last C.I. Date: 10/17/12

PWS TYPE & CLASS

Community (5D)

PWS STATUS

Approved system with approval number & date
Serial #1411, 7/21/72, by Nick Mastro, P.E.

Unapproved system

SERVICE AREA CHARACTERISTICS

Residential Subdivision

Food Service: Yes No N/A

OPERATION & MAINTENANCE

Certified Operator: Yes No Not required
Operator(s) & Certification Class-Number
Don Pulver C-0004393

O & M Log: Yes No Not required
Operator Visitation Frequency

Required: 1 Hrs./Day Actual: 10 Hrs./Day

Required: 2 Days/Wk. Actual: 2 Days/Wk.

Non-consecutive Days? Yes No N/A

MORs submitted regularly? Yes No N/A

Data missing from MORs? No Yes N/A

Failed hydropneumatic tank and use of a temporary storage tank should be noted each month in the monthly operating report.

Number of Service Connections: 20

Population Served: 32

Basis: Census

Increase in Population since last SS? No

Average Day Demand: 10,868 gpd

MOR Timeframe: Aug./2012 thru July/2013

Max. Day Demand: 46,100 gpd

MOR Timeframe: Aug./2012 thru July/2013

Max-day Design Capacity: 36,000 gpd

% Utilized (Max Day/Design Cap.): 128% (May 2013); (Approx. 35% is more typical.)

Total System Storage: 0

% (Storage/Max Day Demand): 0

Comments: Hydropneumatic tank has failed and an unapproved, inadequate temporary is in use.

RAW WATER SOURCE

Ground; Number of Wells: 1

Surface/UDI; Source: _____

Routine/Normally Open Interconnects

PWS ID # _____ Capacity: _____

Interconnect Locations: _____

PWS ID # _____ Capacity: _____

Interconnect Locations: _____

Emergency Water Interconnects

PWS ID # _____ Capacity: _____

Interconnect Locations: _____

PWS ID # _____ Capacity: _____

Interconnect Locations: _____

Comments: No routine or emergency interconnects.

AUXILIARY POWER SOURCE

Yes None Not Required

Source: N/A

Capacity of Standby (kW) N/A

Switchover: Automatic Manual

Standby Plan: Yes No

Hrs Operated Under Load: N/A hr/wk.

What equipment does it operate?

Well pumps: N/A

High Service Pumps: N/A

Treatment Equipment: N/A

System capacity under emergency power: N/A

Satisfy Average day demand? Yes No Unk

Audio-visual alarm w/ auto-pager? N/A

(Note: req. for +150 services)

Comments: No auxiliary power.

TREATMENT PROCESSES IN USE

Hypochlorination

What additional treatment is needed?

N/A

OPERATING PERMIT

System has not obtained an annual operating license since 2009.

GROUND WATER SOURCE

Well Number		1		
Location of Well		110 Dover Ln.		
Well FLUID #		AAH7501		
Year Drilled		1972		
Depth Drilled		240 ft.		
Drilling Method		Unknown		
Length of casing		Unknown		
Diameter of casing		8 in./4 in.		
Material (outside casing)		Steel		
Well Contamination History		No		
Is inundation of well possible?		No		
6' X 6' X 4" Concrete Pad		Yes		
SET BACKS	Septic Tanks	104 ft./132 ft.		
	ReUse Water	No		
	WW Plumbing	60 ft.		
	Other Hazards	None		
PUMP	Type	Submersible		
	Manufacturer	Myers		
	Model Number	J5050B		
	Capacity (gpm)	50		
	Horsepower	5		
Well casing 12" above grade?		Yes		
Well Casing Sanitary Seal		OK		
Raw Water Sampling Tap		Yes		
Above Ground Check Valve		Yes		
Fence/Housing		Yes		
Well Vent		Yes		

Comments: Pump make and model indicated above are not certain.

DISINFECTION

Type: Hypochlorination
 Feed Pump Make: Chem-Tech Model: 200
 Feed Pump Design Capacity: 120 gpd
 Average Daily Disinfectant Usage: 1.3 gpd
 Disinfection Strength Used: 10.5%
 Day Tank Capacity: 50 gal.
 Injection Points: After check valve and prior to tank.
 Disinfection Residuals (ppm)
 Point-of-entry: 1.89 ppm Remote Tap: 1.59
 Remote tap location: Blow

DPD Test Kit: On-site With operator
 None Not Used Daily

Safety Equipment: With operator.
 Comments: Volume graduations on side of chlorine day tank need to be refreshed to be readable. Chlorine product is Custom Chlor-150, delivered by Custom Controls and Pumps Inc. (Ocala) 352-622-9244.

OTHER CHEMICAL ADDITIVES

Chemical: None
 Purpose: N/A
 Equipment Used: N/A
 Feed Rate/ Dose: N/A
 Comments: No other chemicals are used at this plant.

Are all chemicals NSF 60 & 61 compliant?
Unknown; Unable to ascertain with either the operator or the product distributor that the sodium hypochlorite product (Custom Chlor-150 is an approved drinking water additive per Ch. 62-555.320(3), FAC. Produce evidence such is an approved additive or utilize a product that is approved.

OPERATION AND MAINTENANCE MANUAL

Location: Water Plant.
 Compliant? Yes
 Comments: Protect the manual from weather and insects.

FIOW METER

Last Tested: 7/13/09
 Comments: Test and calibrate if necessary by 7/13/14.

STORAGE FACILITIES

(G) Ground (H) Hydropneumatic (E) Elevated
 (B) Bladder (C) Clear well (O) Other

Tank Type/Number	H/1	
Capacity (gal)	3,000	
Material	Steel	
Gravity Drain	Yes	
By-pass Piping	Yes	
Pressure Gauge	Yes	
Sight Glass or Level Indicator	Yes	
Fittings for Sight Glass	Yes	
Protected Openings	N/A	
PRV/ARV	PRV	
On/Off Pressure	N/A	
Access Hatch?	Yes	
Height to Max. Water Level	N/A	
Date Last Cleaned/ Inspected ?	9/2009	
Date Installed ?	1972	
Tank protected from Vandalism?	Yes	

Comments: This tank has failed and has been taken out of service. The system is relying upon a small, used hydropneumatic tank, not approved by the Department, which had been loaned by another PWS. The temporary tank is scheduled to be returned to the lender soon. The owner has provided no plan or indication of how or when the failure of the permanent tank will be addressed. Prior notices to the owner concerning this violation appear to have gone unheeded. The owner was advised of the need to replace then operable but now failed tank in 2009, via a tank inspection report provided by a professional engineer who had supervised a rule required inspection of the tank. The owner was notified that the tank had failed on May 17, 2012. The tank was taken offline and the temporary tank installed on June 6, 2012.

DISTRIBUTION SYSTEM MAINTENANCE**Distribution System Materials**Types of Material: 2 in. PVCComments: Looped, with a blow-off at each end.**Distribution System Log**

Logbook or electronic format?	N/A
Location of log:	N/A
System ID; Signature and license # of operator making entries?	N/A
Date, time and description of O&M activities noted?	N/A

Comments: Plant log is being used for documenting both plant and distribution system activities.

Cross-Connection Control (CCC)

Date of CCC Plan on File	N/A
Person Responsible for CCC Program	Owner
No. of Testable Backflow Assemblies In Use	2
% of testable backflow assemblies in compliance with annual testing	Unknown
Reuse water in use?	No
On-going routine CCC education effort?	Unknown
Recordkeeping appropriate?	Unknown

Comments: The system appears not to have an operative cross-connection control plan. Unable to ascertain status of program, as owner did not respond to request to review records.

Valve Exercising

Is a Valve Exercising Plan on File?	No
Is Valve Exercising Documented?	No
Where is Valve Exercising Documented?	Plant Log

Comments: There may be up to five distribution system valves but only one is identified/located and in use. It is recommended that the system survey the system to determine whether other valves are present and may be restored. (Note: Such valves may not exist.) Isolation valves at the plant should be exercised regularly according to a written plan.

Distribution Map

Is an updated map required?	No
Size of Mains Shown?	Yes; 2 in.
Valves and Dead-Ends Shown?	No
Hydrants Shown?	N/A
Plants & Tanks Shown?	Yes
Interconnects Shown?	N/A
Is the distribution map up-to-date?	No

Comments: Map is dated to 1972. Appears to remain fairly accurate except the blow-off at the end of Dover Lane is not shown, nor the dedicated service line to the owner's home. No fire hydrants. A potential interconnect with the City of DeLand water system is nearby.

Water Main Flushing

Flushing Plan, If Required?	No
# of Flushing Sites	2
Frequency of Routine Flushing	Quarterly
# of Dead Ends Requiring Flushing	0
# of Dead Ends Flushed?	0
Is Flushing Activity Documented?	Yes
Location of Documentation	Plant Log

Comments: The distribution system is looped at each end of the single street; hence no dead-ends. There is also a manual flush valve at each looped end. Operator states the policy is to flush quarterly. The most recent flushing event in the log book was approximately six months ago. If there are no customer water quality complaints or other problems related to stagnant water, scheduled, routine water main flushing for this system is not required by rule.

SAMPLING PLANS**Total Coliform Sampling Plan**

Approved Sampling Plan?	Yes
Total Coliform Plan Date:	9/2008
# of Samples Required Monthly:	2
Total # of Unique Sites in Plan:	6

Comments: The plan is being adhered to.

Disinfection By-Product (DBP) Sampling Plan

Is The Plan Adequate?	Yes
Maximum Residence Site:	185 Dover Ln.
Sampling Frequency in Plan	Annual
Plan Date:	9/2008

Comments: System went to triennial monitoring under Stage I of DBP rules in 2009. Sampling frequency will revert to routine (annual) under Stage II of DBP rules, which become effective October 1, 2013. The Department considers the system to have a Very Small System (VSS) waiver. A dual sample may be collected at the approved Stage I monitoring location. Submit an acceptable Stage II DBP monitoring plan by October 1, 2013.

Lead and Copper Sampling Plan

Lead And Copper Plan Date:	1/14/97
Minimum Standard Sites (Rule):	5
Minimum Reduced Sites (Rule):	5
Minimum WQP Sites (Rule):	1
L&C Sample Sites (Plan)	10
WQP Samples Sites (Plan):	1
Corrosion Control Required?	No
Samples Collected from Plan Sites?	No

Comments: The utility has not been collecting lead and copper samples from approved sites in recent years. Revert to sites that are specified in the existing, approved sampling plan. The current plan may be modified - a materials survey will need to be conducted at proposed new sites - but implementation of such must first be approved by the Department.

MISCELLANEOUS**Emergency Response Plan (ERP)**

Required (+ 350 pop.)?	No
Date Created:	N/A
Location of Plan:	N/A

Comments: No emergency response plan.

Consumer Confidence Reports (CCR)

Distribution/Reporting Timeframes Met?	Yes
CCRs In Conformance With Rules?	Yes
Delivery Methods Appropriate?	Yes
Usual Delivery Method(s):	Mail

Comments: _____

Recordkeeping

All records (analyses, MOR, etc.) retained for required timeframe?	Unknown
Where are the above records stored?	Unknown
Maintenance Work Properly Documented?	Unknown
Customer Complaints Documented?	Unknown

Comments: The owner did not respond to requests to meet to review recordkeeping and required documentation.

Security Issues:

Comments: None Observed.

MONITORING REQUIREMENTS

Contaminant	Samples Require	Sampling Location	Frequency	Next Deadline For Sampling
Microbiological (Bacti)	1	Each Well	Monthly	10/31/13
	2	Distribution / Per Approved Sampling Plan	Monthly	10/31/13
Volatile Organic Contaminant Group	1	POE	Triennial	Immediate
Synthetic Organic Contaminant Group	1	POE	Triennial	Immediate
Nitrate & Nitrite (as N)	1 ea.	POE	Annual	Immediate
Inorganic Contaminant Group	1	POE	Triennial	Immediate
Asbestos	1	Distribution / Per Approved Sampling Plan	Nine Year	12/31/21
Radionuclide Contaminant Group	1	POE	See Note Below.	12/31/18
Disinfection By-Products (TTHM & HAA5)	1 ea.	Distribution / Per Approved Sampling Plan	Annual	9/30/13
Disinfection Residual Monitoring	2	Distribution / Same as microbiological samples	Monthly	10/31/13
Secondary Contaminant Group	1	POE	Triennial	Immediate
Lead and Copper (Tap Water)	5	Distribution / Per Approved Sampling Plan	Triennial	9/30/15

Comments: 1) Disinfection By-products (DBP) - The monitoring indicated above is based upon Stage II DBP monitoring requirements that go into effect October 1, 2013. Submit a Stage II DBP monitoring plan by October 1, 2013. 2) Radiological Monitoring - For Gross Alpha particle activity and uranium the system is on a nine year reduced monitoring schedule and is thus not required to monitor for these contaminants until the next compliance cycle. Combined Radium-226 and Radium-228 are on a six year reduced monitoring schedule and are thus due for monitoring by the deadline specified above. (12/31/18) 3) Sampling deadlines above that are indicated as "Immediate" pertain to monitoring deadlines that have been passed. The utility has incurred monitoring violations for not performing required monitoring of these contaminants and such monitoring should occur as soon as possible.

Known Water Quality Issues

The water system appears to be badly managed. Required monitoring for regulated contaminants in 2012 was completed only in part. The owner also appears not to have taken steps to satisfactorily resolve the failure of the hydropneumatic tank, which was foreseen several years in advance. The apparent lack of managerial oversight for this public water system has the potential to adversely affect water quantity and/or water quality on a day-to-day basis.

Monitoring Violations	Other Violations
Synthetic Organic Contaminants (2012)	Failure to Perform Public Notice (2013)
Volatile Organic Contaminants (2012)	Failure of Storage (Hydropneumatic) Tank (2012 - Present)
Inorganic Contaminants (2012)	Failure to Obtain an Operating License (2009 - Present)
Nitrate (2012)	
Nitrite (2012)	
Secondary Contaminants (2012)	
ALL VIOLATIONS ABOVE ARE UNCORRECTED.	

Deficiencies:

1. Weeds have grown up within the water plant enclosure (fencing) to the extent that they interfere with the ability to observe water system components. Ch. 62-555.350(2), FAC.
2. There is extensive corrosion of water piping near the chlorine injection point and sniffer valve. Ch. 62-555.350(2), FAC.
3. The hydropneumatic tank has failed in that a severe leak is present, which has necessitated taking the tank offline in June 2012. The system has no approved storage tank as a temporary unapproved, small hydropneumatic tank has been placed in service. Ch. 62-555.350 (2), FAC.
4. The three-ring binder with loose-leaf data entry sheets is of improper design for use as a water plant log. Ch. 62-602.650(4), FAC.
5. One or both isolation valves for the failed (now off-line) hydropneumatic tank are allowing water past the valve when in the "OFF" position. The isolation valve at the inlet end of the tank is leaking externally. Ch. 62-555.350(2), FAC.
6. The sodium hypochlorite product being used (Chem Chlor-150) appears not be an approved additive for public drinking water systems. The inspector was unable to verify that the product is approved and no evidence of approval was provided upon request. Ch. 62-555.320(3), FAC.
7. The owner did not respond to requests to review required records and documentation. No evidence was provided to demonstrate that the system is meeting recordkeeping requirements. Ch. 62-550.720, FAC.
8. The system lacks a written, conforming cross-connection control plan. Ch. 62-555.360, FAC.

9. The Operation and Maintenance manual onsite is in poor physical condition for lack of protection from the weather and insects, and lacks system specific detail concerning water system control and operation procedures; such as exercising valves, inspecting the tank, flushing, removing sediments from the tank, etc. Ch. 62-555.350(13), FAC..

Comments/Recommendations:

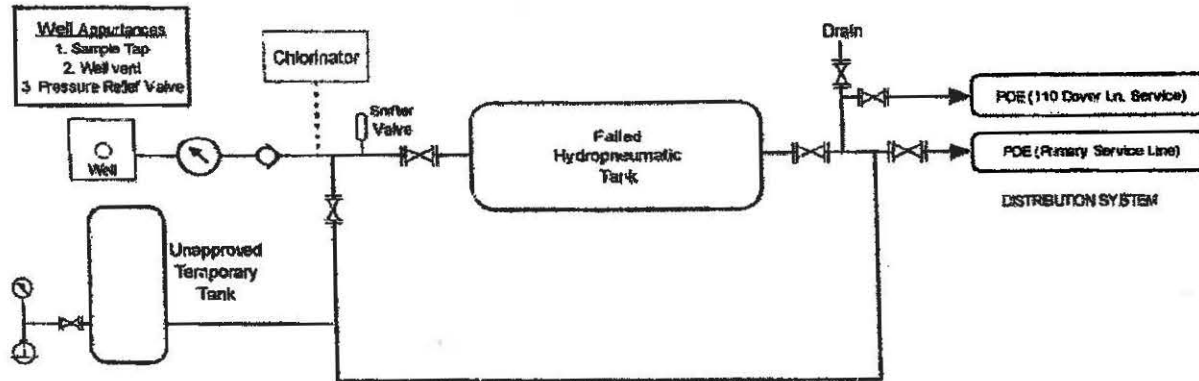
The Dover Lane Subdivision public water system appears to be poorly managed. The owner has failed to meet several regulatory requirements concerning operation and management of a Florida Safe Drinking Water Act public water system. The owner also appears not to be planning for the routine maintenance and capital improvements necessary for long-term viability of the water system. Over the course of many years, both the Department and the Florida Rural Water Association have informally provided compliance assistance to the system. However, the owner appears to continue to fail to undertake the actions necessary to keep the system in a condition that assures the reliable provision of safe water to customers and in conformance with applicable rules and regulations.

Inspector: Paul Hextell /  Title Environmental Supervisor II Date: 9/24/13

Reviewed by: Leonard Erdman /  Title Environmental Specialist II Date 9/24/13

Approved by: Ronald Freeman /  Title Professional Engineer Administrator Date 9/25/13

SYSTEM SCHEMATIC



LEGEND:

	Check valve		Water Meter
	Shut-off Valve		Sample Tap
	Pressure Relief Valve	POE	Point-of-Entry to Distribution System
	Pressure gauge		

WATER PLANT SCHEMATIC

Dover Lane
PWS# 3644309

CREATED BY:
Paul Hextell
VC#D
Date:
9/3/13

DIGITAL PHOTOS



3644309 / D over Lane
Top of failed hydro-pneu-
matic tank. (Leaking water.)
Erdman/Hextell 9/3/13

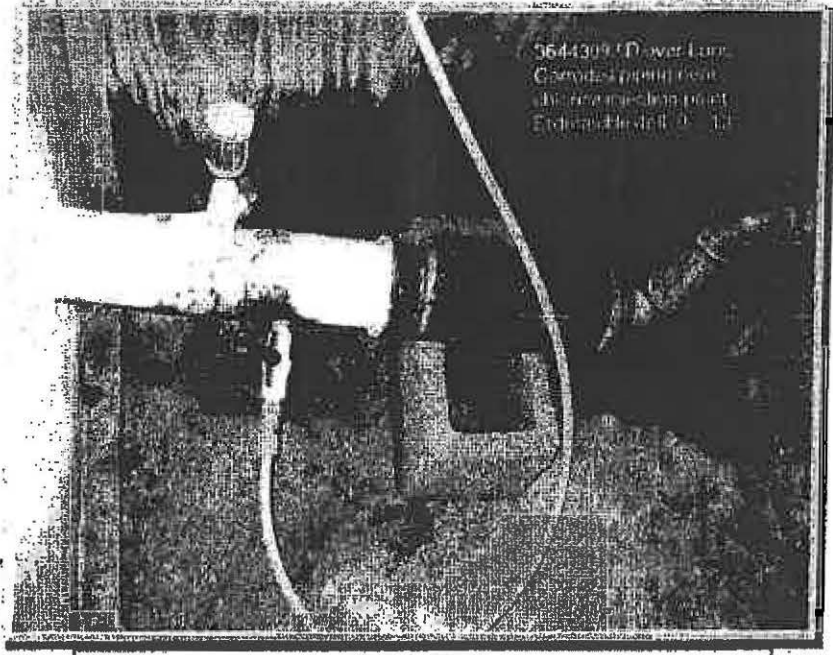
Failed (leaking) Tank



3644309 / D over Lane
Top of failed hydro-pneu-
matic tank. (Leak)
Erdman/Hextell 9/3/13

Failed (leaking) Tank

DIGITAL PHOTOS



Corroded Piping



Failed (leaking) Valve

SENDER - COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p><i>MUSCIMO</i></p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p>9/27/13</p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;">Margaret Grasso 110 Dover Lane Dover, FL 32720</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below. <input type="checkbox"/> No</p> <p style="text-align: center;">RECEIVED</p> <p style="text-align: center;">10/02/2013</p> <p style="text-align: center;">Volusia County Health Department</p>	
<p>2. Article Number (Transfer from service label)</p>	<p>3. Service Type Environmental Health Engineering</p> <p> <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D. </p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>7009 2820 0000 6171 1174</p>		
<p>PS Form 3811, August 2001 Domestic Return Receipt 102505-01-M-2508</p>		

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

Florida Department of Health in Volusia County
Safe Drinking Water Program
Environmental Health Engineering - Bin 180
121 W. Rich Avenue
Deland, FL 32720

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only. No Insurance Coverage Provided.)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.21
Certified Fee	2.85
Return Receipt Fee (Endorsement Required)	2.45
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 6.51

U.S. POSTAGE RECEIVED
 DAYTON, OH 45424
 10/02/2013

Sent To: **Margaret Grimes**, Deputy Health Department
 Street, Apt. No.: **110 Dover**, Environmental Health Engineering
 or PO Box No.:
 City, State, ZIP+4: **Dayton, OH 45424**

7009 2820 0000 6172 1174

SSI
02



Volusia County Health Department
Environmental Engineering - Drinking Water Section

Public Water System Inspection Report

C/O: MARGE GRASSO
DOVER LANE SUBDIVISION
110 DOVER LANE
DELAND, FL 32720

PWS #: 3644308 / DOVER LANE SUBDIVISION
INSPECTION DATE: 8/12/2011
TYPE: 02 - FOR CAUSE OR COMPLAINT INSPECTION
COMPLIANCE STATUS: OUT OF COMPLIANCE
PWS TYPE: COMMUNITY
POPULATION SERVED: 28 SERVICE CONNECTIONS 17

CHECKED ITEMS INDICATE NON-COMPLIANCE

WELL(S)

- WELL PAD - No cracks; 6'x6'x4"; well centered
- WELL PUMP - Good repair
- SANITARY WELL SEAL - Adequate; good repair
- WELL CASING - Good repair; 18" above grade
- WELL VENT - Proper venting
- RAW WATER TAP - Threadless; downward; 12" above grade; Location
- CHECK VALVE - Working properly; location
- SANITARY HAZARDS - New hazards
- OTHER WELL ITEMS

DISINFECTION FACILITIES

- DISINFECTION INJECTION POINT - Location
- DISINFECTION FEED PUMP(S) - Approved; Good Repair
- DISINFECTANT STORAGE - Good repair; Sealed
- DISINFECTION RESIDUALS ADEQUATE - Minimum 0.2 ppm
RESIDUAL(S) NOTED 1.67 ppm at 150 Dover Lane
- OTHER CHEMICAL FEED PUMP(S) - Approved; Good repair
- OTHER CHEMICAL STORAGE - Good repair; sealed
- OTHER TREATMENT PROCESSES - Good repair; maintained

OTHER FACILITIES

- STORAGE TANKS - No leaks; By-Pass piping; Hatches locked; Screening; Sight glass/level indicator
- PRESSURE GAUGE - Present; Good repair
- PRESSURE ADEQUATE - Minimum 20 psi
ON/OFF PRESSURE:
- PRESSURE RELIEF VALVE - Present; No leaks
- AERATOR - Clean; Good condition; Screening
- HIGH SERVICE PUMPS - Good repair; No leaks
- ELECTRICAL WIRING - In conduit; Boxes covered
- FLOWMETER - Operable; calibration

OTHER REQUIREMENTS

- AUXILIARY POWER: Exercised
- SECURITY - Well and Plant enclosed or fenced; Locked
- PLANT LOG - 3 mo. data; pages signed by users; chemical usage; maintenance and emergencies documented
- OPERATOR VISITS - Minimum days/time; licensed
- OPERATION AND MAINTENANCE MANUAL - Adequate; Plant or nearby location
- CROSS CONNECTION CONTROL - Approved plan; Observed
- OTHER/MISC. ITEMS
- ANNUAL OPERATING PERMIT - Valid

Inspection comments and cited deficiencies are on the following page(s). You are required to correct cited deficiencies for the subject system and to provide a written statement to the department no later than each pertinent compliance deadline stating that all listed deficiencies have been corrected. Failure to do so may result in initiation of appropriate enforcement action by the department.



PWS #: 3844300 / DOVER LANE SUBDIVISION
INSPECTION DATE: 8/12/2011

COMMENTS

AUGUST 12 2011 RECEIVED COMPLAINT OF RUST COLORED WATER FROM JAN HARDEN 150 DOVER LANE 386-873-2027. SHE ALSO SAYS THAT SHE WAS WITHOUT WATER FROM AT LEAST 4AM TO 7:30AM TODAY. IN ADDITION SHE SAYS SHE WAS WITHOUT WATER ON AUGUST 6 2011 FOR MOST OF THE DAY. CALLED THE OPERATOR DON PULVER AND HE SAID THERE WAS A SERVICE LINE REPAIR AT 121 DOVER LANE AND THERE WAS NEVER A TOTAL LOSS OF PRESSURE. HE SAID WHEN HE WENT TO THE PLANT THIS MORNING THE PRESSURE IN THE TANK WAS 20 PSI AND HE RESTORED PRESSURE TO 50 PSI BY 7:46AM. THERE WAS A BLOWN FUSE AT THE WELL. VISIT TO THE COMPLAINANT'S RESIDENCE AT 4PM REVEALED RUSTY WATER WHICH CLEARED UP AFTER 1 MINUTE FLUSH AND A CHLORINE RESIDUAL OF 1.67 PPM. I TOLD HER THE SYSTEM IS REQUIRED TO NOTIFY THE CUSTOMERS AND MYSELF WHEN THERE IS A PRESSURE DROP BELOW 20 PSI. I ASKED HER IF SHE WOULD GIVE A DEPOSITION ATTESTING TO THE FACT THAT SHE HAD NO WATER AND SHE SAID SHE WOULD.

DEFICIENCIES

Deficiency Noted: SYSTEM LACKS ANNUAL OPERATING PERMIT.

Recommended Action: OBTAIN ANNUAL OPERATING PERMIT.

Inspection Date: 12/10/2010

Regulation: 62-4.053

Due Date: 1/10/2011

Deficiency Noted: STORAGE TANK IS RUSTY AND THE INSPECTION RECOMMENDED REPLACEMENT.

Recommended Action: REPLACE THE STORAGE TANK.

Inspection Date: 12/10/2010

Regulation: 62-556.350

Due Date: 2/26/2011

Inspector Name: Leonard Erdman

Signed: 

Date: 8/18/2011

cc: _____



Volusia County Health Department
Environmental Engineering - Drinking Water Section

Public Water System Inspection Report

C/O: MARGE GRASSO
DOVER LANE SUBDIVISION
110 DOVER LANE
DELAND, FL 32720

PWS #: 3644309 / DOVER LANE SUBDIVISION
INSPECTION DATE: 9/8/2011 (9/15/2011)
TYPE: 02 - FOR CAUSE OR COMPLAINT INSPECTION
COMPLIANCE STATUS: OUT OF COMPLIANCE
PWS TYPE: COMMUNITY
POPULATION SERVED: 28 SERVICE CONNECTIONS 17

CHECKED ITEMS INDICATE NON-COMPLIANCE

WELL(S)

- WELL PAD - No cracks; 6'x6'x4'; well centered
- WELL PUMP - Good repair
- SANITARY WELL SEAL - Adequate; good repair
- WELL CASING - Good repair; 18" above grade
- WELL VENT - Proper venting
- RAW WATER TAP - Threadless; downward; 12" above grade; Location
- CHECK VALVE - Working properly; location
- SANITARY HAZARDS - Now hazards
- OTHER WELL ITEMS

DISINFECTION FACILITIES

- DISINFECTION INJECTION POINT - Location
- DISINFECTION FEED PUMP(S) - Approved; Good Repair
- DISINFECTANT STORAGE - Good repair; Sealed
- DISINFECTION RESIDUALS ADEQUATE - Minimum 0.2 ppm
RESIDUAL(S) NOTED
- OTHER CHEMICAL FEED PUMP(S) - Approved; Good repair
- OTHER CHEMICAL STORAGE - Good repair; sealed
- OTHER TREATMENT PROCESSES - Good repair; maintained

OTHER FACILITIES

- STORAGE TANKS - No leaks; By-Pass piping; Hatches locked; Screening; Sight glass/level indicator
- PRESSURE GAUGE - Present; Good repair
- PRESSURE ADEQUATE - Minimum 20 psi
ON/OFF PRESSURE:
- PRESSURE RELIEF VALVE - Present; No leaks
- AERATOR - Clean; Good condition; Screening
- HIGH SERVICE PUMPS - Good repair; No leaks
- ELECTRICAL WIRING - In conduit; Boxes covered
- FLOWMETER - Operable; calibration

OTHER REQUIREMENTS

- AUXILIARY POWER: Exercised
- SECURITY - Well and Plant enclosed or fenced; Locked
- PLANT LOG - 3 mo. data; pages signed by users; chemical usage; maintenance and emergencies documented
- OPERATOR VISITS - Minimum days/time; licensed
- OPERATION AND MAINTENANCE MANUAL - Adequate; Plant or nearby location
- CROSS CONNECTION CONTROL - Approved plan; Observed
- OTHER/MISC. ITEMS
- ANNUAL OPERATING PERMIT - Valid

Inspection comments and cited deficiencies are on the following page(s). You are required to correct cited deficiencies for the subject system and to provide a written statement to the department no later than each pertinent compliance deadline stating that all listed deficiencies have been corrected. Failure to do so may result in initiation of appropriate enforcement action by the department.



PWS #: 3644308 / DOVER LANE SUBDIVISION
INSPECTION DATE: 9/9/2011

COMMENTS

RECEIVED CALL AT 8AM FROM JAN HARDEN AT 150 DOVER LANE 386-873-2027 THAT SHE HAD NO WATER. IMMEDIATELY CALLED DON PULVER WTP OPERATOR AND ADVISED HIM OF SAME. HE STATED THAT HE RECEIVED A CALL OF LOW PRESSURE AND HE WAS ON HIS WAY TO THE WATER PLANT. I ARRIVED AT DOVER LANE AT 9AM AND NO ONE WAS THERE TO LET ME INTO THE WATER PLANT. WENT TO THE BLOW OFF AT THE END OF DOVER LANE AND FOUND ADEQUATE PRESSURE THERE. THERE WAS A PHONE MESSAGE FROM PULVER WHEN I ARRIVED BACK AT THE OFFICE. HE STATED THAT A BLOWN FUSE SHUT DOWN THE WELL AND WHEN HE REPLACED THE FUSE THE PRESSURE IN THE HYDROPNEUMATIC TANK WAS 19 PSI.

DEFICIENCIES

Deficiency Noted: STORAGE TANK IS RUSTY AND THE INSPECTION RECOMMENDED REPLACEMENT.

Recommended Action: REPLACE THE STORAGE TANK.

Inspection Date: 12/10/2010

Regulation: 62-555.350

Due Date: 2/28/2011

Deficiency Noted: SYSTEM LACKS ANNUAL OPERATING PERMIT.

Recommended Action: OBTAIN ANNUAL OPERATING PERMIT.

Inspection Date: 12/10/2010

Regulation: 62-4.053

Due Date: 1/10/2011

Inspector Name: Leonard Erdman

Signed: 

Date: 9/15/2011

cc: _____

At 3:30PM received another call from Jan Harden that the pressure was low. Water flows from the faucet but not enough to shower. Went to the water plant and found 18 psi at the tank gauge and with my gauge. Called Don Pulver and he said he thought it was a fuse. I opened the electrical box and saw that I was not able to see which fuse was blown. Spoke to Ms. Grasso and she said James Evans the well driller was on his way out to look at the system. I told her about his plans to split his system, Henderson MHP, and she should talk to him about it. Spoke to Don Pulver September 15 and he said Evans and himself could find no problems with the well. He will replace the fuses with time delay fuses and clean the contacts.



Volusia County Health Department
Environmental Engineering - Drinking Water Section

Public Water System Inspection Report

C/O: MARGE GRASSO
DOVER LANE SUBDIVISION
110 DOVER LANE
DELAND, FL 32720

PWS #: 3644309 / DOVER LANE SUBDIVISION
INSPECTION DATE: 10/17/2012
TYPE: 01 - ROUTINE COMPLIANCE INSPECTION
COMPLIANCE STATUS: DEFICIENCIES BUT NOT SIGNIF
PWS TYPE: COMMUNITY
POPULATION SERVED: 28 SERVICE CONNECTION 17

CHECKED ITEMS INDICATE NON-COMPLIANCE

WELL(S)

- WELL PAD - No cracks; 6'x6'x4'; well centered
WELL PUMP - Good repair
SANITARY WELL SEAL - Adequate; good repair
WELL CASING - Good repair; 18" above grade
WELL VENT - Proper venting
RAW WATER TAP - Threadless; downward; 12" above grade; Location
CHECK VALVE - Working properly; location
SANITARY HAZARDS - New hazards
OTHER WELL ITEMS

DISINFECTION FACILITIES

- DISINFECTION INJECTION POINT - Location
DISINFECTION FEED PUMP(S) - Approved; Good Repair
DISINFECTANT STORAGE - Good repair; Sealed
DISINFECTION RESIDUALS ADEQUATE - Minimum 0.2 ppm
RESIDUAL(S) NOTED 2.2 at POE
OTHER CHEMICAL FEED PUMP(S) - Approved; Good repair
OTHER CHEMICAL STORAGE - Good repair; sealed
OTHER TREATMENT PROCESSES - Good repair; maintained

OTHER FACILITIES

- STORAGE TANKS - No leaks; By-Pass piping; Hatches locked; Screening; Sight glass/level indicator
PRESSURE GAUGE - Present; Good repair
PRESSURE ADEQUATE - Minimum 20 psi
ON/OFF PRESSURE:
PRESSURE RELIEF VALVE - Present; No leaks
AERATOR - Clean; Good condition; Screening
HIGH SERVICE PUMPS - Good repair; No leaks
ELECTRICAL WIRING - In conduit; Boxes covered
FLOWMETER - Operable; calibration

OTHER REQUIREMENTS

- AUXILLARY POWER: Exercised
SECURITY - Well and Plant enclosed or fenced; Locked
PLANT LOG - 3 mo. data; pages signed by users; chemical usage; maintenance and emergencies documented
OPERATOR VISITS - Minimum days/time; licensed
OPERATION AND MAINTENANCE MANUAL - Adequate; Plant or nearby location
CROSS CONNECTION CONTROL - Approved plan; Observed
OTHER/MISC. ITEMS
ANNUAL OPERATING PERMIT - Valid

Inspection comments and cited deficiencies are on the following page(s). You are required to correct cited deficiencies for the subject system and to provide a written statement to the department no later than each pertinent compliance deadline stating that all listed deficiencies have been corrected. Failure to do so may result in initiation of appropriate enforcement action by the department.



PWS #: 3644309 / DOVER LANE SUBDIVISION
INSPECTION DATE 10/17/2012

COMMENTS

THE 3 000 GALLON HYDROPNEUMATIC TANK IS OFFLINE SINCE JUNE 2012 DUE TO LEAKS. THERE IS A TEMPORARY TANK ONSITE TO PROVIDE PRESSURE FOR THE SYSTEM. THIS TANK APPEARS TO BE ABOUT 120 GALLONS AND IS LEASED BY ANOTHER WATER SYSTEM ON A TEMPORARY BASIS TO DOVER LANE FOR A PERIOD OF 1 YEAR. THE TANK INSPECTION DATED SEPTEMBER 2009 STATES THE CONDITION OF THE 3 000 TANK AS POOR AND RECOMMENDS REPLACEMENT WITHIN A YEAR OF THE INSPECTION. IT IS RECOMMENDED THAT THE OWNER OF DOVER LANE CONTACT DAVID HANNA OF THE FLORIDA RURAL WATER ASSOCIATION FOR TECHNICAL ADVICE. HIS CONTACT INFORMATION IS: (352) 267-5108 DAVID.HANNA@FRWA.NET. SUPPORTING PICTURES ENCLOSED.

DEFICIENCIES

Deficiency Noted: SYSTEM LACK ANNUAL OPERATING PERMIT.

Recommended Action: OBTAIN AOP AND PAY THE OUTSTANDING DEBT. INVOICE ENCLOSED.

Inspection Date: 10/17/2012

Regulation: 62-4.053

Due Date: 1/1/2013

Deficiency Noted: CHLORINE USAGE IS NOT DOCUMENTED.

Recommended Action: DOCUMENT THE AMOUNT OF CHLORINE USED.

Inspection Date: 10/17/2012

Regulation: 62-555.900(3)

Due Date: 11/1/2012

Deficiency Noted: HYDROPNEUMATIC TANK IS OFFLINE SINCE JUNE 2012.

Recommended Action: THE 3000 GALLON TANK IS OFFLINE DUE TO LEAKS. THIS TANK IS TO BE REPLACED WITH A 3000 GALLON ASME RATED TANK BY THE STATED DEADLINE.

Inspection Date: 10/17/2012

Regulation: 62-555.350(2)

Due Date: 1/1/2013

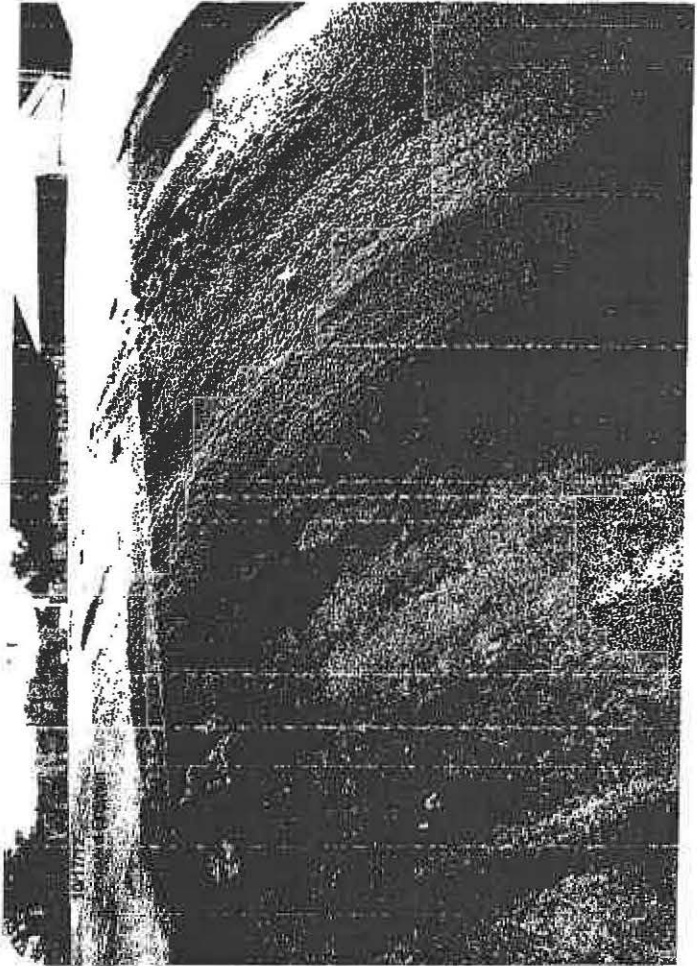
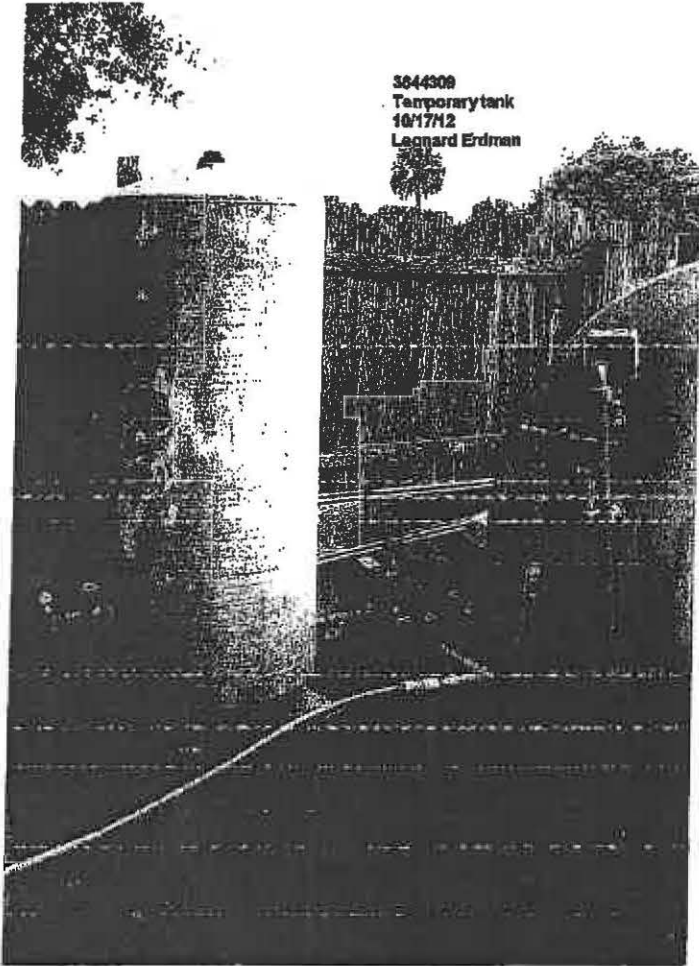
Inspector Name: Leonard Erdman

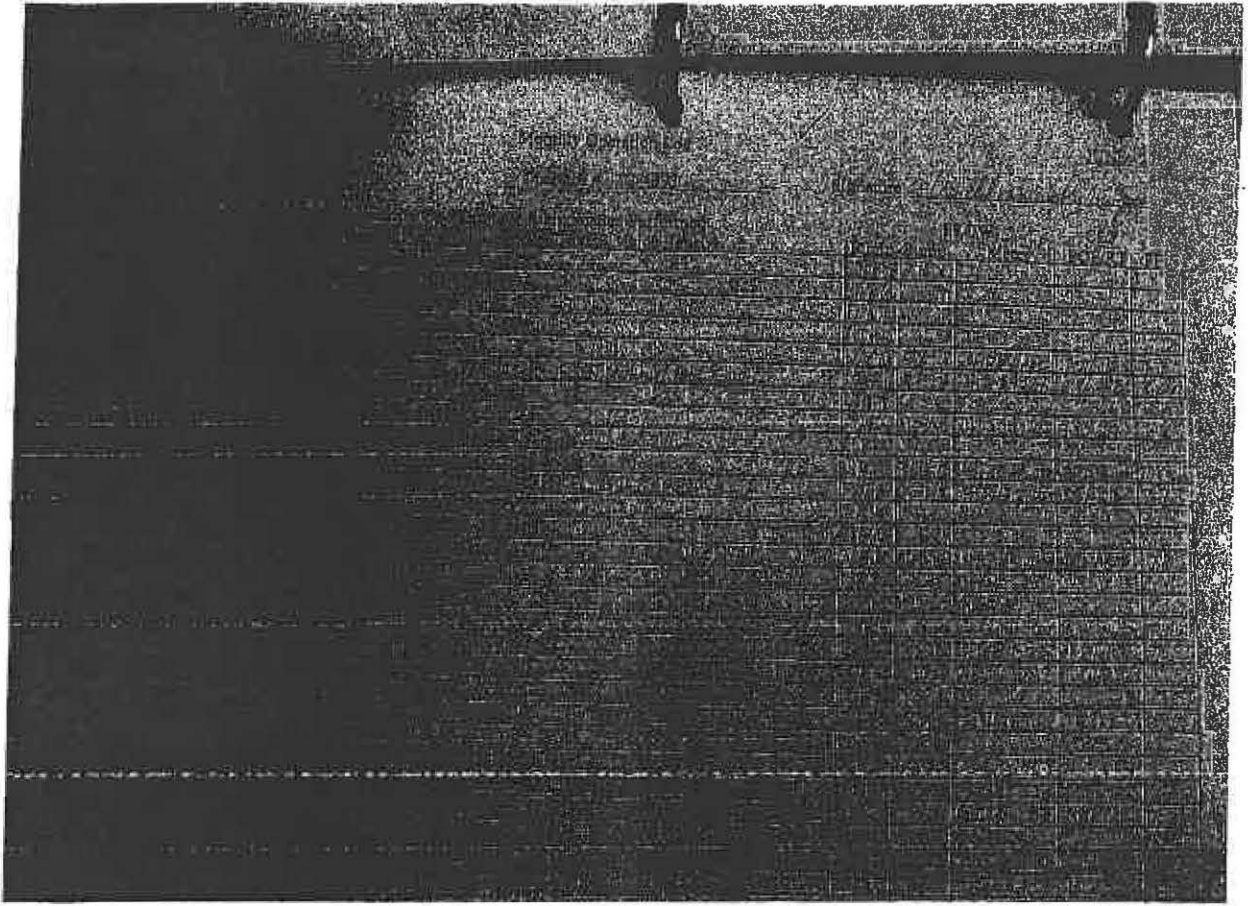
Signed: 

Date: 10/18/2012

cc: Don Fulver, Operator

3044300
Temporary tank
10/17/12
Leonard Erdman







Rick Scott
Governor

H. Frank Farmer, Jr., MD, PhD, FACP
State Surgeon General

VIA CERTIFIED MAIL: 7009 2820 0000 6171 0955

February 1, 2012

Margaret Grasso
110 Dover Lane
Deland, FL 32720

**Subject: Warning Letter # WL12 - 01
DOVER LANE SUBDIVISION / PWS # 3644309**

Dear Ms. Grasso:

The purpose of this letter is to advise you of possible violations of law for which you may be responsible, and to seek your cooperation in resolving the matter. A review of departmental records for the above referenced public water system, located at 110 Dover Lane, Deland, Florida indicates that a violation of Florida Statutes and rules may exist at the above referenced facility. Volusia County Health Department (Department) records indicate the following:

The facility failed to remit payment for or obtain annual operating permits and licenses for the July 1, 2009 – June 30, 2010, July 1, 2010 – June 30, 2011 and July 1, 2011 – June 30, 2012 operational periods. The Department sent several notices to the facility requesting payment and the facility did not remit payment in full.

It is a violation for any supplier of water to fail to comply with the following statutes and rules:

Sections 403.161(1)(b), and 403.859(2), Florida Statutes – Failure to comply with any rule or regulation adopted or issued by the Department.

Sections 403.087(6)(a)2., and 403.861(7), Florida Statutes; Chapter 62-4.053(2)(c), Florida Administrative Code – Annual operation permit and license fees are authorized to cover costs of surveillance and other field services.

Sections 381.006(1), and 154.01(1), (2)(a), Florida Statutes; Part II, Ch. 58, Art. IV, §§ 58-125 to 58-127, Code of Ordinances, County of Volusia, Florida – Annual Health Department operation permit fee and late fee authorized.

Volusia County Health Department
121 W. Rich Avenue • DeLand, Florida 32720
Phone: (386) 736-5436 • <http://www.VolusiaHealth.com>



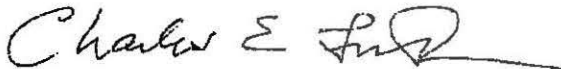
Grasso Letter
January 31, 2012
Page 2.

You are advised that operation of a facility in violation of statutes or rules may result in liability for damages and restoration, and the administration or judicial imposition of civil penalties, pursuant to sections 403.141, 403.161 and 403.860, Florida Statutes. The Department of Health is authorized to initiate enforcement proceedings involving public water systems in Volusia County pursuant to section 403.862, Florida Statutes.

You are requested to contact Paul Hextell at 386-822-6250, ext. 5430 within ten (10) days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in reviewing any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

Please be advised that this Warning Letter is part of an agency investigation, preliminary to agency action in accordance with Section 120.57(5), Florida Statutes. We look forward to your cooperation in completing the investigation and resolution of this matter.

Sincerely,



Charles E. Luther, R.S., C.E.H.P.
Environmental Administrator
Volusia County Health Department

cc: PWS File # 3644309
N.E. Consortium Legal Office
Leonard Erdman, Environmental Specialist II
Ronald Freeman, Professional Engineering Administrator
Paul Hextell, Environmental Supervisor II

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>1. Article Addressed to:</p> <p style="text-align: center;">Margaret Grasso 110 Dover Lane Deland, FL 32720</p>	<p>B. Received by (Printed Name)</p>	<p>C. Date of Delivery</p>
<p>2. Article Number (Transfer from service label)</p>	<p>D. Is delivery address correct? If YES, enter delivery address below:</p> <div style="border: 2px solid black; padding: 5px; text-align: center;"> <p>RECEIVED</p> <p>FEB 03 2012</p> </div> <p>3. Service Type <input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
<p>PS Form 3811, August 2001</p>	<p>7009 2820 0000 6171 0955</p> <p>Domestic Return Receipt</p>	<p>102595-01-M-2509</p>

7009 20 0000 6121 0955

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only. No Insurance Coverage Provided)
 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage: 45
RECEIVED
 Return Receipt Fee (Endorsement Required): 45
 Restricted Delivery Fee (Endorsement Required): 2.12
 2012

Postmark: 7:07 HERF14

DAYTONA BEACH FL 32117

Official County Clerk Department
 110 Dover Lane
 Deland, FL 32720

Street, Apt. No., or PO Box No.
 City, State, ZIP+4

PS Form 3810, April 2010

[English](#)

[Customer Service](#)

[USPS Mobile](#)

[Register / Sign In](#)



[Search USPS.com or Track Packages](#)

[Quick Tools](#)

[Ship a Package](#)

[Send Mail](#)

[Manage Your Mail](#)

[Shop](#)

[Business Solutions](#)

Track & Confirm

[GET EMAIL UPDATES](#)

[PRINT DETAILS](#)

YOUR LABEL NUMBER	SERVICE	STATUS OF YOUR ITEM	DATE & TIME	LOCATION	FEATURES
70092820000061710955		Delivered	February 02, 2012, 10:08 am	DELAND, FL 32724	Certified Mail™
		Depart USPS Sort Facility	February 02, 2012	MID FLORIDA, FL 32788	
		Processed through USPS Sort Facility	February 02, 2012, 1:57 am	MID FLORIDA, FL 32798	

Check on Another Item

What's your label (or receipt) number?



LEGAL

- [Privacy Policy >](#)
- [Terms of Use >](#)
- [FOIA >](#)
- [No FEAR Act EEO Data >](#)

OTHER USPS SITES

- [Business Customer Gateway >](#)
- [Postal Inspectors >](#)
- [Inspector General >](#)
- [Postal Explorer >](#)

Copyright © 2012 USPS. All Rights Reserved.

ON USPS.COM

- [Government Services >](#)
- [Buy Stamps & Shop >](#)
- [Print a Label with Postage >](#)
- [Customer Service >](#)
- [Site Index >](#)

ON ABOUT.USPS.COM

- [About USPS Home >](#)
- [Newroom >](#)
- [Mail Service Updates >](#)
- [Forms & Publications >](#)
- [Careers >](#)



Rick Scott
Governor

H. Frank Farmer, Jr., MD, PhD, FACP
State Surgeon General

February 29, 2012

Margaret Grasso, Owner
Dover Lane Public Water System
110 Dover Lane
DeLand, Florida 32720

RE: Delinquent Permit Fees
SDWA PWS # 3644309

Dear Mrs. Grasso:

It was good to meet you and your daughter today. Thank you for taking the time and interest to explore some of the Health Department's concerns about your Florida Safe Drinking Water Act (SDWA) Public Water System (PWS). The purpose of this letter is to summarize the items we have agreed on in principal while we are waiting for a more precise Consent Order to be drafted and forwarded for your review and signature.

Paul Hextell, Leonard Erdman and I tried to sketch out the major system-related expenses that are overdue, or soon to be due. You are currently in arrears for several years' water system operating permit fees, plus late fees in the amount of \$1,185.25; on July 1, your new permit fee comes due in the amount of \$400.00; this year you are required to have your three-year water sampling tests performed, estimated to cost about \$2,000.00; and, your system's hydropneumatic tank is overdue to be replaced according to the relevant Code, at an estimated cost in excess of \$10,000.00. You expressed an inability to pay the costs associated with maintaining a SDWA PWS. I reminded you that financial solvency is required to operate a public water system, even though you are not a business entity such as a corporation.

At this point the Health Department will refrain from actively pursuing revocation of your licensure and closure of your PWS, in reliance on two promises you made: 1) you will meet with the Florida Rural Water Association in order to come to a decision about the future of your water system, which the Department expects you to accomplish within the next month; and, 2) you have offered to pay \$150.00 per month until the current arrears in permit and late fees are caught up. In reliance on your promise to pay \$150.00 per month until the arrearage is caught up, the Department has accepted your February check (\$150.00), and requests that you tender a similar check for \$150.00 by March 15, as a show of good faith, even if the Consent Order is not finalized by then.

The Department expects you to pay the permit fee due on July 1 for the 2012-2013 year on time in July. That permit fee will not be made a part of the time payment plan.

When the draft Consent Order is forwarded to you, you have been urged, and have agreed to consult with your attorney before signing it. It will be a long and complex document. I hope by

Baker, Clay, Flagler, Nassau, Putnam and Volusia County Health Departments
OFFICE OF THE GENERAL COUNSEL - NORTHEAST CONSORTIUM LEGAL OFFICE
1845 Holsonback Drive, P.O. Box 9190, Bldg #120, Daytona Beach, FL 32120
Telephone: (386) 274-0833 Fax: 274-0840



Margaret Grasso, Letter
February 29, 2012
Page 2.

that time you will have had the opportunity to consult with the Florida Rural Water Association so you can discuss your PWS options with your attorney.

Again, it was a pleasure finally meeting you. Should you have any questions about this letter, please contact my office at: (386) 274-0833. I will be happy to speak with your attorney at any time.

Yours truly,

Cathy McAllister

Cathy McAllister
Senior Attorney

Mission:

To protect, promote & improve the health of all people in Florida through integrated state, county & community efforts.



Rick Scott
Governor

John H. Armstrong, MD, FACS
State Surgeon General & Secretary

Vision: To be the Healthiest State in the Nation

Margaret Grasso, Owner
PWS #3644309
110 Dover Lane
DeLand, Florida 32720

June 14, 2013

RE: Dover Lane Subdivision Public Water System # 3644309
Unresolved water system violations

Dear Mrs. Grasso:

My client, the Florida Department of Health, Volusia County Health Department has referred this matter for resolution. On February 29, 2012 you and a family member advocate met with my client representatives and me at the DeLand Environmental Health office to resolve longstanding issues of your noncompliance with public water system regulations. We came to an oral settlement agreement and thereafter a draft Consent Order, based on our agreement, was sent to you for your signature and compliance.

Over the course of the next few months you prevaricated on signing the agreement. Eventually, Attorney Killebrew contacted me, but stated she was not within a formal representation relationship with you as your legal counsel. Nevertheless, we discussed several potential options for resolving the water system violations. I have heard nothing from you or her since then.

Since the end of May, 2012 you have done nothing to bring your system into compliance with state regulations and have, in fact added new violations. You remain delinquent in permit fees in excess of \$1,000; have failed to conduct required water sampling to ensure safe water to your customers; and, have installed a temporary water tank after an emergency tank failure but not replaced the permanent tank.

It appears clear that you have no intention of resolving the issues and bringing your water system business into compliance with state regulations and would prefer to resolve the issues and fines by litigation. For that reason, the Department formally withdraws the Consent Order offered to you in March 2012 and will commence action against you.

If you have retained legal counsel, please ask your attorney to contact me, as I would be happy to discuss all the violations and options with him/her. I can be reached at (386) 274-0833. If you or your advocate still want to explore your options for bringing the water system into compliance, including converting to municipal water, please contact Environmental Specialist Leonard Erdman at (386) 822-6249.

Yours truly,

A handwritten signature in black ink that reads "Cathy McAllister".

Cathy McAllister
Senior Attorney, FBN 0159530
Cathy.mcallister@doh.state.fl.us

Florida Department of Health
Office of the General Counsel - Northeast Consortium
1845 Holsonback Drive, P.O. Box 9190, Bin 120
Daytona Beach, Florida 32120
PHONE: 386-274-0833 • FAX: 386-274-0840



www.FloridasHealth.com
TWITTER: HealthyFLA
FACEBOOK: FLDepartmentofHealth
YOUTUBE: fldoh

VOLUSIA COUNTY SHERIFF'S OFFICE
COUNTY OF VOLUSIA
SHERIFF'S RETURN OF SERVICE



SHERIFF'S #:
14012861

ATTORNEY / DEPOSITOR:

INV VOL CO HEALTH DEPARTMENT
PR7181030 ORDER #A7CC80
PO BOX 9190
BIN #120
DAYTONA BEACH, FL 32120

COURT: DEPT OF HEALTH # ORG DOCUMENTS: 1
PLAINTIFF: STATE OF FLORIDA DEPARTMENT OF HEALTH
DEFENDANT: MARGARET V GRASSO DBA DOVER LANE SUBDIVISION PUBLIC WATER SYSTEM #3644309

TYPE OF SERVICE	HEARING DATE	HEARING TIME	COURT CASE #
Notice			2014-04715

I, Ben F. Johnson, SHERIFF, in and for said county and state do hereby certify that I have received:
NOTICE/ OF INTENT TO DENY PUBLIC WATER SYSTEM OPERATING LICENSE AND NOTICE OF VIOLATION ORDERS FOR CORRECTIVE ACTION AND ADMINISTRATIVE PENALTY ASSESSMENT

On the 29th day of April, 2014 at 4:14 PM, and that I served the same on the 30th day of April, 2014, at the hour of 1:30 PM within the County of Volusia, State of FLORIDA, as follows:

PARTY TO BE SERVED:	MARGARET V GRASSO	TITLE:	
PARTY DESCRIPTION			
PERSON SERVED:		TITLE:	

INDIVIDUAL SERVICE: by serving the within named person a true copy of the writ, with the date and hour of service endorsed thereon by me and at the same time delivering to the above named person a copy of the complaint, petition or initial pleading, if any.

ADDRESS SERVED:	110 DOVER LN DELAND, FL 32724		
SERVICE STATUS:	Served	SERVICE BY:	Deputy Beatty, Christopher 1395



VOLUSIA COUNTY SHERIFF'S OFFICE
P.O. BOX 2658
DAYTONA BEACH, FL. 32115

I am a FLORIDA SHERIFF, and I certify that the foregoing is true and correct.

BEN F. JOHNSON, SHERIFF
COUNTY OF VOLUSIA
STATE OF FLORIDA

DATE: 5/1/2014
ENTRD BY: CJOYNER

BY:

Christopher Beatty 1395
BEATTY, CHRISTOPHER 1395, DEPUTY

EXHIBIT B