



BOARD MEETING October 16, 1989

DATE: 11-14 1989

BY: 17

TO: Mr. William Lecher
Nassau County Engineer
416 Centre Street
Fernandina Beach, Florida 32034

SUBJECT: Detention Center
DER Environmental Compliance
Warning Notice No. WN89-0085-DW45-NED

Dear Mr. Lecher:

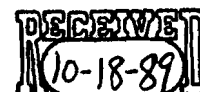
This proposal is submitted in accordance with our Agreement for Professional Services between Nassau County (Owner) and Pitman-Hartenstein & Ashe, Inc. Engineers (Engineers) dated November 17, 1987. Upon approval, this will serve as Project Authorization and become part of our Agreement.

SCOPE OF WORK

Pitman-Hartenstein & Ashe, Inc. will provide Nassau County Professional Engineering Services to subject FDER Warning Letter dated September 12, 1989 (attached). These services will begin upon contract authorization and end upon notification by County.

Services will include but not be limited to the following:

- * Any investigations required to respond to FDER letter of September 12, 1989.
- * Letter of Response to FDER letter dated September 12, 1989.
- * Subsequent meetings with FDER to clarify violations and reconcile warning.
- * Any additional work that may be authorized in conjunction with responding to letter of September 12, 1989.



METHOD OF PAYMENT

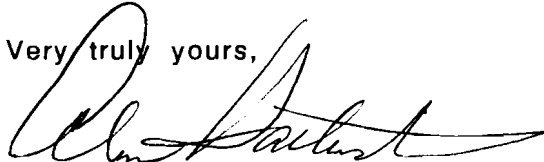
The services for this project shall be performed on an hourly basis plus reimbursable expenses and on the following schedule of rates:

Principal	\$85.00/hr
Project Manager/Senior Engineer	\$65.00
Engineer/Senior Draftsman	\$55.00
Designer	\$50.00
Drafter/CADD	\$30.00
Secretary/Word Processor	\$20.00
Mileage	\$ 0.25/mi

The estimated upset limit for the proposed services is \$6,800.00.

Thank you for the opportunity to continue to work for and with Nassau County. We look forward to the successful completion of the project.

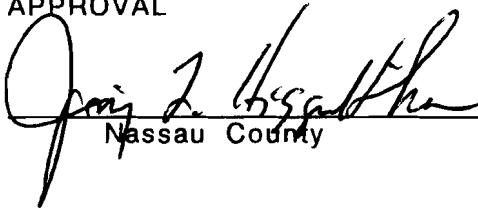
Very truly yours,



Alan Hartenstein, P.E.
Vice President

AH:lk

APPROVAL


Nassau County

DATE: 11-14-89



Florida Department of Environmental Regulation

Northeast District • 3426 Bills Road • Jacksonville, Florida 32207 • 904-798-4200

Bob Martinez, Governor

Dale Twachtman, Secretary

John Shearer, Assistant Secretary

Ernest Frey, Deputy Assistant Secretary

Copy to Doyle
9-18-89
He is to respond

September 12, 1989

CERTIFIED - RETURN RECEIPT

Mr. James Testone, Chairman
Nassau County Board of
County Commissioners
Post Office Box 1010
Fernandina Beach, Florida 32034

Dear Mr. Testone:

Warning Notice No. WN89-0085-DW45-NED
Police Detention Facility
Nassau County - Domestic Waste Enforcement

Chapter 403, Florida Statutes, authorizes and directs the Department of Environmental Regulation to control and prohibit pollution of air and water.

The Department has reason to believe that you are currently engaged in activities in violation of Florida law.

A routine inspection of the Police Detention Facility wastewater treatment plant was conducted by Department personnel on May 5. You were notified by letter dated May 24 of several violations.

A follow-up inspection on July 5 revealed that the wastewater treatment plant was still not in compliance with the requirements of the Florida Statutes and Florida Administrative Codes. The following deficiencies were noted:

1. An effluent grab sample taken by Department personnel exceeded a one-time maximum limitation for BOD and TSS.
2. There is no access control to the evaporation/percolation pond.

Subsequent review of the file indicated the following deficiency:

1. The average flow occasionally exceeds the design capacity of the treatment plant.

Portions of the Florida Statutes which the Department believes you have violated, or are now violating are identified below. A written response to each violation is required.

Florida Statutes, Chapter 403, Environmental Control

Part I Pollution Control

403.161 Prohibitions, violation, penalty, intent. -

(1) It shall be a violation of this chapter, and it shall be prohibited:

* * *

(b) To fail to obtain any permit required by this chapter or by rule or regulation, or to violate or fail to comply with any rule, regulation, order, permit, or certification adopted or issued by the department pursuant to its lawful authority.

Based on the field inspections, portions of the Florida Rules which the Department believes you have violated, or are now violating are identified below. A written response to each violation is required.

Florida Administrative Code, Chapter 17-6, Wastewater Facilities

Part I - Domestic Wastewater Facilities

Subpart C - Design/Performance Considerations

17-6.060 Reclaimed Water or Effluent Limitations.

The waste treatment standards contained in this section generally shall be met before discharge into holding ponds (if applicable), reuse systems, disposal systems, or surface waters classified pursuant to Chapter 17-3, FAC. Waste treatment, at a minimum, shall consist of secondary treatment and, to the extent necessary, disinfection and pH control. Additional levels of treatment (beyond secondary) may be required pursuant to provisions contained in this section in Rule 17-6.080, FAC, or in Rule 17-610, FAC. These design/performance standards shall be enforceable pursuant to the operational compliance criteria in this section and in Rule 17-6.180, FAC. General technical guidance is provided by references listed under Rule 17-6.040, FAC. Discharges which would not result, at a minimum, in the protection of surface and ground water quality criteria shall not be allowed. Effluent or reclaimed water limitations shall be achieved at the appropriate locations specified pursuant to both this section and Rule 17-6.080, FAC.

(1) Technology-Based Effluent Limitations (TBELs).

(a) Secondary Treatment

1. Surface water disposal (excluding ocean outfalls)

All domestic wastewater facilities are required, at a minimum, to provide secondary treatment of wastewater. New facilities and modifications of existing facilities shall be designed to achieve an effluent after disinfection containing not more than 20 mg/l BOD

and 20 mg/l TSS, or 90% removal of each of these pollutants from the wastewater influent, whichever is more stringent. All facilities shall be operated to achieve, at a minimum, the specified effluent limitations (20 mg/l). All facilities, whether new or existing, shall be subject to provisions of Rule 17-6.010(5), FAC, regarding the applicability of the above requirements, and Rules 17-6.160 and 17-6.180, FAC, regarding compliance with the above requirements. Appropriate disinfection and pH control of effluents shall also be required.

* * *

3. Land application or groundwater disposal (excluding underground injection)
 - a. The secondary treatment criteria specified in Rule 17-6.060(1)(a)1., FAC, at a minimum, generally are applicable as preapplication waste treatment requirements for all facilities, whether new or existing. The design for more stringent levels of treatment may be required by the Department as a result of the method of reclaimed water or effluent application/distribution; the extent of intended public access; the characteristics of the potential receiving surface waters (i.e., where overland flow runoff or application site underdrainage is involved); or groundwater protection pursuant to reuse and effluent disposal provisions of Rule 17-6.080(3), FAC.

Subpart E - Compliance

17-6.180 Enforcement.

(1) Operational Criteria

(a) General

* * *

2. The Department may also take enforcement action based on its own sample collection activities using any of the annual, monthly, weekly, or maximum-permissible operating criteria specified in Rule 17-6.180(1)(b), FAC. Use of such data shall not preclude enforcement action pursuant to the provisions of this or any other chapter of the Florida Administrative Code. The use of grab or composite samples for evaluating annual, monthly or weekly compliance shall be generally consistent with grab or composite sampling technique (as opposed to sample scheduling) requirements of Rule 17-19, FAC, for the specific design flow of the treatment plant at issue. Maximum-permissible concentrations shall be established by grab sampling due to the transient nature of maximum concentrations; it is expected that such samples will be collected during periods of minimal treatment plant pollutant removal efficiencies or maximum organic loading in the reclaimed water or

effluent. Maximum-permissible concentrations are not intended to be representative of average daily conditions of the treatment plant effluent or reclaimed water; grab samples need not be taken at any set time or flow, but the actual time and flow conditions during which such samples are taken shall be recorded.

(b) Reclaimed Water or Effluent Compliance Concentrations

The applicability of the reclaimed water or effluent compliance concentrations contained below to all facilities, whether new or existing, shall depend on the treatment requirements referenced, pursuant to Rule 17-6.010(5), FAC.

1. In order to determine compliance of a domestic wastewater facility with the secondary treatment standards specified in Rule 17-6.060(1)(a), FAC, the following operational criteria shall be applicable.

* * *

- d. Maximum-permissible concentrations of BOD or TSS values in any reclaimed water or effluent grab sample at any time shall not exceed 60 mg/l.

(2) Violations

The following acts and the causing thereof are prohibited.

- (a) The release or disposal of excreta, sewage, or other wastewaters or sludge without providing proper treatment approved by the department or otherwise violating provisions of this chapter or other chapters of the Florida Administrative Code.

Florida Administrative Code 17-610, Reuse of Reclaimed Water and Land Application

Part IV - Reuse; Rapid Rate Land Application Systems

17-610.518 Access Control and Warning Signs.

For all systems, appropriate warning signs shall be posted around the site boundaries to designate the nature of the project area. Fencing around the entire site boundary is not required. Percolations ponds, infiltration basins or trenches, and storage ponds shall be enclosed with a fence or otherwise designed with appropriate features to discourage the entry of animals and unauthorized persons.

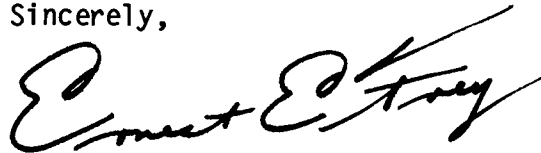
Section 403.141(1), Florida Statutes, provides that whoever commits a violation of Section 403.161(1), Florida Statutes shall be liable to the State for any damage caused and for civil penalties up to \$10,000 per day during which the violation occurs.

Mr. James Testone
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The violations set forth in this Warning Notice may be resolved by the execution of a mutually acceptable Consent Order providing an acceptable time schedule within which the violations will be corrected. This Consent Order will set forth specific requirements for compliance, the time periods within which compliance must be achieved and a settlement figure payable to the State. The Consent Order will be sent to you for signing after review by the Department's Office of General Counsel.

Accordingly, you are hereby advised to stop the activities which are in violation of Florida Statutes and Rules as described in this notice and to respond to the specific violations, in writing, within ten (10) days from receipt thereof. You should direct any questions concerning this Notice to Jeffrey C. Nienstedt, of our Domestic Waste Enforcement/Compliance Section.

Sincerely,

A handwritten signature in black ink, appearing to read "Ernest E. Frey". The signature is fluid and cursive, with the first name "Ernest" being more prominent.

Ernest E. Frey
Deputy Assistant Secretary

OPW
J.M.
EEF:jn/ddb

cc: Duffy Coshaw
Jim Higgenbotham
Nassau County Public Health Unit

STATE OF FLORIDA
DEPARTMENT OF ENVIRONMENTAL REGULATION
NORTHWEST DISTRICT
5455 BILLS ROAD
JACKSONVILLE, FL 32211

SAMPLE ID NO.: 89063+ DATE: 1989/07/05

SAMPLE SOURCE: POLICE DETENTION FACILITY TIME: 1005

STATION NUMBER: 1

STATION LOCATION: CHLORINE CONTACT CHAMBER

Fixed monitoring: State: Special: Dredge & Fill:

INDEX: Invasive survey: Response: Dredge:

Domestic water: X Other:

SAMPLE SUPPORTS: Compilance: X Enforcement:

FIELD MEASUREMENTS

Total depth: Sample depth: Water temp. (°C):
pH: Conductivity: Dissolved Oxygen:
Secchi: Stream Velocity: Salinity:

WEATHER CONDITIONS

LABORATORY MEASUREMENTS

PARAMETER TURBIDITY (NTU):
Color (PCU):
Conductivity (UMHC):
PH (standard units):
PARAMETER TOTAL COLIFORM (100ML):
FECAL COLIFORM (100ML):
PH (standard units):

The following values are in ppm:

DOO
COD
Total TKN
Total NH3 as N
Chloride
Alkalinity
Dissolved Oxygen
BOD
TO1 SS
VOL SS
FIX SS
Chlorophyll a
Oil & Grease
NO3 as N
Total NO2+NO3 as N
Total NO2 as N
Ortho PO4 as P
Total PO4 as P
Sulfate
Fluoride
TO1 TS
VOL TS
FIX TS
Phenolphthalein

SEDIMENT VALUES ARE IN mg/kg
ALL OTHER VALUES ARE IN ug/L
Aluminum
Cadmium
Copper
Magnesium
Nickel
Silver
Arsenic
Calcium
Iron
Manganese
Potassium
Sodium
Barium
Chromium
Lead
Mercury
Selenium
Zinc

COMMENTS:

TIDE:

SAMPLE CUSTODY

SAMPLE RELEASED TO: HOLLINGSWORTH

DATE: 1989/07/05 TIME: 1625

PREPARATION: ICE

REPORTED BY: WRIGHT

DATE: 1989/07/17



NASSAU COUNTY
BOARD OF COUNTY COMMISSIONERS
P.O. Box 1010
Fernandina Beach, Florida 32034

Jim B. Higginbotham
Hazel Jones
Tom Branan
James E. Testone
Jimmy L. Higginbotham

Dist. No. 1 Fernandina Beach
Dist. No. 2 Fernandina Beach
Dist. No. 3 Yulee
Dist. No. 4 Hilliard
Dist. No. 5 Callahan

T.J. "Jerry" GREESON
Ex-Officio Clerk

MICHAEL S. MULLIN
County Attorney

MEMORANDUM

TO: ALAN HARTENSTEIN, PITMAN, HARTENSTEIN, & ASHE, INC.

FROM: T. J. "JERRY" GREESON, EX-OFFICIO CLERK *29/89*

DATE: NOVEMBER 20, 1989

**RE: CONTRACT FOR COMPLIANCE WITH DER WARNING NOTICE
NASSAU COUNTY WASTEWATER RETENTION FACILITY**

Attached for your records is a certified copy of the amendment to your contract to include your services for response to DER in regarding to the Warning Letter issued by them in regarding the the above mentioned facility.

If we can be of any further assistance, do not hesitate to call me.