

Indian River County, Florida
Department of Utility Services
Board Memorandum

Date: August 3, 2020
To: Jason E. Brown, County Administrator
From: Vincent Burke, PE, Director of Utility Services
Prepared By: Arjuna Weragoda, PE, Capital Projects Manager
Subject: Department of Environmental Protection v. IRCUD Central Gifford WWTF – Consent Order

Descriptions and Conditions:

Indian River County Department of Utility Services (IRCDUS) owns and operates the Central Wastewater Treatment Facility (CWWTF) under permit number FLA 010431, and the collection and transmission mains that convey wastewater to the plant. On January 3, 2020, one of the collection mains that transmits wastewater from Lift Station 200, located in an easement along the north side of the properties along Manly Avenue, was compromised. Approximately 1.2 million gallons of wastewater was discharged on adjacent land.

Analysis:

The State Warning Point was notified of the Sanitary Sewer Overflow (SSO) on January 3, 2020, immediately upon noticing the pressure losses at the lift station. IRCDUS took immediate action to minimize the impacts to the environment by containing the spill and re-pumping 1.3 million gallons back into the sewer system. This action avoided any of the SSO from entering any surface water bodies. Further action in the form of adding a check valve in the existing force main downstream and replacing the entire control panel at Lift Station 200 was undertaken and completed in January 2020 and April 2020, respectively. IRCDUS staff is currently engaged in replacing the entire old thin wall plastic six-inch force main with a larger and stronger eight-inch DR-18 (thicker wall) PVC pipe. This project involves constructing a new line under the Florida East Coast (FEC) railroad right-of-way, therefore extensive surveying, easements, design, and permitting are underway as part of this IRCDUS immediate corrective action.

Based on the SSO violation per Rule 62-604.130, Florida Administrative Code (F.A.C), the Florida Department of Environmental Protection (FDEP) has issued Consent Order No. 20-0891.

Staff would like to present the following options for the Board of County Commissioners (BCC) to consider:

Option 1: Pay the civil penalty in the amount of \$6,000.00.

Option 2: Accept the FDEP offer and submit a plan for a Pollution Prevention (P2) project for FDEP's approval.

Option 3: Accept the FDEP offer and submit a plan for an In-Kind project for FDEP's approval.

Option 4: Do not accept the FDEP offer, and contest the FDEP's actions.

As part of the consent order, FDEP has offered, in lieu of civil penalties, a P2 project or an In-Kind penalty project. Both options will have to be approved by the FDEP, and the timelines for implementation of these projects are specifically outlined in the consent order.

The County is currently considering a P2 project in the form of replacing two old A/C units with more energy efficient units in order to reduce electricity consumption and ultimately reduce greenhouse gas emissions.

Funding:

Note that if the FDEP accepts the County's P2 project, then the civil penalties of \$6,000.00 will be waived, but the County will still be liable to FDEP for \$500.00 in administrative fees. Funding for this project is derived from Utilities operating funds. Utilities operating fund revenues are generated from water and sewer sales.

Account Name	Account Number	Amount
Other Equipment	471-166002	\$13,040.00
Other Professional Services	47121836-033190	\$ 500.00

Recommendation:

Staff recommends the acceptance of the Florida Department of Environmental Protection's (FDEP) offer with Option 2 (Accept the FDEP offer and submit a plan for a Pollution Prevention (P2) project for FDEP's review and approval), and the Board of County Commissioners to authorize the Chairman to execute the consent order or delegate authority to the Director of Utility Services to execute the same, as presented.

Attachment(s):

Department of Environmental Protection v. IRCUD Central Gifford WWTF – Consent Order (14 Pages)