

BEFORE THE ENVIRONMENTAL PROTECTION
 COMMISSION OF HILLSBOROUGH COUNTY
 AND
 THE STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

ENVIRONMENTAL PROTECTION)	
COMMISSION OF HILLSBOROUGH COUNTY)	
)	
and)	EPC CASE NO. 03-33366DW
)	
STATE OF FLORIDA DEPARTMENT)	
OF ENVIRONMENTAL PROTECTION,)	
)	
Complainants,)	FDEP OGC FILE NO. 05-0259
)	
vs.)	
)	
CITY OF TAMPA,)	
)	
Respondent.)	

CONSENT ORDER

This Consent Order is entered into between the Environmental Protection Commission of Hillsborough County (“EPC”), the State of Florida Department of Environmental Protection (“FDEP”), and the City of Tampa (“City”) to reach settlement of certain matters at issue between EPC, FDEP, and the City.

The EPC and the FDEP find and the City neither admits nor denies the following:

1. The EPC is a local regulatory agency authorized to enforce the Hillsborough County Environmental Protection Act, Chapter 84-446, as amended, Laws of Florida (“EPC Act”), and the rules promulgated thereunder specifically Chapters 1-1 and 1-5, Rules of the EPC, in Hillsborough County, Florida. The EPC also has specifically delegated State authority to enforce Chapter 403, Florida Statutes, and the rules promulgated thereunder, specifically Title 62, Florida Administrative Code. The EPC has jurisdiction over the matters addressed in this Consent Order.
2. The FDEP is the administrative agency of the State of Florida having the power and duty to protect Florida’s air and water resources and to administer and enforce the provisions of Chapter 403, Florida Statutes, and the rules promulgated thereunder, Title 62, Florida Administrative Code. The FDEP also has jurisdiction over the matters addressed in this Consent Order.
3. The City is a municipal corporation of the State of Florida and a person within the meaning of Section 403.031(5), Florida Statutes.
4. The City owns and operates a wastewater collection and transmission system that consists of approximately 2,000 miles of piping, 221 lift stations, of which 11 are master pump stations (collectively, the “Collection System”), all of which transport wastewater to the Howard F. Curren Advanced Wastewater Treatment Plant (“Plant”). The City operates the Plant under FDEP Permit No. FL0020940.

5. DEFINITIONS: Whenever terms listed in this Paragraph are used in this Consent Order, the following definitions shall apply:

A. "City" or "The City" means the City of Tampa, Florida and its Wastewater Department.

B. "Collection System" means the sanitary sewage collection and transmission system or domestic wastewater collection and transmission system (including all pipes, force mains, gravity sewer lines, lift stations, pump stations, manholes, and appurtenances thereto) that serves the Plant and is owned or operated by the City.

C. "Consent Order" or "Order" means this Order, all attachments to this Order, any subsequent modifications, and all items approved by EPC and FDEP pursuant to this Order. In the event of any conflict between this Order and any attachment or approved item, this Order shall control.

D. "Day" or "days" as used herein shall mean a calendar day or calendar days. When the deadline for submission of a report or other deliverable falls on a Saturday, Sunday, or a State or Federal holiday, submission will not be required until the next calendar day that is not a Saturday, Sunday, or State or Federal holiday.

E. "EPA" means the United States Environmental Protection Agency.

F. "EPC" means the Environmental Protection Commission of Hillsborough County.

G. "The EPC Act" means the Hillsborough County Environmental Protection Act, Chapter 84-446, Laws of Florida.

H. "Excusable discharge" means a wastewater discharge that occurs while the Collection System was being properly operated and maintained and results from a temporary, unanticipated cause that was beyond the City's control or the control of any entity controlled by the City, including its consultants and contractors, such as:

- i. Exceptional acts of nature, including rainfall equal to a minimum of a 10-year, 24-hour storm event.
- ii. Third party actions that could not reasonably be prevented, including vandalism.
- iii. Blockages that could not be avoided by reasonable measures and due diligence.
- iv. Unforeseen, sudden, structural, mechanical, or electrical failure that could not be avoided by reasonable measures and due diligence.

I. "Effective date of this Consent Order" means the date this Consent Order was filed by the EPC's Clerk.

J. "F.A.C." means Florida Administrative Code.

K. "FDEP" means the State of Florida Department of Environmental Protection.

L. "F.S." means Florida Statutes.

M. “Fully operational” means all items identified under a particular requirement have been completed and are consistently functioning within the design plan and specifications.

N. “Infiltration and Inflow” or “I & I” means the infiltration of groundwater and the inflow of stormwater into the Collection System.

O. “Permit” or “Permits” mean the Florida Department of Environmental Protection Permit No. FL0020940 for the Plant, which incorporates state authorization under the federal National Pollutant Discharge Elimination System program, and any future, extended, modified, or reissued FDEP permit for the same plant.

P. “Plant” means the Howard F. Curren Advanced Wastewater Treatment Plant located at 2700 Maritime Boulevard, Tampa, Florida.

Q. “SSO” means sanitary sewer overflow, which is an overflow, spill, release, or diversion of wastewater from a collection and transmission system and includes:

- i. Overflows or releases of wastewater that reach waters of Hillsborough County and/or the State of Florida;
- ii. Overflows or releases of wastewater that do not reach waters of Hillsborough County and/or the State of Florida; and,
- iii. Wastewater backups into buildings that are caused by blockages or flow conditions in a collection and transmission system other than a building lateral or failure of a privately owned and operated collection and transmission system pumping station.

R. “Unpermitted discharge” means any discharge of wastewater from the Collection System from any point, regardless of whether such discharge reaches waters of Hillsborough County and/or the State of Florida, which is not authorized by a permit issued by the EPC or the FDEP.

S. “Work” means all activities that the City is required to perform under this Consent Order except those requiring payment of penalties and costs to the EPC and/or the FDEP.

6. Palm River, Hillsborough Bay, Hillsborough River (downstream of the City’s water treatment plant), and Old Tampa Bay are classified as Class III water bodies in Rule 62-302, F.A.C. Section 403.086 (1), F.S. governs discharges of domestic wastewater to those water bodies.

7. The EPC and the FDEP find that the City violated Section 403.161(1)(b), F.S., Section 1-1.05, Rules of the EPC, and Rule 62-604.550(1), F.A.C., [the latter rule was subsequently amended on November 6, 2003, and is now Rule 62-604.550(2), F.A.C.] by failing to notify the EPC and the FDEP of the following abnormal events or noncompliance with the Collection System within 24 hours of breakdown or malfunction:

A. October 29, 2002: A City technician responded to a complaint at the 7209 E. Adamo Drive Collection System manhole and noted that it had previously overflowed wastewater. The technician initiated a work order to clean the main line and manholes due to grease accumulation, but the technician incorrectly characterized the event as dumping and did not report it to the EPC and/or the FDEP.

B. November 18, 2002: A City technician responded to another complaint at the 7209 E. Adamo Drive manhole and observed a wastewater overflow, but failed to report it to the EPC

and/or the FDEP within 24 hours. On November 20, 2002, EPC staff investigated a citizen's complaint at the same location and observed evidence of the November 18, 2002 wastewater discharge and instructed City staff to file a written overflow report with the EPC.

8. The EPC and the FDEP find that the City violated Section 403.161(1)(b), F.S., Sections 16 and 17 of the EPC Act, Section 1-5.02, Rules of the EPC, and Rule 62-604.130(1), F.A.C., by releasing or disposing of wastewater from the Collection System to surface water or ground water without providing proper treatment. The City reported all discharges except those listed in Paragraph 8.A.i.

A. Adamo Drive:

- i. Wastewater discharge (due to grease clog) on October 29 and November 18, 2002, estimated at 1,500 gallons total, a portion of which entered Palm River.
- ii. Wastewater discharge (due to grease clog) on November 21, 2002, estimated at 415,000 gallons a portion of which EPC staff observed entering Palm River. The City estimated that 40,000 gallons were not recovered.
- iii. A 16-inch force main at 8700 Adamo Dr. ruptured and discharged an estimated 11,400 gallons of wastewater on December 9, 2002, a portion of which entered Palm River.
- iv. Wastewater discharge (due to heavy rains dislodging grease, causing another clog) on December 12, 2002, estimated at 6,000 gallons, a portion of which entered Palm River.

B. Bayshore Boulevard/South Tampa.

- i. The following pump stations overflowed wastewater due to heavy rains and inflow into the Collection System, which resulted in surface water discharges to Hillsborough Bay on December 13, 2002:
 - a. Bayshore Blvd. and W. Stovall, estimated at 180,000 gallons.
 - b. Knights Ave. and S. Lynwood Ave., estimated at 200 gallons.
 - c. Barcelona St. and Bayshore Blvd., estimated at 600 gallons.
 - d. Rubideaux St. and Bayshore Blvd., estimated at 600 gallons.
- ii. On December 31, 2002, the Bayshore Blvd. and Bay To Bay Blvd. pump station overflowed wastewater due to heavy rains and inflow into the Collection System, which resulted in surface water discharges estimated at 127,500 gallons to Hillsborough Bay.
- iii. The Bayshore pump station discharged an estimated 326,000 gallons of wastewater to Hillsborough Bay on August 8, 2004.
- iv. The following overflows discharged wastewater to Hillsborough Bay on August 25 and 26, 2004:
 - a. W. Coachman Road and Bayshore Blvd.: estimated at 3,900 gallons of wastewater, due to heavy rains.
 - b. Bayshore pumping station: estimated at 243,000 gallons of wastewater, due to heavy rains and surcharging of the Collection System.

- v. While investigating a complaint of overflows at Coachman Ave. near Bayshore Blvd. on September 9, 2004, EPC staff observed the following wastewater overflows, all of which flowed to Hillsborough Bay:
 - a. Coachman Ave. and Alline Ave., near Bayshore Blvd.
 - b. Rome Ave. at Bayshore Blvd.
 - c. The Bayshore Master Pumping Station.
 - d. Rubideaux St. siphon discharging to the Bayshore Blvd. median and into Bayshore Blvd.'s northbound lane.

C. Perry Street/Louisiana Avenue.

- i. The following pump stations overflowed wastewater due to heavy rains and inflow into the Collection System, which resulted in surface water discharges to the Hillsborough River on December 13, 2002:
 - a. Louisiana Ave. and W. Violet St., estimated at 156,000 gallons.
 - b. Louisiana Ave. and W. Osborne Ave., estimated at 200 gallons.
 - c. Perry Ave. and Charter St. estimated at 900 gallons.
 - d. W. Violet St. and W. Osborne Ave. estimated at 200 gallons.
- ii. The W. Perry St. and Charter St. pump station discharged an estimated 85,800 gallons of wastewater on December 31, 2002.
- iii. The Louisiana Ave. and W. Osborne Ave. pump station discharged an estimated 94,800 gallons of wastewater, which entered the Hillsborough River on January 1, 2003.

D. Davis Island.

- i. The Suwanee Cir. and Marmora Ave. pump station discharged an estimated 35,700 gallons of wastewater to Currituck Channel on August 3, 2003, which the City reported as being caused by an area-wide power outage that caused seventeen pump stations to lose electrical power. Water samples from Currituck Channel on August 4, 2003 revealed fecal coliform values estimated at 30-2,200 colonies/100 ml. sample.
- ii. The following pump stations overflowed wastewater due to heavy rains and inflow into the Collection System, which resulted in surface water discharges to Hillsborough Bay:
 - a. Suwanee Cir. and Mamora St. pump station discharged an estimated 1,000 gallons to Currituck Channel on August 9, 2003.
 - b. Suwanee Cir. and Riviera Ave. pump station discharged an estimated 39,000 gallons to Currituck Channel on August 9, 2003.
 - c. Columbia Dr. and Bering St. pump station discharged an estimated 100 gallons to Seddon Channel on August 10, 2003.
- iii. Suwanee Cir. and Riviera Ave.: On August 10-12, 2003, the pump station force main ruptured due to external corrosion and discharged an estimated 2,000,000 gallons of wastewater to Currituck Channel, part of Hillsborough Bay. The break was located next to the Currituck Channel at a depth of approximately 13 ft. Surface water samples collected in Currituck Channel on August 11, 12, and 13, 2003 revealed fecal coliform

concentrations of 64,000, 1,270,000, and 3,000 colonies/100 ml sample, respectively.

- iv. On August 25, 2004, the Davis Island pumping station, discharged an estimated at 167,000 gallons of wastewater into Currituck Channel, which is part of Hillsborough Bay, due to heavy rains and loss of electrical power.

E. Louisiana Ave. and River Blvd.:

- i. On August 10, 2003, an estimated 60,000 gallons of wastewater overflowed and entered the Hillsborough River.
- ii. On October 15, 2003, the pumping equipment lost prime and caused the pump station malfunction. As City staff worked to re-prime, the system overflowed an estimated 6,000 gallons of wastewater, a portion of which entered the Hillsborough River.

F. River Hills Dr. and 42nd St.: On August 23, 2003, a broken main line caused a manhole to discharge an estimated 1,500 gallons of wastewater, 80% of which entered a nearby storm drain and discharged to the Hillsborough River. The City contained the discharge by setting up a temporary by-pass pump and re-routed the flow to a nearby sanitary sewer manhole. The City later determined that bricks from a deteriorated upstream manhole blocked the main line and caused the discharge. The City cleaned the line and replaced the manhole.

G. W. San Carlos St. and Manhattan Ave.: On August 1, 2004, the San Carlos pumping station at 4406 W. San Carlos St. discharged an estimated 950,000 gallons of wastewater, a substantial portion of which entered Lake Kipling, which is directly connected to Old Tampa Bay, due to heavy rains that caused a control failure - a break in the bubbler tubing that controls the pumps.

H. Sulphur Springs: The 13th Street Pumping Station's (Sulphur Springs) 42-inch discharge force main on 12th Street ruptured and discharged wastewater to surrounding land surfaces and the Hillsborough River on November 1, 2004. Repair of the rupture required the City to shut down and bypass the 13th Street Pumping Station, which resulted in wastewater discharges at the 900 block of Bird Street; 1000 block of E. Waters Avenue; the 8100 block of 9th Street; 5919 Rome Avenue on November 2, 2004; and at 9708 N. 18th Street Pump Station on November 4, 2004. In total, wastewater discharges were estimated at 21.1 million gallons, the majority of which entered the Hillsborough River. The City monitored the water quality in the Hillsborough River at several points until the water quality returned to background levels.

9. The EPC and the FDEP find the City violated Section 403.161(1)(b), F.S., Sections 16 and 17 of the EPC Act, Section 1-1.06, Rules of the EPC, and Rules 62-604.130(6) and 62-604.500(3), F.A.C., by failing to maintain certain pollution control equipment so as to function as intended, as evidenced by unpermitted wastewater discharges and SSOs attributed to I & I of the Collection System. However, the EPC and the FDEP acknowledge that the loss of electrical power from the effects of Hurricanes Frances and Jeanne during the month of September 2004 caused a number of excusable discharges from the Collection System that were beyond the City's control.

10. The City submits that: the City provided an explanation of the causes of each unpermitted discharge and SSO event in the Collection System; the Collection System was being operated properly and provisions were made for additional staff to operate and maintain the Collection System during the unpermitted discharge and SSO events; the City submitted notice of the unpermitted discharge and SSOs as provided in the above noted rules and Permit Condition IX.20. (as revised); and the City took all reasonable steps to minimize or prevent any wastewater discharge which had a reasonable likelihood of

adversely affecting human health or the environment as required under the above noted rules and Permit Condition IX.5. Notwithstanding the City's assertions, the EPC and the FDEP findings in Paragraphs 7, 8, and 9 constitute violations of Section 403.161(1)(b), F.S.; Sections 16 and 17 of the EPC Act; Sections 1-1.05, 1-1.06, and 1-5.02, Rules of the EPC; and Rules 62-604.130(1), 62-604.130(6), 62-604.500(2) and (3), and 62-604.550(1), F.A.C.

11. The EPC, the FDEP, and the City agree to enter into this Consent Order. Entry into this agreement does not constitute an admission by the City of any violations but is being agreed to for the purpose of mutually resolving the issues and avoiding litigation and further costs. Nonetheless, the City agrees to be bound by the terms of this Consent Order. Having reached a resolution of this matter, the EPC, the FDEP, and the City mutually agree and it is

ORDERED:

12. Objective: It is the express purpose of the EPC and the FDEP by entering into this Consent Order to require the City to achieve and maintain its Collection System in compliance with applicable statutes and rules, and to require the City to perform corrective actions to the Collection System in order to prevent and minimize unpermitted discharges and SSOs. To that end, the City is placing into operation and is implementing numerous projects, procedures, and staff to further refine its comprehensive Collection System program. Additionally, the City has proposed a corrective action plan ("Corrective Action Plan"), set forth in Paragraph 13, which is intended to directly address the locations and violations identified in Paragraphs 8 and 9. The City is subject to Section 166.241, F.S., which makes it unlawful for a municipality "... to contract for expenditures in any fiscal year except in pursuance of budgeted appropriations." This limitation governs each project set forth herein. However, within the constraints of this limitation, the City does covenant that for each of the identified projects, after budgeting and appropriating for essential City services and then existing legal obligations, it will budget and appropriate from legally available funds, sufficient monies to fund its obligations under this Consent Order. The obligations of the City hereunder shall not be or constitute a general indebtedness of the City within the meaning of the Florida Constitution. Notwithstanding, the City's failure to properly budget or appropriate funds will not act to relieve or excuse the City for the non-performance of its obligations under this Consent Order.

13. Corrective Action Plan: The City shall perform the following corrective actions in accordance with the Plan of Action schedule in Attachment 1, and shall base all plans and actions on good engineering practices, industry standards, and the EPA Handbook: Sewer System Infrastructure Analysis and Rehabilitation, EPA/625/6-91/030, Oct. 1991, as applicable:

A. Coachman Overflow Problem – Perform an analysis of the Coachman Avenue system to determine what alternatives exist to eliminate the recurring wastewater overflows on Coachman and Alline Avenues. Retain a consultant to review flow data, system information, engineering cost estimates, and to perform system hydraulic modeling. The consultant will review alternatives developed by City engineers, and combinations thereof, and provide a recommendation on which alternative is preferred. The City shall then proceed immediately with design and construction of the recommended alternative. In any event, the project shall be completed by no later than by December 31, 2007~~6~~.

B. Sanitary Sewer System Evaluation Study – Perform an I & I evaluation of the West River and Bayshore Intercepting Systems and tributary pipelines, as depicted in Figure 1. The evaluation shall analyze historical data and gather new data using various flow monitoring methods and pipeline system inspections. The information shall be used to identify and prioritize all necessary improvements to the sewer system to minimize I & I and wastewater overflows. A schedule and funding plan necessary to design and construct the improvements shall also be developed, which shall be

as expeditious as practicable for design and construction of all proposed measures. However, the corrective actions as a result of the Sanitary Sewer System Evaluation Study shall be completed by no later than December 31, 2012.

C. Force Main Replacement Program – Develop and maintain an inventory of all force mains, ~~which shall. The inventory shall~~ include, at a minimum, pipeline: condition, size, construction material, age, estimated remaining life, and consequences of failure. By August 31, 2005, the City shall submit to the EPC and FDEP an initial pipeline inventory consisting of all known characteristics listed in the preceding sentence. Where pipeline condition and estimated remaining life are not known or reported by August 31, 2005, the City shall submit that information to the EPC and FDEP in the Progress Reports described in Paragraphs 15 and 16, below, as it becomes available. Completion of the entire inventory shall be no later than December 31, 2012. The City shall schedule the pipelines for replacement based on the inventory information. Testing of all 8-inch diameter and larger force mains to minimize SSO events shall be completed by no later than December 31, 20065.

D. Grease Abatement – Prepare and implement a City of Tampa Grease Ordinance. The ordinance shall include requirements for grease discharge into the sanitary sewer system and monetary penalties for non-compliance with the ordinance. The City shall review resources necessary to enforce the new ordinance and budget for additional resources, if necessary. The grease abatement initiative shall also include education of businesses and residents on proper disposal methods. The City’s grease abatement program shall be implemented by no later than December 31, 2006.

E. Auxiliary Generators – Prepare a standby power plan that addresses on-site needs for master pumping stations and portable generation needs for remaining stations. The plan shall consider what types and sizes of generators will provide the maximum benefit response during an abnormal weather event. At a minimum, the city shall ~~purchase-own, operate, and maintain~~ by no later than ~~August-December-~~ 31, 2005, auxiliary, portable generation equipment to power at least 10 percent of the City’s 200+ pumping stations that do not have on-site standby power capabilities.

14. The City shall at all times report any SSO or unpermitted discharge within 24 hours of occurrence in accordance with FDEP and EPC rules, Rule 62-604.550, F.A.C., and Permit conditions VIII 6 and IX 20. Additionally, the City shall endeavor to contact the listed EPC and FDEP personnel, or their designees, by telephone within four hours, but in no case more than twelve hours, of any SSO or unpermitted discharge equal to or greater than 10,000 gallons or that has a reasonable potential to cause significant harm to human health or the environment:

Mr. Byron Bartlett
General Manager
EPC Water Division
3629 Queen Palm Dr.
Tampa, Florida 33619
(813) 627-2600 ext. 1018
Cell (813) 363-9194

Mr. Joseph Squitieri
E.S. III
FDEP Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619
(813) 744-6100 ext. 309

15. After the effective date of this Consent Order, the City shall submit to the EPC and the FDEP written progress reports (“Progress Reports”) at six months, twelve months, eighteen months, twenty-four months, and annually thereafter until this Consent Order is closed. The Progress Reports shall contain, at minimum, the following information:

A. The status and progress, including supporting documentation, of all work being completed under this Consent Order;

B. A priority ranking with justification and any schedule changes for construction improvements necessary as a result of the completed Sanitary Sewer System Evaluation Study

C. Information as to compliance or noncompliance with the applicable requirements of this Consent Order including construction requirements and effluent limitations, where applicable;

D. Any reasons for noncompliance;

E. A description of any problems anticipated with respect to meeting the requirements of this Consent Order;

F. Any additional matters the City believes should be brought to the EPC's and FDEP's attention.

16. The Progress Report shall be certified by the person responsible for compliance or by the person responsible for overseeing implementation of the requirements of this Consent Order. Such reports shall also include a projection of the work to be performed pursuant to the requirements of this Consent Order during the following 12-month period, if different or not otherwise indicated in either the Corrective Action Plan (Paragraph 13) or the Plan of Action Schedule (Attachment 1).

17. If upon review of any submission required under this Consent Order, the EPC or the FDEP determine that the submission cannot be accepted due to incompleteness or substantial deviation from the relevant project(s), the City shall be notified in writing and given an opportunity to correct any deficiencies within a reasonable amount of time. Otherwise, the EPC or FDEP shall provide a letter to the City acknowledging completion of projects as they are identified in the progress reports required under paragraphs 15-16 herein.

18. COSTS AND CIVIL PENALTY: Within 30 days of the effective date of this Consent Order, the City shall pay to the EPC:

A. The amount of \$5,000 to reimburse the EPC for the expenses incurred in investigating and resolving this matter, made payable to "The Environmental Protection Commission" with the notation "EPC Costs."

B. The amount of \$182,300 for civil penalties made payable to "The Hillsborough County Pollution Recovery Fund" with the notation "Civil Penalty." The \$182,300 in civil penalties are apportioned as follows: \$10,000 for violations of Section 403.161(1)(b), F.S., Section 1-1.05, Rules of the EPC, and Rule 62-604.550(1), F.A.C., for failing to notify of an abnormal event or noncompliance; \$165,300 for violations of Section 403.161(1)(b), F.S., Sections 16 and 17 of the EPC Act, Section 1-5.02, Rules of the EPC, and Rule 62-604.130(1), F.A.C., for releasing or disposing of wastewater to surface waters and land surfaces without proper treatment, and; \$7,000 for a violation of Section 403.161(1)(b), F.S., Sections 16 and 17 of the EPC Act, Section 1.06, Rules of the EPC, and Rules 62-604.130(6) and 62-604.500(3), F.A.C. for failing to maintain the Collection System so as to function as intended.

C. All payments to EPC shall be by check or money order and shall reference this Consent Order and the case number 03-33366DW.

19. IN-KIND PENALTY PROJECT: In lieu of making cash payment of \$182,300 in civil penalties to EPC as set forth in Paragraph 18 B, above, the City may elect to off-set up to 80% (\$145,840) of this amount by implementing an in-kind penalty project or projects, which must be approved by the FDEP. An in-kind project must either be an environmental enhancement,

environmental restoration or a capital/facility improvement project. The FDEP may also consider the donation of environmentally sensitive land as an in-kind project. The value of the in-kind penalty project shall be one and a half times the civil penalty off-set amount, which in this case is the equivalent of at least \$218,760. If the City chooses to implement an in-kind project, the City shall pay the remaining \$36,460 of the civil penalties to the EPC and notify the EPC and the FDEP of its election by mail within 30 days of the effective date of this Consent Order.

20. If the City elects to implement an in-kind penalty project, the City shall comply with the following time frames and specifications:

A. Within 60 days of the effective date of this Consent Order, the City shall submit, in writing, a detailed in-kind project proposal to the FDEP and EPC for evaluation. The proposal shall include a summary of benefits, a proposed schedule for implementation, and documentation of the estimated costs that are expected to be incurred to complete the project. These costs shall not include those incurred in developing the proposal or obtaining approval from the FDEP for the in-kind project.

B. If the FDEP requests additional information or clarification due to an incomplete in-kind project proposal, or requests modifications due to deficiencies with FDEP guidelines, the City shall submit to FDEP and EPC, by mail, all requested additional information, clarification, and modifications within 30 days of receipt of written notice.

C. If upon review of the in-kind project proposal, the FDEP determines that the project cannot be accepted due to a substantially incomplete proposal or due to substantial deficiencies with minimum FDEP guidelines, the City shall be notified, in writing, of the reason(s) which prevent the acceptance of the proposal. The City shall correct and redress all of the matters at issue and submit to FDEP and EPC, by mail, a new written proposal within 60 days of receipt of written notice. In the event that the revised proposal is not approved by the FDEP, the City shall make cash payment to the EPC of the civil penalties as set forth in paragraph 18 B, above, within 30 days of notice.

D. Provide the FDEP and EPC with status reports in conjunction with the report required in paragraphs 15-16 of this Consent Order, documenting the progress being made on the implementation of the project.

E. Within 365 days of obtaining FDEP approval for the in-kind project, or in accordance with the approved schedule submitted pursuant to paragraph 20 A, above, which shall be incorporated into and become enforceable under this Consent Order, the City shall complete the entire in-kind project.

F. During the implementation of the in-kind project, the City shall place appropriate sign(s) at the project site indicating that the City's involvement with the project is the result of EPC and FDEP enforcement action. The City may remove the sign(s) after the project has been completed. However, after the project has been completed the City shall not post any sign(s) at the site indicating that the reason for the project was anything other than an EPC and FDEP enforcement action.

G. In the event the City fails to timely submit any requested information to the FDEP, fails to complete implementation of the in-kind project, or otherwise fails to comply with any provision of this paragraph, the in-kind penalty payment option shall be forfeited and the entire amount of civil penalties shall be due from the City to the EPC within 30 days of receipt of FDEP's written notice. If the in-kind project is terminated and the City timely remits the \$145,840 penalty balance, no additional penalties shall be assessed under paragraph 21 for failure to complete the requirement of this paragraph.

H. Within 30 days of completing the in-kind project, the City shall notify the FDEP and EPC, by mail, of the project completion and request a verification letter from the FDEP. The City shall submit supporting information verifying that the project was completed in accordance with the approved proposal and documentation showing the actual costs incurred to complete the project. These costs shall not include those incurred in developing the proposal or obtaining approval from the FDEP for the project.

I. If upon review of the notification of completion, the FDEP determines that the project cannot be accepted due to a substantially incomplete notification of completion or due to substantial deviations from the approved in-kind project, the City shall be notified, in writing, of the reason(s) which prevent the acceptance of the project. The City shall correct and redress all of the matters at issue and submit to FDEP and EPC, by mail, a new notification of completion within 15 days of receipt of the FDEP's notice. If upon review of the new submittal, the FDEP determines that the in-kind project is still incomplete or not in accordance with the approved proposal, the in-kind penalty payment option shall be forfeited and the entire amount of civil penalty shall be due from the City to the EPC within 30 days of FDEP notice. If the in-kind penalty project is terminated and the City timely remits the \$145,840 penalty balance, no additional penalties shall be assessed under paragraph 21 for failure to complete the requirements of this paragraph.

21. **STIPULATED PENALTIES:** Upon the effective date of this Consent Order, the City agrees to pay stipulated penalties to the FDEP as specified in this Paragraph for the failure to comply with any of the requirements of Paragraphs 13-16, 19, 20, and 24 of this Consent Order. A separate stipulated penalty may be assessed for each violation. Within thirty days of written demand from the FDEP, the City shall make payment of the appropriate stipulated penalties to the "Florida Department of Environmental Protection" by cashier's check, City check, or money order and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund." Payment shall be sent to the Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. The FDEP may make demands for payment at any time after a violation occurs. Nothing in this Paragraph shall prevent the FDEP from filing suit to specifically enforce any terms of this Consent Order. Any penalties assessed under this Paragraph shall be in addition to the settlement sum agreed to in Paragraph 18 of this Consent Order. If the FDEP is required to file a lawsuit to recover stipulated penalties under this Paragraph, the FDEP will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this Paragraph.

A. **Collection System Malfunction, Discharge Reports, Progress Reports, and Consent Order Public Notification:** The City shall pay stipulated penalties in the amount of \$500.00 per day for each day the City fails to report any unpermitted discharges or SSOs in accordance with Paragraph 14, above, fails to submit any Progress Report in accordance with Paragraph 15, above, or fails to publish notification of this Consent Order in accordance with Paragraph 24, below.

B. **Approved Plans/Schedules:** The City shall pay stipulated penalties per day for each separate failure to meet any of the final project completion dates identified in Paragraphs 13 or 20, and for each day the City fails to complete any approved plan(s) or schedule(s) identified in Paragraph 13, subject to the excusable delay clause in Paragraph 22, according to the following schedule:

<u>Period of Noncompliance</u>	<u>Penalty per Day per Milestone Deadline Violation</u>
1 st to 30 th day	\$250
31 st to 60 th day	\$500
After 60 days	\$1,000

Both the EPC and the FDEP acknowledge that the interim project stages and their timelines within Attachment 1, as referenced in Paragraph 13, are for project management purposes and are not subject to stipulated penalties under this Consent Order.

C. Unpermitted Discharges/SSOs: The City shall pay stipulated penalties to the FDEP per day for each separate unpermitted discharge or SSO from the Collection System, which does not qualify as an excusable discharge as defined in Paragraph 5, to State waters according to the following schedule; the maximum daily penalty for unpermitted discharges or SSOs shall not exceed \$50,000:

<u>SSO Volume</u>	<u>Per Day Per Event Penalty</u>
Up to 5,000 gallons	\$500
5,001 - 10,000 gallons	\$1,000
10,001 - 25,000 gallons	\$2,500
25,001 - 100,000 gallons	\$7,500
In excess of 100,000 gallons	\$10,000

22. EXCUSABLE DELAY CLAUSE: If any event, including administrative or judicial challenges by third parties unrelated to the City, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, the City shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the City and could not have been or cannot be overcome by the City's due diligence. The failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines may not be a cause beyond the control of the City, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, the City shall notify the EPC and the FDEP orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the EPC and the FDEP, notify the EPC and the FDEP in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which the City intends to implement these measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of the City, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of the City to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of the City's right to request an extension of time for compliance with the requirements of this Consent Order.

23. CONDITIONAL WAIVER TO SUE: The EPC and the FDEP, in consideration of and in exchange for the City's commitment and agreement to comply with this Consent Order, hereby conditionally waive their rights to sue the City for the violations addressed by this Consent Order. This waiver is conditioned upon the City's compliance with all of the terms of this Consent Order. If the City fails to comply with any of the terms and conditions of this Consent Order, the conditions of the waiver will be considered not to have been met and the waiver will not become effective. The City further agrees not to assert any claims of waiver and/or estoppel against the EPC or the FDEP in the event the City fails to comply with any requirement of this Consent Order, and the EPC or the FDEP, as a result thereof, elects to pursue the City for civil penalties assessed as a result of the City's non-compliance with the terms of this Consent Order. The City acknowledges and agrees that in no event shall this Paragraph be construed to apply as a waiver by the EPC or the FDEP to undertake causes of action not addressed by this Consent Order.

24. PUBLIC NOTIFICATION: The City shall publish the following notice in a newspaper of daily circulation in Hillsborough County, Florida. The notice shall be published one time only within

15 days after the effective date of this Consent Order. The City shall provide a copy of the published notice to the EPC and to the FDEP within 10 days of publication.

ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY AND
STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION
NOTICE OF CONSENT ORDER

The Environmental Protection Commission of Hillsborough County (“EPC”) and the State of Florida Department of Environmental Protection (“FDEP”) give notice of agency action of entering into a Consent Order with the City of Tampa pursuant to Section 120.57(4), Florida Statutes. The Consent Order addresses unauthorized wastewater discharges from the City of Tampa Wastewater Collection System and corrective actions to minimize further discharges. The Consent Order is available for public inspection during normal business hours, 8:00 a.m. to 5:00 p.m., Monday through Friday, except legal holidays, at the EPC, 3629 Queen Palm Dr., Tampa, Florida 33619 and at the FDEP, Southwest District, 3804 Coconut Palm Drive, Tampa, Florida, 33619-1352.

Persons whose substantial interests are affected by this Consent Order have a right to petition for an administrative hearing on the Consent Order. The Petition must contain the information set forth below and must be filed (received) in the EPC's Legal Department, 3629 Queen Palm Dr., Tampa, Florida 33619, and the FDEP's Office of General Counsel, 3900 Commonwealth Boulevard, MS No. 35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the Southwest District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

- (a) The name, address, and telephone number of each petitioner; the EPC 's and the FDEP's identification number for the Consent Order and the location in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Consent Order;
- (c) A statement of how each petitioner's substantial interests are affected by the Consent Order;
- (d) A statement of the material facts disputed by petitioner, if any;
- (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order;
- (f) A statement of which rules or statutes petitioner contends requires reversal or modification of the Consent Order;
- (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the EPC and the FDEP to take with respect to the Consent Order.
- (h) The signatures of all parties or their authorized representatives.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the EPC's and the FDEP's final action may be different from the position taken in this Notice. Persons whose substantial interests will be affected by any decision of the EPC and the FDEP with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the EPC Legal Department and the Office of General Counsel at the above address of the EPC and the FDEP. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

Mediation is not available for this EPC and FDEP action.

25. This Consent Order does not authorize or obligate the City to enter private property to perform corrective actions to the Collection System. Moreover, this Consent Order does not relieve the City of its obligation to enforce all City ordinances adopted concerning the Collection System.

26. The City shall allow all authorized representatives of the EPC and the FDEP access to the Collection System at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the FDEP and EPC.

27. All submittals and payments required by this Consent Order to be submitted to the EPC and FDEP shall be sent to the following addresses, respectively, unless the EPC's Water Management Division or the FDEP changes addresses and provides notice to the City of address changes:

The Environmental Protection Commission
Water Management Division Enforcement Coordinator
3629 Queen Palm Dr.
Tampa, Florida 33619

Florida Department of Environmental Protection
Domestic Wastewater Section
3804 Coconut Palm Drive
Tampa, Florida 33619-1352

28. This Consent Order is a settlement of the EPC's and the FDEP's civil and administrative authority arising under Florida law to resolve the matters addressed herein, and including all Collection System overflow issues known by the EPC and the FDEP and/or known and reported by the City to the EPC and the FDEP prior to the date of this Consent Order. This Consent Order is not a settlement of any criminal liabilities that may arise under Florida law, nor is it a settlement of any violation that may be prosecuted criminally or civilly under federal law.

29. The EPC and the FDEP hereby expressly reserve the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order, including but not limited to undisclosed or unauthorized wastewater overflows or SSOs, undisclosed releases, or contamination or polluting conditions. Furthermore, nothing herein shall be construed to limit the authority of the EPC or the FDEP to undertake any action in response to, or to recover the cost of responding to, conditions at or from any site requiring EPC or FDEP action to abate an imminent hazard to the public health, welfare, or the environment.

30. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, F.S. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), F.S.

31. The EPC and the FDEP, for and in consideration of the complete and timely performance by the City of the obligations agreed to in this Consent Order, hereby waive their right to seek judicial imposition of damages or civil penalties for alleged violations through the effective date of this Consent Order as addressed in this Consent Order.

32. The City is fully aware that a violation of the terms of this Consent Order may subject the City to judicial imposition of damages, civil penalties up to \$10,000 per day per violation, and criminal penalties.

33. Entry of this Consent Order does not relieve the City of the need to comply with applicable federal, state or local laws, regulations or ordinances, and all applicable permits issued under those acts and regulations. This Consent Order shall not be a defense to any actions commenced pursuant to said laws, regulations, or permits, except as expressly described in this Consent Order.

34. The EPC and the FDEP, do not, by execution of this Consent Order, warrant or assert in any manner that the City's compliance with this Consent Order will result in compliance with its permits. Notwithstanding the EPC's and the FDEP's review or approval of any plans, reports, schedules, policies, or procedures prepared pursuant to this Consent Order, the City shall remain solely responsible for any non-compliance with the terms of this Consent Order, all applicable federal, state or local laws, regulations or ordinances, and all applicable permits issued under those acts and regulations.

35. Performance of the terms of this Consent Order by the City is not conditioned on the receipt of any federal, state, or local funds. Application for construction grants, state revolving loan funds, or any other grants or loans, or delays caused by inadequate Collection System planning or plans and specification on the part of the City shall not be cause for extension of any required compliance date within this Consent Order.

36. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by the City, the FDEP and the EPC.

37. The City acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or the EPC Act and rules on the terms of this Consent Order. The City acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

38. This Consent Order is a final order of the EPC and of the FDEP pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the EPC unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Consent Order will not be effective until further order of the EPC and the FDEP. For ease of administration and pursuant to its delegation, the EPC will be the lead agency to handle any petitions. The FDEP will be a co-Respondent to any petition.

39. The provisions of this Consent Order shall apply to, inure, and be binding upon the parties and their successors. Each of the parties hereby agrees that in the event one of the parties attempts to enforce the terms of this Consent Order, no defense will be raised as to the validity or enforceability of this Consent Order.

40. If a conflict arises between the FDEP and EPC regarding the enforcement and interpretation of this Consent Order, the two agencies shall promptly attempt to reach an agreement to resolve the conflict. If an agreement is not reached, the FDEP shall declare in writing that an irreconcilable conflict exists, and the EPC shall take no further action only as it relates to the specific issue in conflict. The FDEP shall have ultimate authority in deciding how to proceed on the issue in conflict. If a disagreement between the FDEP and EPC is not resolved in a reasonable time period and the disagreement may impact the City's ability to meet a deadline, then the City shall notify the parties to this Consent Order in writing of the potential for delay due to the disagreement, and the City may avail itself of the procedure in paragraph 22 to seek an excusable delay.

41. All parties agree to pay their own fees and costs, including attorney's fees and costs, incurred up to the date of execution of this Consent Order, but for any provided for in this Consent Order.

42. This Consent Order shall terminate after the following has occurred:

A. The City has complied with this Consent Order; and,

B. The City has paid all penalties, stipulated penalties, and any other monetary obligation(s) due in this Consent Order and no other monetary obligations due hereunder are outstanding or owed to the EPC and the FDEP; and,

C. The City has certified in writing and mailed or hand delivered to the EPC and the FDEP completion of the requirements of this Consent Order, and the EPC or the FDEP have not contested the City's completion or compliance within ninety (90) days of certification by the City. If the EPC or the FDEP dispute the City's full compliance, this Consent Order shall remain in effect pending resolution of the dispute by the EPC, the FDEP, and the City.

FOR THE CITY OF TAMPA:

ATTEST: CITY OF TAMPA

By:
City Clerk/Deputy City Clerk Mayor

Date:

APPROVED AS TO LEGAL SUFFICIENCY: (SEAL)

Office of the City Attorney

Date: Signature
Mayor Pam Iorio

Print

AFFIDAVIT

I, the undersigned (name) _____, (title) _____ of the City Clerk's Office attest that the Mayor of the City of Tampa, and with its place of business at _____ being first sworn, do affirm that I am duly authorized to bind the City of Tampa by my signature to this Consent Order and that it is my signature which first appears above on behalf of the City of Tampa.

Affiant's signature _____

Affiant's printed name _____

STATE OF _____

COUNTY OF _____

Before me this _____ day of _____, 2005, appeared
(name) _____, who is personally known to me or who produced
_____ as identification and who acknowledged to me
under oath to be the person who signed the foregoing Affidavit.

NOTARY PUBLIC:

_____ Signature _____

_____ Print _____

_____ My commission expires:

DONE AND ORDERED this _____ of _____, 2005 in Tampa, Florida.

STATE OF FLORIDA DEPARTMENT
OF ENVIRONMENTAL PROTECTION

Deborah A. Getzoff
District Director
Southwest District

DONE AND ORDERED this _____ of _____, 2005 in Tampa, Florida.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY

Richard D. Garrity, Ph. D.
Executive Director

~~1900 Ninth Avenue~~ 3629 Queen Palm Dr.

Tampa, Florida 3361905

(813) ~~6272-592~~ 600

FILING AND ACKNOWLEDGEMENT

FILED, on this date, pursuant to §120.52(7), Florida Statutes, with the designated EPC Clerk, receipt of which is hereby acknowledged.

Clerk _____ Date _____

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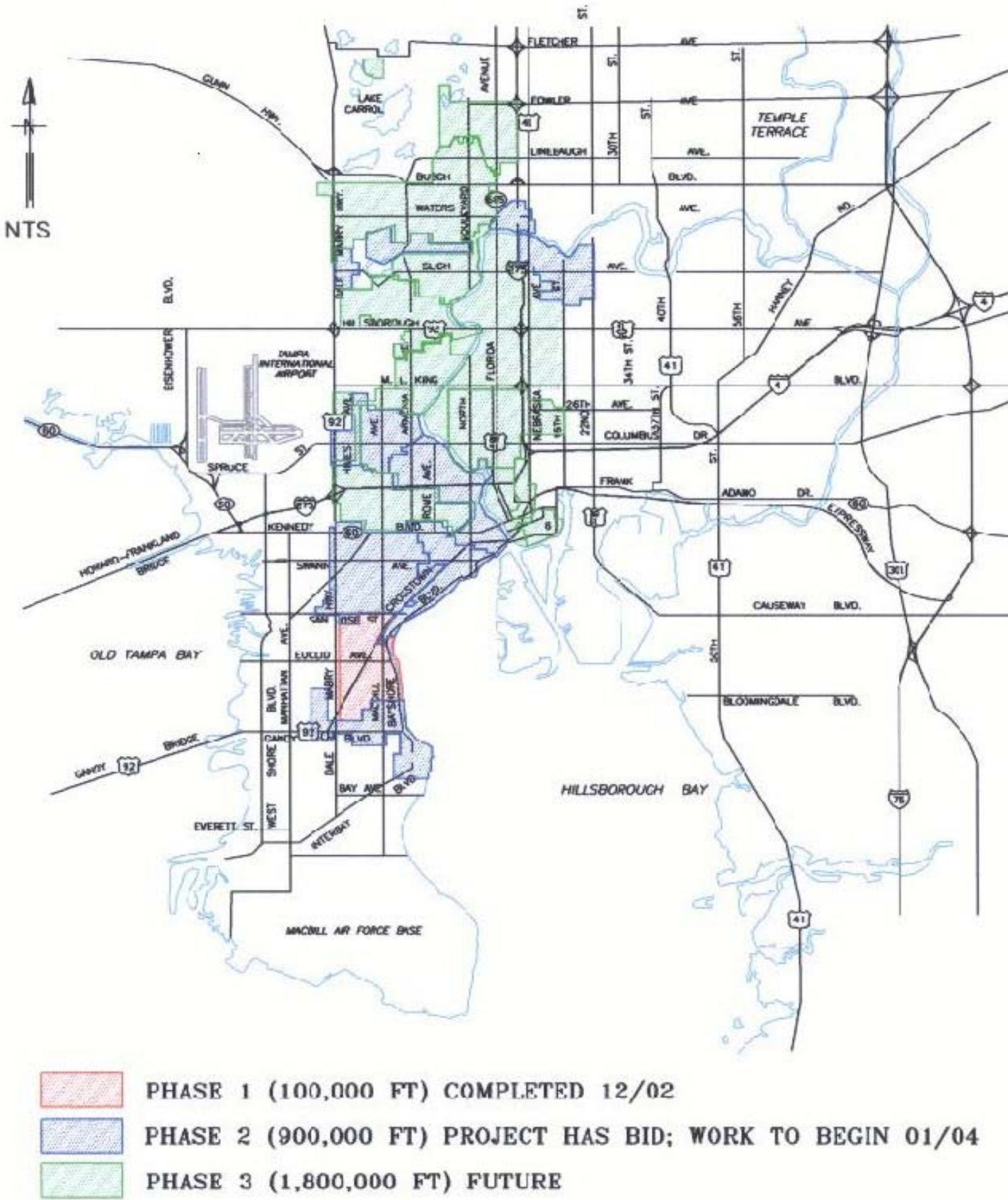


Figure 1

SANITARY SEWER OVERFLOWS - PLAN OF ACTION - SCHEDULE

ACTIVITY	November	December	January 2005	February	March	April	May	June	July	August	September	October	November	December	2006	2007
Coachman Overflow Problem																
Execute Work Order with CDM	█															
Perform Study		█	█													
Review Alternatives and Make Final Recommendations				█												
Design System Improvements					█	█	█	█	█	█	█					
Bid and Construct System Improvements												█	█	█	█	
<u>Sanitary Sewer System Evaluation Study</u>																
Issue a Request for Qualifications			█	█												
Receive Consultant Qualifications					█											
Select a Consultant (CCNA Process)						█	█									
Negotiate Agreement with Consultant								█	█							
Execute Agreement										█						
Perform Study											█	█	█	█	█	
Develop a Corrective Action Schedule																█
Force Main Replacement Program																
Develop an Inventory of all Iron Force Mains		█	█	█	█											
Force Main Testing— 8 inch Diameter and Larger	█	█	█	█	█	█	█	█	█	█	█	█	█	█		
Adamo Drive Force Main Replacement	█	█	█	█	█	█										
Tyson Avenue Force Main Replacement	█	█	█	█	█	█										
Skipper Road Force Main Replacement					█	█	█	█								
Livingston Avenue Force Main Replacement										█	█	█	█	█	█	
<u>Grease Abatement</u>																
Review Grease Ordinances from other Municipalities	█	█														
Draft Tampa Grease Ordinance		█	█	█	█											
Develop a Grease Abatement Plan that identifies resources, equipment, training and customer education necessary to implement the ordinance			█	█	█	█										
Grease Ordinance Readings, Public Hearings and Approval by Mayor and City Council								█	█	█	█	█	█			
<u>Auxiliary Generators</u>																
Develop a Standby Power Plan for Pumping Stations			█	█	█	█	█									
Purchase Generators—Phase 1 (Portable)							█	█	█	█						

SANITARY SEWER OVERFLOWS - PLAN OF ACTION ——— - SCHEDULE

<u>ACTIVITY</u>	<u>November</u>	<u>December</u>	<u>January 2005</u>	<u>February</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>	<u>October</u>	<u>November</u>	<u>December</u>	<u>2006</u>	<u>2007</u>
<u>Coachman Overflow Problem</u>																
<u>Execute Work Order with CDM</u>	█															
<u>Perform Study</u>		█	█													
<u>Review Alternatives and Make Final Recommendations</u>				█												
<u>Design System Improvements</u>					█	█	█	█	█	█	█					
<u>Bid and Construct System Improvements</u>												█	█	█	█	█
<u>Sanitary Sewer System Evaluation Study</u>																
<u>Issue a Request for Qualifications</u>			█	█												
<u>Receive Consultant Qualifications</u>					█											
<u>Select a Consultant (CCNA Process)</u>						█	█									
<u>Negotiate Agreement with Consultant</u>								█	█	█	█					
<u>Execute Agreement</u>												█				
<u>Perform Study</u>									█	█	█	█	█	█	█	█
<u>Develop a Corrective Action Schedule</u>																█
<u>Force Main Replacement Program</u>																
<u>Develop an Initial Inventory of all Iron Force Mains</u>																
<u>Force Main Testing - 8-inch Diameter and Larger</u>	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
<u>Adamo Drive Force Main Replacement</u>	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
<u>Tyson Avenue Force Main Replacement</u>	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
<u>Skipper Road Force Main Replacement</u>																
<u>Grease Abatement</u>																
<u>Review Grease Ordinances from other Municipalities</u>	█	█	█	█	█	█	█	█	█	█	█					
<u>Draft Tampa Grease Ordinance</u>		█	█	█	█	█	█	█	█	█	█					
<u>Develop a Grease Abatement Program plan that identifies resources, equipment, training and customer education necessary to implement the ordinance</u>			█	█	█	█	█	█	█	█	█	█				
<u>Grease Ordinance Readings, Public Hearings and Approval by Mayor and City Council</u>									█	█	█	█	█	█	█	█
<u>Auxiliary Generators</u>																
<u>Develop a Standby Power Plan for Pumping Stations</u>			█	█	█	█	█	█	█	█						
<u>Purchase Generators – Phase 1 (Portable)</u>																