A. CALL TO ORDER - PLEASE MUTE CELL PHONES

B. PLEDGE OF ALLEGIANCE

C. ROLL CALL

D. APPROVAL OF AGENDA WITH ANY ADDITIONS, DELETIONS, OR CONTINUANCES

E. PUBLIC COMMENT

F. MINUTES
   1. April 3, 2012 Minutes
G. GENERAL MANAGER
   2. Attorney Contract Action
   3. Key Largo Marriott’s Request for Credit Action
   4. Relocation of Breather
   5. Odor Control Update

H. COMMISSIONER’S ITEMS

I. COMMISSIONER’S ROUNDTABLE

J. ADJOURNMENT
TAB 1
KEY LARGO WASTEWATER TREATMENT DISTRICT
Agenda Request Form

Meeting Date: April 10, 2012

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] GENERAL APPROVAL OF ITEM
[ ] Other:

SUBJECT: April 10, 2012 Minutes.

RECOMMENDED MOTION/ACTION: Approval

Approved by General Manager
Date: 4/15/2012

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<td>[ ] District Counsel</td>
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<td>[ ] General Manager</td>
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</table>

Advertised:
Date: ________________
Paper: ________________
[X] Not Required

Summary Explanation/Background:

Resulting Board Action:
☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
The Key Largo Wastewater Treatment District Board of Commissioners met for a Transition Meeting at 4:03 PM. Present were Chairman Robert Majeska, Commissioners Andrew Tobin, Susie Hammaker, Norman Higgins, and Charles Brooks. Also present were the General Manager Margaret Blank, District Clerk Carol Walker, and other appropriate District Staff.

Ray Giglio led the Pledge of Allegiance.

APPROVAL OF AGENDA
Commissioner Brooks pointed out that the Attorney Item and the Reconsideration on Assessment Charge are action items. Finance introduced an amended Report of Cash, Revenues, and Expenditures and General Manager Margaret Blank requested that Item 6, Insurance Review to after Bulk Items.

Motion: Commissioner Brooks made a motion to approve the agenda as amended. Commissioner Higgins seconded the motion.

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<tr>
<th>Member</th>
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<tr>
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<tr>
<td>Commissioner Tobin</td>
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Motion passed 5 to 0

PUBLIC COMMENT
Name:                      | Subject:
Richard Barreto, Elks Lodge| Commercial Assessments Unique Properties
Ted Blackburn, Islamorada   | Islamorada
David Asdourian, Key Largo | Islamorada
BULK ITEMS
Minutes of March 20, 2012

Motion: Commissioner Brooks made a motion to approve the Bulk Items. Commissioner Hammaker seconded the motion.

Vote on Motion

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<td>Commissioner Tobin</td>
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Motion passed 5 to 0

GENERAL MANAGER
Insurance Review Report

Mr. Webber from Interisk gave a verbal summary of the written report on the District’s Insurance Company. Debbie MacAfee from TR Jones answered questions from the Board.

5 PM Call in Report from Cynthia Henderson
Ms. Henderson called in and gave a verbal report on what the Florida Legislature has been doing in regard to wastewater and the State’s Budget.

FINANCE REPORT
Report of Cash, Revenues, and Expenditures
Connie Fazio explained the amended report.

Motion: Commissioner Brooks made a motion to approve the Revised Report of Cash, Revenues, and Expenditures contingent upon the availability of funds. Commissioner Higgins seconded the motion.

Vote on Motion

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Motion passed 5 to 0
COMMISSIONER'S ITEMS

District Attorney

Motion: Commissioner Higgins made a motion to hire Ray Giglio as District Counsel, subject to a mutually agreed upon agreement with the District. Commission Brooks seconded the motion.

Vote on Motion

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Motion passed 4 to 1

Motion: Commissioner Brooks made a motion to negotiate with Robert Tischenke as District Counsel, subject to the failure of reaching a mutually agreed upon agreement with the District’s first choice. Commission Hammaker seconded the motion.

Vote on Motion

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Motion passed 5 to 1

ENGINEER REPORT

Odor Report
Operations Manager Jim Brush reviewed the Odor Report.

GENERAL MANAGER’S REPORT

Reconsideration on Assessment Charge

Motion: Commissioner Brooks made a motion to reconsider the 2012 Assessment Charge to be $5,700 on SFR making SFR tying into the Force Main $9,000. Commission Hammaker seconded the motion.

Vote on Motion

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Commissioner Hammaker  X  X
Commissioner Tobin  X

Motion passed 5 to 0

Islamorada Update
Ms. Blank reviewed the update on the Islamorada Agreement.

COMMISSIONER'S ROUNDTABLE
There was a discussion about District Contractors tying in the neighborhood that they are installing the collection system in at the same time.

Board talked about Elk's Lodge connection.

ADJOURNMENT
The KLWTD Board adjourned the Board Meeting 7:28 PM.

The KLWTD meeting minutes of April 3, 2012 were approved on April 17, 2012

__________________________
Chairman Majeska

__________________________
Carol Walker, CMC District Clerk
TAB 2
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: April 10, 2012

Agenda Item No.

[ ] PUBLIC HEARING
[ ] DISCUSSION
[X] GENERAL APPROVAL OF ITEM
[ ] Other:

SUBJECT: Attorney Contract

RECOMMENDED MOTION/ACTION:

Approved by General Manager

Date: 4/15/2012

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Summary Explanation/Background:

Resulting Board Action:

□ Approved     □ Tabled     □ Disapproved     □ Recommendation Revised
Agreement for Legal Services

Made on the _____ Day of April, 2012

Between

**Raymond Giglio** (Attorney)
P.O. Box 373072
Key Largo, FL 33037-8072

And the

**Key Largo Wastewater Treatment District** (District)
98880 Overseas Hwy
P.O. Box 491
Key Largo, FL 33037

WHEREAS, the District has agreed to employ the Attorney on the terms and conditions set out in the Agreement, and

WHEREAS, the Attorney has agreed to be employed by the District on those terms and conditions, it is agreed that:

The Attorney is retained and employed by the District as a casual employee, only for the purpose and to the extent set forth in this agreement.

The District agrees to pay the Attorney according to the following rate schedule:

- Monthly Rate: $5,000.00.
- Number of Months contracted for: 12 Months.
- Total paid to Attorney not to exceed: $60,000.00.
- Effective Dates: April _____, 2012 to April _____, 2013.

This rate, which does not include reimbursable expenses, is for the following services:
The Attorney agrees promptly and diligently to provide legal services as requested by District in connection with District’s business, as requested by District’s Board of Commissioners and by individual Commissioners and other representatives of District who have been duly authorized by the Board of Commissioners to request legal services on behalf of District.

The Attorney further agrees to attend all District Board meetings, currently scheduled for the first three Tuesday evenings of each month, for the purpose of providing legal services, which shall include reviewing the meeting notice and agenda and reviewing the meeting minutes. The Attorney shall also attend client conferences as needed.

In addition, the Attorney has agreed to familiarize himself with Florida Laws, usages, customs, and practices affecting the District; and persons with whom the District conducts business.

The District shall reimburse the Attorney for travel costs, including travel, meals, and lodging, at rates approved by District and consistent with Florida Statutes 112.061, provided that Attorney shall not charge for travel within or to Monroe County or Dade County, Florida.

After the close of each calendar month, Attorney shall deliver to the District a detailed invoice showing charges and reimbursable expenses incurred in the preceding month. Payment shall be due within 60 days after receipt of an invoice. If any part of the charges or expenses is disputed, District shall promptly pay Attorney the undisputed amounts and advise Attorney of any amounts in dispute.

After the close of each calendar month, Attorney shall deliver to the District an invoice detailing the number of hours worked, the services provided, and the matters on which the work was performed. Because the Attorney is a casual employee, he may not work more than 1,000 hours during any 12-month period.

Payments to the Attorney will be subject to payroll deductions for federal, state, and local taxes, FICA, and Medicare, where applicable. In accordance with federal and state requirements, the District will report payments made as a result of this agreement on the appropriate form(s) for income tax purposes.
This agreement shall not act to confer benefits of any type or nature upon the Attorney, including but not limited to any collective bargaining agreement now or hereafter in effect between the District and its employees. The Attorney acknowledges that this agreement creates no entitlement to seniority, probationary or provisional employment status, or retention as an employee under any law or regulation.

This is an “at-will” contract. Either party may terminate this contract upon thirty days’ written notice to the other party. In case of termination, Attorney shall cooperate with District in transferring responsibility for legal issues to a successor attorney selected by the District, and will return all documents and records of the District, and District shall compensate Attorney at the rates proved above for all services rendered prior to the effective date of termination.

District’s contact for invoicing and general communications is:

Margaret Blank  
KLWTD General Manager  
98880 Overseas Hwy  
P.O. Box 491  
Key Largo, FL  
Phone 305-451-4019  
Fax 305-453-5807  
Email: margaretb@klwtd.com

Invoices will be delivered by email with copies to the District Senior Finance Analyst Connie Fazio (connief@klwtd.com), and Commissioners upon request.

Attorney’s business contact information is:

Raymond Giglio  
Attorney at Law  
P.O. Box 373072  
Key Largo, FL 33037-8072  
Phone 305-451-4301  
Email raymondgiglio@netzero.net
KEY LARGO WASTEWATER TREATMENT DISTRICT

By: ______________________
Its Chairman Majeska

Date: ________________

RAYMOND GIGLIO

_____________________
Raymond Giglio

Date: ________________

Page 4 of 4
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: April 19, 2012  Agenda Item No. 3

[ ] PUBLIC HEARING  [ ] RESOLUTION
[X] DISCUSSION  [ ] BID/RFP AWARD
[X] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA

[ ] Other:

SUBJECT:
Key Largo Marriott credit in the amount of $84,703.98 for volumetric charges covering the period of 11/05/10 through 08/18/11. (The service address had not yet connected to the wastewater collections system during that time.)

RECOMMENDED MOTION/ACTION:
Approval of Staff Recommendation (See Summary Explanation/Background Below)

[ ] Approved  [ ] Disapproved  [ ] Recommendation Revised

Summary Explanation/Background:
In accordance with KLWTD Resolutions, Rules and Regulations, KLWTD staff recommends denial of the Key Largo Marriott request for credit of volumetric charges.

Resulting Board Action:
[ ] Approved  [ ] Tabled  [ ] Disapproved  [ ] Recommendation Revised

Prepared: 03/07/2012
Memo

To: Key Largo Wastewater Treatment District (KLWTD) Board of Commissioners
From: Ashley Wandler, Assessment Coordinator
CC: KLWTD Commissioners, District Clerk
Date: 3/7/2012
Re: Key Largo Marriott Request for Volumetric Charge Credit in Amount of $84,703.98

Recommended Action/Motion: Approve Staff Recommendation

Staff Recommendation:
In accordance with KLWTD Resolutions, Rules and Regulations, KLWTD staff recommends denial of the Key Largo Marriott's request for credit in the amount of $84,703.98. Documentation supporting the staff's recommendation is included in this mailing.

This item will be on the April 10th, 2012 Agenda for Discussion and General Approval. Mr. Robert Garcia plans on travelling from New Hampshire to represent the Key Largo Marriott and to address the KLWTD Board regarding this matter.

(Enclosure)
### Board of Commissioners

**Review of Customer Service Request and Hearing**

#### Owner and Property Information

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<th>Service Address:</th>
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<tr>
<th>Name of Tenant/Company Occupying Service Address:</th>
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<td>Key Largo Marriott</td>
<td>39 – Hotels, Motels</td>
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<th>Title:</th>
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<tr>
<td>Mr. Robert Garcia</td>
<td>Corporate Controller</td>
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#### Case Summary

**Request:** Refund requested in the amount of $84,703.98 for volumetric charges covering the period November 5, 2010 through August 18, 2011 because they were not yet connected to Wastewater Collections system *(See Attachment A)*

**Recommendations:** Staff recommends denial of request as the customer had service available during the period requested in accordance with KLWTD Rules and Resolutions.

#### Supporting Information and Documentation

**Findings:**

Section 4.01 of KLWTD Resolution 16-40-10 states that the District will credit volumetric charges only in the case of erroneous meter readings. *(See Attachment B)*

Section 4.03 of KLWTD General Rules and Regulations states that owners are responsible for payment of all fees and charges imposed by the District with the provision of Wastewater Service, even if the customer does not receive wastewater service due to failure of the owner to connect to the District Wastewater Facilities. *(See Attachment C)*

**Attachments:**

- Attachment A – Letter from Customer (Request for Flow Charge Credit)
- Attachment B – Copy of Section 4.01 from Resolution 16-40-10 (Rates)
- Attachment C – Copy of Section 4.03 from KLWTD General Rules and Regulations
- Attachment D – Copy of Original 30-day notice
- Attachment E – Letter from KLWTD to Customer
- Attachment F – Letter from General Manager to Customer

KLWTD Form F-11

Prepared: 2/27/2012
Key Largo Bay Beach LLC  
Markey LLC  
1000 Market St. Bldg 1 Ste 300  
Portsmouth, NH 03801  

February 2, 2012  

Carol Walker, District Clerk  
Key Largo Wastewater Treatment District  
PO Box 491  
Key Largo FL 33037  

Re:  Claim for refund of Waste Water Flow Fees charged of $84,703.98  

Dear Ms. Walker,  

A few months ago I briefly discussed the issue concerning the Key Largo Marriott and charges for Flow with Sal Zapulla, at that time the property wasn’t connected to the system. He was going to look into it, but I never heard back, accordingly I am putting the facts in writing so that you can readily reference our claim.  

Commencing with 10/7/2010 – 11/5/2010 Florida Keys Aqueduct Authority (FKAA) bill for service account # 508956-011437, as agents for the Key Largo Waste Water District (KLWWD), began charging the Wastewater Base Charge.  

On the subsequent month’s bill, the FKAA as agents for KLWWD charged both the Waste Water Base Charge and the Wastewater Flow Charge.  

The Key Largo Marriott, until 8/18/2011, processed all of its wastewater in its licensed privately owned onsite waste water treatment plant.  

From the period 11/5/2010 through 8/18/2011 the Key Largo Waste Water District did not receive any waste which was billed through FKAA bill 508956-011437 and therefore the billings for Wastewater Flow billed for this period were erroneously billed for services not rendered to the property.  

This property has and continues to experience water leaks in pools, spas, and fountains, all which have contributed to substantial water consumption. We continue make repairs and are in the process of installing a second water meter to supply water to these non-waste water treatment uses.  

In February 2011 the KLWWD reviewed data presented by the owner and credited the property for charges attributable to erroneous calculated initial EDU estimates used for assessing the property a share of the Water Treatment Facility costs. We demonstrated and continue to demonstrate the effects on the Billings and assumptions made based by the Authority which adversely effected the charges caused by the leaking system.
Presently the property is under an open order, whereby, after the installation of a 2\textsuperscript{nd} water meter, exempt to waste water treatment, which will service irrigation, marina, pool, spas, and fountains, the initial waste water treatment EDU estimate calculation will be re-determined. The initial effect of the leaking system resulted in the average EDU calculation being adjusted from 451.9 EDU to 260 EDU.

Irrespective of this open order, for the period 11/5/2010 through 8/18/2011, the property has been charged for both the BASE FACILITY FEE (based on the revised EDU’s determined in February), and FLOW charge based on the water consumed, even though the property was not hooked up to the system and no services were rendered. Accordingly, whereas the property was not connected to the KLWWD, and clearly did not cause district to process any of its waste water, all charges for FLOW should be returned or credited to future bills.

The property was connected to the district on August 18, 2011 accordingly for the service period 8/4/2011 to 8/18/2011 which was included in KLAA bill 8/4/2011-9/8/2011 representing 35 days; we propose prorating the FLOW charge allowing for 21/35 of the bill to be allowed (representing 21 days 8/19-9/8).

The total amount being claimed is $84,703.98.

Should you have any questions or need additional information please advice,

Sincerely

Robert L. Garcia
Corporate Controller
Key Largo Management Corp
as Manager for Key Largo Marriott

Attachment:
Schedule of FKAA billings for account 508956-011437 11/1/2010-9/13/2011
**FLORIDA KEYS AQUEDUCT AUTHORITY**

Account # 508956-011437 - HOTEL

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(4,916.59)

Claim for Refund of Flow Charges

84,703.98
SECTION 3.03. ALTERNATIVE WATER SUPPLY WASTEWATER SERVICE MONTHLY CHARGE. The District will charge a flat fee of $44.14 per month for Alternative Water Supply Wastewater Service.

ARTICLE IV
ADJUSTMENT OF FEES AND CHARGES

SECTION 4.01. ADJUSTMENT OF FEES AND CHARGES FOR WASTEWATER SERVICE. It is the policy of the District to permit customers to question and seek adjustments to certain types of charges, as follows:

A. Monthly Base Charges. If a customer occupies a tax parcel for which the non-ad valorem assessment changes due to a change in use or a review of the assessment initiated by the District or the owner of the tax parcel and resulting in recalculation of the number of Dwelling Units or Equivalent Dwelling Units comprising the tax parcel, the monthly base charge for the customer will be adjusted prospectively to reflect that recalculation.

B. Monthly Volumetric Charge. Except for errors in meter readings, there shall be no adjustment of a Monthly Volumetric Charge for a given month.

SECTION 4.02. PROCEDURES FOR DISTRICT REVIEW. The District shall review and adjust charges to accounts using the procedures specified in the District Connection Policies.

A. Time for Request. A customer may request adjustment of monthly charges at any time within sixty days after the date of a bill for wastewater service. The District is not required to make any adjustment of monthly charges unless a written request is received within sixty days of the bill date.

B. Contents of Request. A request for review must contain:

1. A concise statement of the facts upon which the owner bases the request for review, including a statement of all disputed issues of material fact. If there are no disputed issues of material fact, the request must so indicate;

2. The rules, statutes, and other legal authority that the owner contends form the basis for relief;

3. A demand for the relief which the owner believes is appropriate; and

4. Such other information which the owner believes to be material to the request for review.
(3) Where the Premises is improved with one or more buildings capable of generating wastewater that would enter the District’s Wastewater Facilities, but no building on the Premises is capable being used in a manner that might generate wastewater, the District will, in its discretion, grant one or more temporary deferrals of the connection requirement provided herein at the request of the Owner. In order to receive a deferral of the connection requirement, the Owner must complete an application for deferral under penalty of perjury, setting forth the basis for the application. Any and all deferrals granted under this provision will expire upon the earlier of the following: issuance of a certificate of occupancy by a government authority with responsibility for such matters, or actual connection of any building on the Premises to the District’s Wastewater Facilities and use of the plumbing facilities for sanitary purposes.

Section 4.03 Failure to Connect.

(1) An Owner that fails or refuses to connect its Premises to the District Wastewater Facilities within the time specified after receipt of written notification of the availability of Service is responsible for the payment of all fees and charges imposed by the District in connection with the provision of Wastewater Service, even if the Premises does not actually receive Wastewater Service due to failure of the Owner to connect to the District Wastewater Facilities.

(2) In the event an Owner fails or refuses timely to connect the Premises or a building to the District’s Wastewater Facilities within the time prescribed herein, the District will provide support and assistance to the Owner to facilitate connection. However, if the Owner fails or refuses to take reasonable steps to achieve connection, the District will refer the matter to Monroe County Code Enforcement for further action.

(3) Notwithstanding the foregoing, the District reserves the right to compel connection by any lawful means, including judicial process, and will proceed to collect all SDC charges, monthly charges, and other charges to which the District would be entitled if the Owner had connected the Premises to the District Wastewater Facilities. In the event the District is required to seek a writ or order, or otherwise litigate any action compelling connection, all costs of such action experienced by the District including attorney fees and court costs will be assessed to the Owner.

(4) The District will undertake reasonable efforts to assist Owners who qualify for low-income assistance to obtain such assistance. If it reasonably appears to the District that an Owner will qualify for such assistance but the assistance is not yet available, the District will, in its discretion, grant a reasonable extension of the time to connect and the time at which monthly charges and other charges begin to accrue against that Owner.

Section 4.04 Suspension or Termination of Service by Customer.

(1) The District does not permit temporary suspension of wastewater service. The District will permit termination of wastewater service by a customer if the

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This paragraph added by the Board at its meeting of 3/1/11.

†† This section revised by Resolution 18-10-10 on 10/05/10.
Key Largo Wastewater Treatment District
98880 Overseas Highway – PO Box 491
Key Largo, FL 33037
305-451-4019

OFFICIAL THIRTY-DAY NOTIFICATION
TO CONNECT TO AVAILABLE CENTRAL WASTEWATER SYSTEM

September 1, 2010

RE: AK 1093734
KEY LARGO BAY BEACH LLC
645 E DANIA BCH BLVD
DANIA BEACH, FL 33004
Property Location: 103800 OVERSEAS HWY

Dear Property Owner:

Pursuant to applicable law, the Key Largo Wastewater Treatment District sent you a notice in June 2009 informing you that you would be obligated to connect to the District central sewer system when the system was available, but not less than one year from the date of the notice. Last May, the District sent you a friendly reminder advising you that the system would be available in August 2010, and providing information about connecting your property to the central sewer. We are now pleased to inform you that the District’s central wastewater treatment facility is completed and ready to accept your wastewater.

Therefore, please consider this letter as your OFFICIAL NOTICE that you are required to connect your property to the District’s central wastewater system within thirty (30) days from the date of this letter.

Please note whether or not you comply with this notice, the District will begin to collect wastewater treatment charges from you when 30 days has elapsed from the date of this notice. The District’s billing will appear as part of your FKAA water bill. For a single-family home, the first District charge will be limited to the Base Monthly Charge of $33.60. Subsequent bills will include the Base Monthly Charge plus a volumetric charge of $5.27 per thousand gallons of water flowing through your FKAA meter. If your property is not a single-family home, the charges will be higher.

In order to be prepared for this notice to connect, you must take the following steps if you have not already done so:

1. If you are not using a plumbing contractor, contact the Key Largo Wastewater Treatment District at the number above and request an Approval to Proceed letter, which you will need for your permits.
2. If you are using a plumbing contractor to install your lateral (the pipe that takes the sewage from your building to the District collection box), the contractor will obtain the approval to proceed from the District and all needed permits.
3. If you are not using a plumbing contractor to install your lateral, you must obtain a Health Department permit and a County Building Department permit before beginning construction, and arrange for County inspections as the work is completed.
4. YOU MAY NOT CONNECT THE LATERAL TO THE DISTRICT COLLECTION SYSTEM UNTIL YOU HAVE RECEIVED APPROVAL FROM THE DISTRICT TO DO SO. When the lateral is installed, you can call the District at the number above to inform us that you are ready to connect. The District will let you know when you or your plumber can complete the final connection to the District collection system.
5. The Monroe County Health Department requires you to abandon your existing septic system. Obtain information about that process directly from the Health Department at 305-289-2708.

If you live in a condominium, your condo association will take care of the connection, and you do not need to follow the steps above.

If your property cannot be connected to the central sewer system by a single gravity lateral, please contact Greg Matthews at the Key Largo Wastewater Treatment District for more information.

If your property does not have a house or other structure that will connect to the sewer, you are not required to take any action in response to this notice.

Charles F. Fishburn
General Manager
Dear Customer,

This letter is your official notification for the findings of the review and decision regarding the request to credit wastewater volumetric charges in the amount of $84,703.98, as billed on Florida Keys Aqueduct Authority statements from 10/07/10 to 11/05/2010 for the property identified above. In accordance with the rules and regulations outlined below, the request for credit is denied based on the following Key Largo Wastewater District policies:

Section 4.01 of Resolution 16-10-10:

"It is the policy of the District to permit customers to question and seek adjustments to certain types of charges, as follows:

A. Monthly Base Charges. If a customer occupies a tax parcel for which the non-ad valorem assessment changes due to a change in use or a review of the assessment initiated by the District or the owner of the tax parcel and resulting in recalculation of the number of Dwelling Units or Equivalent Dwelling Units comprising the tax parcel, the monthly base charge for the customer will be adjusted prospectively to reflect that recalculation.

B. Monthly Volumetric Charge. Except for errors in meter readings, there shall be no adjustment of a Monthly Volumetric Charge for a given month."

Section 4.03 of the Key Largo Wastewater Treatment District (KLWTD) General Rules and Regulations:

"...An Owner that fails or refuses to connect its Premises to the District Wastewater Facilities within the time specified after receipt of written notification of the availability of Service is responsible for the payment of all fees and charges imposed by the District in connection with the provision of Wastewater Service, even if the Premises does not actually receive Wastewater Service due to failure of the Owner to connect to the District Wastewater Facilities."

Please contact me at (305) 451-4019 EXT 207 or ashley.wandler@klwtd.com, should there be further questions.

Kind Regards,

Ashley Wandler
Assessment Coordinator

connecting is an improvement in environmental balance
Dear Mr. Garcia,

On February 2, 2012, you sent the Key Largo Wastewater Treatment District (KLWTD) a letter requesting that we review your water usage and credit you the amount referenced above stating that:

"From the period 11/5/2010 through 8/18/2011, the Key Largo Waste Water District did not receive any waste which was billed through FKAA bill 508956-011437 and therefor the billings for Wastewater Flow billed for this period were erroneously billed for services not rendered to the property."

A preliminary review of your case found that you were billed according to the Rules and Regulations set forth by our Board of Commissioners and accordingly, your request was denied.

I have personally reviewed the facts of your request and find that:

1 - Key Largo Bay Beach LLC was notified on September 1, 2010 via certified mail that it was our intent to begin billing in 30 days for the Monthly Base Charge and that subsequent bills would include a volumetric charge of $5.27 per thousand gallons of water flowing through your FKAA meter.

2 - The KLWTD Rules and Regulations outline that failure to connect does not exempt the Parcel from paying those charges.

3 - A working connection to the central sewer system has been available to the parcel since September 1, 2010.

Accordingly, I find that there is not sufficient evidence to overturn the findings of staff at this time.

Per your request, your file will be presented to the KLWTD Board of Commissioners on April 10th, 2012 during our regular Transition meeting. At this hearing, you will be able to present further information directly to the Board for review. Your attendance is optional. If you wish to attend and cannot make the date shown, please contact Ms Carol Walker, the District Clerk, to reschedule your hearing for a more convenient date. She can be reached at 305-451-4019 x 205 or by e-mail at carol.walker@klwtd.com.

Sincerely,

Margaret Blank
General Manager
KEY LARGO WASTEWATER TREATMENT DISTRICT

Agenda Request Form

Meeting Date: April 10, 2012    Agenda Item No. [4]

[ ] PUBLIC HEARING

[X] DISCUSSION

[ ] GENERAL APPROVAL OF ITEM

[ ] Other:

SUBJECT: Relocation of Breather

RECOMMENDED MOTION/ACTION:

Approved by General Manager
Date: [April 6, 2012]

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Department Review:
[ ] District Counsel
[X] General Manager
[ ] Finance

Advertised:
Date: [ ]
Paper: [X] Not Required

Summary Explanation/Background: Staff will give a verbal update.

Resulting Board Action:
☐ Approved  ☐ Tabled  ☐ Disapproved  ☐ Recommendation Revised
Meeting Date: April 10, 2012

[ ] PUBLIC HEARING  [ ] RESOLUTION
[X] DISCUSSION  [ ] BID/RFP AWARD
[ ] GENERAL APPROVAL OF ITEM  [ ] CONSENT AGENDA
[ ] Other:

SUBJECT: Odor Control Update

RECOMMENDED MOTION/ACTION:

Approved by General Manager
Date: 4/5/2012

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| Department Review:      | [X] Engineering |
| Dist. Counsel           | Clerk         |
| General Manager         | Operations Manager |
| Finance                 |                |

| Attachments: Memo |

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Summary Explanation/Background:

Resulting Board Action:

- Approved
- Tabled
- Disapproved
- Recommendation Revised
Memo

To: KLWTD Board
From: James R Brush, PE
CC: Margaret Blank, PE
Date: March 28, 2012
Re: Odor Issues Update: AECOM May 31, 2011 Memorandum

Introduction:

The purpose of this memorandum is to update the Board about odor control issues at the Key Largo Regional Wastewater Treatment Plant. Specifically, Staff will address the observations made by AECOM in their May 31, 2011 memorandum. A copy is attached.

AECOM May 31, 2012 Memorandum:

Odor Issues Observed

There were several observed sources of odors at the facility. The sources are relatively small and already partially addressed by the plant staff. They are related to the release of dissolved H2S gas from the raw sewage influent to the atmosphere. Although the sources are small, H2S is 20% heavier than air, can travel long distances at ground level, and may pool in low areas that concentrate the already very low odor human detection threshold of 1.3 parts per billion. H2S is only slightly soluble in water and dissolved H2S is easily released to the atmosphere by turbulent flow.

The District faces a very challenging problem. The main sources of odor are located close to US1. There are large amounts of H2S in the influent. The high range data logging equipment has detected levels of up to 1200 ppm. As noted by AECOM, the human nose can detect H2S at 1.3 parts per billion. There is a graphic attached which shows the actions taken and their effect on H2S readings at the fenceline.

Headworks

There are parallel open channels leading to bar screens in an elevated structure that allows gravity flow to the rest of the facility. H2S odor is noticeable and corrosion of stainless steel machinery and non-ferrous metal fixtures indicates the presence of troublesome H2S concentrations both for odors and corrosion (in moist environments H2S forms a weak acid).

The problem is easily corrected by covering the open channels and providing ventilation air ducted under negative pressure to the existing biological odor control process (Biocube). The Biocube installation is accessible being located just downstream of the elevated screening structure. The difficulty is configuring the covers so they are airtight and allow easy and safe access for the operators who must periodically inspect and clean the channels and bar screen mechanisms. There are ultra-sonic level probes in the channels that are used only to signal an overflow alarm. These may need to be replaced by lift station wet well type float switches positioned under the proposed covers.
All new materials should be mon-metallic including the ventilation fan components. However, sturdier 3/8 thick aluminum decking with hinged covers may be used over the channels for operator safety in case they are stepped upon. Aluminum will hold up better than 316 stainless steel in an H2S contaminated environment.

The headworks appear to be the most significant source of odor. Staff has addressed the problem by taking the following actions:

1. Covering the influent channels as suggested by AECOM. As AECOM noted in their memo, this is an obvious solution, but there are some difficulties to be aware of as well. Operator safety and ease of maintenance are very important. Also, we need to be cautious about interfering with the level controls in the influent channel. The covers have been designed and installed with those issues in mind. Staff is currently sealing difficult to detect gaps with bituminous material as recommended by the Process Engineer for Broward County’s 84 MGD wastewater treatment facility.

2. Weiler Engineering recommended feeding chemicals to control the pH of the influent so that sulfur compounds stay in solution rather than being released into the atmosphere. Staff had been feeding NaOH, but has recently switched to MgOH because MgOH is much less hazardous and because it is less likely to damage the process by overfeeding. Staff is installing a logic loop in the SCADA system to monitor pH and feed chemicals accordingly so as to use the chemicals more effectively and efficiently.

3. Staff has been using neutralizers since February 2011 with varying success. The original foggers were moderately effective, but could not stand up to the harsh conditions at the headworks. They were replaced in January 2012 by a system that feeds a neutralizer directly into the influent channel. This has significantly reduced H2S in the influent channel, and has had the side-benefit of easing the corrosion observed by AECOM.

4. The BioRem odor control unit was upgraded in October 2011. Staff found that covering the influent channels actually had the effect of making the odor problem worse by sending higher concentrations to the unit. Once the exhausted media was replaced and the unit was expanded, H2S levels dropped from 300 ppm at times to less than 0.01 ppm.

Discharge of Raw Sewage into the SBR Reactors

"Raw sewage flows by gravity to one of the two current SBR reactors when the fill valves cycle. The third SBR tank is currently used as an aerated WAS holding tank providing extended aerobic digestion and concentration of aerobically digested waste solids. The discharge fitting is a 24-inch flanged DIP elbow pointing downwards, and at low levels in the SBR tank there is a flare discharge. The release of H2S is evident at these two locations. Likely, the design of the SBR intended that this discharge be submerged in the aerated liquor, a well-known technique for reducing odors. However at the low flows currently experienced this discharge is exposed during the early stages of the fill cycle. The turbulence at this location adds to the release of H2S.

The problem is easily corrected by adding a flanged shroud or pipe extension to the 24-inch elbows at each of the two operating SBR tanks; and the third tank when it reverts to the SBR process after installation of a proposed solids handling system. The extension could be a lightly constructed half spool that is dimensioned such that the discharge of screened but raw sewage is always under the liquid level of the aerated activated sludge. The DO in the mixed liquor will instantly neutralize the release of H2S."

At present, all three tanks are in service. Two are being used as treatment units. The third is being used as a sludge digester. At this time, none can be taken out of service to make the modification. Once the new sludge handling system is completed, this can be accomplished. Feeding chemicals for pH control at the headworks also prevents H2S from being released when it enters the SBR's.
Other sources of Odors

“Screened material is discharged to an open dumpster, and additional source of odor. This situation can be corrected by installing a cover on the dumpster and a flexible sleeve connecting the discharge chute and dumpster. With these modifications, the odor withdrawal ventilation connected to the screening channels will pull air from the dumpster through the headworks odor treatment system.”

This has been completed in addition to other modifications to the dumpster area. Staff found that the dumpster was not draining properly, which compounded the odor problem. A drain was installed from the dumpster to the onsite gravity collection system.

“The odor treatment system for the Vacuum Pump Station (VPS) Vac E on the plant site was observed to lack activated carbon canisters for polishing. Staff relayed that carbon filters were in place at all other KLWTD vacuum pump stations. Installing carbon canisters on the plant VSP odor treatment system would assure that this is not an odor source.”

This item has been completed. In addition to adding the carbon unit, the iron media unit was expanded as well. Monitoring has confirmed that the upgrades and modifications have reduced H2S from an average of 20 ppm when 4-5 vacuum pumps are running to 0.01 ppm or less.

Additional Activities:

Monitoring

A monitoring program has been in place since May 2011, when staff first deployed the Odaloggers. These have been an invaluable tool. Complaints, though very important, are infrequent and often vague. The Odaloggers, if deployed and monitored correctly, can offer reliable information on odor events. They pick up odors that a human nose may not because they can work around the clock. And they can provide feedback on a modification to indicate whether it was successful or not.

Though staff has been diligent in collecting data, improvements are needed when it comes to using and sharing the data.

Helpful Advice

The District was very fortunate to be contacted by Jerry Baker, a Process Engineer for Broward County’s 82 MGD North Regional Wastewater Treatment Plant. Mr. Baker resides in Key Largo and read about the odor problems in the Free Press. Among the suggestions offered by Mr. Baker:

1. Include a 5 ppm sulfide limit on influent received from Islamorada. Weiler Engineering is currently evaluating this idea.

2. Feeding chlorine (HTH) into the pipeline entering the headworks is a common technique for odor control. However, when using chlorine injection at a point further away on long pipelines, H2S has the opportunity to reform. Mr. Baker noted that sulfide tends to stay bound to the iron ion and hinders gas reformation. Mr. Baker thought that feeding MgOH prior to the headworks, as recommended by Weiler Engineering, was an excellent solution as well.

3. Use a bituminous material to further seal leaks in the headwork covers. This would not only enhance the effectiveness of the BioRem unit, but also the neutralizer. Staff has ordered the material and will begin work when it arrives.

4. Mr. Baker emphasized the importance of promptly following up on odor complaints. The District is considering conducting a survey of nearby residences and businesses. A local newspaper is also running a poll.
March 28, 2012 Odor Issues Update

Conclusion

The odor problem at the plant has not been an easy one to track down and solve. It is intermittent and comes from multiple sources. At times the solution can exacerbate the problem or cause new ones. The enclosed graph shows a timeline of H2S levels and their relationship to various improvements and modifications. Staff appreciates your patience as we work through this issue.
Steve, this is to report my observations at the KLWTD wastewater treatment plant. As I understand it, Charles Brooks, long time KLWTD Board member, asked Veolia (supported by AECOM) to take an unofficial look at the WWTP as there are reports of odor complaints, including Charles’s own observations. This site visit was mutually beneficial as we are interested in operational data from this facility, specifically influent waste characterization which has application on other Florida Keys wastewater treatment facilities fed by vacuum collection systems. Together we toured the plant on Friday May 27; staff was very accommodating in showing the facility, answering questions, and providing information. Margaret Blank, P.E. the recently appointed facility manager was particularly helpful.

ODOR ISSUES OBSERVED

There were several observed sources of odors at the facility. The sources are relatively small and already partially addressed by the plant staff. They are related to the release of dissolved H2S gas from the raw sewage influent to atmosphere. Although the sources are small, H2S is 20% heavier than air, can travel long distances at ground level, and may pool in low areas that concentrate the already very low odor human detection threshold of 1.3 parts per billion. H2S is only slightly soluble in water and dissolved H2S is easily released to atmosphere by turbulent flow.

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covers. All new materials should be non-metallic including the ventilation fan components. However, sturdier 3/8 inch thick aluminum decking with hinged covers may be used over the channels for operator safety in case they are stepped upon. Aluminum will hold up better than 316 stainless steel in an H2S contaminated environment.

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The odor treatment system for the Vacuum Pump Station (VPS) on the plant site was observed to lack activated carbon canisters for polishing. Staff relayed that carbon filters were in place at all other KLWTD vacuum pump stations. Installing carbon canisters on the plant VSP odor treatment system would assure that this is not an odor source.
Monitoring at Fence Line and on US 1
H2S (ppm)

In February/March, upgraded chemical feed pump, modified yard piping. Began feeding NaOH and then MgOH to Headworks. Seems to have reduced odor somewhat but still needs fine tuning. For example, need to add pH control loop. Highest reading for this time period was 0.01 ppm.

Additional improvements to covering at headworks and SBR's in June/July resulted in temporary improvement. H2S readings improved from a high of 0.28 ppm to a high reading of 0.06 ppm. However, as flows continued to increase higher concentrations of H2S overwhelmed Bio Rem odor control unit, resulting in H2S reading of 0.2 ppm at fence line.

BioRem Upgrade Completed in September/October resulted in noticeable improvement. High reading decreased from 0.2 ppm to 0.01 ppm. ARV was also installed on influent line and routed to Vac Station E odor control unit.

Made following improvements in December/January. Repaired chemical feed pump and began feeding NaOH at Vac Station E. Made improvements to Vac Station E, including expansion of iron media vessel and addition of carbon unit. Noticeable improvement at Vac Station E odor control exhaust, but still picking up odor at fence line. Highest reading was 0.08 ppm.

BioRem Upgrade Completed in September/October resulted in noticeable improvement. High reading decreased from 0.2 ppm to 0.01 ppm. ARV was also installed on influent line and routed to Vac Station E odor control unit.

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Figure 1: KLWTD: Odor Control Overview Graphic

1. Odor Control Recommendations
   1. Headworks: Covering open channels and providing ventilation to reduce odors.
   2. Vacuum Station: Installing carbon adsorbers on the plant vacuum pump station to reduce odors.
   3. Add flanged shrouds at SBR Tank inlets.

2. Additional odor control techniques implemented:
   - pH Control
   - Odor Monitoring
   - Odor Control at Similar Regional Facilities

3. pH Control
   - pH adjustment to 8.0 using Sodium Hydroxide or Magnesium Hydroxide
   - Odor Control at Similar Regional Facilities

4. Odor Control Corrective Action
   - Better sealing of headworks inlet channel covers
   - Seal air leaks with bituminous material, rubber mat & velcro

March 28, 2012 Odor Control Graphic By: James R. Brush PE
**Meeting Date:** April 10, 2012  
**Agenda Item No.:** 6

- [ ] PUBLIC HEARING
- [ ] RESOLUTION
- [X] DISCUSSION
- [ ] BID/RFP AWARD
- [ ] GENERAL APPROVAL OF ITEM
- [ ] CONSENT AGENDA
- [ ] Other:

**SUBJECT:** Islamorada Tentative Agreement

**RECOMMENDED MOTION/ACTION:**

Approved by General Manager

**Date:** April 6, 2012

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<td>[X] General Manager</td>
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<td>[ ] Finance</td>
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| [ ] Engineering        | [ ]    |                 |              |
| [ ] Clerk              | [ ]    |                 |              |
| [ ] Operations Manager | [ ]    |                 |              |

**Advertisements:**

- Date: 
- Paper: [X] Not Required

**Summary Explanation/Background:**

**Resulting Board Action:**

- [ ] Approved  
- [ ] Tabled  
- [ ] Disapproved  
- [ ] Recommendation Revised