



Memorandum

Memorandum No: 24-039

Date: March 5, 2024

To: Honorable Mayor, Vice Mayor, and Commissioners

From: Greg Chavarria, City Manager *Susan Grant*
Susan Grant For: Greg Chavarria

Re: Florida Department of Environmental Protection Warning Letter – March 5, 2024

On March 5, 2024, the Florida Department of Environmental Protection (FDEP) issued a warning letter (copy attached) to the City of Fort Lauderdale regarding the city's public water system. The letter expressed concerns that the City failed to maintain the water system in good operating condition as required by Rule 62-555.350(2) of the Florida Administrative Code. The letter further expressed concerns that several of the distribution water mains have passed their life expectancy by several years and are in need rehabilitation or replacement.

According to the 2017 Comprehensive Utility Strategic Master Plan (CUSMP), the City's water distribution system consists of more than 800 miles of pipe, varying in type of material and diameter. Approximately 168 miles of pipe are 60 years or older, with another 64 miles of pipe range from 50 to 59 years in age. The age of 210 miles of pipe is unknown but believed to be at least 60 to 70 years old.

The warning letter was issued following a records review associated with Precautionary Boil Water Notice (PBWN) operations. A PBWN is required when water pressure drops below 20 psi due to repair of the system and cannot be lifted until testing demonstrates no presence of total bacteria in the system for two consecutive days. During the past six months, the City issued 34 PBWN, however on eight occasions the City was unable to clear bacteria present using normal procedures and required FDEP authorization to conduct a localized chlorine injection operation. It is theorized that the difficulty with clearing the bacteria is associated with tuberculation typically found within older pipes.

City staff will meet with FDEP in the upcoming weeks to discuss the condition of our water system and current efforts to maintain the system, to include a review of current and future CIP investments. It is anticipated that FDEP may suggest or require additional efforts be made following its investigation to improve the reliability and overall condition of the system.

If you would like to discuss further or for more information, please contact Alan Dodd, Director – Public Works, at 954-828-5806 or via email at adodd@fortlauderdale.gov.

Attachment: FDEP Warning Letter, March 5, 2024

c: Anthony G. Fajardo, Assistant City Manager
Susan Grant, Assistant City Manager
Thomas J. Ansbro, City Attorney
David R. Soloman, City Clerk
Patrick Reilly, City Auditor
Department Directors
CMO Managers



FLORIDA DEPARTMENT OF Environmental Protection

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Ron DeSantis
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March 5, 2024

Greg Chavarria, City Manager
City of Fort Lauderdale
100 N. Andrews Avenue
Fort Lauderdale, FL 33301
GChavarria@fortlauderdale.gov

Re: Warning Letter
City of Fort Lauderdale Public Water System
PW Facility ID: 4060486
Broward County

Dear Mr. Chavarria:

A file review was conducted for your system on February 15, 2024. During this file review, possible violations of Chapter 403, Florida Statutes (F.S.) and Rule 62-555.350(2), Florida Administrative Code (F.A.C.) were observed.

During the file review, Department personnel noted the following:

- The City of Fort Lauderdale failed to maintain its system in good operating condition so as to function as intended, in violation of Rule 62-555.350(2) F.A.C. The City of Fort Lauderdale (City) was unsuccessful in clearing the presence of Total Coliform Bacteria with standard operating procedures following repairs to water mains due to breaks on eight occasions between September 2023 and March 2024. Based on the information received by the Department during this time and a sub-sequent meeting between the Department and the City of Fort Lauderdale on February 21, 2024, it has been determined that several of the distribution water mains have passed their life expectancy by several years and need rehabilitation or replacement.

Violations of Florida Statutes or administrative rules may result in liability for damages and restoration, and the judicial imposition of civil penalties, pursuant to Sections 403 Florida Statutes.

Please contact Greg Kennedy, at (561) 681-6607 or via email at Greg.A.Kennedy@FloridaDEP.gov, within 15 days of receipt of this Warning Letter to arrange a meeting to discuss this matter. The Department is interested in receiving any facts you may have that will assist in determining whether any violations have occurred. You may bring anyone with you to the meeting that you feel could help resolve this matter.

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

Sincerely,



Sirena Davila
Director, Southeast District
Florida Department of Environmental Protection

ec:	Alan Dodd, Public Works Director	adodd@fortlauderdale.gov
	Thomas Ansbro, City Attorney	tansbro@fortlauderdale.gov
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	Greg Kennedy, DEP/SED Env. Administrator	greg.a.kennedy@floridadep.gov
	Jocelyn Labbe, DEP/SED Env. Engineer	jocelyn.labbe@floridadep.gov






Commission Memo 24-039 FDEP Warning Letter 3_5_2024

Final Audit Report

2024-03-07

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