

Notification of Drinking Water Disinfectant Change to Chlorine Dioxide

Cedar Key Water and Sewer District is actively working with the Florida Department of Environmental Protection (“FDEP”) towards improvements in the Cedar Key water supply treatment facility. Recently, the consulting engineering firm, Mittuaer and Associates evaluated a new alternative disinfection system to reduce disinfection by-products known as Total Trihalomethanes (TTHMs).

This new proposed system involves adding an alternative form of chlorine (chlorine dioxide), which is considered a more effective disinfectant than the liquid (free) chlorine, which has been the more common historically used disinfectant in the U.S. In order to more effectively study the benefits of the new disinfectant, a 90-day pilot testing program has been proposed to the FDEP. The new chlorine dioxide pilot system involves portable equipment that mixes and injects chlorine dioxide in the water supply at Cedar Key water treatment facility. Chlorine dioxide has been approved by the Environmental Protection Agency (“EPA”) and the FDEP for use as a disinfectant in drinking water.

Customers on dialysis are advised to contact their physician to obtain the appropriate steps needed to accommodate the change in water treatment to chlorine dioxide disinfectant. Customers who have fish tanks or aquatic species are advised to contact their pet store or aquarium dealer to avoid any problems associated with chlorine dioxide disinfectant. The chlorine dioxide treatment equipment will be placed in service no sooner than 7 days from the distribution date of this notice. Following the installation, customers will not likely notice any difference in the water, yet it will continue to be safe and meet the requirements of the FDEP while further reducing TTHM’s.

The new chlorine dioxide disinfection system will be monitored daily per federal EPA and state FDEP drinking water regulations. The results of the monitoring program are expected to demonstrate the effectiveness of chlorine dioxide to reduce TTHM’s.

To learn more about chlorine dioxide, please visit TwinOxide’s website at <http://www.twinoxide.us>.

The point of contact for Cedar Key Water is John McPherson at 352-543-5285 or by email at john@ckwater.org.

NOTICE OF RIGHTS

A person whose substantial interests are affected by the Department’s proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the Department permit identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573 of the Florida Statutes is not available for this proceeding.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

Any party to the order has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The Notice of Appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.