UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

DEC 21 2015

CERTIFIED MAIL 7015 1730 0002 0524 5345
RETURN RECEIPT REQUESTED

Orange County
Attn: Mr. Raymond E. Hanson, P.E.
Director, Orange County Utilities
9150 Curry Ford Road
Orlando, Florida 32825

Re: Notice of Violation
National Pollutant Discharge Elimination System Permit No.: FL0038849
Orange County East Service Area Wastewater Treatment Plant

Dear Mr. Hanson:

The purpose of this letter is to advise Orange County (County) that the United States Environmental Protection Agency Region 4 has reviewed information submitted by the County to the EPA on October 28, 2015, in response to the EPA's July 23, 2015, Notice of Violation (NOV) and Compliance Evaluation Inspection (CEI) report of the County's Wastewater Collection and Transmission System (WCTS) and the Show Cause meeting held on September 15, 2015, in Atlanta, Georgia.

Based upon review of the information submitted in response to the NOV, CEI report and Show Cause meeting, the EPA has determined that the County has violated the CWA and its National Pollutant Discharge Elimination System (NPDES) permit as follows:

> During the period of September 1, 2009, through September 30, 2014, the County had at least 12 Sanitary Sewer Overflows (SSOs) totaling at least 1,535,935 gallons of untreated sewage that discharged from the County's WCTS to navigable waters of the United States as defined by Section 502 of the CWA, 33 U.S.C. § 1362. Such SSOs were not authorized by the NPDES permit and are therefore violations of Section 301(a) of the CWA, 33 U.S.C. § 1311(a). In addition, the County had at least an additional 143 SSOs totaling at least 2,386,406 gallons of untreated sewage that was released from the WCTS and that did not reach navigable waters of the United States. All 155 SSOs are indicative of the County's violation of Section IX.7. of the County's NPDES Permit No.: FL0038849, which requires the County to properly operate and maintain its facility, systems of treatment and control, and related appurtenances.

The EPA has decided not to initiate an enforcement action at this time. However, the County's future progress in developing and implementing written Management, Operations, and Maintenance programs, modifying its Sewer Overflow Response Plan to clarify SSO reporting and recordkeeping requirements, the continued assessment and rehabilitation of the force mains within the County's WCTS and progress

towards eliminating SSOs as outlined in the information submitted will determine if future EPA enforcement actions are warranted. The EPA will monitor the County's progress over the next two years.

If you have any questions regarding this Notice of Violation, please contact Mr. Brad Ammons of my staff at (404) 562-9769 or via email at ammons.brad@epa.gov. You may also address written correspondence to Mr. Ammons at the address on the letterhead.

Sincerely,

James D. Giattina
Director
Water Protection Division

cc: Ms. Jessica Kleinfelter
Florida Department of Environmental Protection

Ms. Jenny Farrell
Florida Department of Environmental Protection, Orlando