DATE

Name, Title

Company

Address

City, State Zip

Emailaddress.com

**Re:** **Warning Letter**

**Facility Name; Facility ID No. FLXXXX**

 **Sanitary Sewer Overflow(s) at XXX address &/or SWO#XX**

 **[XXX] County**

Dear Mr./Ms. XXXX:

On Date, the Florida Department of Environmental Protection (“Department”) was notified by Blank (ex: State Watch Office (“SWO”)) that your facility, ####, had an unauthorized discharge(s) or unpermitted sanitary sewer overflow(s) (“SSO”) of approximately ### gallons in potential violation of Chapter 403, Florida Statutes (“Fla. Stat.”), and Rules 62-604 and 62-620, Florida Administrative Code (“Fla. Admin. Code”), which prohibits unauthorized discharges. On DATE, you voluntarily entered into Consent Order OGC No.: XX-XXXX with the Department that addresses SSOs and provides for stipulated penalties.

*[Option 1 – If Additional Info Needed; Choose Applicable Portions]*

If you have not already notified the District office of the abnormal event and submitted the follow-up 5-day report as required by Rule 62-604, Fla. Admin. Code, we request that you respond in writing within **15 days** of receipt of this Warning Letter [or “The District office is in need of further information regarding the above referenced SSO(s)” if the notification and 5-day report have been received but further info is needed]. Your written or emailed response shall be directed to [the case manager] via email at First.Last@FloridaDEP.gov and shall include the following information:

* Provide the most current information regarding the specific SSO incident stated above, including:
	+ Final spill volume of the SSO
	+ Description of surface water impacts
		- Name of the receiving waterbody
		- Sampling or explanation of why sampling was not conducted
		- Volume of the spill that reached surface waters, if any
	+ Volume of the SSO recovered
	+ Volume of the SSO that was not recoverable and why
	+ Description of all impacts to the Municipal Separate Stormwater System (MS4), if the spill reached the system
	+ Description of what happened to cause the SSO
	+ Description of the actions taken to remediate the SSO
	+ Description of the actions taken, or to be taken, to prevent future SSOs of this nature

Upon receipt of the above listed information, the Department will review the details of the spill within the context of the referenced Consent Order and may take further action. If you believe that this SSO(s) was contemplated within the referenced Consent Order, you are required to provide the Department with your rationale. The Department reserves the right to initiate a new enforcement action, or to recover stipulated penalties at a later date, pursuant to Paragraph XX of your referenced Consent Order.

*[Option 2 – All Information Received]*

The Department acknowledges receipt of the necessary information related to the spill and is reviewing the details of the spill within the context of the referenced Consent Order and may take further action. If you believe that this SSO(s) was contemplated within the referenced Consent Order, you are required to provide the Department with your rationale. The Department reserves the right to initiate a new enforcement action, or to recover stipulated penalties at a later date, pursuant to Paragraph XX of your referenced Consent Order.

Please contact [the case manager], by phone at (XXX) XXX-XXXX, or via email at First.Last@FloridaDEP.gov if you have any questions or would like to provide additional information regarding the circumstances of the spill.

Sincerely,

NAME

District Director

XX District

c: Name

ec: Name/email address