

Internal Emails

When I first became concerned about backflow valves in residential areas, I started encountering a curious resistance from Bob DiCecco of Hillsborough County to getting straight answers to my questions about backflow valves. When public servants fail to respond in a forthright manner, I assume that they're trying to cover-up. His attitude prompted me to ask more questions and to develop a presentation which included a demonstration of backflowing a contaminate (Kool-Aid) through a Reduced Pressure Zone (RP) backflow valve into the public water supply. My actions prompted even more stonewalling at both the County and State level. Figuring that I must be onto something, I made a series of public record requests for emails related to backflow valves.

As I started to go through the emails, the hairs on my arm stood on end. There was my name, over and over again, as civil servants sought to pull the rug out from under me for speaking out about the vulnerabilities of backflow valves.

The pattern that emerged was that county and state employees would publically pretend that RPs were safe while privately sending internal emails aimed at squelching any comments by me to the contrary. Had I been wrong, so many public servants would not have gone to such great lengths to stop a citizen from speaking out.

The extent of their duplicity was totally despicable.

The whole problem summed up in just one sentence.

"[Brown's] reasoning is if [above-the-ground backflow valves] are that dangerous that we don't want him showing it, then they shouldn't be in people's yards." ¹

Truth or misinformation?

"His web site is pretty accurate." ²

"From a water system perspective, [Brown's] demonstration is informative, but not new to the professionals who operate our systems." ³

¹ Stacy Williams to Lori Hudson, Michelle VanDyke - HC 7/2/07.

² Cindy Morris to Bob Vincent, Ed Gettinger - DOH, 6/4/07.

³ Paul Vanderploog to David Brown - HC, 6/8/07.

"Backflow devices are just one of many entry points to disable a public water supply. I have heard of a backflow contamination incident several years ago at a courthouse in Orlando. That person was not caught." ⁴

"As you all well know, this over pressurization with "koolaid" could be done at any of the millions of hose bibbs, hydrants, air relief valves, blow offs, plain old service connections, or other appurtenances on a water system: without ever using a backflow device." ⁵

"Those bent on doing harm to, or fear in others have opportunity to use any water system's multitude of connection points to introduce "koolaid" or worse." ⁶

"Without a requirement that all these entry points be locked down, there is no way to protect a distribution system from a 'koolaid'-wielding person." ⁷

"Quite frankly, I find this demonstration irrelevant because if someone is truly intent on contaminating the public water supply, there are a lot better and easier ways to do it than tampering with a backflow prevention device." ⁸

"I'm sure everyone at this meeting [of the Cross-connection Control Board] already knows the principle he is going to demonstrate." ⁹

"The problem with this demonstration of his is not for coaching terrorists, as they have no doubt already conceived this procedure, but rather of vandals and disgruntled staff or neighbors that hadn't yet figured out how to harm a few people with water." ¹⁰

"David Brown is delving into a territory that he shouldn't." ¹¹

⁴ Bob Vincent to Cindy Morris, Ed Bettinger - DOH, 6/4/07.

⁵ Bob Vincent to Cindy Morris, Ed Bettinger - DOH, 6/4/07.

⁶ Arnold Becken to DeBora Cromartie-Mincey - HC, 10/12/07.

⁷ Bob Vincent to Cindy Morris, Ed Bettinger - DOH, 6/4/07.

⁸ Peter Aluotto to Bob DiCecco - HC, 8/8/07.

⁹ Peter Aluotto to Bob DiCecco - HC, 8/8/07.

¹⁰ Bob Vincent to Cindy Morris, Ed Bettinger - DOH, 6/4/07.

¹¹ Ed Bettinger to Van Hoofnagle, Kenyon Carter - DOH, 6/5/07.

On the other hand, there were those that considered my outreach efforts to be “misinformation”...

"You can let Ms. Bean know that the Brown diatribe today was full of holes and not factually correct." ¹²

"We have definitely had interactions with Mr. Brown and I think he may be a little incorrect on some of his information." ¹³

"Can you give me an update on our media campaign regarding backflow prevention devices? Jess Johnson, Mr. Higginbotham's aide called me yesterday saying that Mr. Brown's misinformation campaign is gaining traction among his constituents." ¹⁴

"Yeah...and the misinformation campaign he's waging in the weekly paper down there." ¹⁵

What staff told the County Commissioners vs What staff did privately.

"Contamination of the water distribution system by means of the backflow prevention assembly is unlikely, as it would require access to the assembly for an extended period of time and setting up very expensive equipment." ¹⁶

On the other hand...

"Bob DeCecco of Building Services is contacting FDLE and Homeland Security and reporting him to them, because he continues to publish these demonstrations." ¹⁷

"... we will be speaking with this individual [Brown] at the next cross connection control meeting to ensure our concerns are voiced regarding his e-mail & possible

¹² Paul Vanderploog to Wally Hill - HC, 7/19/07.

¹³ Deanna Franklin to Bill Hodges - HC, 6/7/07.

¹⁴ Peter Aluotto to Stacy Williams - HC, 8/1/07.

¹⁵ Lori Hudson to Edith Stewart - 7/20/07.

¹⁶ Bob DiCecco to Commissioner Higginbotham - HC 6/8/07.

¹⁷ Stacy Williams to Lori Hudson, Michelle VanDyke - HC 7/2/07.

FDLE [Florida Department of Law Enforcement] involvement if he should continue this effort." ¹⁸

"I would also refer the email to Law Enforcement as I have done by copy of this email to our DEP contact at Emergency Response. Van P.S. Phil [Wieczynski] would [you] take a look at this and forward to the appropriate contacts you have in law enforcement?" ¹⁹

"Van, I informed them [HCHD: Alfsen, Shiflett, Becken, LaDouceur] your office was going to contact FDLE. Could you please keep me informed if this occurs & outcome." ²⁰

"I did so by copying Phil Wieczynski in our DEP Division of Law Enforcement and not FDLE. I have attached that email." ²¹

"I asked the Sheriff's Office this weekend to contact Homeland Security regarding Mr. Brown's activities." ²²

Who is liable for a contamination incident via backflow valves?

"The Utilities customers have the prime responsibility of preventing contaminants and pollutants from entering the private properties water supply system, and from entering Hillsborough County water distribution system (the public water main)." ²³

On the other hand, his boss wrote...

"Thus, we fully accept the responsibility to police our operating systems and stand accountable for the system's operation. ... I would not expect our customers or other external agencies to be responsible for the operational issues, to include

¹⁸ Cindy Morris to Bob Vincent, Ed Bettinger - DOH, 6/5/07.

¹⁹ Van Hoofnagle to Ed Bettinger, Kenyon Carter - DOH, 6/5/07.

²⁰ Cindy Morris to Bob Vincent, Van Hoofnagle, Ed Bettinger - DOH, 6/8/07.

²¹ Van Hoofnagle to Cindy Morris - DOH, 6/8/07.

²² Wally Hill to Ken Griffin, Lori Hudson, Edith Stewart - HC, 7/3/07.

²³ Robert DiCecco to Terri Houston - HC, 6/19/07.

water quality, safety, etc., associated with the operation of the county's potable water system." ²⁴

"There is a fine line here. We are bound to protect the public and one can develop a pretty good argument that between demonstrations and websites there is enough information being provided to be used inappropriately by whomever. Either way, we will pay the bill when something goes wrong or in the manner we are painted on the website. Believe this is not a particularly good situation." ²⁵

Staff recognition of the dangers of the above-the-ground RP backflow valves.

"FYI on this article that came out in Observer News on backflow preventers. As expected, it's not very pretty, in fact it even gives some detail how they can be opened which is what we were attempting to prevent." ²⁶

"He also told us he's putting it up on YouTube, not good." ²⁷

"The YouTube demo should prove an interesting test of First Amendment rights vs. homeland security." ²⁸

"What concerns us the most is that his demonstrations of how to open the preventers continue, and he proudly gave me a copy of the Sun City Center Courier with the same story in it from the Observer News. It even disturbingly has a picture of him introducing a foreign substance into the device to show how easy it is." ²⁹

"FYI...while he didn't succeed in telling the Commission how to tamper with it, he's gotten it in the press." ³⁰

"However, what really bothers me are Mr. Brown's questions to Andy Reich concerning the capacity of aquatic toxins to induce damage within the

²⁴ Paul Vanderploog to Sheri Murphy, David Brown - HC, 10/10/07.

²⁵ Paul Vanderploog to Lori Hudson - HC, 6/4/07.

²⁶ Stacy Williams to Angelo, Hudson, Conte, Diceccor, Sparks, VanDyke - HC 6/29/07.

²⁷ Stacy Williams to Lori Hudson, Michelle VanDyke - HC 7/2/07.

²⁸ Michelle VanDyke to Stacy Williams - HC, 7/2/07.

²⁹ Stacy Williams to Lori Hudson, Michelle VanDyke - HC 7/2/07.

³⁰ Lori Hudson to Wally Hill, Edith Stewart - HC, 6/29/07.

Hillsborough County's water system. It appears he is asking and willing to spread information to others concerning the vulnerability of the Hillsborough County water system." ³¹

Dealing with a citizen.

"Being polite, unendingly patient and letting [Brown] know you are taking his concerns into consideration, as Hazard Mitigation did with the flood map update process, is the only thing that works." ³²

On the other hand...

"I will send you a copy of his 250 "concerns". ... I recommend that we not respond to this list with a point by point answer, but rather a one-page summary explanation why our position is correct and his is not." ³³

"We recommend staff not proofreading his work." ³⁴

"Building Services hates to appear to be endorsing his [website]." ³⁵

"[DiCecco] doesn't seem to be interacting with [Brown] in the right way and it's only getting worse." ³⁶

"If he comes [to the flood plain focus group meeting], I think he'll stay on task. He loves the outreach process associated with the maps and in fact, Gene and I were cc'd on an email he sent to the Sun City Center board comparing what he thought were proper and effective communication through the flood map process to the ineffective and badgering of the back flow process." ³⁷

³¹ Ed Bettinger to Cindy Morris - DOH, 6/4/07.

³² Stacy Williams to Wally Hill - HC, 8/6/07.

³³ Peter Aluotto to Wally Hill - HC, 8/9/07.

³⁴ Lori Hudson to Stacy Williams - HC, 6/4/07.

³⁵ Stacy Williams to Lori Hudson - HC, 6/4/07.

³⁶ Stacy Williams to Chris Zambito - HC, 8/6/07.

³⁷ Chris Zambito to Stacy Williams - HC, 8/6/07.

"Although Mr. Brown may believe this is his issue, it is our issue to handle as we need to with our customers." ³⁸

"I hoped this would go away but it doesn't seem to be, I thought maybe it would get on the Commissioner's agenda or something and they would feel as though they were answered at least." ³⁹

Senior Discount.

"The Board approved for staff to bring a report back to the Board on senior and low income citizens receiving a discount for their backflow prevention devices. Paul Vanderploog is responsible for bringing a report back to the Board by November 7th." ⁴⁰

On the other hand...

"This [senior discount to pay for backflow inspections] is a very important study that can really hurt the utility if sweeping revenue cuts occur or if it forces rate increases, etc. Do your part please. We need to win this one and can lose if we do not get the right problem or present the analysis to support our position. Dig in." ⁴¹

Selective Enforcement and Bending the law.

"Yes I will wave the forty eight [hour] notices [for Symphony Isles residents] provided the property owners inspect their systems and confirm they are not connected." ⁴²

"The Feds do not have rules requiring how a Cross-Connection Control program must be administered." ⁴³

³⁸ Ken Griffin to Peter Aluotto - HC, 8/20/07.

³⁹ Stacy Williams to Michelle VanDyke - HC, 7/19/07.

⁴⁰ Patricia Bean to Ken Griffin, Paul Venderploog - HC, 9/10/07.

⁴¹ Paul Vanderploog to T. Weiss - HC, 9/12/07.

⁴² Robert DiCecco to Jeffrey Wortner - 8/6/07.

⁴³ Les O'brien to Bob DiCecco - HC, 9/5/07.

"All of those [Cross-Connection Board] meetings are supposed to be noticed, and I realized yesterday when I attended that we never noticed it like we do the other Boards." ⁴⁴

The survey of how other counties' ordinances address the backflow issue.

"I would advise you [Bob DiCecco] to get clarification from the chairman with respect to the [Cross-connection Control] board's request for ALL cities and counties. If, after informing him of the enormity of the task he is unwilling to settle for a sample of comparable counties, then ask him to call me. Thanx." ⁴⁵

"I am not concerned about the survey [of other water purveyors]." ⁴⁶

Ethics.

This email is particularly troubling because here was a civil servant [Bob DiCecco], on county time and using county facilities, writing to his friends in the plumbing industry to try to get them to influence the County Commissioners. This probably violated a number of laws related to lobbying, separation of powers and plain old ethics. How can a citizen hope to get a fair hearing when a public servant is using the power of his own county position to support his own agenda?

It should be noted that before DiCecco started working for the County, he was a plumber and, obviously, still maintains a close relationship with his former plumbing colleagues.

And by the way, Strong & Dillard did then write those letters to the County Commissioners...

"Hillsborough County's Cross Connection Ordinance is being challenged ... Your support [to write letters to the County Commissioners] in this matter is appreciated." ⁴⁷

⁴⁴ Stacy Williams to Jane Angelo - HC, 8/22/07.

⁴⁵ Peter Aluotto to Bob DiCecco - HC, 8/27/07.

⁴⁶ Bob DiCecco to Peter Aluotto - HC, 8/27/07.

⁴⁷ Bob DiCecco to Dale Strong, Shane Dillard - HC, 9/5/07.

Politics.

"Not sure there is anything that can be done unless the County releases its own information to counter his scare tactics....he surely is not accepting what he has been told and will continue what is taking on the characteristics of a crusade." ⁴⁸

"To do more at this point would open Pandora's box." ⁴⁹

And just to repeat the very first email which sums up the whole problem:

"[Brown's] reasoning is if [above-the-ground backflow valves] are that dangerous that we don't want him showing it, then they shouldn't be in people's yards." ⁵⁰

This document is on the laptop in c:\DEP workshops\Smoking-guns.doc

⁴⁸ Paul Vanderploog to Arnold Becken - HC 6/26/07.

⁴⁹ Paul Vanderploog to Wally Hill - HC, 7/19/07.

⁵⁰ Stacy Williams to Lori Hudson, Michelle VanDyke - HC 7/2/07.