

EPC COMMISSIONERS

Kevin Beckner, *Chair*
Lesley "Les" Miller, Jr., *Vice Chair*
Victor D. Crist
Ken Hagan
Al Higginbotham
Sandra L. Murman
Mark Sharpe



Richard Garrity, Ph.D.
Executive Director

Richard Tschantz, Esq.
General Counsel

EPC MEETING AGENDA

JUNE 20, 2013

Meetings commence at 9:00 a.m.

601 East Kennedy Boulevard, Tampa, FL

County Center Board Room 2nd Floor

INVOCATION AND PLEDGE OF ALLEGIANCE

APPROVAL OF CHANGES TO THE AGENDA

REMOVAL OF CONSENT AGENDA ITEMS FOR QUESTIONS, COMMENTS, or SEPARATE VOTE

I. PUBLIC COMMENT

Three (3) Minutes Are Allowed for Each Speaker (unless the Commission directs differently)

II. CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE

Summary of recent CEAC meeting by CEAC Chair

III. CONSENT AGENDA

- A. Approval of Minutes: April 18, 20133
- B. Monthly Activity Reports – April & May 20137
- C. Pollution Recovery Fund Report – April & May 2013.....19
- D. Gardinier Settlement Trust Fund Report – April & May 201321
- E. Legal Case Summary, May & June 201323

IV. WASTE MANAGEMENT DIVISION

Presentation of Green Star Certifications.....27

V. AIR MANAGEMENT DIVISION

- A. Reducing Sulfur Dioxide Readings in the Riverview-Gibsonton Area29
- B. Pollution Recovery Fund Monies for Community Partner Mini-Grants.....31
- C. Clean Air Month Update33

VI. ACTION PLAN PRESENTATIONS

- A. Partnership between EPC and Tampa Bay Work Force Alliance.....37
- B. Compliance Assistance Improvement Initiative39

VII. WETLANDS MANAGEMENT DIVISION

- A. SWFWMD's proposed Minimum Flows and Levels (MFLs) for Lake Rogers and Lake Raleigh41
- B. Authorization to Administer Standard Programmatic General Permitting – Pending Agreement with US Army Corps of Engineers43

VIII. EXECUTIVE DIRECTOR REPORT

- A. Budget Update45
- B. Business/Environmental Feedback Group Report
- C. Sterling Challenge Submittal65

Any person who might wish to appeal any decision made by the EPC regarding any matter considered at the forthcoming public hearing or meeting is hereby advised that they will need a record of the proceedings, and for such purpose they may need to ensure that a verbatim record of the proceedings is made which will include the testimony and evidence upon which such appeal is to be based.

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An agency with values of environmental stewardship in a culture of fairness and cooperation.

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APRIL 18, 2013 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, April 18, 2013, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Kevin Beckner and Commissioners Victor Crist (arrived at 9:05 a.m.), Ken Hagan, Al Higginbotham, Lesley Miller Jr., Sandra Murman, and Mark Sharpe.

▶ Chairman Beckner called the meeting to order at 9:02 a.m.

▶ INVOCATION AND PLEDGE OF ALLEGIANCE

CHANGES TO THE AGENDA

▶ Dr. Richard Garrity, EPC Executive Director, reviewed the changes to the agenda. **Commissioner Murman moved the changes, seconded by Commissioner Miller, and carried six to zero.** (Commissioner Crist had not arrived.)

I. PUBLIC COMMENT

▶ Chairman Beckner called for public comment; there was no response.

II. CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Summary of recent CEAC meeting by CEAC Chairman

▶ Mr. Christopher Lovett, CEAC Vice Chairman, highlighted recent activities.

III. CONSENT AGENDA

- A. Approval of Minutes: March 21, 2013.
- B. Monthly Activity Report - March 2013.
- C. Pollution Recovery Fund Report - March 2013.
- D. Gardinier Settlement Trust Fund Report - March 2013.
- E. Legal Case Summary, April 2013.
- F. Follow-up to Advanced Leadership Development Program Project - Enforcement Assistance with Financial Hardship Requests.

THURSDAY, APRIL 18, 2013 - DRAFT MINUTES

- G. 2013 First Quarter Action Plan Updates.
- H. Select Performance Measure Goals for 2013.
- I. Authorization to Purchase EPC Laboratory Equipment.

▶ Chairman Beckner sought a motion to approve the Consent Agenda. **Commissioner Murman so moved, seconded by Commissioner Crist, and carried seven to zero.**

IV. PUBLIC HEARING

NR Varela Property Owner LLC, Sections 1-7.203(7), Waste Management Rule Waiver Request

▶ EPC General Counsel Richard Tschantz explained the hearing process. ▶ Mr. Hooshang Boostani, Director, EPC Waste Management Division, expounded on the item and recommended approval. Chairman Beckner called for public comment; there was no response. ▶ **Commissioner Murman moved approval, seconded by Commissioner Hagan, and carried seven to zero.**

V. WASTE MANAGEMENT DIVISION

Presentation of Green Star Certifications

▶ Mr. Boostani summarized the item, as included in background material, and touched on the contributions of Mr. Dewitt Bruce, EPC. Chairman Beckner presented certifications to ▶ Messrs. Donnie Miller, Brandon Ford, and ▶ Jeff King, Tampa Honda Land, who made comments. ▶ Mr. Boostani introduced Mr. Anthony Gilboy, the new EPC Brownfields Coordinator. Remarks followed.

VI. LEGAL AND ADMINISTRATIVE SERVICES

A. EPC Citizen Request Mobile Application

▶ Ms. Elaine DeLeeuw, EPC, gave details of the item, as included in background material.

B. Dropbox Concept for Virtual Board Agenda Documents

▶ Ms. DeLeeuw described the item and responded to queries from Commissioner Miller. Chairman Beckner gave additional details of the program.

THURSDAY, APRIL 18, 2013 - DRAFT MINUTES

C. Legislative Update

▶ Attorney Tschantz summarized the report, as contained in background material.

D. McLean and Racetrac Petroleum v. EPC - Procedural Discussion Regarding Public Comment

▶ Attorney Tschantz expounded on the item and replied to Chairman Beckner about the intervenor process.

VII. AIR MANAGEMENT DIVISION

Action Plan Update - Neighborhood Outreach Initiative

▶ After Dr. Garrity introduced the item, Mr. Jeff Sims, EPC, delivered the update, as furnished in background material. ▶ Commissioner Higginbotham requested additional program details and ongoing reports be provided to the EPC Board. Chairman Beckner asked to see a summary of awarded projects.

VIII. EXECUTIVE DIRECTOR REPORT

A. Earth Day, April 20, 2013, at University of South Florida Botanical Gardens

B. Clean Air Fair, May 2, 2013, at Poe Plaza

▶ Dr. Garrity gave a presentation highlighting upcoming events.

▶ There being no further business, the meeting was adjourned at 9:46 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
PAT FRANK, CLERK

By: _____
Deputy Clerk

CW

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**FY 13 - MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION**

APR MAY

A. Public Outreach/Education Assistance

1	Phone calls	242	168
2	Literature Distributed	1	30
3	Presentations	0	2
4	Media Contacts	1	6
5	Internet	41	48
6	Host/Sponsor Workshops, Meetings, Special Events	0	1

B. Industrial Air Pollution Permitting

1 Permit Applications received (Counted by Number of Fees Received)

a.	Operating	6	5
b.	Construction	6	12
c.	Amendments / Transfers / Extensions	0	0
d.	Title V Operating:	1	0
e.	Permit Determinations	1	2
f.	General	18	2

2 Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval (¹Counted by Number of Fees Collected)-(²Counted by Number of Emission Units affected by the Review):

a.	Operating ¹	5	3
b.	Construction ¹	5	3
c.	Amendments / Transfers / Extensions ¹	2	0
d.	Title V Operating ²	3	7
e.	Permit Determinations ²	1	1
f.	General	8	19

3 Intent to Deny Permit Issued

		0	0
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C. Administrative Enforcement

1	New cases received	1	3
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2 On-going administrative cases

a.	Pending	0	3
b.	Active	2	3
c.	Legal	2	2
d.	Tracking compliance (Administrative)	9	9
e.	Inactive/Referred cases	0	0
	TOTAL	13	17

3	NOIs issued	1	1
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4	Citations issued	0	0
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5	Consent Orders Signed	0	0
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6	Contributions to the Pollution Recovery Fund	\$0.00	\$0.00
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7	Cases Closed	0	0
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D. Inspections

**FY 13 - MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION**

	<u>APR</u>	<u>MAY</u>
1 Industrial Facilities	7	11
2 Air Toxics Facilities		
a. Area Sources (i.e. Drycleaners, Chrome Platers, etc.)	1	0
b. Major Sources	1	5
3 Asbestos Demolition/Renovation Projects	16	31
E. Open Burning Permits Issued	3	2
F. Number of Division of Forestry Permits Monitored	297	3194
G. Total Citizen Complaints Received	60	54
H. Total Citizen Complaints Closed	127	56
I. Noise Complaints Received by EPC (Chapter 1-10)	24	43
J. Noise Complaints Received by Sheriff's Office (County Ord. #12-12)	310	380
K. Number of cases EPC is aware that both EPC & Sheriff responded	0	0
a. World of Beers (Oct.)		
b. Brass Mug (Dec.)		
c. The Rack (Jan.)		
d. Brass Mug (Feb.)		
L. Noise Sources Monitored:	1	5
M. Air Program's Input to Development Regional Impacts:	0	
N. Test Reports Reviewed:	90	58
O. Compliance:		
1 Warning Notices Issued	9	8
2 Warning Notices Resolved	5	8
3 Advisory Letters Issued	0	3
P. AOR'S Reviewed	0	2
Q. Permits Reviewed for NESHAP Applicability	6	3
R. Planning Documents coordinated for Agency Review	6	3

**FY 13 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

APR MAY

A. ENFORCEMENT

1.	New cases received	-	-
2.	On-going administrative cases	67	64
	Pending	1	1
	Active	20	20
	Legal	6	6
	Tracking Compliance (Administrative)	37	34
	Inactive/Referred Cases	3	3
3.	NOI's issued	-	-
4.	Citations issued	-	-
5.	Consent Orders and Settlement Letter Signed	1	-
6.	Civil Contributions to the Pollution Recover Fund (\$)	\$ -	\$ 7,380
7.	Enforcement Costs Collected (\$)	\$ -	\$ 651
8.	Cases Closed	1	1

B. SOLID AND HAZARDOUS WASTE

1.	FDEP Permits Received	0	1
2.	FDEP Permits Reviewed	0	1
3.	EPC Authorization for Facilities NOT Requiring DEP Permit	0	3
4.	Other Permits and Reports		
	County Permits Received	0	33
	County Permits Reviewed	2	12
	Reports Received (SW/HW + SQG)	9	10
	Reports Reviewed (SW/HW + SQG)	15	18
5.	Inspections (Total)		
	Complaints (SW/HW + SQG)	17	18
	Compliance/Reinspections (SW/HW + SQG)	30	19
	Facility Compliance	17	25
	Small Quantity Generator Verifications	123	119
	P2 Audits	0	0
6.	Enforcement (SW/HW + SQG)		
	Complaints Received	17	18
	Complaints Closed	19	19
	Warning Notices Issued	5	4
	Warning Notices Closed	6	4
	Compliance Letters	53	56
	Letters of Agreement	0	0
	Agency Referrals	2	0
7.	Pamphlets, Rules and Material Distributed	27	15

C. STORAGE TANK COMPLIANCE

1.	Inspections		
	Compliance	54	51
	Installation	10	6
	Closure	8	3
	Compliance Re-Inspections	7	5
2.	Installation Plans Received	5	3

**FY 13 - MONTHLY ACTIVITIES REPORT
WASTE MANAGEMENT DIVISION**

	<u>APR</u>	<u>MAY</u>
3. Installation Plans Reviewed	4	4
4. Closure Plans & Reports		
Closure Plans Received	4	1
Closure Plans Reviewed	3	2
Closure Reports Received	2	2
Closure Reports Reviewed	5	1
5. Enforcement		
Non-Compliance Letters Issued	35	31
Warning Notices Issued		-
Warning Notices Closed	1	-
Cases Referred to Enforcement	-	-
Complaints Received	1	1
Complaints Investigated	1	1
Complaints Referred	-	-
6. Discharge Reporting Forms Received	4	-
7. Incident Notification Forms Received	10	1
8. Cleanup Notification Letters Issued	4	-

D. STORAGE TANK CLEANUP

1. Inspections	16	9
2. Reports Received	104	84
3. Reports Reviewed	83	87
Site Assessment Received	9	15
Site Assessment Reviewed	6	14
Source Removal Received	2	-
Source Removal Reviewed	4	-
Remedial Action Plans (RAP'S) Received	12	5
Remedial Action Plans (RAP'S) Reviewed	11	5
Site Rehabilitation Completion Order/No Further Action Rec'd	5	1
Site Rehabilitation Completion Order/No Further Action Revw'd	5	1
Active Remediation/Monitoring Received	37	33
Active Remediation/Monitoring Reviewed	27	36
Others Received	39	30
Others Reviewed	30	31

E. RECORD REVIEWS

21	22
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F. LEGAL PIR'S

14	19
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**FY 13 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

APR MAY

A. ENFORCEMENT

1.	New Enforcement Cases Received	1	1
2.	Enforcement Cases Closed	4	-
3.	Enforcement Cases Outstanding	34	35
4.	Enforcement Documents Issued	-	-
5.	Recovered Costs to the General Fund	\$ 510	\$ 85
6.	Contributions to the Pollution Recovery Fund	\$ 2,940	\$ 440

B. PERMITTING/PROJECT REVIEW - DOMESTIC

1.	Permit Applications Received	19	20
	a. Facility Permit	2	1
	(i) Types I and II	1	-
	(ii) Type III	1	1
	b. Collection Systems - General	10	8
	c. Collection systems-Dry Line/Wet Line	5	11
	d. Residuals Disposal	-	-
2.	Permit Applications Approved	28	23
	a. Facility Permit	3	1
	b. Collection Systems - General	9	6
	c. Collection systems-Dry Line/Wet Line	8	7
	d. Residuals Disposal	-	-
	e. Final Construction Approval	8	9
3.	Permit Applications Recommended for Disapproval	-	-
	a. Facility Permit	-	-
	b. Collection Systems - General	-	-
	c. Collection systems-Dry Line/Wet Line	-	-
	d. Residuals Disposal	-	-
4.	Permit Applications (Non-Delegated)	-	-
	a. Recommended for Approval	-	-
5.	Permits Withdrawn	-	-
	a. Facility Permit	-	-
	b. Collection Systems - General	-	-
	c. Collection systems-Dry Line/Wet Line	-	-
	d. Residuals Disposal	-	-
6.	Permit Applications Outstanding	54	60
	a. Facility Permit	9	9
	b. Collection Systems - General	16	18
	c. Collection systems-Dry Line/Wet Line	29	33
	d. Residuals Disposal	-	-
7.	Permit Determination	-	6
8.	Special Project Reviews	2	-

**FY 13 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

	<u>APR</u>	<u>MAY</u>
a. Reuse	-	-
b. Residuals/AUPs	-	-
c. Others	-	-

C. INSPECTIONS - DOMESTIC

	-	
1. Compliance Evaluation	12	13
a. Inspection (CEI)	5	5
b. Sampling Inspection (CSI)	7	8
c. Toxics Sampling Inspection (XSI)	-	-
d. Performance Audit Inspection (PAI)	-	-
2. Reconnaissance	37	32
a. Inspection (RI)	13	11
b. Sample Inspection (SRI)	-	1
c. Complaint Inspection (CRI)	22	19
d. Enforcement Inspection (ERI)	2	1
3. Engineering Inspections	21	-
a. Reconnaissance Inspection (RI)	2	-
b. Sample Reconnaissance Inspection (SRI)	-	-
c. Residual Site Inspection (RSI)	-	-
d. Preconstruction Inspection (PCI)	1	-
e. Post Construction Inspection (XCI)	18	-
f. On-site Engineering Evaluation	-	-
g. Enforcement Reconnaissance Inspection (ERI)	-	-

D. PERMITTING/PROJECT REVIEW - INDUSTRIAL

1. Permit Applications Received		
a. Facility Permit	7	-
(i) Types I and II	1	
(ii) Type III with Groundwater Monitoring	2	-
(iii) Type III w/o Groundwater Monitoring	3	-
b. General Permit	-	-
c. Preliminary Design Report	1	-
(i) Types I and II	-	
(ii) Type III with Groundwater Monitoring	-	-
(iii) Type III w/o Groundwater Monitoring	1	-
2. Permits Recommended to DEP for Approval	1	1
3. Special Project Reviews	3	1
a. Facility Permit	3	1
b. General Permit	-	-
4. Permitting Determination	-	-
5. Special Project Reviews	54	44

**FY 13 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

	<u>APR</u>	<u>MAY</u>
a. Phosphate	11	14
b. Industrial Wastewater	14	8
c. Others	29	22

E. INSPECTIONS - INDUSTRIAL

1.	Compliance Evaluation (Total)	15	17
	a. Inspection (CEI)	15	17
	b. Sampling Inspection (CSI)	-	-
	c. Toxics Sampling Inspection (XSI)	-	-
	d. Performance Audit Inspection (PAI)	-	-
2.	Reconnaissance (Total)	11	14
	a. Inspection (RI)	1	3
	b. Sample Inspection (SRI)	-	-
	c. Complaint Inspection (CRI)	10	11
	d. Enforcement Inspection (ERI)	-	-
3.	Engineering Inspections (Total)	7	7
	a. Compliance Evaluation (CEI)	7	5
	b. Sampling Inspection (CSI)	-	-
	c. Performance Audit Inspection (PAI)	-	-
	d. Complaint Inspection (CRI)	-	2
	e. Enforcement Reconnaissance Inspections (ERI)	-	-

F. INVESTIGATION/COMPLIANCE

1.	Citizen Complaints		
	a. Domestic	19	25
	(i) Received	10	13
	(ii) Closed	9	12
	b. Industrial	15	14
	(i) Received	7	9
	(ii) Closed	8	5
2.	Warning Notices		
	a. Domestic	7	7
	(i) Issued	5	2
	(ii) Closed	2	5
	b. Industrial	-	-
	(i) Issued	-	-
	(ii) Closed	-	-
3.	Non-Compliance Advisory Letters	8	9
4.	Environmental Compliance Reviews		
	a. Industrial	19	25
	b. Domestic	115	113

**FY 13 - MONTHLY ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

		<u>APR</u>	<u>MAY</u>
5.	Special Project Reviews	19	11

G. RECORD REVIEWS

1.	Permitting Determination	5	2
2.	Enforcement	-	-

**H. ENVIRONMENTAL SAMPLES ANALYZED/REPORTS
REVIEWED (LAB)**

1.	Air division	73	72
2.	Waste Division	-	-
3.	Water Division	19	18
4.	Wetlands Division	-	-
5.	ERM Division	180	180
6.	Biomonitoring Reports	1	4
7.	Outside Agency	25	16

I. SPECIAL PROJECT REVIEWS

1.	DRIs	1	1
2.	ARs	-	-
3.	Technical Support	8	-
4.	Other	6	2

**FY 13 - MONTHLY ACTIVITIES REPORT
WETLANDS MANAGEMENT DIVISION**

APR MAY

ASSESSMENT REPORT

Agriculture Exemption Report

# Agricultural Exemptions Reviews	-	-
# Isolated Wetlands Impacted	-	-
# Acres of Isolated Wetlands Impacted	-	-
# Isolated Wetlands qualify for Mitigation Exemption	-	-
# Acres of Wetlands qualify for Mitigation Exemption	-	-

Development Services Reviews Performance Report

# of Reviews	83	65
Timeframes Met	97%	98%
Year to Date	98%	98%

Formal Wetland Delineation Surveys

Projects	10	5
Total Acres	260	22
Total Wetland Acres	57	7
# Isolated Wetlands < 1/2 Acre	4	-
Isolated Wetland Acreage	0.49	0

Construction Plans Approved

Projects	20	18
Total Wetland Acres	84	49
# Isolated Wetlands < 1/2 Acre	5	8
Isolated Wetland Acreage	1.41	0.45
Impacts Approved Acreage	0.73	1.05
Impacts Exempt Acreage	1.4	0.6

Mitigation Sites in Compliance

Ratio	14/17	19/20
Percentage	82%	95%

Compliance Actions

Acreage of Unauthorized Wetland Impacts	0.50	0.50
Acreage of Water Quality Impacts	0.00	0.00
Acreage Restored	0.50	0.50

TPA Minor Work Permit

Permit Issued	17	25
Permits Issued Fiscal Year 2013	113	138
Cumulative Permits Issue Since TPA Delegation (07/09)	709	734

REVIEW TIMES

# of Reviews	280	316
% On Time	96%	96%
% Late	4%	4%

**FY 13 - MONTHLY ACTIVITIES REPORT
WETLANDS MANAGEMENT DIVISION**

		<u>APR</u>	<u>MAY</u>
6.	Mitigation Monitoring Reports	11	10
7.	Mitigation Compliance Inspections	26	39
8.	Erosion Control Inspections	12	19
9.	MAIW Compliance Site Inspections	21	17
10.	TPA Compliance Site Inspections	21	21
2/ 11	Mangrove Compliance Site Inspections	1	3
1/ 12	Conservation Easement Inspection	1	3

D. Enforcement

1.	Active Cases	8	8
2.	Legal Cases	4	4
3.	Number of "Notice of Intent to Initiate Enforcement"	4	1
4.	Number of Citations Issued	-	-
5.	Number of Consent Orders Signed	1	1
6.	Administrative - Civil Cases Closed	1	2
7.	Cases Referred to Legal Department	4	4
8.	Contributions to Pollution Recovery	\$ 900	2,250
9.	Enforcement Costs Collected	\$ 243	\$ 239

E. Ombudsman

1.	Agriculture	1	2
2.	Permitting Process & Rule Assistance	2	3
3.	Staff Assistance	2	2
4.	Citizen Assistance	1	4

**FY 13 - MONTHLY ACTIVITIES REPORT
WETLANDS MANAGEMENT DIVISION**

APR MAY

A. General

1.	Telephone conferences	923	679
2.	Unscheduled Citizen Assistance	371	335
3.	Scheduled Meetings	396	375
4.	Correspondence	2,023	2,268
1/ 5.	Intergency Coordination	152	94
1/ 6.	Trainings	25	27
1/ 7.	Public Outreach/Education	5	10
1/ 8.	Quality Control	113	134

B. Assessment Reviews

1.	Wetland Delineations	14	13
2.	Surveys	14	10
3.	Miscellaneous Activities in Wetland	22	14
4.	Mangrove	12	9
5.	Notice of Exemption	4	4
6.	Impact/Mitigation Proposal	10	6
7.	Tampa Port Authority Reviews	63	64
8.	Wastewater Treatment Plants (FDEP)	-	-
9.	Development Regn'l Impact (DRI) Annual Report	-	-
10.	On-Site Visits	95	109
11.	Phosphate Mining	-	-
12.	Comp Plan Amendment (CPA)	-	-
1/ 13.	AG SWM	-	4
	Sub-Total		

Planning and Growth Management Review

14.	Land Alteration/Landscaping	-	2
15.	Land Excavation	-	1
16.	Rezoning Reviews	20	11
17.	Site Development	21	22
18.	Subdivision	47	29
19.	Wetland Setback Encroachment	3	3
20.	Easement/Access-Vacating	-	-
21.	Pre-Applications	30	38
1/ 22.	Agriculture Exemption	-	-
	Sub-Total		
	Total Assessment Review Activities		

C. Investigation and Compliance

1.	Warning Notices Issued	6	5
2.	Warning Notices Closed	11	2
1/ 3.	Complaints Closed	38	29
4.	Complaint Inspections	37	42
5.	Return Compliance Inspections for Open Cases	42	46

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**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 13 POLLUTION RECOVERY FUND
10/1/2012 through 4/30/2013**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 542,334	Artificial Reef	\$ 146,828	Minimum Balance	\$ 120,000	
Interest	\$ 2,252	Project Monitoring	\$ 32,514	PROJ. FY 14 Budgets	\$ 179,342	
Deposits	\$ 68,045	FY 13 Projects	\$ 25,000	Asbestos Removal	\$ 5,000	
Refunds	\$ 9,434					
Total	\$ 622,065	Total	\$ 204,342	Total	\$ 304,342	\$ 113,381



PROJECT		Project Amount	Project Balance
FY 10 Projects			
#09-02 - Effects of Restoration on Use of Habitat	EPE30443	\$ 84,081	\$ 16,725
		\$ 84,081	\$ 16,725
FY 12 Projects			
Bahia Beach Mangrove Enhancement	EPE30449	\$ 56,700	\$ 56,700
Fertilizer Rule Implementation	EPE40206	\$ 50,000	\$ 30,007
USGS Partnership	EPE30450	\$ 25,000	\$ 18,750
		\$ 131,700	\$ 105,457
FY 13 Project			
USF Fertilizer Study Peer Review	EPE40207	\$ 25,000	\$ 25,000
		\$ 25,000	\$ 25,000
			\$ 147,182

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 13 POLLUTION RECOVERY FUND
10/1/2012 through 5/31/2013**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 542,334	Artificial Reef	\$ 146,828	Minimum Balance	\$ 120,000	
Interest	\$ 2,252	Project Monitoring	\$ 32,514	PROJ. FY 14 Budgets	\$ 179,342	
Deposits	\$ 78,315	FY 13 Projects	\$ 25,000	Asbestos Removal	\$ 5,000	
Refunds	\$ 9,728					
Total	\$ 632,629	Total	\$ 204,342	Total	\$ 304,342	\$ 123,945



PROJECT		Project Amount	Project Balance
FY 10 Projects			
#09-02 - Effects of Restoration on Use of Habitat	EPE30443	\$ 84,081	\$ 16,725
		\$ 84,081	\$ 16,725
FY 12 Projects			
Bahia Beach Mangrove Enhancement	EPE30449	\$ 56,700	\$ 56,700
Fertilizer Rule Implementation	EPE40206	\$ 50,000	\$ 30,007
USGS Partnership	EPE30450	\$ 25,000	\$ 18,750
		\$ 131,700	\$ 105,457
FY 13 Project			
USF Fertilizer Study Peer Review	EPE40207	\$ 25,000	\$ 25,000
		\$ 25,000	\$ 25,000
			\$ 147,182

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 13 GARDINIER SETTLEMENT TRUST FUND
10/1/2012 - 4/30/2013**

Fund Balance as of 10/1/12	\$ 61,274
Interest Accrued	196
Disbursements FY 13	-
Fund Balance	<u>\$ 61,470</u>
Encumbrances Against Fund Balance:	
SP634 Cockroach Bay ELAPP Restoration	\$ 61,470
Total Encumbrances	<u>\$ 61,470</u>
Fund Balance Available	<u><u>\$ -</u></u>

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 13 GARDINIER SETTLEMENT TRUST FUND
10/1/2012 - 5/31/2013**

Fund Balance as of 10/1/12	\$ 61,274
Interest Accrued	196
Disbursements FY 13	-
	<hr/>
Fund Balance	\$ 61,470
Encumbrances Against Fund Balance:	
SP634 Cockroach Bay ELAPP Restoration	\$ 61,470
	<hr/>
Total Encumbrances	\$ 61,470
	<hr/>
Fund Balance Available	<u><u>\$ -</u></u>



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Monthly Legal Case Summary

Agenda Section: Consent Agenda

Division: Legal and Administrative Services Division

Recommendation: None, informational update.

Brief Summary: The EPC Legal Department provides a monthly summary of its ongoing civil, appellate, and administrative matters.

Financial Impact: No Financial Impact anticipated; information update only.

Background: In an effort to provide the Commission with timely information regarding legal challenges, the EPC staff provides this monthly summary. The update serves not only to inform the Commission of current litigation but may also be used as a tool to check for any conflicts they may have. The summary provides general details as to the status of the civil and administrative cases. There is also a listing of cases where parties have asked for additional time in order to allow them to decide whether they will file an administrative challenge to an agency action (e.g. – permit or enforcement order), while concurrently attempting to seek resolution of the agency action.

EPC LEGAL DEPARTMENT MONTHLY REPORT

May and June 2013

I. ADMINISTRATIVE CASES

James Baldor [12-EPC-015]: On October 24, 2012, the Appellant, James Baldor, filed a request for an extension of time to file an Appeal challenging the Denial of Application for Minor Work Permit #53790. The extension has been granted and the Appellant filed an appeal in this matter on December 28, 2012. The appeal was transferred to a Hearing Officer on January 15, 2013, EPC filed a Motion for Summary Recommended Order and on February 20, 2013, the Hearing Officer ruled in favor of the EPC. The matter will be heard at the August 2013 regular EPC meeting for consideration of a Final Order. (AZ)

J.E. McLean, III and RaceTrac Petroleum, Inc. [12-EPC-014]: On October 24, 2012, the Appellants, RaceTrac Petroleum, Inc. and the property owner, filed a request for an extension of time to file an Appeal challenging the Executive Director's denial for wetland impacts on the corner of Lumsden and Kings Avenue. The extension was granted and the Appellants filed an appeal in this matter on December 7, 2012. A Hearing Officer has been assigned and conducted a case management conference. The parties are preparing for a hearing in this matter. (AZ)

Tampa Electric Company, Polk Power Station, Polk 2-5 Combined Cycle Conversion Project: [12-EPC-016]: EPC is a commenting agency and potential administrative party to this DEP power station siting certification permit application and hearing.

Joseph and Jennifer Ferrante [12-EPC-006]: On May 7, 2012 the EPC received a Request for Variance or Waiver from Joseph and Jennifer Ferrante. The Applicant is requesting a waiver from a provision within the Submerged Lands Management Rules of the Tampa Port Authority regarding setback encroachments. A public hearing is scheduled for September 20, 2012 to consider the variance. The hearing was continued until further notice. (AZ)

II. CIVIL CASES

Gregory Hart and Karin Hart vs. EPC [2DCA Appeal # _____; EPC Case #13-EPC-005]: On June 4, 2013, the Appellants filed a Notice of Appeal to the Second District Court of Appeal to Appeal an Order issued by the lower tribunal. (RM)

Gregory Hart and Karin Hart vs. EPC [2DCA Appeal #2D13-1097; EPC Case #13-EPC-003]: On March 4, 2013, the Appellants filed a Notice of Appeal to the Second District Court of Appeal. On March 26, 2013 the EPC filed a Motion to Dismiss. An Order of the Court is pending with regard to EPC's Motion to Dismiss. On April 23, 2013 by Order of the Court, the Appeal was dismissed. (RM)

Oak Hammock Ranch, LLC, James P. Gill, III, as Custodian [12-EPC-018]: On December 28, 2012 EPC was served a lawsuit regarding the Upper Tampa Bay Trail Wetland Impact Approval. The EPC has filed its Answer and affirmative defenses to the lawsuit. (AZ)

Peter L. Kadyk/Eco Wood Systems, Inc. [11-EPC-007]: On August 18, 2011, the Commission granted authority to pursue appropriate legal action against Defendant Peter L. Kadyk/Eco Wood Systems, Inc. for failure to comply with the terms of a signed Consent Order to resolve Chapter 1-11 wetlands violations. A small claims action was filed but is still pending based on the failure to timely serve the respondent. (AZ)

6503 US Highway 301, LLC [LEPC10-021]: On November 4, 2010, the EPC Legal Department filed a Complaint for Civil Penalties and Injunctive Relief against the new owner Defendant 6503 US Highway 301, LLC. This case is a continuation of the previous action against SJ Realty for environmental violations at the former 301 Truckstop site on Highway 301. The parties are in negotiation to settle the matter. (AZ)

Greg and Karin Hart [LEPC10-004]: On March 18, 2010 the Commission granted authority to take legal action against the Defendants Mr. and Mrs. Greg Hart for various impacts to wetlands that are violations of the EPC Act, Chapter 1-11 (Wetland Rule), and a conservation easement encumbering the Defendants' property. On March 29, 2010, the EPC filed a civil lawsuit in Circuit Court. The case was consolidated with a related Hillsborough County case seeking an injunction to remove fill from a drainage canal. A second mediation on January 21, 2011, resulted in a very limited partial settlement with EPC and full settlement with the County. A jury trial was held the week of September 19, 2011. The jury returned a verdict in favor of the EPC. Defendants filed a motion for new trial and an appeal of the jury verdict. The appeal was dismissed as premature and the request for a new trial was denied. The Defendants then appealed the denial of a new trial, which was dismissed. A hearing was held on February 13 and 23, 2012, to impose corrective actions and penalties. A Final Judgment Against Defendants was entered on March 5, 2012, requiring Defendants to restore the wetland and pay penalties. Defendants filed a Motion for Relief from Judgment dated May 22, 2012 and the court denied the motion on July 30, 2012. On July 31, 2012, the court awarded the

EPC reasonable trial costs. The Harts moved for re-consideration of the Motion for Relief from Judgment denial and it was denied. The denial is under appeal. The EPC moved for contempt, but the Court ordered the EPC to conduct the wetland remediation and charge the Harts. (RM)

Charles H. Monroe, individually, and MPG Race Track LTD [LEPC09-017]: On September 17, 2009 the EPC Board granted authority to take legal action against Respondents for violations of the EPC Act and EPC Rule Chapter 1-11. A Citation was issued on June 29, 2009, the Respondent failed to appeal the citation and it became a final order of the Agency enforceable in Court. (AZ)

Dublinter North, Inc. [LEPC09-015]: On September 17, 2009 the Commission granted authority to take legal action against Respondent for violations of the EPC Act and EPC Rules, Chapter 1-10 (Noise). A Citation to Cease and Order to Correct Violation was issued on July 24, 2009, the Respondent failed to appeal the citation and it became a final order of the Agency enforceable in court. On May 5, 2010 the EPC filed a civil lawsuit in Circuit Court. The Defendant did not respond to the complaint, thus a default was issued on September 30, 2010. A trial was set for the week of May 9, 2011. The parties attended court-ordered mediation on April 22, 2011. A Mediation Settlement Agreement was entered on April 22, 2011. On August 8, 2011, the EPC filed a Notice of Voluntary Dismissal. Defendant has not complied with the terms of the settlement, EPC filed a motion to enforce the Settlement and a hearing was held on August 2, 2012 and a Judgment Against Defendant was entered. The Defendant paid the negotiated penalty, but corrective actions are pending. (RM)

U.S. Bankruptcy Court in re Jerry A. Lewis [LEPC09-011]: On May 1, 2009 the U.S. Bankruptcy Court Middle District of Florida filed a Notice of Chapter 13 Bankruptcy Case regarding Jerry A. Lewis. On May 26, 2009, the EPC filed a Proof of Claim with the Court. The EPC's basis for the claim is a recorded judgment lien awarded in Civil Court against Mr. Lewis concerning unauthorized disposal of solid waste. The EPC is preparing to seek relief from the bankruptcy stay to get an award of stipulated penalties from the state court. The site remains out of compliance with applicable EPC solid waste regulations. (AZ)

Grace E. Poole and Michael Rissell [LEPC08-015]: Authority to take appropriate legal action against Grace E. Poole and Michael Rissell for failure to properly assess petroleum contamination in accordance with EPC and State regulations was granted on June 19, 2008. The property owner and/or other responsible party are required to initiate a site assessment and submit a Site Assessment Report. They have failed to do the required work and the EPC is attempting to obtain appropriate corrective actions. (AZ)

Petrol Mart, Inc. [LEPC07-018]: Authority to take appropriate action against Petrol Mart, Inc. to seek corrective action, appropriate penalties and recover administrative costs for improperly abandoned underground storage tanks and failure to address petroleum contamination was granted on June 21, 2007. The owner of the property is insolvent and the corporation inactive; however, the Waste Management Division intends on obtaining a judgment and lien on the property for the appropriate corrective actions. The Legal Department filed a civil lawsuit on September 26, 2007. The defendant was served with the lawsuit on October 12, 2007. The Court entered a default on November 9, 2007 for the Defendant's failure to respond. The EPC Legal Department set this matter for trial on March 26, 2008. The Court ruled in favor of EPC and entered a Default Judgment against the Defendant awarding all corrective actions, penalties of \$116,000 and costs of \$1,780. In the event the corrective actions are not completed the court also authorized the EPC to contract to have the site cleaned and to add those costs to the lien on the property. PRF monies were allocated in November 2008 to assist in remediating the site. (AZ)

Tranzparts, Inc. and Scott Yaslow [LEPC06-012]: Authority was granted on April 20, 2006 to pursue appropriate legal action against Tranzparts, Inc., Scott Yaslow, and Ernesto and Judith Baizan to enforce the agency requirement that various corrective actions and a Preliminary Contamination Assessment Plan be conducted on the property for discharges of oil/transmission fluid to the environment. The EPC entered a judicial settlement (consent final judgment [CFJ]) with Tranzparts and Yaslow only on February 16, 2007 (no suit was filed against the Baizans). The Defendants have only partially complied with the CFJ, thus a hearing was held on April 28, 2008, wherein the judge awarded the EPC additional penalties. A second hearing was held on January 25, 2010, for a second contempt proceeding and additional penalties. The Judge found the Defendants in contempt and levied stipulated penalties/costs, and a contempt order was executed by the judge on March 15, 2010 requiring the facility to temporarily shut down until the facility is remediated. On January 7, 2013 the EPC deemed the facility had met the CFJ-required remediation requirements, but other obligations are still due as are penalties and costs. (RM)

Boyce E. Slusmeyer [LEPC10-019]: On Sept 20, 2001 the EPC staff received authority to take legal action for failure to comply with an Executive Director's Citation and Order to Correct Violation for the failure to initiate a cleanup of a petroleum-contaminated property. The Court entered a Consent Final Judgment on March 13, 2003. The Defendant has failed to perform the appropriate remedial actions for petroleum contamination on the property. The EPC filed a lawsuit on October 7, 2010 seeking injunctive relief and recovery of costs and penalties. The EPC is waiting for the lawsuit to be served. (AZ)

Brass Mug and He Il Cho [LEPC13-02]: On March 5, 2013, the Commission authorized the EPC to file suit against Brass Mug and He Il Cho for violations of Chapter 1-10 (EPC Noise Rule). The parties have met multiple times, but EPC staff

anticipates filing a suit. (RM)

III. PENDING ADMINISTRATIVE CHALLENGES

The following is a list of cases assigned to the EPC Legal Department that are not in litigation, but a party has asked for an extension of time to file for administrative litigation in an effort to negotiate a settlement prior to forwarding the case to a Hearing Officer. The below list may also include waiver or variance requests.

Sun Communities, Inc. [12-EPC-012]: On August 2, 2012, the Petitioner filed a request for an extension of time to file a Petition for Administrative Hearing to challenge a Notice of Permit Denial. The request was granted and the Petitioner was initially granted until November 15, 2012 to file a petition in this matter, subsequently, three additional requests for extensions were filed by the Petitioner and the current deadline to file a petition in this matter is August 12, 2013. (RM)



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Presentation of Green Star certifications

Agenda Section: Regular Agenda

Division: Waste Management Division

Recommendation: Present representatives of three auto repair facilities with the Green Star Certification.

Brief Summary: At Home Auto Repair, Brandon Honda and Pepsi Beverages Company recently completed the criteria for Green Star certification. Julie Gale of At Home Auto Repair, Erik Vogel of Brandon Honda and Derek Dirsa of Pepsi Beverages Company will be present to receive the certification.

Financial Impact: No Financial Impact

Background: EPC's Green Star Program is a non-regulatory industry friendly program designed to encourage auto repair facilities to go above and beyond environmental compliance through the use of Best Management Practices (BMP) and Pollution Prevention (P2) strategies. EPC utilizes a compliance workbook and self-audit checklist developed by Florida Department of Environmental Protection specifically for the auto repair industry. Once the facility completes the checklist, it is submitted to EPC for review. After the review, a certification inspection is performed by EPC staff to ensure what is on paper is actually being implemented. Facilities that are in compliance and successfully implement the necessary BMPs and P2 elements are certified as a "Green Star" facility. Auto repair facilities who successfully meet the criteria receive a Certificate of Recognition and a "Green Star" decal that can be used to demonstrate to their customers that they achieved "green" facility status.

List of Attachments: None.

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Reducing Sulfur Dioxide Readings in the Riverview-Gibsonton Area

Agenda Section: Regular Agenda

Division: Air Management Division

Recommendation: Informational report.

Brief Summary: In January of 2011, the US EPA promulgated a stricter outdoor standard for the air pollutant sulfur dioxide in order to fully protect public health. Through grants and workplans, EPC is responsible for monitoring and for compliance with that standard for Hillsborough County. Based on readings from EPC's monitors, EPA is considering declaring a portion of the County to be non-attainment. Today's briefing includes a discussion of how the EPC intends to work with the State and Mosaic, to reduce the sulfur dioxide readings immediately south of Mosaic's Riverview facility.

Financial Impact: No financial impact.

Background: The US EPA sets outdoor health based standards for certain pollutants and they apply nationwide. To date, EPA has set these standards for six pollutants including sulfur dioxide. These limits are based on medical studies and revisited every 5 years. As a result of this process, the EPA revised their long standing sulfur dioxide standard in 2011 and made it much stricter.

Through a federal grant, EPC is responsible for the monitoring and for the compliance of these standards. In response to citizen complaints, EPC set up a monitor south of Mosaic's Riverview facility in the 1990s and the current data indicates air quality there is not meeting the new standard. As such, this month the EPA is expected to declare this area of the County to be non-attainment.

Mosaic has been identified as the source of the sulfur dioxide affecting EPC's monitor. So while they are complying with the limits in their current air pollution permits, Mosaic must take steps to further reduce emissions from their plant. More specifically they are looking at their sulfuric acid plants and will be discussing measures to lessen their impact on the area communities.

Ultimately the County and the State will review Mosaic's compliance plan, and pass it to the EPA for approval. The final attainment date by law is June of 2018.

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Pollution Recovery Fund Monies for Community Partner Mini-Grants

Agenda Section: Regular Agenda

Division: Air Management Division

Recommendation: Request Board vote to approve up to \$15,000 from the EPC's Pollution Recovery Fund (PRF) for mini-grants through the Agency's Community Partner Program.

Brief Summary: EPC staff recently initiated an action plan entitled *Neighborhood Outreach Initiative* which is focused on increased interaction directly with the citizens of Hillsborough County. This is to enhance awareness and educate citizens and communities on local environmental issues. The initiative is highlighted by the development of the *EPC Community Partner Program*, similar to a neighborhood watch program. As part of the initiative, it is the Agency's intention to offer participating neighborhoods the opportunity to apply for a mini-grant of up to \$2500. Any grant would have to be for an environmental enhancement on common property and be subject to staff approval.

Financial Impact: Requires permission to encumber \$15,000 of EPC's PRF monies.

Background: Earlier this year EPC staff identified twelve individual initiatives called action plans to help support the Agency's strategic priorities for calendar year 2013. One such action plan is entitled *Neighborhood Outreach Initiative* and was recently initiated in an effort to further support our strategic objectives of customer satisfaction and the promotion of environmental stewardship.

As part of the initiative, EPC developed the *EPC Community Partner Program* directed specifically to increase public outreach and interaction with registered Hillsborough County Homeowner and Civic Associations. Somewhat similar to neighborhood watch programs, EPC will perform an Agency presentation at the Association's meeting and partner with the Association by providing EPC's contact information to encourage local residents to stay connected with their environment and communicate with the Agency. Signage will be provided for the community to display on their property or on their website identifying their community as an *EPC Community Partner* and how to contact EPC with questions. Completion of the program also enables the community to be eligible to apply for a *Community Partner Mini-Grant* from EPC. The mini-grant program is an extension of the current grant opportunities offered through the PRF. Certified "Community Partners" will be eligible to apply for reimbursement of up to \$2,500 for qualified environmentally-conscious community projects.

The initiative also involves creation of the *EPC Advisory/Notification System* to provide direct contact to local residents and help increase awareness of local environmental conditions through advisories and informational releases generated or forwarded by the Agency. The system is intended to allow any interested citizen to easily signup through EPC's website to be notified electronically via email or text of any significant local environmental event that may impact their community.

List of Attachments: None

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Clean Air Month Update

Agenda Section: Regular Agenda

Division: Air Management Division

Recommendation: Informational Report

Brief Summary: Once again this year, EPC was pleased to celebrate the month of May as Clean Air Month. On May 9, 2013, EPC was very proud to host the 12th Annual Clean Air Fair in downtown Tampa. The Clean Air Fair is the signature public outreach event annually organized by EPC. This year's fair included 43 exhibitors with an estimated attendance of over 1,000 visitors. EPC also hosted the 12th Annual EPC Clean Air Month Photo Contest in conjunction with the Hillsborough County School System. All Hillsborough County high school students were eligible for the contest and the winning photographs were arranged for public display at the Clean Air Fair, the county center lobby, and the EPC lobby.

Financial Impact: No Financial Impact

Background: EPC has recognized the national designation of the month of May as Clean Air Month since the 1970's. EPC has embraced this celebration since 2000 through the hosting of community events, environmental presentations to local schools, and promotion of environmental contests. While the activities related to Clean Air Month have been reduced in recent years, EPC is proud to continue recognition of Clean Air Month through two primary public outreach events.

On May 9, 2013, EPC was pleased to host the 12th Annual Clean Air Fair at Poe Plaza in downtown Tampa from 11:30am-1:30pm. EPC established this year's theme for Clean Air Month as "*Environmental Protection Through Neighborhood Connection*", which is meant to emphasize the importance of maintaining direct interaction between the local neighborhoods and the EPC in order to add eyes and ears from the community to help document and report environmental concerns. The goal of the fair was to highlight local air quality and to promote a healthy environment through public education. Each year, the event seeks to recognize environmentally-conscious organizations and companies that contribute towards making our community a better place to live. As our signature public outreach event, the Clean Air Fair continues to grow annually, with 43 exhibitors attending this year. The free lunchtime event included a variety of environmental and health information exhibitors, complimentary refreshments and food items, giveaways, prize drawings and live music. Through the generous donations of our exhibitors and the community, the event was funded for approximately two hundred dollars.

EPC also hosted the 12th Annual EPC Clean Air Month Photo Contest in conjunction with the Hillsborough County School System. The annual environmental photography competition is offered to high school students in an effort to recognize Clean Air Month and encourage increased awareness of the environment and air quality. The aim of the competition is to inspire the imagination of young artists to consider environmental issues facing the community. The winning photographers received savings bonds, and the winners and selected honorable mentions were displayed at the Clean Air Fair and will also appear in the lobbies of county center and EPC.

List of Attachments:

1. Clean Air Fair flyer
2. Clean Air Month Photo Contest flyer

Clean Air Fair 2013

“Environmental Protection Through Neighborhood Connection”

PLEASE JOIN US at this
free event in honor of
Clean Air Month!

Date: Thursday, May 9, 2013

Time: 11:30 am - 1:30 pm

Location: Poe Plaza, downtown Tampa
(On Franklin at Jackson Street)



Environmental and Community Exhibits • Prize Drawings for Gift
Cards and Local Attractions • Complimentary Refreshments and
Food Items • Transportation Exhibits and Bike/Pedestrian
Demonstrations • Health and Safety Information • Live Music

Join us as an exhibitor by calling the number below or email us at
jenkinsm@epchc.org ... or just be our guest and stop by.

We look forward to seeing you there!



Scan the blue box with your
smart phone for the
Clean Air Fair location

The Environmental Protection Commission
of Hillsborough County
3629 Queen Palm Drive · Tampa · FL 33619
(813) 627.2600 ext 1271 • www.epchc.org

*Our Vision:
Environmental
Excellence
In a
Changing World*

12th Annual Environmental Photo Contest

In honor of **Clean Air Month, May 2013**, the Environmental Protection Commission of Hillsborough County (EPC) is inviting your classroom to participate in the **12th Annual Clean Air Month Photo Contest**. Photos will be juried by a local photographer and EPC staff. Selected photos will be exhibited throughout the community from May – September 2013.

Topic - This year's theme is *Environmental Protection Through Neighborhood Connection* and relates to the benefits resulting from the partnership between EPC and local communities. Through this partnership, the residents serve as additional eyes and ears in their own neighborhoods and together we can enhance environmental protection. We encourage you to incorporate this concept and/or others listed below into your photography:

- Examples of environmental professionals interacting within the local community
- Examples of alternative technologies helping reduce pollution in the community
- Examples of how local residents reduce air pollution
- Examples of air quality concerns or pollutants in or near your neighborhood
- Examples of Hillsborough County residents enjoying clean air where they live

Awards/Recognition:

- \$150 donation to the school's Art Department of the first place winner
- First place student -- \$150 for purchase of Series EE U.S. Savings Bond
- Second place student -- \$100 for purchase of Series EE U.S. Savings Bond
- Third place student -- \$75 for purchase of Series EE U.S. Savings Bond
- Certificates awarded to all Winners and Honorable Mentions
- Many submittals to be exhibited at EPC's Roger P. Stewart Center lobby through September 2013
- Finalists and select others to be displayed at EPC's Clean Air Fair on May 2, 2013 in downtown Tampa



Photo Specifications:

- Photo may be black and white, color, or hand-colored/embellished photography
- Student may use point and shoot, 35mm or digital camera, and photos may be lab developed
- Photos may be 2-dimensional or 2-dimensional relief using any media, however 80% must be photography
- Photos may be from postcard size to no larger than 2' x 3' (in any direction)
- Each student may submit up to two pieces of photography for the contest

Submission Requirements:

- Photos must be related to air quality and **taken in Hillsborough County**
- Photos must be matted
- On the back of each artwork the student must include **two copies** of the entry information form (see attached) to include: description of photography, how it relates air quality and **complete contact information**

Important Date:

Deadline: Hand deliver or send via school mail to Dana Warner, Supervisor, Middle/Secondary Art & Humanities by **April 12, 2013**

Students ... Have you?

- ✓ Matted the photo?
- ✓ Attached a completed student info form on the back of photo?
- ✓ Met the size requirement?
- ✓ Included a second copy of student info form with submittal?

The following information must be completed and attached to the photo.

Please provide a separate second copy to be included with the submittal.

2013 Clean Air Month Photo Contest
Photography Information Form

Art Student's Name: _____ Grade: _____

Name of Parent or Guardian: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Phone (home): _____ (cell): _____

School: _____ Art Teacher: _____

Art Teacher's Phone: _____ Title of Entry: _____

Medium: _____

Please describe how the photo relates to Clean Air Month:





ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Partnership between EPC and Tampa Bay Work Force Alliance

Agenda Section: Regular Agenda

Division: Legal and Administrative Services Division

Recommendation: Informational Report Only

Brief Summary: EPC is implementing a partnership with Tampa Bay Workforce Alliance. By partnering with TBWA, EPC is providing counseling, mentorship, and job training to TBWA participants, while decreasing EPC's impact on administrative losses.

Financial Impact: The partnership with TBWA has a positive fiscal impact for EPC, because it helps to compensate for the loss of Administrative staffing. By partnering with TBWA, EPC is augmenting this staff at no cost to the EPC budget.

Background:

Two of EPC's strategic priorities are Employee Training and Development & Partnering Relationships.

In response to those two priorities, and by suggestion of Commissioner Murman, it was decided that the Agency would contact the Tampa Bay Workforce Alliance to see if we could work together to have their potential unemployed candidates counseled, mentored, and provide meaningful job training experiences.

In January 2013, contact and meetings were set with Tampa Bay Workforce Alliance representatives. Sr. Management provided their potential wish list for viable candidates – 3 clerical positions - one assistant for the Legal & Administrative Services division, as well as the one each in the Air Management and Water Management divisions. Due to cut backs on administrative staffing, these were the positions in great need for the agency.

In April 2013, the Community Service Agreement was signed between the two agencies.

In June 2013, the program began with the first candidate, Ms. Joan Lewis, who is gaining 20 hours of clerical job experience per week, in the Legal and Administrative Services division, under the tutelage of Joyce Moore for approximately 6 months.

Additional trainees will come on board through Quarter 4 of 2013.

List of Attachments: None

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Compliance Assistance Improvement Initiative

Agenda Section: Regular Agenda

Division: Air Management Division

Recommendation: Informational Report on 2013 Agency Action Plan

Brief Summary: Staff will present information on the Agency's initiative to improve compliance assistance for small businesses. This is part of the EPC's 2013 strategic plan and involves developing a more formalized and consistent approach to assisting the regulated community. By increasing outreach and improving our interaction with businesses, the Agency can return these facilities to compliance quicker and do a better job of keeping them there. Also by being more proactive, we reduce the burden to both the community and the environment. In addition this keeps everyone's cost down as any type of enforcement is generally more expensive for all parties.

Financial Impact: None.

Background: As part of the Sterling process, EPC develops a number of initiatives each fall and brings them to the Board for approval in January. The approved initiatives are then written into the strategic plan and executed over the calendar year. This compliance assistance project was formulated through this process.

The compliance assistance improvement project at EPC will benefit all businesses but is targeted for smaller ones. The idea is to put together a formal program across all the divisions of the EPC and emphasize outreach and education. This proactive approach is not new to the Agency, but it has never been attempted on this scale.

This initiative will involve revising the Agency's Complaint & Warning Notice SOP to include a Standardized Advisory Letter to improve compliance assistance for minor non-compliance and small businesses. Additionally, we will develop a tracking mechanism for the Advisory Letter and will attempt to measure its effectiveness on the overall compliance rate which now is around 84%. Ultimately we also expect to see more favorable results in our next biennial customer survey.

List of Attachments: None

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ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: SWFWMD's proposed Minimum Flows and Levels (MFLs) for Lake Rogers and Lake Raleigh

Agenda Section: Regular Agenda

Division: Wetlands Management Division

Recommendation: Informational report.

Brief Summary: The Southwest Florida Water Management District is proposing Minimum Levels for two lakes in northwest Hillsborough County that are in the center of a major wellfield. This informational item explains what these proposed levels are and the implications of setting these.

Financial Impact: No Financial Impact.

Background: Chapter 373.042, Florida Statutes requires the water management districts to establish minimum flows and levels (MFLs) for aquifers, surface watercourses, and other surface water bodies to identify the limit at which further withdrawals would be significantly harmful to the water resources or ecology of the area. Rivers, streams, estuaries and springs require minimum flows, while minimum levels are developed for lakes, wetlands and aquifers. MFLs are adopted by rule and used in the water use permitting program to ensure that withdrawals do not cause significant harm to water resources or the environment.

On May 10, 2013, the Southwest Florida Water Management District (SWFWMD) produced a draft document for Lake Rogers in NW Hillsborough County. The proposed Minimum Level (ML) for Lake Rogers is 35.6 feet NGVD29 and the proposed High Minimum Level (MHL) is 38.7 feet NGVD29. On May 16, 2013, the SWFWMD produced a draft document for Lake Raleigh. The proposed Minimum Level for Lake Raleigh is 37.9 feet NGVD29 and the proposed High Minimum Level is 41.1 feet NGVD29.

These levels have regulatory significance. The Minimum Level must be met at least 50% of the time, while the High Minimum Level must be met at least 10% of the time (calculated over an extended time frame). Tampa Bay Water will need to comply with these levels when operating their wellfields in the region.

The Minimum Levels of 35.6 feet for Rogers and 37.9 feet for Raleigh are based upon the District's Wetland Offset Stage Regime (designed to protect the fringing wetlands). Quoting from the SWFWMD report for Lake Rogers:

"Review of changes in potential herbaceous wetland area or area available for submersed aquatic plant colonization in relation to change in lake stage indicated only a small increase in potential wetland area within the lake basin at the Wetland Offset elevation relative to the potential wetland area at the Historic P50 elevation. Based on the area of the lake with depth less than 4 feet, only a 5 percent increase in emergent aquatic is estimated to take place at the wetland offset (35.6 ft NGVD) relative to the area of emergent vegetation at the a Historic P50 (36.4 ft NGVD). Additionally, the open water portion of the lake would decrease by approximately 7 percent. The Wetland Offset would provide for basin connectivity and the associated movement of aquatic fauna and canoe and small boat access among the lake sub-basins (1ft over saddle) for approximately 70 % of the time based on the

Historic regime and 58 % of the time based on the Wetland Offset stage regime. The lake surface area at the proposed Minimum Lake Level is about 90% of that associated with lake area at the transitional normal pool (38 ft NGVD) and 84% of the lake area at the peak stage elevation of 40 NGVD."

Dr. Emery is very familiar with these lakes, having done multiple studies on them over the past 29 years. He has conducted multiple Vertical Elevation Determinations (VEDs) on the lakes. Therefore, he understands what the proposed MFL elevations mean to the lakes' hydroecological conditions. The historical water level regime of Lake Rogers and Lake Raleigh pre-wellfield would have had high water levels in excess of 45 feet above sea level, and Normal Pool elevations of in excess of 44 feet above sea level.

Obviously, the proposed High Minimum Level of 38.7 feet at Lake Rogers is substantially below these historical water levels. Such a 'drop' would not be acceptable under most situations. However, the Lake Rogers situation is relatively unique. The lake has been impacted by groundwater withdrawals since the 1930's. Over this long period of time with lowered lake levels, the upland forest habitat has moved down slope and the wetland fringe of the lake has been altered. There is now a mature upland forest habitat down to an elevation of around 41 feet. Attempting to restore the lake regime to historic levels would destroy a substantial acreage of high quality mature forest and totally submerge what has become an extensive acreage of herbaceous wetland fringe.

The proposed HML of 38.7 feet brings the water level on Lake Rogers up to an historic "scarp". This will periodically inundate the entire herbaceous wetland fringe while protecting the mature upland forest from flooding. The proposed ML of 35.6 feet is designed to help protect the existing wetlands around the lake (see above quote from SWFWMD).

Given that the District has decided to use the Wetland Offset Standard as the proposed ML for these two lakes, it is staff's recommendation that EPC not oppose these proposed MLs. While the proposed MLs and HMLs clearly do not come close to historic water levels, the proposed MLs and HMLs do represent the highest elevations of any of the appropriate methods normally utilized by SWFWMD when setting MLs and HMLs (note that while the "Connectivity Standard" for Lake Rogers was higher, that standard could not be used as it exceeded the calculated P50 for the lake).



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Date of EPC Meeting: June 20, 2013

Subject: Authorization to Administer Standard Programmatic General Permitting -Pending Agreement with US Army Corps of Engineers

Agenda Section: Regular Agenda

Division: Wetlands Management Division

Recommendation: Informational report.

Brief Summary: Consolidation and streamlining of environmental permitting has been on the Board's and staffs' priority list for several years. EPC staff have been meeting with technical experts from the US Army Corps of Engineers (USACoE) with respect to streamlining the dock and seawall permitting process. Right now, EPC has the responsibility to permit docks, seawalls, and related structures for the Tampa Port Authority and for the Florida DEP. The USACoE also has similar permitting responsibilities. Both EPC and the USACoE recognize the possible benefits to the public of additional consolidation and streamlining. Currently, the USACoE has drafted a proposed agreement that would empower EPC to act on behalf of the USACoE under certain circumstances and situations to implement the USACoE State Programmatic General Permit (SPGP).

Financial Impact: The financial impact to citizens will be neutral in the majority of cases, given that the USACoE does not charge a fee for its services under SPGP. There will be an added workload to EPC without additional compensation. EPC will address this added workload with a re-structuring of existing staff responsibilities and one additional position (designed to handle the combined added work load of the USACoE SPGP and the increasing loads from the recent assumption of the FDEP ERP responsibilities).

Background: In 2009, EPC assumed responsibilities to regulate non-commercial docks, seawalls and related marine structures and activities from the Tampa Port Authority. In 2012, EPC received partial delegation from the Department of Environmental Protection to undertake Environmental Resource Permitting. Much of this delegation involves docks, seawalls and related marine structures and activities.

The other agency that regulates many of these same activities is the US Army Corps of Engineers (USACoE). EPC and the USACoE have developed an agreement that will enable EPC to administer portions of the USACoE' State Programmatic General Permits.

The goal of this effort is to continue to come closer to providing citizens a true "one stop" permitting" avenue for non-commercial docks, seawalls and other marine-related activities. What once took three agencies to permit will now require, in many cases, only one agency. The advantages to the applicant are obvious. The advantages to the environment are two-fold: (1) the USACoE can more effectively utilize their extensive technical expertise on larger, more complex matters; while (2) EPC can utilize its un-paralleled local knowledge of the County's environmental landscape to efficiently address local project needs.

A secondary potential benefit to this consolidation is the future possible coalescing of the different sets of regulatory processes into a more easily understood standardized set of procedures. There exist differences in the

three sets of regulations. Having a single agency guiding the applicants through all three sets may result in having more consistency in future years. We are currently working up process maps to more precisely define similarities and differences in the three processes.

Environmental Protection Commission



FY 12 and FY 13 Accomplishments

- Applied for and received delegation from the State of Florida for wetlands permitting for smaller projects, minimizing the administrative burden on applicants while maximizing resource protection.
- Earned a 94.95 audit score from the State of Florida for the petroleum tanks compliance program, ensuring continued protection of the area's drinking water resources.
- Improved service and received a good or excellent rating on 89% of responses in the latest customer survey, which includes the public and the regulated community.
- Eliminated a required 14-day wait period for applicants applying for a building permit and removed obsolete requirements of air, water and waste rules.
- Awarded a \$277,000 EPA grant to help improve the success rate for wetland mitigation projects.
- Partnered with the Patel School at the University of South Florida and TECO Energy to start a new, local chapter of the Clean Cities Coalition through the U.S. Department of Energy.

Innovation

- EPC is implementing an e-pay system for many of the required permitting fees.
- EPC is implementing an online complaint and picture filing system so residents can directly and quickly report cases of potential contamination.
- EPC continues to seek and obtain permitting delegation from various federal and state governments so that Hillsborough County residents only have to deal with one agency to obtain environmental permits.
- EPC is developing quantitative measures the success of wetland creation projects over time.
- EPC is implementing in-the-field permits for certain proposed activities, and is studying ways to expand of the program.

Description

The Environmental Protection Commission of Hillsborough County (EPC) is a local environmental regulatory agency that was created by a Special Act of the Florida Legislature in 1987. EPC is a public service agency charged to protect air, water, and soil from pollution, safeguard wetlands, and control nuisances such as noise and odor. In order to provide these services, the EPC Commissioners adopt relevant environmental regulations. Based on these regulations, the Executive Director issues permits, authorizations, and approvals for activities that may be expected to have an environmental impact. The staff members conduct routine compliance inspections to ensure that the specific forms of each are being met. Annually, EPC responds to approximately 2,000 citizen complaints and conducts a wide variety of educational outreach programs. EPC aims to provide professional service in a structured and process-oriented manner while striving to find innovative solutions to problems through cooperative efforts and shared expertise. EPC is adaptive, outcome-oriented, and highly values its mission, its employees, and the residents it serves.

Mission

To protect natural resources and quality of life for the citizens of Hillsborough County.

Environmental Protection Commission FY14 - FY15 Budget



Through the collaborative effort of counties and organizations around Tampa Bay, more than 7,000 acres of sea grasses have returned in the last 20 years bringing the bay closer to its natural state.

- EPC submitted Budget in March
- Submittal included a Business Plan & Budget Summary
- These documents contained
 - Agency Overview & Mission
 - Discussion of customers & their requirements & expectations
 - FY12-13 Accomplishments
 - Example: 94.95% rating in Tanks Compliance
 - Example: FDEP selected wetlands delegation
 - Innovations Underway
 - Example: Online complaint filing using smartphone GPS
 - Example: Some permits issued by staff in-the-field

- **Core Objectives & Outcomes**
 - " Example: Decreasing permitting process times
 - " Example: Decreasing times to resolve compliance issues & respond to complaints
- **Key Projects & Community Values**
 - " Example: 1 stop permitting/streamlined permitting with value of customer cost savings
 - " Example: Continue excellence in air and water monitoring with values of health protection, standard setting, and siting decisions
 - " Example: Implemented Sterling Model to strive for excellence in Mission
- **Budget changes**
 - Administrator has included additional position to help implement streamlined permitting such as ACOE Authorization; no change in number of employees

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**ENVIRONMENTAL
PROTECTION
COMMISSION**

Environmental Protection Commission of Hillsborough County

FY 14 Business Plan

April, 2013

The following Business Plan is provided to the County Administrator as part of the EPC's budget submittal. It adheres to the EPC's Strategic Plan. It is formatted per the information provided by the County Administrator's Office. It is designed to fit as closely as possible with the County Administrator's Four Vision Statements.

Customers

Customers/Stakeholders

The EPC is primarily a regulatory agency. Our customers vary depending upon the specific regulated activity. Our customer base can be as large as the entire county or as small as a single concerned citizen. Figure 1 enumerates EPC's customers as well as their needs and expectations. Due to the nature of our job, we adapt to serve our customers in a way that is most suitable for them. The EPC headquarters are located in Sabal Park at the Roger P. Stewart complex. We have staff that report directly from home to sites for inspections. Likewise, staff conducts daily site visits within Hillsborough County scheduled at the convenience of the customers.

We determine customer satisfaction, dissatisfaction and engagement using the following methods: Customer Surveys (biennial); Comment Cards; input from EPC's Environmental Feedback Group, Business Feedback Group, Specialty Advisory Boards, Citizens Environmental Advisory Committee (CEAC), Staff Liaisons, and Technical Advisory Groups; the use of a Citizen Request Management System (CRMS); Public Comment at Board Meetings, Public Workshops, Community Workshops, Town Hall Meetings, and Face-to-Face Meetings; and information submitted via mail, e-mail and telephone.

EPC examines the overall ratings from the Customer Survey, with particular focus on the written comment section. We track the number of customers that visit our website, the number of customer complaints we receive and the number of outreach events we participate in each year. We develop specialty workshops for particular customer segments to educate, engage and receive feedback from those groups. For instance, we held a Green Star workshop for all of the auto repair facilities, in an effort to educate them on the advantages of participating in this compliance assistance program.

All of the information gathered throughout the year is then reviewed to determine any actionable items that need to be addressed. During the Customer Survey we asked our customers what they thought of the website and how it could be improved to better meet their needs. Consequently, the EPC website was redesigned in 2012 to make those improvements.

In 2012, EPC received input from both our Business and Environmental Feedback groups to the effect that EPC needed to do a better job of raising our profile in the community and letting people know what we do. Since then we have expanded our outreach efforts and created the Community Partnership Program. Likewise, we continue to make efforts to reach out to the Spanish speaking community. We also took the simple step of identifying all of our EPC vehicles and vessels with a large decal of our logo.

Figure 1: Customer and Stakeholder Requirements and Expectations

Customer Groups	Requirements and Expectations
<ul style="list-style-type: none"> • Citizens/Homeowners Associations 	<ul style="list-style-type: none"> • Timely response • More natural resource protection
<ul style="list-style-type: none"> • Regulated Entities (industry and agricultural community) 	<ul style="list-style-type: none"> • Timely response • Decisions based on facts, science, and rules • Historical records retention • Minimal regulation • Consistency • Problem-solving and conflict resolution • Professionalism • Customer focused
<ul style="list-style-type: none"> • Consultants/Developers 	<ul style="list-style-type: none"> • Timely response • Decisions based on facts, science, and rules • Historical records retention • Minimal regulation • Consistency • Problem-solving and conflict resolution • Professionalism • Customer focused
<ul style="list-style-type: none"> • Government (EPA, TBEP, SWFWMD, FDEP, TPA, County, and City of Tampa) 	<ul style="list-style-type: none"> • Timely response • Decisions based on facts, science, and rules • Accurate information and data • Fiscal responsibility
Stakeholder Groups	Requirements and Expectations
<ul style="list-style-type: none"> • Environmental Groups • Government Agencies (Hillsborough County, Municipalities, Research Institutes/Schools/Libraries/Universities) • Elected Officials and Legislators • Citizens Environmental Advisory Committee 	<ul style="list-style-type: none"> • Timely response • Accurate information and data • Decisions based on facts, science, and rules • Fiscal responsibility • Historical records retention

Agency Overview

Agency Mission

Mission: To protect the natural resources and quality of life for the citizens of Hillsborough County.

The Environmental Protection Commission of Hillsborough County (EPC) is a local environmental regulatory agency that was created by a Special Act of the Florida Legislature in 1967. EPC is a public

service agency charged to protect air, water, and soil from pollution, safeguard wetlands, and control nuisances such as noise and odor. In order to provide these services, the EPC Commissioners promulgate and adopt relevant environmental regulations. Based on these regulations, the Executive Director issues permits, authorizations, and approvals for activities that may be expected to have an environmental impact. The staff conducts routine compliance inspections to ensure that the specific terms of each are being met. Annually, EPC responds to approximately 2,000 citizen complaints and conducts a wide variety of educational outreach programs. The culture of our organization is to provide professional service in a structured and process-oriented manner. We strive to find innovative solutions to problems through cooperative efforts and shared expertise. We are adaptive, outcome-oriented, and highly value the agency's mission and employees.

Agency Organizational Charts

See Appendix 1 for all EPC Organizational Charts

Outcomes

Performance Measurements

#1: Streamlined Environmental Service: EPC has placed a high priority on streamlining overall services in permit-related duties. A significant part of this effort has been the attempt to consolidate multiple permitting activities. In 2009, EPC assumed responsibility for permitting non-commercial docks, seawalls, and other related structures from the Tampa Port Authority. The rationale behind this was that since EPC had to look at these sites for possible wetland-related reasons, it made sense to have only one agency have to examine each site rather than two (one stop permitting). In 2012, EPC assumed partial delegation from FDEP for Environmental Resource Permitting. The rationale for this is that EPC had to examine each site under the EPC Wetland Rule and/or the TPA rule, and it made sense to have only one agency examine each site rather than two (one stop permitting). Also in 2012, EPC assumed responsibility from FDEP for underground storage tank program inspections and compliance for sites within Manatee County. The rationale is that EPC already has a proven program to do this, and in collaboration with Manatee County, we would administer their inspection program thereby keeping program services local. EPC is reimbursed for its efforts by the State. In 2013-14 time frame, EPC is examining the feasibility of obtaining authorization to issue US Army Corps of Engineers permit(s) under that agency's SPGP program. The rationale remains the same, one stop permitting for the citizens of Hillsborough County. In many cases, the permitting fees to the citizen from these efforts are reduced.

EPC also stresses the value of timely permitting services. In addition to consolidating permitting activities, EPC is also focusing on the timeliness of the permitting processes. Many of the permit processes have statutory/rule time clocks. EPC strives to process most permits in less time than is allowed by these statutes/rules. EPC measures permit processing times across its Divisions and establishes goals to improve upon these times (goals are established to ensure that the quality of the reviews are not negatively impacted). Two initiatives that EPC has implemented to improve permit times are: "field-issued" permits and pre-application meetings. We have been able to measure the results of

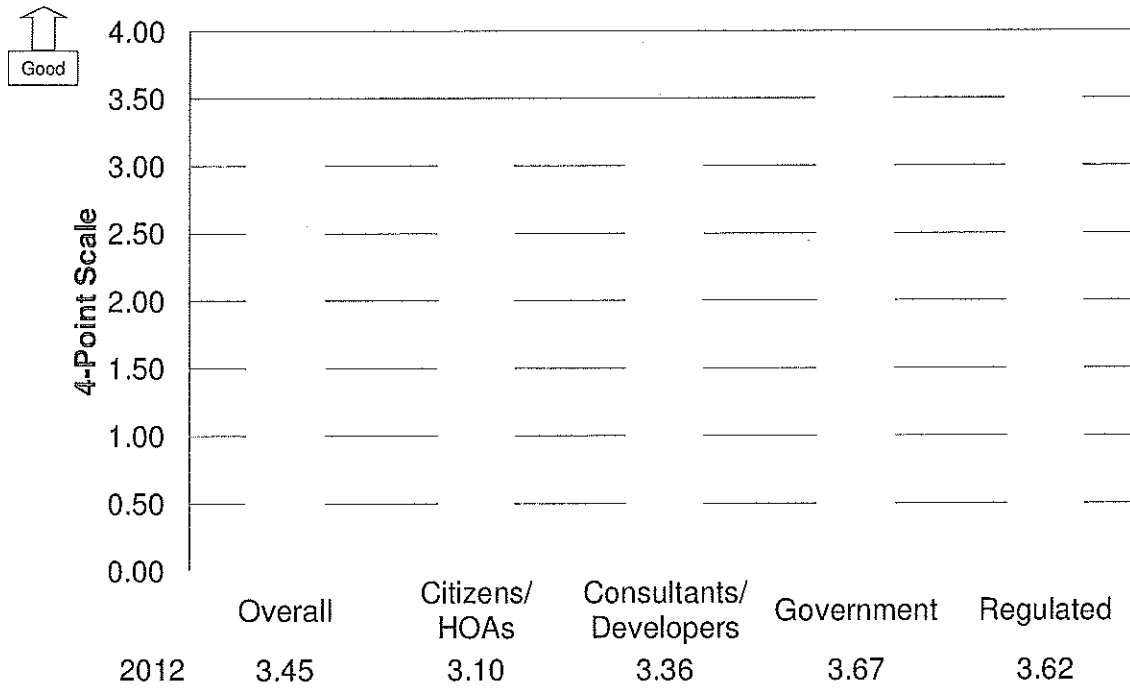
these efforts to improve the timeliness of permitting. The average number of days an application has been in-house prior to being issued for both delegated and non-delegated permits has decreased from 29.8 days in 2009 to 24.2 days in 2012.

Value Proposition: When the Authorization from the Corps of Engineers is finalized, applicants for permits to construct/modify docks, seawalls, and related infrastructure will soon have true “one stop” permitting, replacing a system where 5 years ago the applicant would have had to go to 4 to 5 different agencies. This saves the applicant significant time, travel and money in the form of fewer permitting fees. If the EPC and County’s current effort to increase the amount of delegated permitting from the FDEP is successful, applicants will be able to come to a single agency rather than three different agencies for proposed projects on 10 acres or less of land. The values are primarily less time and effort on the part of the applicant with no reductions in environmental protections. All of these enhanced values will exceed the added cost of a single new mid-level employee that is proposed to be added to the EPC staff to address the new responsibilities.

In addition to the one stop permitting concept, timely permitting is being enhanced through pre-application meetings and field issued permits. The time to process has been reduced by roughly one week for the average EPC permit over the last three years. As any project manager will tell you, time is money and these streamlined processes result in real savings for permittees. Although it would be difficult to quantify, retaining environmental consultants and the cost of borrowed money are two areas where there would be project savings.

#2 Customer Service: EPC has placed a high priority on improving its services to all of its various customers. EPC has taken the expectations from customers listed in Figure 1 and has developed approaches to improve each of these. To provide an over-arching quality of service model, EPC has embraced the Sterling Management Model for Excellence. This model has been successfully implemented by the County’s Tax Collection Agency. Two of EPC’s many initiatives under this program include: direct inspection programs, wherein inspectors can spend more time in the field on inspections and less wasted time in travel daily to and from the office; and detailed customer survey procedures wherein EPC regularly examines its efficiencies in permitting. Results for the most recent Customer Survey are provided in Figure 2.

**Figure 2 - Overall Satisfaction with EPC
By Customer Type for 2012**



Prepared by: Dave Klater Consultants Inc. (904)471-0112

Value Proposition: The EPC’s Sterling Management Model is designed to develop systematic performance improvements within the organization with the goal of sustained excellence in results. The monetary cost of this program is low. The projected value to be measured over the next several years is high with respect to time savings to customers, monetary savings to the tax payers, and continued excellence in the level of protective services to the natural environment of the County. EPC will have additional quantitative measures of success available in the 2014 time frame.

#3 Environmental Quality: EPC utilizes various indicators of environmental quality to provide measures of the degree of effectiveness of the regulatory programs which EPC implements. One such measure is the water quality conditions within Tampa Bay (designated an “Estuary of National Significance” in 1990 by the United States Congress). In 2012, all segments of Tampa Bay met the water quality goals for chlorophyll *a* accepted by FDEP and USEPA. Chlorophyll *a* is a widely used indicator of water quality. This is only the fourth time that all bay segments have met this goal since 1975. Likewise, in 2012, all major freshwater tributaries to the bay met the requirements for Total Nitrogen limits. The EPC routinely monitors for Harmful Algal Blooms, fecal coliform bacteria, and sediment toxicity (heavy metals, PAHs) in Hillsborough County waters. These contaminants are some of the most common human health related water quality criteria. Each poses varying degrees of risk ranging from mild irritation to more severe issues requiring medical attention.

Early detection and mitigation is very important and is one of the ways EPC helps protect the citizens of Hillsborough County. To measure groundwater quality, EPC utilizes the number of petroleum contaminated groundwater sites needing clean up; the goal being zero.

For measuring air quality, EPC examines the number of days during the year when ambient air quality conditions meet USEPA health-based standards and the total pollutant loading into the air. The goals are: (a) Zero for the number of pollutants not meeting EPA's health based standards anywhere in the County; (b) 95% less than the 1990 levels for SO₂, 75% less for NO_x, and 50% less for VOCs (the pounds of air pollution emitted in the County per capita). EPC also uses compliance rates as a measurement of improving quality. In Appendix 2, we present details from the measurements we have collected for these parameters and present some of the outcomes of the Agency's efforts on behalf of the environment.

Value Proposition: EPC's stated Mission is to protect our natural resources and quality of life for the citizens of Hillsborough County. By regulating and monitoring the discharges to air, water and soil, the citizens of the county enjoy: cleaner drinking water, better surface water quality, more diverse habitat and species diversity, better fishing, cleaner parks, healthier beaches, reduced drinking water treatment costs, reduced stormwater treatment costs, less public health risk from air or water pollutants, and lower incidences of asthmatic attacks. Our databases are also used to assess impacts of proposed projects/facilities leading to better management decisions based on real scientific data. These benefits make the County a more attractive location for businesses. This also promotes and sustains healthy recreational and commercial fisheries and the tourism industry for the County. Boating registration fees, fuel, tackle, storage and slip fees, and associated retail purchases contribute to keeping local businesses successful. A healthy real estate market showcasing waterfront homes on clean waterways provides significant tax revenues to the County.

Strategic Alignment

Link to County Administrator's Vision Statement

The County Administrator has outlined four key vision statements (Defining Essential "Core" Services; Customer Service; Organizational Culture; Community Building). EPC has developed its Business Plan to align as closely as possible with the four key vision statements of the County Administrator.

EPC has defined its Core Services as:

- Citizen Response
- Air, water, wetlands, and waste permitting, compliance and enforcement
- Ambient air and water monitoring
- Noise Program

Customer Service: Prompt response to citizen concerns/questions/applications is a core service at EPC and excellence in its deliverance is a primary goal (see "Performance Measurements" above). EPC's

meetings and site visits are coordinated with the customer in mind. To maximize streamlining, EPC has obtained additional delegation which has resulted in benefits to County citizens and permittees, including a reduction in fees. The level of service provided to the customer is not diminished and the essential services are provided at a lower cost in a more efficient manner.

Organizational Culture and Community Building: EPC's Vision is "Environmental excellence in a changing world". This vision incorporates the concept of excellence in service delivery and quality of product but also incorporates the reality of leaner budget times, the need for promotion of environmental stewardship, the promotion of the connection between quality of life, a healthy environment, and a vibrant economy.

Operating Environment

Operating Environment/Key Issues

As part of the Sterling Management Approach to Excellence, EPC undertakes an annual examination of its own Strengths, Weaknesses, Opportunities, and Threats (SWOT). Appendix 3 contains the most recent listing of these. This list is developed from a facilitated internal agency effort, wherein the most senior and experienced members of the staff were queried. Our agency systematically works to maintain and/or improve upon our strengths, while reducing the number and severity of our weaknesses. We periodically re-visit the SWOT list to make sure we continue to exploit the opportunities presented to us and to design and implement strategies that address the threats to our agency.

EPC continues forward in the ongoing effort to maximize the "one stop permitting" goal as set forth by our Board. Up to 2013, we have been able to accept additional permitting responsibilities from outside agencies without any increases in staffing. In actuality, we have reduced staffing by roughly 30% over the past six years and at the same time we have assumed additional permitting duties. Over the next three years, if we are successful in obtaining additional permitting authorizations from the State of Florida and the Federal Government, we anticipate the potential need to add several technical staff to handle the increase in workload, and to assign additional responsibilities to select existing staff.

Prior to 2007, it would have been possible to offset much of any increases in staffing costs via increased permitting fees. However, the EPC Board has made it clear that they are looking to possibly reduce fees as a way to spur economic development. Hence, EPC does not anticipate the ability to increase permitting fees as a way to offset potential increased personnel costs over the next 3 years. EPC Senior Staff and the EPC Board will have to work closely to weigh advantages of additional delegation with the likely added personnel costs to be required to implement these.

As illustrated in Figure 3, from FY07 through FY11, EPC experienced a decline in general fund revenue primarily attributed to the economy. The greatest decline occurred between FY07 and FY08. The low point appears to have been reached in FY11 as revenue in FY12 showed a slight increase over FY11. The greatest declines in EPC's revenue have come from SQG fees, solid waste permitting and enforcement case cost recovery. Although our FY13 (projected) and FY14 (planned) general fund revenue numbers are lower than FY12, we tend to plan on the conservative side, but are hoping for higher totals which would be an indicator of a more stable economy.

FY	Revenue (Actual/Proj./Planned)	Difference from Prior FY
2007	2,775,142	
2008	2,165,273	(609,870)
2009	1,721,962	(443,311)
2010	1,622,634	(99,328)
2011	1,531,564	(91,070)
2012	1,580,339	48,775
2013	1,562,000	
2014	1,492,344	

Key Initiatives

Priority Projects

Environmental Excellence through the Sterling Model: In 2009, EPC committed to implement the Sterling Model for agency operations. The Sterling Model is an ongoing effort of the Florida Sterling Council (a not-for-profit 501 c (3) organization founded in 1992). The mission of this organization is to enhance Florida's competitive edge and quality of life through promotion, assessment, and recognition of performance excellence, culminating in the Governor's Sterling Award. EPC has committed itself to accepting the "Sterling Challenge" as a major step in our attempt to improve the Agency. EPC has been actively and steadily undertaking the many actions required for its self-evaluation and performance improvements over the past 2-3 years.

EPC has committed to accept the official "Sterling Challenge" to be critically examined and critiqued by a team of highly trained and qualified examiners from the Sterling Council. This critique is scheduled to take place in the fall of 2013. EPC expects to take a portion of 2014 re-assessing those internal opportunities for improvement uncovered as a result of this rigorous outside examination for additional agency improvements. The Sterling management process has afforded EPC the unique opportunity to identify and develop long term as well as short term initiatives (referred to as Action Plans). Each plan is "owned" by an appropriate staff member. Moreover, additional staff members are utilized in working on the plans as well as providing input for optimal success. A summary of the 2013 Action Plans is attached as Appendix 4.

Inter- Agency Coordination and "One Stop Permitting": EPC has obtained several delegated programs from Federal, State, and Local agencies. The associated successes with obtaining these delegations as well as the specific benefits to our customers are the advantages of "one stop permitting", reduced duplicative regulations, and reduced fees. Moreover, because EPC is a local agency, we have the ability to respond to the citizens of Hillsborough County in a more timely manner. The current economic climate is one of the greatest challenges we are facing and EPC expects that tight budgetary conditions will continue into the future. However, through innovative efforts and focus on results, staff continues to provide our customers with a high level of service.

The EPC Board has tasked staff with making every effort to maximize the “one stop shopping” approach to permitting. In response to this call, EPC has implemented multiple actions to take on additional environmental programs including permitting delegation from our state and federal partners. Over the past few years EPC has:

- Assumed permitting delegation from the Tampa Port Authority;
- Assumed permitting delegation from the State Department of Environmental Protection for some aspects of ERP;
- Assumed additional responsibilities from the State for underground storage tank compliance.

EPC currently has been delegated permitting responsibilities for a total 14 environmental programs (see Figure 4), thus promoting “one stop permitting”.

Figure 4: Delegated Programs	
Delegated Program	Coordinating Agency/Partner
Minor Source Industrial Air Permits	FDEP
Title V Major Source Industrial Air Pollution Permits	USEPA/FDEP
Asbestos Notification & Inspection Program	USEPA/FDEP
Brownfield Site Development	FDEP
Petroleum Cleanup Program	FDEP
Petroleum Compliance Verification Program	FDEP
Domestic Wastewater Facility Permits	FDEP
Domestic Wastewater Collection/Transmission Systems Permits	FDEP
Industrial Wastewater Facility Permits	FDEP
Approval of Completion of Construction for Collection/Transmission Permits	FDEP
Tampa Port Authority Minor Work Permits	TPA
Mangrove Trimming Permits	FDEP
Mangrove Trimmer Authorizations	FDEP
Single Family Home & Coastal Activities – Environmental Resource Permits	FDEP

Going forward from 2013 to 2015, EPC will be critically examining its abilities to expand this list to include assuming:

- Additional delegation for more ERP responsibilities from the State;
- Select responsibilities from the US Army Corps of Engineers for authorizations to implement Federal permits;
- Responsibilities from the US Fish and Wildlife Service for authorizations to implement Federal reviews;

- Responsibilities from the national Marine Fisheries Service for authorizations to implement Federal reviews;

EPC's goal is to increase the number of major delegated environmental programs to the local level to more than the current figure of fourteen.

Between 2013 and 2015, EPC will be continuing to enhance the Priority Permitting Program. Specifically, the next few years will target more small businesses, and encourage them to utilize this program. Despite expanding the customers for this initiative, EPC will keep the same goal of processing any application in half the statutory time, and receiving a 3.5 or better on 100% of all the participant's customer surveys where 4.0 is a perfect score.

Workforce Excellence: The Sterling Management Approach stresses the importance of the workforce. Empowering, training and providing a positive atmosphere ensures the Agency will be able to do the best possible job in protecting the natural resources of this County. The EPC's goal in 2013 and beyond is to achieve better than an 85% satisfaction grade from the employees as measured by an "agree" or "strongly agree" response on the biennial employee survey.

All of these Key Initiatives are being implemented under the Sterling Management Model, and are subject to the same rigorous self-examinations and external examinations as described in the EPC's Strategic Plan (Appendix 5).

The Future

The future management at EPC will focus on efficient and effective delivery of our Core Services:

- Citizen response
- Air, Water wetlands, and waste permitting , compliance , and enforcement
- Ambient air and water monitoring
- Noise Program

EPC will continue to emphasize "Managing for Excellence" through a system of performance and benchmarking measures that provide feedback on everything we do. Performance measures are the key to a strategy of continuous improvement.

Our Vision statement of "Environmental Excellence in a Changing World" speaks to our recognition of the need for increased efficiencies in times of limited resources. At the same time however, solving today's environmental problems requires sound scientific data to understand the problems and determine how best to address them. Solutions to environmental problems will take a combination of sound data, creative problem solving, and the ability to have a dialogue with representative stakeholders on solutions.

EPC's Values of "Environmental Stewardship in a Culture of Fairness and Cooperation" recognizes that maintaining and improving our natural resources and the quality of life for our citizens is everyone's job. EPC will emphasize, through education and outreach, not just what our rules are but why they exist, the importance of environmental protection and the role we all play in achieving it. The Values statement also emphasizes that integrity, openness, and fairness in agency decision making is of tantamount importance.

Finally, of all the important objectives and action plans EPC will be working on in the future, two stand out as emblematic of all we are striving for. The first is to move even further in the direction of one stop permitting through collaboration and delegation with our partner agencies. This will achieve a streamlined and faster process. The second is full implementation of the Sterling Management model at EPC through the submittal of a Sterling Challenge Application, receiving a Sterling Examiner Feedback Report and then having the opportunity to even further improve the agency through implementation of recommended opportunities for improvement.

Appendices

- 1a-1f. Organizational Charts
2. Environmental Indicators
3. SWOT Analysis
4. Narrative of Key Action Plans
5. Strategic Plan



Environmental Protection Commission

Description

The Environmental Protection Commission of Hillsborough County (EPC) is a local environmental regulatory agency that was created by a Special Act of the Florida Legislature in 1967. EPC is a public service agency charged to protect air, water, and soil from pollution, safeguard wetlands, and control nuisances such as noise and odor. In order to provide these services, the EPC Commissioners adopt relevant environmental regulations. Based on these regulations, the Executive Director issues permits, authorizations, and approvals for activities that may be expected to have an environmental impact. The staff members conduct routine compliance inspections to ensure that the specific terms of each are being met. Annually, EPC responds to approximately 2,000 citizen complaints and conducts a wide variety of educational outreach programs. EPC aims to provide professional service in a structured and process-oriented manner while striving to find innovative solutions to problems through cooperative efforts and shared expertise. EPC is adaptive, outcome-oriented, and highly values its mission, its employees, and the residents it serves.

Mission

To protect natural resources and quality of life for the citizens of Hillsborough County.

FY 12 and FY 13 Accomplishments

- Applied for and received delegation from the State of Florida for wetlands permitting for smaller projects, minimizing the administrative burden on applicants while maximizing resource protection.
- Earned a 94.95 audit score from the State of Florida for the petroleum tanks compliance program, ensuring continued protection of the area's drinking water resources.
- Improved service and received a good or excellent rating on 89% of responses in the latest customer survey, which includes the public and the regulated community.
- Eliminated a required 14-day wait period for applicants applying for a building permit and removed obsolete requirements of air, water and waste rules.
- Awarded a \$277,000 EPA grant to help improve the success rate for wetland mitigation projects.
- Partnered with the Patel School at the University of South Florida and TECO Energy to start a new, local chapter of the Clean Cities Coalition through the U.S. Department of Energy.

Innovation

- EPC is implementing an e-pay system for many of the required permitting fees.
- EPC is implementing an online complaint and picture filing system so residents can directly and quickly report cases of potential contamination.
- EPC continues to seek and obtain permitting delegation from various federal and state governments so that Hillsborough County residents only have to deal with one agency to obtain environmental permits.
- EPC is developing quantitative measures the success of wetland creation projects over time.
- EPC is implementing in-the-field permits for certain proposed activities, and is studying ways to expand of the program.



Through the collaborative effort of counties and organizations around Tampa Bay, more than 7,000 acres of sea grasses have returned in the last 20 years bringing the bay closer to its natural state.

FY 14 and FY 15 Core Objectives & Outcomes

WHAT: Average 36 days or less to issue state-delegated environmental permits (approximately three times quicker than required by statute).

WHY: Efficient processing of permits gives staff the opportunity to extend their limited resources and maximize resource protection.

WHAT: Average 20 days or less to issue EPC environmental permits.

WHY: Efficient processing of permits gives staff the opportunity to extend their limited resources and maximize resource protection.

WHAT: Resolve 90% or more of all compliance issues within 180 days, or refer the issues for enforcement action.

WHY: Timely resolution of situations that are not compliant with environmental rules means there will be less impact to the environment, and less potential for harm to the public.

WHAT: Begin investigating all citizen environmental complaints within 5 business days.

WHY: Response to citizen concerns is one of the EPC's core functions; timely customer service is critical to being effective.

WHAT: Send formal notices of violation to owners/operators with serious violations within 60 days of the violation for at least 85% of EPC's enforcement cases.

WHY: Timely enforcement leads to quicker resolutions of environmental rule violations and lessens the negative impact to the environment.

FY 14 and FY 15

Key Projects & Their Community Value

PROJECT: Continue one-stop permitting efforts to make the permitting process more straight-forward and understandable for county residents and stakeholders.

VALUE: By assuming responsibilities from the federal government, state government, and other agencies such as the Port Authority, EPC helps residents enjoy a more streamlined and cost-effective process that can be addressed at a single location, and often at lower total costs.

PROJECT: Implement field efficiency with advanced planning of field teams' daily schedules to maximize the productive time on-site and minimize travel times, fuel, vehicle wear and tear.

VALUE: Development of in-the-field permitting for some activities reduces permit time frames. This improved customer service and reduction in costs is possible while

retaining a high level of environmental protection.

PROJECT: Continue work on one of the longest-running continuous air and water quality monitoring programs in the nation, providing for public health and resource protection.

VALUE: This level of environmental protection that monitoring supports will encourage tourism, drive the recreational economy, and attract businesses by providing a healthy, natural environment. It is also the source of data used in a local public/private sector consortium proposing nutrient standards for Tampa Bay accepted by state and federal authorities. EPC's wetlands monitoring ensures that all mitigation is eventually successfully completed. All this effort means that County citizens and visitors enjoy a clean, healthful environment.

PROJECT: Continue to support the Tampa Bay Clean Cities Coalition, and to foster environmental sustainability through the development of natural gas and electric vehicle charging stations, a bus fleet using natural gas, and related energy-saving technologies.

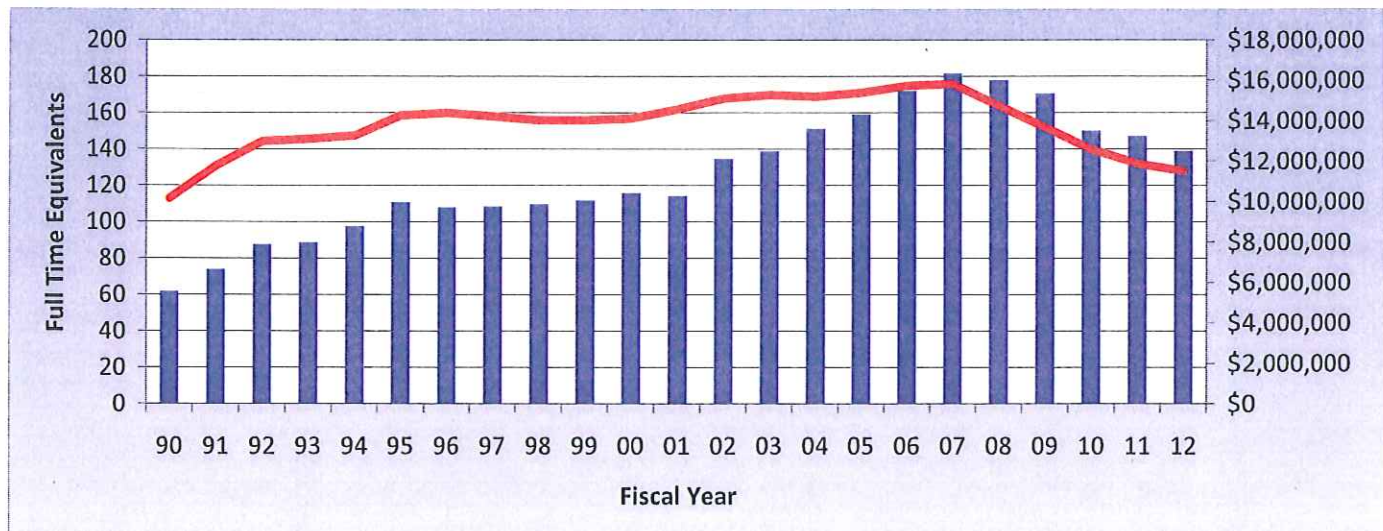
VALUE: EPC is a founding member of the Tampa Bay Clean Cities Coalition and is actively supporting the organization's attempt to obtain designation from the U.S. Department of Energy as a federal Clean Cities Coalition. The Clean Cities Coalition brings together stakeholders in the public and private sectors to deploy alternative and renewable fuels, idle-reduction measures, fuel economy improvements, and emerging transportation technologies which will benefit the environment and the economy.

PROJECT: Help to return blighted and contaminated properties back to productive use through implementation of the state-delegated brownfields program, the federal and locally-contracted Affordable Housing program, and EPC's old landfill program.

VALUE: The results for Hillsborough County residents are increased tax revenues from revitalized underutilized properties, job creation from new business and industry, new or improved low-cost housing, and public improvement projects. Successful projects to date include the IKEA Store in Ybor City, Cornerstone Plaza near the Tampa International Airport, and the Lakewood Pointe Apartments in Seffner, and the large-scale Plant City mid-town project.

Performance Measures	FY 12 Actual	FY 13 Projected	FY 14 Projected	FY 15 Projected
Time to Process State Delegated Permits	36 days	< 36 days	< 35 days	< 34 days
Time to Process EPC Permits	24 days	< 20 days	< 20 days	< 20 days
Timely Resolution of Non-Compliance Cases	91%	>90%	>90%	>90%
Timely Response to Citizen Complaints	99%	99%	99%	99%
Timely Administrative Enforcement Notification	76%	>85%	>90%	>90%

Relation of EPC Budgets to Staffing Since 1990



Did you know? *Because of the many efficiencies EPC implemented, the agency's 2013 staffing is at 1991 levels and the agency operates with a budget that equates to 2003 figures.*

For More Information, call the Environmental Protection Commission at 813-627-2600, visit www.epchc.org, or visit these websites:

Tampa Bay Estuary Program, www.tbep.org

Florida Department of Environmental Protection, www.dep.state.fl.us/

Southwest Florida Water Management District, www.swfwmd.state.fl.us/

Environmental Protection Agency, www.epa.gov

Tampa Bay Clean Cities Coalition, <http://psgs.usf.edu/patel-center/clean-cities-tampa-bay/>

U.S. Department of Energy Clean Cities Program, <http://www1.eere.energy.gov/cleancities/>

Appropriations	FY 12 Actual	FY 13 Adopted	FY 14 Recommended	FY 15 Planned
Personnel Services	\$10,832,659	\$10,713,306	\$11,026,470	\$11,030,614
Operating Expenditure/Expense	1,062,408	1,155,641	1,097,542	1,111,038
Capital Equipment	178,539	36,114	59,454	36,390
Grants & Aids	239,515	161,856	62,150	0
Other Uses	10,500	0	0	0
Total	\$12,323,621	\$12,066,917	\$12,245,616	\$12,178,042

Budget by Fund	FY 12 Actual	FY 13 Adopted	FY 14 Recommended	FY 15 Planned
Countywide General Fund	\$7,112,958	\$7,381,527	\$7,667,707	\$7,656,934
Countywide Special Purpose Revenue Fund	1,538,015	1,164,933	1,061,751	1,000,207
Unincorporated Area Special Purpose Fund	165,241	272,241	253,348	253,090
Intergovernmental Grants	3,507,407	3,248,216	3,262,810	3,267,811
Total	\$12,323,621	\$12,066,917	\$12,245,616	\$12,178,042

Funded Positions	128	129	129	129
Funded FTE Positions	128.00	129.00	128.36	128.36

**Budget Changes and Operational Impact
FY 13 to FY 14**

EXPENDITURES:

- Net increase of \$178,699.

PERSONNEL SERVICES:

- A 3.5% pay increase is budgeted.
- An Environmental Scientist II position is added in the Wetlands division for additional permitting delegation from the U.S. Army Corps of Engineers.
- A limited duration Office Assistant II position is eliminated.
- A Systems Analyst position is reduced to part-time status and a Software Specialist I position is added

OPERATING EXPENDITURES:

- No Changes

CAPITAL AND OTHER EXPENDITURES:

- No Changes

BUDGET CHANGES FY 14 TO FY 15

- FY 15 is budgeted at a continuation level.

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Environmental Protection Commission
of Hillsborough County
Sterling Challenge Application
June 2013



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Tampa, Florida, 33619*

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