

EPC

5/18/00

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
COMMISSIONER'S BOARD ROOM
MAY 18, 2000
10 A.M. – 12 NOON**

AGENDA

- I. CITIZENS WISHING TO APPEAR**
- II. CLEAN AIR MONTH AWARDS**
Presentation of Awards by Commissioners
- III. CITIZEN'S ENVIRONMENTAL ADVISORY COMMITTEE**
- A. Approve Amendments to CEAC's By-Laws 1
B. Items of Interest
- IV. CONSENT AGENDA**
- A. Approval of Minutes: April 11, 12 & 18, 2000 5
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C. Legal Department Monthly Report 36
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G. Information on Water Quality Issues – Groundwater Augmentation of
Round Lake, Northwest Hillsborough County 44
H. Update – Bullfrog Creek Water Quality Report 46
- V. COMMISSIONER'S SECTION**
- Selection of Environmental Protection Commission Executive Director
1. Introductory Comments (Sharon Wall)
 2. Introduction of Candidates
Cory Chadwick
Richard Garrity
Darrell Howton
Steven Kuhrtz
 3. Commissioner's Questions (15 Minutes Per Candidate)
 4. Commissioners Deliberate and Select Top Candidate
 5. Authorize Sharon Wall to Negotiate Contract With Top Candidate
(Establish Contract Parameters at a Future Meeting)

Any person who might wish to appeal any decision made by the Environmental Protection Commission 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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AGENDA ITEM COVER SHEET

Date: May 4, 2000

Agenda Item: CEAC By-Laws

Description/Summary:

Pursuant to Article V of the Citizens Environmental Advisory Committee (CEAC) By-Laws, amendment thereto must be approved by 2/3 vote of CEAC and approved by the Environmental Protection Commission.

The proposed changes correct an error in terminology, reflect the current procedure for preparing minutes of CEAC meetings, and reduce the number of persons on the nominating committee from 5 to 3.

At CEAC's meeting on April 1, 2000, the proposed amendments were approved unanimously.

Attached: Copy of the proposed changes.

Commission Action Recommended:

Request that the EPC approve the changes made to CEAC's By-Laws on April 1, 2000.

**HILLSBOROUGH COUNTY
CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE**

BYLAWS (PROPOSED CHANGES TO BY-LAWS)

ARTICLE I

NAME AND PURPOSE

- SECTION 1. The name of this organization shall be the Hillsborough County Citizens Environmental Advisory Committee. This Committee was established by the members of the Environmental Protection Commission (EPC), Hillsborough County, Florida in March, 1988.
- SECTION 2. The purposes and scope of the activities of this Committee shall be the following:
- A. To review and evaluate county environmental issues as requested by the EPC.
 - B. To initiate proposals and forward them to the EPC as recommendations for action.

ARTICLE II

MEMBERSHIP

- SECTION 1. The Committee shall be made up of a cross-section of citizens throughout Hillsborough County. The membership of the Hillsborough County Citizens Environmental Advisory Committee shall consist of a maximum of seventeen (17) members, two to be appointed by each EPC member, and one each to be appointed by the Mayors or City ~~County~~ City Council of the cities of Tampa, Plant City and Temple Terrace.
- SECTION 2. All members of this Committee shall serve for a two-year term, beginning January 1 and terminating December 31 of the second calendar year or at the pleasure of the EPC or the applicable City pursuant to appointments made by the individual EPC members and City Officials.
- SECTION 3. Any member who misses three consecutive meetings or four in the calendar year, would be ineligible to continue serving on the Committee, at which time the Chairman of the Committee shall notify the appointing commissioner about the member's ineligibility. The appointing commissioner will appoint a replacement member or may reappoint the member who has become ineligible due to extenuating circumstances.

ARTICLE III

MEETINGS

- SECTION 1. Notice of the time, place and purpose of all regular and special meetings shall be mailed to each member of the Committee, not less than five days before such meeting.
- SECTION 2. A majority of the total members of the entire Committee shall constitute a quorum for the transaction of any business at any regular meeting of the Committee. A majority of those Committee members designated by the Chairman of the Committee to attend any special meeting shall constitute a quorum for the transaction of business at any special meeting of the Committee.
- SECTION 3. Only the appointed members shall be entitled to vote at any meeting of the Committee.
- SECTION 4. ~~The Clerk of the Board of County Commissioners shall be responsible for maintaining all Committee minutes. These minutes shall be kept in the Office of the Clerk.~~ CEAC will designate a person to be in charge of taking minutes at their meetings. The liaison from EPC's Office of Legal Affairs and Coordination shall assist with recording equipment and will maintain all Committee records at 1900 9th Avenue, 2nd Floor, Tampa, FL 33605.

ARTICLE IV

OFFICERS

- SECTION 1. The members of the Committee shall elect from their own membership, the following officers at the last regular meeting of the calendar year.
- A. Chairman
 - B. Vice-Chairman
- SECTION 2. The terms of office for all officers shall be one year beginning at the first regular Committee meeting of the year and terminating at the last regular Committee meeting of the year, or until their successors are elected at the next regular meeting of the Committee.
- SECTION 3. Any officer may be re-elected for the same office.
- SECTION 4. A vacancy in any office may be filled by the Committee at any regular meeting.
- SECTION 5. Duties:
- A. Chairman: The Chairman shall preside at all meetings of the Committee and conduct all meetings of the Committee. He or she shall forward action taken by the Committee to the EPC for whatever action the EPC deems appropriate. The Chairman shall appoint subcommittees as appropriate and deemed necessary by the Committee, and notify the EPC of such appointments.
 - B. Vice-Chairman: In the absence of the Chairman or in the event of his or her inability to act, the Vice-Chairman shall exercise all powers and duties of the Chairman.
- SECTION 6. The Chairman shall appoint a Nominating Committee for the purpose of nominating officers. This Committee shall be composed of ~~five (5) members (one from each district, whenever possible)~~ not less than three (3) members and they shall elect their own Chairman. The Committee shall be appointed at the October meeting and shall make their nominations public at the November meeting.

ARTICLE V

AMENDMENTS

- SECTION 1. These bylaws may be amended by the two-thirds vote of the membership present and voting at any regular meeting of the Committee after notice of such proposals for an amendment has been given to all members as provided in these bylaws. All such amendments shall be subject to approval by the EPC.

ARTICLE VI

RULES OF PROCEDURE

- SECTION 1. All meetings of the Committee shall be conducted in an informal manner unless otherwise specified in these bylaws.
- SECTION 2. Agenda items are to be determined by priorities as set by the full Committee. All requests from the EPC shall be honored.

ARTICLE VII

RIGHTS AND PRIVILEGES

SECTION 1. No individual member shall possess any right, interest, or privilege which may be transferable by that member or which shall continue in any manner if the membership of such individual member ceases.

(ceac\bylaws.amd)
7/24/95
03/14/00

APRIL 11, 2000 - ENVIRONMENTAL PROTECTION COMMISSION SPECIAL MEETING -
DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting to consider an Arbitration Settlement Agreement for the Alafia River Intake Structure and Pump Station Environmental Resource Permit (ERP) Application, scheduled for Tuesday, April 11, 2000, at 11:30 a.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Chris Hart, Jim Norman, Thomas Scott (arrived at 3:00 p.m.), Ronda Storms, and Ben Wacksman.

The following member was absent: Commissioner Pat Frank (attending Legislative Delegation meeting in Tallahassee on Tampa General Hospital issues).

Chairman Platt called the meeting to order at 11:37 a.m.

Chairman Platt said some citizens had raised the question of why EPC had to deal with the issue that day. EPC Special Counsel Patrick Courtney explained the necessity to take up the issue before the Tampa Bay Water (TBW) meeting on April 17. Some issues would be discussed during the continued regular Board meeting on April 12 and the EPC meeting on April 18. The idea was to have the County and EPC approve the settlement agreement before April 17. Commissioner Hart suggested the Board of County Commissioners (BOCC) make its decision on April 12 so that Commissioner Frank could participate. If the BOCC took action on April 12, Chairman Platt felt the EPC should take action on that same date, because EPC would not want the BOCC to take different action. By consensus EPC agreed to hear the evidence, request Commissioner Frank's office to review a videotape of the meeting, and delay making a decision until April 12.

Attorney Courtney said the intake structure and pump station, based upon a siting analysis performed by TBW, was set to be placed immediately upstream of the Bell Shoals Road bridge. Based on concerns expressed by citizens in the area, EPC, County staff, and consultants had worked with TBW staff, consultants, and legal staff to resolve issues that dealt with public safety and navigation, aesthetics, and site revegetation as a result of impacts to the site during construction; noise and light pollution from the construction and operation of the facility; quantification of measurement impacts to the Alafia River from the intake structure during withdrawals; and verification that the withdrawals were consistent with the permit and water quality

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monitoring. Attorney Courtney reviewed the terms set forth in the arbitration settlement agreement. He explained the settlement agreement did not limit either the EPC or the BOCC regarding any issues dealing with the amount of withdrawals from the Alafia River.

Chairman Platt called for public comment. Ms. Cheryl Bradford, Riverview, said the following issues remained outstanding: (1) For water quality, TBW needed to do pH turbidity monitoring upstream of the intake in case a spill occurred. The citizens would like to see pH turbidity monitoring downstream in case a spill occurred, so sufficient flushing time could be allowed to ensure no environmental harm was caused by starting withdrawals again without sufficient flushing. (2) The structure was still unlimited for capacity to withdraw waters. There were no governor, structural, or capacity-limiting factors. Ms. Bradford said the settlement addressed elements TBW had already said it would handle. Citizens were generally unhappy with the agreement.

Ms. Gaye Townsend, Lutz, expressed concern regarding section 11--support of Tampa Port Authority permits and ERP. She said the Alafia River was not a drought-proof source of water. Ms. Townsend expressed concern about pumping the river and lakes simultaneously and the inability to have citizen participation except in arbitration. Ms. Marilyn Smith, County resident, expressed concern about light and noise pollution, animal nesting and foraging, and safety and navigational problems at Bell Shoals Road bridge. Citizens had not received an answer from the Justice Department or the County Attorney's Office to the question asked in January about sovereign submerged lands, which should be addressed before the agreement was signed. After noting the time of day, Chairman Platt said many questions had been raised that should be addressed, and she suggested continuing the meeting in the afternoon.

Commissioner Norman said TBW could increase the withdrawals by requesting a change in the permit. He asked if TBW would be willing to sign a 15- to 20-year agreement not to increase withdrawals, and he questioned why a moratorium would not be sought on TBW's ability to increase withdrawals. Attorney Courtney explained the structure could not take more water than what was currently permitted--57 million gallons per day. The size of the pipes and the size of the pumps were not engineered to handle more than that capacity. Commissioner Norman pointed out that the pipes and pumps could be changed, but if increases were not planned, there should be no problem obtaining an agreement not to increase withdrawals. Without that provision, Commissioner Norman would not support the agreement.

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Chairman Platt said the meeting could be continued at 2:15 p.m., and she asked staff to be prepared to answer questions raised by citizens. The BOCC would address the arbitration issue on April 12, 2000, at 1:30 p.m. Commissioner Hart moved to continue the EPC meeting to 2:15 p.m., seconded by Commissioner Storms, and carried four to zero. (Commissioners Scott and Wacksman were out of the room; Commissioner Frank was absent.)

Chairman Platt called a recess at 12:10 p.m. and reconvened the meeting at 2:45 p.m.

Attorney Courtney continued answering Commissioner Norman's questions and explained the intake structure could not get more water than currently permitted at the maximum current permitted capacity. However, if such a modification were requested by TBW, it would require TBW board action, and it would open another opportunity for arbitration. Commissioner Norman felt the citizens' fears were right; his fears about what could happen had not been satisfied. Attorney Courtney explained the issues brought up by citizens that morning were not issues related to the ERP, they were water use permit issues and master water plan issues and could not be dealt with by the arbitration panel. Limiting withdrawals from the Alafia River through a long-term agreement had not been considered during the settlement negotiations.

Attorney Courtney responded to Chairman Platt's questions about section 6, noise abatement, and section 4, other permits. Commissioner Platt said her concern about section 11, support of Tampa Port Authority permits and ERP, was "any" Tampa Port Authority permits versus "the" Tampa Port Authority permit. Attorney Donald D. Conn, TBW, did not object to rephrasing that to state the Tampa Port Authority permits required for the project. Chairman Platt pointed out that using general terms haunted the County later.

In response to Commissioner Norman, Attorney Conn said raising the issue of limiting withdrawals would be appropriate at the TBW board level, as an amendment or revision to the master water plan and separate from the settlement agreement. Increases to the Alafia River were not part of the master water plan, so TBW board action would be required even to propose that. Commissioner Norman opined that if such an agreement were in place, TBW might not be experiencing the problems it had encountered. Commissioner Hart asked if monitoring the other end of the system would be possible. Attorney Conn had been unaware of that issue until it came up in public comment, and more discussion on that issue would take place before the

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meeting on April 12. Commissioner Storms expressed concern about the length of time for a shutdown to allow for a complete filtration from the bottom of the river to the top, not just the top or bottom two-thirds.

Ms. Paula Harvey, Planning and Growth Management Department, reported the videotape for Commissioner Frank had been ordered from Hillsborough Television. Attorney Courtney said the meeting needed to be continued to a time certain on April 12. Deputy County Administrator Pat Bean said the time certain would be 11:30 a.m. Commissioner Hart moved to continue the special EPC meeting to 11:30 a.m. on April 12, seconded by Commissioner Storms, and carried five to zero. (Commissioner Wacksman was out of the room; Commissioner Frank was absent.)

There being no further business, the meeting was adjourned at 3:12 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

SW

APRIL 12, 2000 - ENVIRONMENTAL PROTECTION COMMISSION SPECIAL MEETING -
DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting to discuss the Alafia River Intake Structure and Pump Station Environmental Resource Permit Arbitration Settlement Agreement, scheduled for Wednesday, April 12, 2000, at 11:30 a.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Pat Frank, Chris Hart, Jim Norman, Thomas Scott, Ronda Storms, and Ben Wacksman.

Chairman Platt called the meeting to order at 11:46 a.m. Commissioner Frank, who had been absent when the issue was first discussed, explained her objection to the cost of arbitration and, regarding permits, the unknown effect of legislation concerning submerged lands.

Commissioner Norman said comments from Tampa Bay Water (TBW) had helped but had not completely satisfied his intent. He had conferred with EPC Assistant General Counsel Patrick Courtney, who had proposed the following language: TBW agrees not to seek a modification of the withdrawal schedule, which would allow for increase in permitted withdrawals from the Alafia River for the duration of the current WP No. 2011794.00. Commissioner Norman moved that before the Board stood down on the arbitration, the language he had read would be accepted. Commissioner Storms seconded the motion. Attorney Courtney thought Commissioner Norman's motion on the agreement, with the amendment, was appropriate if it was the Board's desire to take that agreement to TBW. Commissioner Norman said the motion was to approve the agreement, with the amendment. Commissioner Frank wanted to ensure challenge rights would not be sacrificed. Attorney Courtney said the language read by Commissioner Norman was the only modification to the agreement, which he emphasized had not been agreed upon through negotiations with TBW.

Commissioner Frank objected to section 5. Regarding section 1, Commissioner Wacksman asked if the amendment would undermine whatever agreement could be achieved through arbitration. Attorney Courtney said the amendment postponed additional withdrawals TBW might request, and it might cause TBW not to approve the agreement on April 17. Attorney Courtney advised Commissioner Wacksman if EPC went to arbitration it was possible a different agreement would result. Dr. Rick Garrity, Director, Water Resource Team, responded to Commissioner Wacksman about the status of science in the agreement and what could be lost in arbitration that might weaken safeguards in the agreement. Dr. Garrity said the agreement presented April 11 was based on good science;

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arbitration was not definite. The concern about pumpage from the Alafia River in the near future could be addressed in the master water plan. Commissioner Wacksman made a substitute motion to support the original settlement agreement and address the other issues separately in the master water plan. Commissioner Hart seconded the motion for discussion. Commissioner Norman emphasized citizens to be affected had nothing on which they could depend. Comments followed about previous problems with TBW, protection of water sources, and negotiations between various staffs.

Chairman Platt asked if there were other concerns. Attorney Courtney and Assistant County Attorney Ray Allen responded to Commissioner Frank regarding her concerns about section 5. Attorney Allen said the proposed language could be modified and returned later in the day. Commissioner Frank asked to strengthen section 12. Commissioner Storms moved continuance to 2:45 p.m. Commissioner Wacksman seconded the motion. Chairman Platt asked if other areas needed revision. Commissioner Hart wanted to discuss downstream monitoring. Chairman Platt said the substitute motion would be on the floor at the continued meeting. The motion carried six to zero. (Commissioner Scott had left the meeting.) (The afternoon session was covered in separate minutes.)

There being no further business, the meeting was adjourned at 12:23 p.m.

READ AND APPROVED: _____

CHAIRMAN

ATTEST:

RICHARD AKE, CLERK

By: _____

Deputy Clerk

fw

APRIL 12, 2000 - ENVIRONMENTAL PROTECTION COMMISSION CONTINUED SPECIAL
MEETING - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Continued Special Meeting to discuss the Arbitration Settlement Agreement for the Alafia River Pump Station and Intake Structure Environmental Resource Permit Application, scheduled for Wednesday, April 12, 2000, at 2:45 p.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Pat Frank, Chris Hart, Jim Norman, Thomas Scott, Ronda Storms, and Ben Wacksman (arrived at 3:22 p.m.).

Chairman Platt called the meeting to order at 3:08 p.m.

Chairman Platt explained that morning Commissioner Wacksman had moved to approve the arbitration settlement agreement as originally proposed. Since that meeting, staff had made revisions based on comments from Board members. Attorney Patrick Courtney, EPC Special Counsel, submitted and reviewed the revised settlement agreement. Language recognizing Tampa Bay Water's (TBW) obligation to provide water demanded by member governments was added to Section 2, which TBW had not yet discussed. Revisions in Sections 5, 11, and 12 were primarily clarifications related to other permits, monitoring, and Tampa Port Authority permits. Senior Assistant County Attorney Raymond Allen explained Section 2 recognized TBW's legal obligation under the interlocal agreement. TBW had indicated there was no intention to draw more water than requested in the permit. In the event additional water was needed, TBW could consider the Alafia River. The TBW board would have to approve the request to modify the permit, which would give the County an opportunity to request arbitration.

In answer to Chairman Platt, Attorney Allen said the revised document was sound. Commissioner Norman wanted language included that would better protect the Alafia River. Attorney Allen explained adding that TBW could not draw additional water from the Alafia River might create legal problems with an abrogation of the interlocal agreements. Discussion ensued on TBW's legal obligations and on negative impacts to the County because of the interlocal agreements. Commissioner Hart committed to relaying Board members' concerns to the TBW board and asking that sources other than the Alafia River be considered if additional water was needed during the ten years the permit would be in effect.

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Responding to Commissioner Norman, Attorney Donald Conn, TBW general counsel, related the current water demand was on target and had the potential for 10 percent growth, as originally projected. However, if member government growth projections continued to increase above the original projections, TBW might need additional water in the future. He opined the settlement agreement balanced TBW's obligation and the concerns of EPC and the County. Commissioner Norman asked for a five-year guarantee for no additional withdrawals from the Alafia River. Noting the TBW board had not addressed that issue, Attorney Conn explained TBW was member government driven and had to consider its legal obligations to meet demands; however, TBW was open to challenge, arbitration, and citizen 120 actions. Following discussion of those issues, Commissioner Frank pointed out there was no incentive for member governments to control growth, and the settlement did not preclude the County from opposing any new issues that could arise with permits not addressed by the settlement. Attorney Courtney concurred.

In answer to Chairman Platt, Attorney Courtney verified the revised settlement document had been addressed by Attorneys Allen, Conn, and Courtney. Attorney Conn confirmed the revisions in Sections 5, 11, and 12 would be recommended to the TBW board. He could not state a position regarding Section 2 revisions; however, he saw no legal problem with that revision. In answer to Commissioner Wacksman, Dr. Rick Garrity, Director, Water Resource Team, agreed with the revisions, and Attorney Courtney said the Water Resource Team and legal counsel recommended the document. Commissioner Wacksman moved to use the new document as the document for approval by the EPC Board, seconded by Commissioner Hart. In answer to Chairman Platt, Commissioner Wacksman verified the previous motion was withdrawn. Commissioner Norman was concerned citizens were not getting enough protection. Commissioner Frank agreed, noting EPC members were not satisfied; however, Commissioner Norman's insistence on the issue had made TBW aware of the concerns. The motion carried seven to zero.

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There being no further business, the meeting was adjourned at 3:43 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

jp

APRIL 18, 2000 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Tuesday, April 18, 2000, at 2:00 p.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Pat Frank, Chris Hart, Jim Norman, Thomas Scott, Ronda Storms, and Ben Wacksman.

Chairman Platt called the meeting to order at 2:06 p.m., Commissioner Scott led in the pledge of allegiance to the flag and gave the invocation.

CHANGES TO THE AGENDA

Mr. Roger Stewart, Executive Director, EPC, reported that Mr. Jordan Lewis, Hillsborough County Health Department (HCHD), might not be able to attend the meeting to report on agenda item, EPC/methyl tert butyl ether (MTBE).

CITIZENS WISHING TO APPEAR

Ms. Gaye Townsend, 19905 Long Leaf Drive, referenced discussion at the Tampa Bay Water (TBW) meeting held the previous day, in which a 5 percent increase of wellfield pumping had been requested. Ms. Townsend felt all lakes and wetlands should be evaluated for sustainability at each wellfield where the increase had been requested. Commissioners Storms and Hart clarified Ms. Townsend's concerns from the TBW meeting.

Ms. Marilyn Smith, County resident, commented on the request for a 5 percent increase of wellfield pumping and high water recharge. Ms. Denise Layne, president, Lutz Civic Association, commented on the MTBE problem--contaminated wells in Lutz; augmentation and over pumping the wellfields; and the lack of participation by local governments in the Earth Day celebrations. Chairman Platt had received an electronic mail (E-mail) from Ms. Rhea W. and Major John A. Pierce, commending EPC staff, Jerry Campbell, who had helped resolve a noise pollution problem.

CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Mr. Larry Padgett, CEAC chairman, presented an update of the issues discussed at the last CEAC meeting. A presentation was scheduled for the next CEAC meeting on the watershed plans. Mr. Padgett explained CEAC members' request for identification badges or shirts so they could be recognized at outside activities.

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CONSENT AGENDA

- A. Approval of Minutes: March 16, 2000
- B. Monthly Activity Reports
- C. Legal Department Monthly Reports

Commissioner Norman moved the Consent Agenda, seconded by Commissioner Scott, and carried seven to zero.

EXECUTIVE DIRECTOR

Mr. Stewart presented a plaque to Ms. Sheila Luce, PC staff, who had resigned after 12 years of employment with the EPC.

Clean Air Month 2000 Proclamation - Commissioner Frank, on behalf of the Board of County Commissioners (BOCC), presented a proclamation on Clean Air Month 2000. Mr. Marvin Blount, EPC staff, accepted the proclamation and outlined the activities planned for Clean Air Month 2000.

State Audit Report/Air Toxics Grant - Mr. Stewart reported that, along with Pinellas County, Hillsborough County was one of four locations in the nation chosen for a national air toxic monitoring pilot program. The program would help determine how the Environmental Protection Agency (EPA) would establish a national air toxics monitoring network. Mr. Campbell introduced Messrs. Leroy Shelton and Thomas Tamanini, who were instrumental in putting together one of the four bids selected by the EPA.

Mr. Stewart said the state of Florida had recently recognized the outstanding effort of the Air Monitoring Section at the Department of Environmental Protection (DEP) annual audit.

Earth Day Update - Ms. Barbara Motte, EPC staff, gave an update of the Earth Day event held last Friday in conjunction with the Tampa Downtown Partnership. Ms. Motte displayed the Earth Day banner and asked Board members and the audience to sign the banner at the end of the meeting. Another Earth Day event celebration was scheduled for the following weekend at Lowry Park Zoo.

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LEGAL DEPARTMENT

Request authority to take appropriate legal action against Larry G. Mathis, doing business as Shady Shores Mobile Home Park - Attorney Sara Fotopulos, EPC Legal Counsel, outlined the request and asked for EPC approval to study the matter and take appropriate legal action. Commissioner Wacksman moved the recommendation of the Legal Department, based on the background material, seconded by Commissioner Hart, and carried six to zero. (Commissioner Frank was out of the room.) In response to Commissioner Storms, Mr. Chris Dunn, EPC staff, explained there was not a direct discharge from the mobile home park to Bullfrog Creek. He would provide a report next month on other issues with the Bullfrog Creek watershed and investigate if there was a 200-foot requirement for septic tanks.

Concur with BOCC decision not to initiate binding arbitration on the following TBW Projects:

Brandon Urban Dispersed Wellfields - Attorney Kristen Bennett, EPC Legal Department, outlined the item and noted the recommendation not to enter into binding arbitration. Commissioner Hart moved approval of staff recommendation, seconded by Commissioner Wacksman, and carried seven to zero.

Central System Wellfields - Attorney Bennett presented the item, noting the recommendation not to enter into binding arbitration. Commissioner Wacksman moved staff recommendation, seconded by Commissioner Hart, and carried seven to zero.

North Hillsborough Intertie Contract 2 - Attorney Bennett reported on the item; staff recommendation was not to enter into binding arbitration. Commissioner Hart moved approval, seconded by Commissioner Wacksman, and carried six to zero. (Commissioner Frank was out of the room.)

Optimized Regional Operations Plan - Attorney Bennett outlined the item and noted staff recommendation was not to arbitrate the March 20 submittal. Commissioner Hart indicated the item had surfaced earlier in the meeting in the citizens comments section; however, the staff recommendation did not include the change proposed at the TBW meeting the previous day to increase pumpage. Commissioner Hart moved approval of staff recommendation, which was seconded by Commissioner Wacksman. Commissioner Storms pointed out the recommendation had been noticed on March 20; the request to increase pumping

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was made less than a month since the recommendation had been presented. Following discussion on the item, the motion carried seven to zero.

COMMISSIONERS' REQUESTS/SPECIAL COMMITTEES

EPC/MTBE in Hillsborough County Wells (Commissioner Frank) - Mr. Stewart said Mr. Lewis had not arrived. Mr. Hooshang Boostani, EPC staff, referenced a written report Mr. Lewis had provided, which had just been distributed to EPC members. EPC staff would be meeting with DEP counterparts, other local programs, and the HCHD; staff was investigating all individual sites that had shown contamination; a report should be available by the June EPC meeting. The sites that had been reported in the St. Petersburg Times were associated with specific fuel contamination sites. Information provided by the HCHD indicated no MTBE contamination to the public supply systems. The information staff had provided to the EPC Board two months earlier pertained to a specific site being cleaned on behalf of DEP; staff did not detect a problem.

Commissioner Frank expressed concern with the way the chemical was traveling and how it seeped into the water stream. She felt staff should be aggressive on how to deal with the problem. A system should be set up where individuals would know who to call and what characteristics to look for in the wells

Mr. Paul Schipfer, EPC staff, responded to inquiries and concerns by Commissioner Frank regarding the MTBE contaminant. He reviewed information Mr. Lewis had provided, noting that from a public health view point, MTBE was not a known carcinogen; the State standard of 35 parts per billion was based on taste and odor, which was not a health concern; there were no known public water systems in Hillsborough County that exceeded that level; private wells with MTBE were directly associated with gasoline contamination issues and often had other regulated contaminants. Mr. Schipfer explained some of the characteristics of the contaminant were a terpentine taste and an odor of petroleum-related compounds. Mr. Boostani said staff would again meet with Mr. Lewis to ensure the public was informed. Staff would report to the EPC Board at the June meeting, at which the Health Department would be invited to make a presentation.

Report from Executive Director Applicant Review Panel (Review Panel) - Chairman Platt introduced members of the review panel, noting that Attorney Fotopulos had no role in the decision-making process. Mr. Dick Eckenrod, chairman, review panel, said in a letter dated April 10 the review panel had

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submitted names of the following four individuals for consideration of the position: Mr. Cory Chadwick, Dr. Richard Garrity, Mr. Steven Kuhrtz, and Mr. Rocco Marcello. Also recommended in that letter was a process to be followed to complete the selection. In response to Commissioner Hart, Mr. Eckenrod said the two names not selected from the top six candidates were Messrs. Darrell Howton and Ken Kymmes. Commissioner Hart moved that Mr. Darrell Howton be one of the applicants to be considered in the final decisions for final deliberations by the EPC Board, seconded by Commissioner Frank, and carried seven to zero.

Commissioner Hart initiated discussion on the proposed interview schedule and suggested, as part of the process, a public meeting be held with the interviewees before making a selection. Commissioner Scott moved to accept the recommended process and to include Commissioner Hart's suggestion for a public meeting to that process, which was seconded by Commissioner Storms. Chairman Platt clarified EPC Board members would individually interview each of the five candidates at a date that would be arranged and a second interview session would be conducted in an open meeting with all Board members before the final selection. Commissioner Norman suggested equal interview time for each candidate at the open meeting.

Mr. Eckenrod explained the third part of the recommendation was to delegate salary negotiations and contracts to Ms. Sharon Wall, Director, Human Resources Department and review panel member. Commissioner Scott said that was part of the motion. Commissioner Hart felt the Board should have input in those issues. EPC Board members agreed to Ms. Wall submitting a recommendation for EPC Board review. Commissioner Frank expressed concerns with long- and short-term contracts; there should be clear definitions of the job responsibilities, expectations, and a time measurement for evaluation of whether those standards were met. The motion carried seven to zero. Chairman Platt thanked review panel members Mr. Eckenrod, Ms. Wall, and Mr. Padgett.

SPECIAL PRESENTATION

Tampa Bay Water - Mr. Howton explained the item was an informational briefing on cumulative impact. Dr. Rick Garrity, Director, Water Resource Team, reported that at the request of the BOCC, the Agency on Bay Management (ABM) and the Tampa Bay Estuary Program (TBEP) had conducted a workshop on April 13. Dr. Garrity distributed a handout and reviewed the questions and discussions held at the workshop, noting a follow up workshop would be held

TUESDAY, APRIL 18, 2000

within a month. He talked about the Water Team's approach to cumulative assessment issues stating the Water Team had under contract through Water Resource Associates additional consultants to look at cumulative impact issues.

Mr. Anthony D'Aquila, EPC staff, gave a slide presentation on cumulative impacts, which included the definition of terminologies--cumulative versus project impacts, time and space characteristics, environmental impact statement, modeling near field versus far field, and monitoring physical versus biological data. He reviewed a timeline chart of events leading to cumulative assessment from April 1998 to August 2000. Mr. Mark Farrell, Water Resource Team, commented on assessing the hydrodynamic model. The objectives were to evaluate the potential environmental impacts to Tampa Bay associated with all the TBW projects and to provide that information to the EPC Board, public, and various agencies, and maintain an ongoing environmental assessment program moving beyond the permits, modeling the potential impacts, and calibrating those with the monitoring program. The County had engaged Dr. Alan Blumberg and Dr. Norman Blake to work through the process.

Mr. D'Aquila explained the permit process and arbitration settlement assured there would be adequate monitoring of the Tampa Bay ecosystem; a mechanism to evaluate results of the various monitoring efforts and present findings was needed. He suggested adopting the modified peer review process by creating a five-member peer review panel consisting of a physical oceanographer, benthic scientist, fisheries scientist, statistician, and a marine/estuarine botanist. Mr. D'Aquila felt it would be helpful to have local experts from the ABM and the TBEP technical advisory committee (TAC) to continue to participate in the cumulative assessment program; use the peer review panel that summer to validate various monitoring programs in the Bay, and to integrate TAC guidance; the peer review panel should meet regularly, every one to three years to evaluate data and findings from various monitoring programs; the peer review panel should publish the summary report and present findings to the BOCC and EPC Board; the joint TBEP/ABM committee should review and validate findings of the peer review panel; and those findings should be provided to the public, Southwest Florida Water Management District, and DEP for follow up.

Commissioner Wacksman congratulated staff on the process. Commissioner Hart felt some type of update process should be implemented. Chairman Platt asked where EPC members should refer all the questions and E-mails they received

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regarding the project. Mr. D'Aquila suggested the best clearinghouse for those issues would be Dr. Garrity. Commissioner Storms cautioned Mr. D'Aquila about receiving a positive response when he asked member governments to join the process.

There being no further business, the meeting was adjourned at 3:53 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

pgs

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
APRIL

A.	Public Outreach/Education Assistance:	<u>50</u>									
B.	Industrial Air Pollution Permitting										
	1. Permit Applications Received (Counted by Number of Fees Received):										
	a. Operating:	<u>4</u>									
	b. Construction:	<u>1</u>									
	c. Amendments:	<u>0</u>									
	d. Transfers/Extensions:	<u>1</u>									
	2. Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval (¹ Counted by Number of Fees Collected - ² Except for Title V Facilities where it is Counted by Number of Emission Units affected by the Applicant's Request):										
	a. Operating ¹ :	<u>2</u>									
	b. Construction ¹ :	<u>3</u>									
	c. Amendments ¹ :	<u>4</u>									
	d. Transfers/Extensions ¹ :	<u>0</u>									
	e. Title V Operating ² :	<u>0</u>									
	f. Permit Determinations ² :	<u>0</u>									
	3. Intent to Deny Permit Issued	<u>0</u>									
	4. General Permits	<u>0</u>									
C.	Administrative Enforcement										
	1. Documents Issued:										
	a. Notice of Intent to Initiate Enforcement	<u>1</u>									
	b. Citation	<u>0</u>									
	c. Emergency Order	<u>0</u>									
	2. Total Cases Initiated:	<u>1</u>									
	3. Cases Resolved:	<u>1</u>									
	4. Cases Referred to Legal Department:	<u>0</u>									
	5. Consent Orders Signed:	<u>3</u>									
	6. Contributions to the Pollution Recovery Fund: <u>\$10,500.00</u>										
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Organization Name</u></th> <th style="text-align: left;"><u>Violation</u></th> <th style="text-align: right;"><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td>a. Gulf Marine/Corrosion Control</td> <td>Failure to enclose grit blasting</td> <td style="text-align: right;">\$4,500.00</td> </tr> <tr> <td>b. Johnson Controls Battery Group</td> <td>Stack test failure lead emissions</td> <td style="text-align: right;">\$6,000.00</td> </tr> </tbody> </table>	<u>Organization Name</u>	<u>Violation</u>	<u>Amount</u>	a. Gulf Marine/Corrosion Control	Failure to enclose grit blasting	\$4,500.00	b. Johnson Controls Battery Group	Stack test failure lead emissions	\$6,000.00	
<u>Organization Name</u>	<u>Violation</u>	<u>Amount</u>									
a. Gulf Marine/Corrosion Control	Failure to enclose grit blasting	\$4,500.00									
b. Johnson Controls Battery Group	Stack test failure lead emissions	\$6,000.00									

D.	Inspections:	
1.	Industrial Facilities:	<u>5</u>
2.	Air Toxics Facilities:	
a.	Asbestos Emitters	<u>0</u>
b.	Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>16</u>
c.	Major Sources	<u>0</u>
3.	Asbestos Demolition/Renovation Projects:	<u>30</u>
E.	Open Burning Permits Issued:	<u>0</u>
F.	Number of DOF Permits Monitored:	<u>47</u>
G.	Total Citizen Complaints Received:	<u>61</u>
H.	Total Citizen Complaints Closed:	<u>75</u>
I.	Noise Sources Monitored:	<u>10</u>
J.	Air Program's Input to DRI's:	<u>3</u>
K.	Test Reports Reviewed:	<u>43</u>
L.	Compliance:	
1.	Warning Notices Issued:	<u>17</u>
2.	Warning Notices Resolved:	<u>39</u>
3.	Advisory Letters Issued:	<u>6</u>
M.	AOR's Reviewed	<u>0</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION
APRIL

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	\$ -0-
(b) all others	<u>\$ -0-</u>
2. Non-delegated operation permit for an air pollution source	
(a) class B or smaller facility - 5 year permit	\$ -0-
(b) class A2 facility - 5 year permit	<u>\$ -0-</u>
(c) class A1 facility - 5 year permit	<u>\$ -0-</u>
3. (a) Delegated Construction Permit for air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$ 640.00</u>
(b) Delegated operation permit for an air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$4,000.00</u>
(c) Delegated General Permit	<u>\$ 100.00</u>
4. Non-delegated permit revision for an air pollution source	<u>\$ -0-</u>
5. Non-delegated permit transfer of ownership, name change or extension	<u>\$ -0-</u>
6. Notification for commercial demolition	
(a) for structure less than 50,000 sq ft	\$1,265.00
(b) for structure greater than 50,000 sq ft	<u>\$ 215.00</u>
7. Notification for asbestos abatement	
(a) renovation 160 to 1000 sq ft or 260 to 1000 linear feet of asbestos	<u>\$ -0-</u>
(b) renovation greater than 1000 linear feet or 1000 sq ft	<u>\$ 800.00</u>
8. Open burning authorization	<u>\$ -0-</u>
9. Enforcement Costs	<u>\$1,044.62</u>

COMMISSION
PAT FRANK
CHRIS HART
JIM NORMAN
JAN PLATT
THOMAS SCOTT
RONDA STORMS
BEN WACKSMAN



ADMINISTRATIVE OFFICES, LEGAL &
WATER MANAGEMENT DIVISION
1900 - 9TH AVENUE
TAMPA, FLORIDA 33605
TELEPHONE (813) 272 - 5960
FAX (813) 272 - 5157

AIR MANAGEMENT DIVISION
TELEPHONE (813) 272 - 5530

WASTE MANAGEMENT DIVISION
TELEPHONE (813) 272 - 5788

WETLANDS MANAGEMENT DIVISION
TELEPHONE (813) 272 - 7104

EXECUTIVE DIRECTOR
ROGER P. STEWART

MEMORANDUM

DATE: May 10, 2000

TO: Tom Koulianos, Director of Finance and Administration

FROM: Joyce H. Moore, Executive Secretary, Waste Management Division through
Hooshang Boostani, Director of Waste Management

SUBJECT: WASTE MANAGEMENT'S APRIL 2000 AGENDA INFORMATION

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	3
2. On-going administrative cases	
a. Pending	5
b. Active	60
c. Legal	9
d. Tracking Compliance (Administrative)	16
e. Inactive/Referred cases	22
f. Criminal Compliance tracking	2
3. NOI's issued	1
4. Citations issued	0
5. Consent Orders signed	1
6. Civil Contributions to the Pollution Recovery Fund	\$6,300.00
7. Criminal Contributions to the Pollution Recovery Fund	\$0.00
8. Enforcement Costs collected	\$979.22
9. Cases referred to Legal Dept.	0
10. Cases Closed	8

B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	68/61
2. EPC Authorization for Facilities NOT requiring DEP permit	1/0
3. Other Permits and Reports	
a. County Permits	00/00
b. Reports	66/57
4. Inspections (Total)	268



a. Complaints	54
b. Compliance/Reinspections	26
c. Facility Compliance	17
d. Small Quantity Generator	171
5. Enforcement	
a. Complaints Received/Closed	47/55
b. Warning Notices Issued/Closed	2/3
c. Compliance letters	31
d. Letters of Agreement	0
e. DEP Referrals	0
6. Pamphlets, Rules and Material Distributed	478

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. UST Compliance	51
b. AST Compliance	25
c. UST Installation	4
d. AST Installation	0
e. UST Closure	7
f. AST Closure	3
g. Compliance Re-Inspections	32
2. Installation Plans Reviewed	7
3. Closure Plans & Reports	9/6
a. Closure Plans Received/ Reviewed	4/4
b. Closure Reports Received/ Reviewed	5/2
4. Enforcement	
a. Non-compliance Letters	48
b. Warning Notices Issued/Closed	6/4
c. Cases referred to Enforcement	5
d. Complaints Received/Investigated	0
e. Complaints Referred	0
5. Discharge Reporting Forms Received	3
6. Incident Notification Forms Received	9
7. Cleanup Notification Letters Issued	3
8. Public Assistance	200+

D. STORAGE TANK CLEANUP

1. Inspections	11
2. Reports Received/Reviewed	69/45
a. Site Assessment	26/17
b. Source Removal	7/4
c. Remedial Action Plans (RAP's)	4/6
d. Site Rehabilitation Completion Order/ No Further Action Order	3/2

	e. Others	29/16
3.	State Cleanup	
	a. Active Sites	4
	b. Funds Dispersed	\$0.00
E.	RECORD REVIEWS	43
F.	PUBLIC INFORMATION PROJECTS	1
	National Institute for Storage Tank Management - 11 th Annual Florida State Conference, Greg Cowden (Speaker)	

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

APRIL, 2000

A. ENFORCEMENT

1. New Enforcement Cases Received:	<u>1</u>	
2. Enforcement Cases Closed:	<u>1</u>	
3. Enforcement Cases Outstanding:	<u>46</u>	
4. Enforcement Documents Issued:	<u>1</u>	
5. Warning Notices:	<u>3</u>	
a. Issued:	<u>1</u>	
b. Resolved:	<u>2</u>	
6. Recovered costs to the General Fund:	\$323.96	
7. Contributions to the Pollution Recovery Fund:	<u>\$950.00</u>	

<u>Case Name</u>	<u>Violation</u>	<u>Amount</u>
a. Country Road Park	Expired permit	200.00
b. Innegary Point S/D	Construction w/out permit	300.00
c. University Lakes Prof. Pk.	Construction w/out permit	450.00

B. PERMITTING - DOMESTIC

1. Permit Applications Received:		35
a. Facility Permit:	<u>11</u>	
(i) Types I and II	<u>2</u>	
(ii) Type III	<u>9</u>	
b. Collection Systems-General:	<u>10</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>3</u>	
d. Residuals Disposal:	<u>0</u>	
2. Permit Applications Approved:	<u>27</u>	
a. Facility Permit:	<u>9</u>	
b. Collection Systems-General:	<u>12</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>6</u>	
d. Residuals Disposal:	<u>0</u>	
3. Permit Applications Recommended for Disapproval:	<u>1</u>	
a. Facility Permit:	<u>1</u>	
b. Collection Systems-General:	<u>0</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>0</u>	
d. Residuals Disposal:	<u>0</u>	
4. Permit Applications (Non-Delegated) Recommended for Approval:	<u>0</u>	
5. Permits Withdrawn:	<u>0</u>	
6. Permit Applications Outstanding:	<u>21</u>	
a. Facility Permit:	<u>15</u>	
b. Collection Systems-General:	<u>2</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>4</u>	
d. Residuals Disposal:	<u>0</u>	

C. INSPECTIONS - DOMESTIC	<u>82</u>
1. Compliance Evaluation:	<u>18</u>
a. Inspection (CEI):	<u>0</u>
b. Sampling inspection (CSI):	<u>13</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>5</u>
2. Reconnaissance:	<u>32</u>
a. Inspection (RI):	<u>10</u>
b. Sample Inspection (SRI):	<u>1</u>
c. Complaint Inspection (CRI):	<u>20</u>
d. Enforcement Inspection (ERI):	<u>1</u>
3. Special:	<u>32</u>
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>0</u>
c. Preconstruction Inspection (PCI):	<u>9</u>
d. Post Construction Inspection (XCI):	<u>23</u>
D. PERMITTING - INDUSTRIAL	
1. Permit Applications Received:	<u>4</u>
a. Facility Permit:	<u>3</u>
(i) Types I and II	<u>3</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
b. General Permit:	<u>1</u>
c. Preliminary Design Report:	<u>0</u>
(i) Types I and II	<u>0</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
2. Permits Recommended to DEP for Approval:	<u>0</u>
3. Permit Applications Outstanding:	<u>33</u>
a. Facility Permits:	<u>33</u>
b. General Permits:	<u>1</u>
E. INSPECTIONS - INDUSTRIAL	<u>23</u>
1. Compliance Evaluation:	<u>8</u>
a. Inspection (CEI):	<u>7</u>
b. Sampling Inspection (CSI):	<u>1</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>0</u>
2. Reconnaissance:	<u>15</u>
a. Inspection (RI):	<u>7</u>
b. Sample inspection (SRI):	<u>1</u>
c. Complaint Inspection (CRI):	<u>7</u>

F. CITIZEN COMPLAINTS		
1. Domestic:		
a. Received:		<u>13</u>
b. Closed:		<u>6</u>
		<u>7</u>
2. Industrial:		
a. Received:		<u>8</u>
b. Closed:		<u>2</u>
		<u>6</u>
3. Water Pollution:		
a. Received:		<u>6</u>
b. Closed:		<u>3</u>
		<u>3</u>
G. RECORD REVIEWS		
1. Permitting:		<u>4</u>
2. Enforcement:		<u>3</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR:		
1. Air Division:		<u>59</u>
2. Waste Division:		<u>2</u>
3. Water Division:		<u>152</u>
4. Wetlands Division:		<u>2</u>
I. SPECIAL PROJECT REVIEWS		
1. DRI's:		<u>3</u>
2. Permitting:		<u>0</u>
3. Enforcement:		<u>0</u>
4. Other:		<u>0</u>
J. WATER QUALITY MONITORING SPECIAL PROJECTS		
1. Data Review		<u>0</u>
2. Special Sampling		<u>0</u>
3. Biomonitoring/Toxicity Reviews (DW)		<u>5</u>
4. Biomonitoring/Toxicity Reviews (IW)		<u>0</u>
5. Other		<u>0</u>
K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL		<u>9</u>

AR04.00

ASSESSMENT SECTION

A. EPC Wetlands Reviews

1.	Wetland Delineations	
	a. Wetland Delineations (\$120)	29
	b. Wetland Delineation Dispute	0
	c. Wetland Line Survey Reviews	37
	d. Additional Footage Fees	\$396.47
2.	Misc. Activities in Wetlands (\$0 or \$100 as applicable)	
	a. Nuisance Vegetation	5
	b. Other	21
3.	Impact/Mitigation Proposal (\$775)	2
4.	Mitigation Agreements Recorded	2
5.	FDOT Reviews	0

B. EPC Delegation/Reviews from State/
Regional/ Federal Authorities

1.	Tampa Port Authority Permit Apps. (\$50 or \$150 as applicable)	41
2.	Wastewater Treatment Plants (FDEP)	3
3.	FDEP Wetland Resource Apps.	0
4.	FDEP Grandfathered Delineation	0
5.	SWFWMD Wetland Resource Apps.	0
6.	Army Corps of Engineers	0

EPC Wetlands Management Division
 Agenda Backup for April 2000
 Page 2

	TOTALS
7. Interagency Clearinghouse Reviews	0
8. DRI Annual Report	0
C. Hills. County/ Municipality Permit Application Reviews	
1. Land Alteration/Landscaping (\$100)	3
2. Land Excavation (\$785 or \$650 as applicable)	0
3. Phosphate Mining	
a. Unit Review/Reclamation (\$760)	1
b. Annual Review/Inspection (\$375)	0
4. Rezoning	
a. Reviews (\$85)	34
b. Hearings	1
c. Hearing Prep (hours)	0
5. Site Development/Commercial (\$360)	
a. Preliminary	3
b. Construction	23
6. Subdivision	
a. Preliminary Plat (\$140)	5
b. Master Plan (\$550)	2
c. Construction Plans (\$250)	14
d. Final Plat (\$90)	5
e. Waiver of Regulations (\$100)	0
f. Platted, No-Improvements (\$100)	7
g. Minor - Certified Parcel (\$100)	32
7. As-Builts (\$255)	4

TOTALS

8. Miscellaneous Reviews (no fees)	
a. Wetland Setback Encroachment	3
b. Easement /Vacating	0
c. NRCS Review	0
9. Preapplications (no fees)	
a. Review preparation (hours)	5
b. Meetings/Reports	5
10. Development Review Committee (no fees)	
a. Review preparation (hours)	5.5
b. Meetings	0
D. Other Activities	
1. Unscheduled meetings with members of the public (walk-ins)	66
2. Other Meetings	77
3. Telephone conferences	852
4. Presentations	0
5. Correspondence	161
6. Correspondence Review (hours)	20.5
7. Special Projects (hours)	104
8. On-site visits	78
9. Appeals (hours)	5

ADMINISTRATIVE ENFORCEMENT	TOTALS
A. NEW CASES RECEIVED	7
B. ACTIVITIES	
1. Ongoing Cases	
a. Active	60
b. Legal	3
2. Number of "Notice of Intent to Initiate Enforcement"	3
3. Number of Citations Issued	1
4. Number of "Emergency Order of the Director"	0
5. Number of Consent Orders Signed	3
C. CASES CLOSED	
1. Administrative / Civil Cases Closed	4
2. Criminal Cases Closed	0
3. Cases Referred to Legal Dept.	0
D. CONTRIBUTIONS TO POLLUTION RECOVERY	\$5,450.00
E. ENFORCEMENT COSTS COLLECTED	\$1,245.99

INVESTIGATIONS / COMPLIANCE SECTION

A. COMPLAINTS	TOTALS
1. Received	57
2. Return Inspections	71
3. Closed	55
B. WARNING NOTICES	
1. Issued	26
2. Return Inspections	104
3. Closed	17
C. MITIGATION	
1. Compliance/Monitoring Reviews	10
2. Compliance Inspections	16
D. OTHER ACTIVITIES	
1. Case Meetings	17
2. Other Meetings	27
3. Telephone Calls	500
4. File Reviews	27
5. Cases Referred to Enforcement Coordinator	7
6. Letters	87

ADMINISTRATIVE / TECHNICAL SECTIONS

A. SOIL SCIENTIST

1. Case Reviews (Soils)	6
2. Field Soil Investigations	7
3. Reports or Notes of Soil Investigations	6
4. Special Projects	
- Brandon Urban Dispersed Wells	
- Regional Reservoir & Pipeline	
- SWFWMD Northern Tampa Bay Phase II Scope of Work	
- A Regional Guidebook for Assessing the Functions of Low Gradient, Blackwater, Riverine Wetlands in Peninsular Florida	

B. ADMINISTRATIVE SUPPORT STAFF

1. File Reviews	5
2. Telephone Assistance	1596
3. Letters	176
4. Incoming Projects	113
5. Additional Info / Additional Footage	13 / 8
6. Resubmittals / Revisions	17 / 6
7. Surveys / Data Entry	36 / 402

C. ENGINEERING STAFF

1. Meetings	36
2. Reviews	37
3. Aerial Reviews	12
4. Telephone Inquiries	43
5. Field Investigations	3
6. Seminars	4
7. Walk-Ins	1

LEGAL DEPARTMENT MONTHLY REPORT
May 18, 2000

A. ADMINISTRATIVE CASES

NEW CASES [0]

EXISTING CASES [11]

FIBA/Bridge Realty [LBRI95-162]: EPC issued a citation to the owner, Bridge Realty, and former tenant, FIBA Corp., for various unlawful waste management practices, and ordered that a contamination assessment must be conducted, a report submitted and contaminated material appropriately handled. Bridge Realty and FIBA appealed. Bridge Realty initiated a limited assessment; staff requested additional information only a portion of which was delivered. However, an alternate remedial plan has been approved and memorialized in a letter. We have been advised that the required corrective actions have been completed and a final report is due.

Woodcock [LWOO98-160]: Request for Authority sought at 03/16/00 EPC board meeting. Mediation/discussion was continued for 30 days; if negotiations are not successful, EPC has the authority to proceed with appropriate legal action. On April 26, 2000, Mr. Woodcock submitted proposed plans. A Letter of Agreement is being finalized.

Kinman [LKIN98-164]: The Kinmans requested an 84-446 administrative review of the EPC Director's Decision upholding the delineation of wetlands on their property, and amended their appeal in December 1998. The Hearing Officer agreed to hold the administrative process in abeyance to give petitioner an opportunity to apply for impacts and for the agency to respond. EPC has sent correspondence to the opposing side regarding status but they have not responded to EPC's request.

City of Tampa [LCOTZ99-005]: Appeal of EPC Citation for the improper disposal of street sweeping debris. Parties agreed in June 99 to abate the proceeding for 90 days to develop a plan for the proper disposal of the material. The plan has been reviewed and comments relayed to COT. Respondent submitted additional information and we await DEP's comments.

Cone Constructors, Inc. [LCONB99-006]: Citation for Noise Rule violations during the construction of the SunCoast Parkway was appealed. Proceedings are in abeyance pending settlement. [See Civil Cases FDOT & Cone Constructors, Inc.]

Starlight MHP WWTS [LSTAB98-167]: Settlement meetings have been ongoing. On April 11, 2000, the parties filed a joint status report with DOAH requesting a hearing date be set (Week of June 12, 2000) in the event the issue is not resolved. However, the parties have reached an agreement on the language of the Consent Order, and a meeting is being scheduled to execute all settlement documents.

Presto Food Stores Inc. [LPREZ00-002]: Appeal of a citation regarding out of compliance Underground Storage Tanks. The landowner requested an administrative hearing, asserting a lack of ownership of the UST system. The tenants also claim no ownership. The Hearing Officer continued the pre-hearing conference pending the property owner's efforts to properly close the system. Tanks have been emptied of product. EPC has agreed to give the property owner a brief abeyance pending the owner's circuit court litigation against the operator.

Watermark [LWATB98-168]: Appeal of a citation for out-of-compliance Underground Storage Tanks (UST's) at the Kings Point Golf Course. The regulatory deadline for upgrading or properly closing the UST's is passed. The landowner requested an administrative hearing, asserting that extenuating circumstances should be considered. Efforts continue to resolve this matter without having to refer to a hearing officer.

Putney [LPUTZ00-003]: Appeal of Director's denial of request to impact wetlands was referred to Hearing Officer Vanessa Cohn. Parties undertook discovery and attempted to limit issues so that a summary hearing was possible. EPC was granted Summary Disposition on April 4 making the April 12 hearing unnecessary. The parties have submitted proposed orders to establish conclusions of law and are awaiting the Recommended Order and Report from the Hearing Officer.

Windemere Utilities [LWIN00-002]: Applicant filed a formal Chapter 120 Administrative Petition challenging the EPC's denial of a permit issuance and modification based on the inadequacy of the treatment plant and disposal system's operating capacity. EPC has referred the petition to DOAH and requested assignment of an ALJ. Hearing date has been set for July 20 - 21, 2000. On May 3, EPC sent discovery requests to Petitioner.

RESOLVED CASES [2]

Shady Shores MHP [LSHA00-004]: Applicant filed insufficient petition challenging denial of permit to operate wastewater facility for Mobile Home Park. On April 7, 2000 the Petition was dismissed with leave to amend and petitioner was provided 15 days to re-file amended petition. No amended petition was re-filed and the matter was closed.

Alafia River Intake Structure Arbitration [LALAB99-004]: Upon the Commission's authorization later ratified, the Executive Director filed a request to arbitrate the proposed Tampa Bay Water permit. Arbitrators were selected. Patrick Courtney was lead attorney for EPC. Depositions were taken and the arbitration hearing set for May 8th-12th. Settlement discussions resulted in a proposed agreement, which was approved by the EPC, BOCC on April 12, 2000. On April 17, 2000, the TBW board voted to accept the settlement agreement. In accordance with the settlement agreement, TBW held a citizens committee meeting on May 10, 2000 to discuss the aesthetics of the structure. Ms. Mary Eisenmenger, Mr. Dooley Houghtaling, Dr. Nick Ehringer and Ms. Sybil Cribbs agreed to participate on the committee.

B. CIVIL CASES

NEW CASES [0]

EXISTING CASES [11]

Holley, Raymond, et al. [LHOL94-161]: Suit filed to compel proper closure for an abandoned underground storage tank, and to obtain civil penalties and costs. The Defendants defaulted and filed bankruptcy. The property was thereafter auctioned to a third party who did not follow through with the purchase. The bankruptcy case closed in April, 1998. EPC has lifted the Bankruptcy stay and renewed its previously filed Motion for Judgment after Default. Staff determined that Defendants may be eligible for state assistance in tank closure and cleanup under the Abandoned Tank Restoration Plan, and are awaiting Defendants' application for such assistance. EPC has not heard from Defendant and is currently calculating penalties and costs to include in default judgment.

Slusmeyer [LSLU94-152]: Defendant failed to comply with a prior judgment and injunction requiring proper closure of underground storage tanks. Although Defendant verbally agreed and was given until April to comply with the judgment, he failed to do so. EPC asked the court for an order of contempt and injunctive relief. On April 27, the judge took the issue of contempt under advisement and allowed Defendant 60 days to comply with the judgment, after which further sanctions may be sought.

Kings Food Mart [KIN96-159]: Authority granted to compel assessment of reported contamination at a retail gasoline facility, and to compel compliance with leak detection regulations for an existing Underground Storage Tank system. Complaint is being drafted.

Mulberry Phosphate [LMUL98-166]: Authority granted January 1998, to proceed against Mulberry to recover environmental damages as result of a process water spill from an impoundment system failure. The spill impacted the Alafia River and Tampa Bay. EPC is also seeking recovery of costs of enforcement and civil penalties. EPC is working cooperatively with DEP and NOAA to resolve this case jointly. EPC conducted a damage assessment and evaluation of appropriate restoration, and currently several mitigation projects, in both Hillsborough and Pasco, are being reviewed and considered as possible settlement options.

Stasiak v. EPC [LSTA98-163]: Mortgage holder attempted foreclosure of EPC's interest in certain real property

held by virtue of a recorded settlement agreement against the property owner U.S.H. & B. EPC consented to foreclosure as long as our rights to proceeds were protected. U.S.H.&B. filed Chapter 11 Bankruptcy and a plan providing for appropriate resolution has been filed with the Court. EPC staff were called for depositions between the parties, but the issues have now been settled.

672 Recovery, Inc. [LREC97-155]: EPC provided authority in March 1999 to compel compliance with EPC rules requiring a Director's Authorization for operation of a wood waste processing facility. 672 Recovery, Inc. has recently sold the operation and no longer operates the facility. The current owner is operating the facility in compliance with a permit issued by DEP. EPC is still seeking to recover penalties and costs from 672 Recovery, Inc. and staff are reviewing the file to determine amounts. Opposing counsel has been contacted and has agreed to review the citation regarding the EPC's request for costs and penalties.

FDOT & Cone Constructors, Inc. [LCONB99-007]: Authority granted in March 1999, to take appropriate legal action to enforce the agency's nuisance prohibition and Noise Rule violated during the construction of the SunCoast Parkway. A letter has been sent to counsel for Cone Constructors. A signed settlement agreement with payment of associated investigative costs is anticipated shortly.

Quasem J. v. EPC, et al. [LQAS98-161]: In foreclosing a mortgage on a UST facility, Plaintiff named EPC as a Defendant because of our recorded judgment against the former owner/operator, a relative of the current Plaintiff (EPC case against Emad Qasem). EPC has asserted the priority of our judgment lien. The current operator appears to be in compliance.

Acevedo v. EPC [LACE99-001]: EPC has been named as Defendant in suit filed to recover damages for injuries allegedly sustained as a result of an auto accident. EPC's Response to the Complaint has been filed. The County Attorney's office is representing the Commission in this matter.

Georgia and Hubert Maynard [LMAYZ99-003]: Authority to take appropriate action against the Maynards as owners and operators of an underground storage tank facility was granted, August 1999. A prior Consent Order required certain actions be taken to bring the facility into compliance, including the proper closure of out-of-compliance tank systems. The requirements of the agreement have not been met. Respondents have asserted willingness to comply, but financial inability.

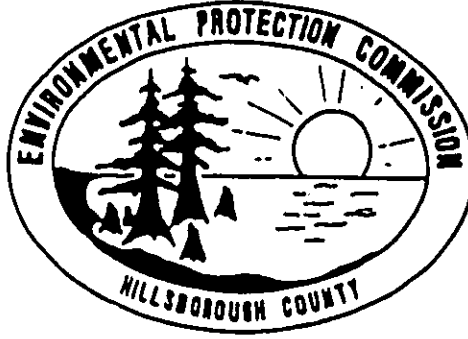
Tampa Scrap Processors, Inc. [LTPA98-157]: Authority granted in August of 1998 to proceed against all responsible parties for violations relating to the management of solid waste, used oil and hazardous waste and to compel a site assessment and a report of the findings. A meeting with the property owner before suit was filed produced a Consent Order signed October 19, 1998. Tampa Scrap has failed to comply with the terms of the Consent Order; the Tampa Port Authority is willing to perform the requirements of the settlement. We have filed suit against Tampa Scrap to protect our rights to legal enforcement of the specific terms of the Consent Order.

Integrated Health Services [LIHSF00-005]: IHS, a Delaware corporation, has filed for bankruptcy and noticed EPC. IHS is a holding company that has acquired a local nursing home, which operation includes a domestic wastewater treatment plant that is not in compliance. The Debtor has filed a motion requesting that utility companies be required to continue service to the Debtors so that their residents can continue without relocation.

RESOLVED CASES | 0 |

COMMISSION

PAT FRANK
CHRIS HART
JIM NORMAN
JAN PLATT
THOMAS SCOTT
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ADMINISTRATIVE OFFICES, LEGAL &
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WETLANDS MANAGEMENT DIVISION
TELEPHONE (813) 272-7104

EXECUTIVE DIRECTOR

ROGER P. STEWART

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
POLLUTION RECOVERY TRUST, FUND
AS OF APRIL 30, 2000

Fund Balance as of 10/01/99		\$1,024,661
Interest Accrued	FY00	31,653
Deposits	FY00	154,144
Disbursements	FY00	32,231

Fund Balance		\$1,175,227
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Encumbrances Against Fund Balance:

(57a)	Cypress Head Swamp	8,967
(14)	Wetland Surveys	1,781
	Seagrass Study/Sheriff	27,500
	Art. Reef FY00	32,406
(53)	Clayton Lake	6,007
(54)	Mosi Restoration	963
(56)	Oakview Utilities	74,925
(55)	Riverview Civic Center	39,525
(61)	Thalassea Study	13,245
(63)	McKay Bay	15,000
(64)	Hughes Hard Chrome	3,373
(71)	Seagrass Recovery	8,566
(66)	Asbestos Abatement	5,000
(72)	Brooker Creek	1,266
(75)	Adopt A Pond	50,000
(78)	River Crest Restoration	15,000
(79)	Epps Park Restoration	10,000
(68)	Lutz Nature Park	16,000
(73)	Balm Road Scrub	300,000
(81)	Oil Boom Prepositioning	50,000
(82)	Hill. Co. Env. Network	50,000
	Waste Reduction/Tampa	98,657
	Upper Tampa Bay Trail	77,300
	Charlie Walker Cons. Cen.	5,000
	Cockroach Bay Turtle	59,920

Total of Encumbrances		<u>970,401</u>
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Minimum Balance		100,000
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Fund Balance Available April 30, 2000		\$104,826
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COMMISSION

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EXECUTIVE DIRECTOR

ROGER P. STEWART

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
ANALYSIS OF GARDINIER SETTLEMENT TRUST FUND
AS OF APRIL 30, 2000

Fund Balance as of 10/01/99	\$1,579,471
Interest Accrued FY00	52,940
Disbursements FY00	- 0 -
Fund Balance	\$1,632,411

Encumbrances Against Fund Balance:

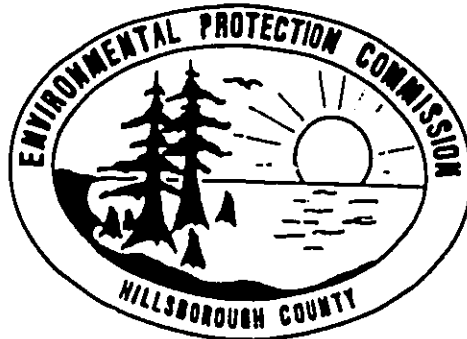
Alafia River, Add. (SWIM/DEP)	8,948	
Cockroach Bay Exotic Con. (HCC)	8,618	
Alafia River/Wolf Branch	300,000	
Ballast Point Seawall Phase II	25,000	
Audubon Society Riverview CC	50,000	
Oakview Utilities	50,000	
Port Redwing	300,000	
Davis Tract	200,000	
Apollo Beachhabitat Restoration	100,000	
Fantasy Island Restoration	50,000	
Mechanical Seagrass Planting	50,000	
Total of Encumbrances		\$1,142,566

Fund Balance Available April 30, 2000	\$ 489,845
---------------------------------------	------------



COMMISSION

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EXECUTIVE DIRECTOR
ROGER P. STEWART

MEMORANDUM

DATE: May 1, 2000

TO: EPC of Hillsborough County Board Members

FROM: Roger P. Stewart, Executive Director, EPC

SUBJECT: QUARTERLY STATUS REPORT ON NATIONAL PRIORITIES LIST SITES IN HILLSBOROUGH COUNTY

This memorandum serves as the quarterly status report concerning the United States Environmental Protection Agency's (USEPA) identified National Priorities List (NPL) sites that are located in Hillsborough County. The NPL sites are also known as Superfund sites. The previous status memorandum was submitted to you on January 26, 2000.

SCHUYLKILL METALS CORPORATION SITE

The USEPA is still waiting for a response from the Florida Department of Environmental Protection (FDEP) in regard to the USEPA's proposal to delete the site from the NPL. The USEPA has awaited the FDEP's response for about 1-1/4 years.

SYDNEY MINE SLUDGE POND SITE

The Phase II intrinsic bioremediation study report is being written.

KASSAUF-KIMERLING SITE

The USEPA states that Kassauf is conducting annual operation and maintenance activities, which includes groundwater sampling and a visual inspection of the site. The USEPA is currently working on deleting the site from the NPL. The USEPA Remedial Project Manager (RPM) states that she needs to work with the State in regard to the State's comments concerning the USEPA's proposed deletion of the site from the NPL.



HELENA CHEMICAL COMPANY SITE

The Remedial Design (RD) for the contaminated soil has been completed. The Remedial Action (RA) for the contaminated soil is scheduled to begin in May 2000. The RD for the contaminated groundwater is pending due to groundwater contamination from the nearby Alaric, Inc., site. The groundwater contamination from the Alaric, Inc., site is commingling with the groundwater contamination from the Helena site. The USEPA is conducting additional groundwater contamination investigation work at the Alaric, Inc., site. The USEPA may have to fund the investigation and remediation of the Alaric, Inc., site.

STAUFFER CHEMICAL COMPANY SITE

Most of the infrastructure is in place to begin the excavation of the contaminated soil. The excavation of the contaminated soil is scheduled to begin in about two weeks. Most of the groundwater recovery system has been installed. Groundwater recovery and treatment will begin in late summer of 2000.

NORMANDY PARK APARTMENTS SITE

The USEPA expects that the Record of Decision (ROD) for the site remedy will be signed in about a week or so.

SOUTHERN SOLVENTS, INC. SITE

The USEPA has approved the work plan for the Remedial Design (RD) of Operable Unit #1 (i.e., the contaminated soil and surficial aquifer groundwater). The USEPA has approved the work plan for the Remedial Investigation/Feasibility Study (RI/FS) of Operable Unit #2 (i.e., the contaminated Floridan aquifer groundwater). The USEPA expects to begin collecting field data for the RD and RI/FS in July 2000.

MRI CORPORATION SITE

The Record of Decision (ROD) for the contaminated soil remedy has been signed. More studies of the contaminated groundwater will be done. A second ROD will be necessary to address the contaminated groundwater remedy. The USEPA will send out notice letters to the potential responsible parties (PRPs) next week, inviting the PRPs to negotiate for the performance of the Remedial Design/Remedial Action (RD/RA). If the PRPs agree to participate in the RD/RA, the USEPA estimates that a Consent Decree can be finalized by the middle of September 2000.

PEAK OIL/BAY DRUMS SITE

EPC staff attempted to interview the USEPA Remedial Project Manager (RPM) but did not receive a response from her during the writing of this memorandum.

Page 3 of 3
May 1, 2000
EPC Board

The NPL Site Summary on the USEPA Region 4 Superfund website states that "the remedial designs for all phases of work will be completed in the Fall 2000. Construction activities will begin in early 2001."

REEVES SOUTHEASTERN CORPORATION SITE

The potential responsible party (PRP) has agreed to extend the groundwater control structure (essentially a culvert) across Queen Palm Drive. The Remedial Design (RD) is being modified to incorporate this change. The USEPA is reviewing the Remedial Action (RA) work plan. In the next couple of weeks, routine groundwater monitoring will be done. A replacement monitoring well will be installed. All surficial aquifer monitoring wells will be re-sampled in order to determine whether active pump and treat groundwater remediation is necessary.

TAYLOR ROAD LANDFILL SITE

The USEPA Remedial Project Manager (RPM) was on annual leave at the time that EPC staff was interviewing USEPA staff during the writing of this memorandum.

The NPL Site Summary on the USEPA Region 4 Superfund website states, "Under the monitored natural attenuation remedy, quarterly groundwater monitoring is being performed, as well as annual trend analysis. A statutory five year review will be performed by August 2003."

Due to the two consecutive quarterly events of groundwater quality exceedences in compliance ring monitoring wells C-6 and F-2, Hillsborough County reports that it will expand the compliance ring of groundwater monitoring wells outward from these wells, and the 270-foot setback line will be expanded in these locations.

c: Hooshang Boostani, P.E., EPC
Paul A. Schipfer, P.E., EPC
Carl J. Heintz, P.G., EPC

RPS/cjh

C:\Superfund Quarterly May 2000

AGENDA ITEM SUMMARY SHEET

Date: May 18, 2000

Agenda Item: Information on Water Quality Issues Related to Groundwater Augmentation of Round Lake, Northwest Hillsborough County

Description /Summary: The enclosed Fact Sheet presents a summary of basic information and background relating to the issue of water quality in Round Lake. This lake is located in northwest Hillsborough County, to the southeast of the intersection of Van Dyke Road and Dale Mabry Highway. It is across from the Section 21 well field. Groundwater augmentation has been occurring at Round Lake for the past 30 years. Recently the SWFWMD conducted water quality studies on the lake, and uncovered elevated levels of radium 226. Staff has compiled this basic fact sheet for information only, and proposes to bring the issue before the Board at the June meeting. Technical experts on the topic from the SWFWMD will also attend that meeting, to answer any specific questions the Board members may have.

Board Action Recommended:

None. Material is provided for informational purposes only.

COMMISSION

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EXECUTIVE DIRECTOR

ROGER P. STEWART



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FACT SHEET

AUGMENTED LAKES WATER QUALITY

What is Radium 226 ?

Radium 226 (Ra-226) is a radioactive element that exists worldwide and naturally occurs in phosphate and other underground mineral deposits throughout Florida.

Does Radium 226 occur in groundwater?

Yes. Since the groundwater is in contact with these underground mineral deposits, some of the radium is dissolved and occurs in the groundwater in varying concentrations. The State drinking water standard for radium is 5 pCi/L which means 5 picocuries per liter.

Why is Radium 226 an issue?

Recent analysis by the Southwest Florida Water Management District and University of Florida indicate that certain sediments, mussels and other biota in Round Lake, located in northwest Hillsborough County, contain an abnormally high level of radium 226. This lake has been augmented with groundwater, which contains radium, for the past 30 years.

Is the water in Round Lake unsafe?

According to recent analysis, the radium 226 concentration in the water of Round Lake is 2 pCi/L, and does not exceed the state standard of 5 pCi/L. These reports conclude that normal boating, swimming and other recreational activities in the lake do not pose a health risk to the public.

What health risks do these studies indicate?

There would be a health risk to the public if they consumed certain quantities of the mussels and/or fish (called Chubsuckers), or if they ingested the sediments on the bottom of the lake over a certain period of time. The health risk to animals that consume these mussels and fish is not fully evaluated.

What is the next step in these studies?

SWFWMD held a meeting with residents on Round Lake to describe the potential health risks mentioned above, and recently acquired funding to conduct further analysis on augmented versus unaugmented lakes to determine how widespread this problem is. We are closely tracking this situation, and will apprise the EPC/BOCC of any further developments.



AGENDA ITEM SUMMARY SHEET

DATE: MAY 18, 2000

AGENDA ITEM: BULLFROG CREEK WATER QUALITY UPDATE

DESCRIPTION/SUMMARY:

At the April 18, 2000 monthly EPC meeting, Commissioner Storms requested an update on the water quality of Bullfrog Creek . . . particular issues of concern included relatively high bacteria levels at several locations in the creek and the concern that young children have been observed swimming in the area. Please see attached a brief Bullfrog Creek water quality update report summarizing the status of a research project headed by Dr. Joan Rose of USF which should provide information to help resolve this problem.

BOARD ACTION RECOMMENDED:

No Board action required. Report is provided for informational purpose only.

Environmental Protection Commission – Topic Update

May 18, 2000

Bullfrog Creek

EPC has been monitoring the surface water quality at two locations on Bullfrog Creek since 1976. Bacteria counts have been relatively high at these locations for years. EPC has attempted to locate the source or sources of the bacteria but results have been inconclusive due to the complexity of the sources in the drainage basin and the fact that the testing methods currently used do not differentiate between animal and human waste.

In 1998 EPC participated in a forum to discuss problems associated with the science of determining safe human swimming criteria in local waters. A research project headed by Dr. Joan B. Rose (Dept. of Marine Sciences – USF) was created. A 1 1/2 year project funded by the Dept. of Health (Pinellas County), Tampa Bay Estuary Program, SWFWMD and the Fla. Hotel Association was started in 1999. EPC recommended that several sites (Bullfrog Creek, Delaney Creek, Sweetwater Creek, etc.) in Hillsborough County be part of the project because of their persistently high bacterial counts and complex potential sources (human, natural, agricultural, stormwater, septic tanks, sludge spreading, etc.).

The project has many objectives but to EPC the ability to differentiate between human and animal bacteria is paramount, particularly in the Bullfrog Creek basin. Of the 22 sites being sampled, Bullfrog Creek is receiving the most scrutiny with a total of 5 sites being sampled monthly plus viral sampling every other month. All sampling is scheduled to end by July 2000.

EPC has received a copy of an "Interim Report" (81 pages) that provides the results to date, but with little interpretation. A final report may be available by the end of this year (2000).

Environmental Protection Commission of Hillsborough County

May 18, 2000 - 10:00AM - 12:00PM

Sign Up Sheet For Citizens Wishing To Speak To The Commission

Name (Please Print)	Subject Matter (Please Print)				
PATERIA MITCHELL	EPC DIRECTOR SELECTION ✓				
Jayne J. Janssen	E.P.C. ✓				
BOB MURPHY	SOBAC ✓				
BOB BETTIS	SOBAC ✓				
<p>LOBASZ & OVINK Attorneys and Counselors at Law</p> <hr/> <p style="text-align: center;"><i>Immigration, Family Law, Wills, Trust, Probate, Corporations, & Real Estate</i></p> <p style="text-align: center;">B. John Ovink, Esq.</p> <table style="width: 100%; border: none;"> <tr> <td style="width: 50%; border: none;"> 2402 Cleveland Street Tampa, FL 33609 Phone: (813) 254-2209 Fax: (813) 254-2948 </td> <td style="width: 50%; border: none;"> 3923 Lake Worth Rd. Ste. 113 Lake Worth, FL 33461 Phone: (561) 649-7700 Fax: (561) 649-7755 </td> </tr> <tr> <td colspan="2" style="border: none; text-align: center;"> email: bj_ovink@bigfoot.com </td> </tr> </table>		2402 Cleveland Street Tampa, FL 33609 Phone: (813) 254-2209 Fax: (813) 254-2948	3923 Lake Worth Rd. Ste. 113 Lake Worth, FL 33461 Phone: (561) 649-7700 Fax: (561) 649-7755	email: bj_ovink@bigfoot.com	
2402 Cleveland Street Tampa, FL 33609 Phone: (813) 254-2209 Fax: (813) 254-2948	3923 Lake Worth Rd. Ste. 113 Lake Worth, FL 33461 Phone: (561) 649-7700 Fax: (561) 649-7755				
email: bj_ovink@bigfoot.com					

Environmental Protection Commission

of Hillsborough County

May 18, 2000 - 10:00AM - 12:00PM

Sign Up Sheet

For Citizens Wishing To Speak To The Commission

Name (Please Print)	Subject Matter (Please Print)
✓ BOB BETNIS	EPC @
Smith & Smith	EPC

BOARD OF COUNTY COMMISSIONERS

Chairman
Pat Frank, District 7

Vice Chairman
Chris Hart, District 5

Ben Wacksman, District 1
Jim Norman, District 2
Thomas Scott, District 3
Ronda Storms, District 4
Jan K. Platt, District 6



P.O. Box 1110
Tampa, Florida 33601
(813) 272-5660

Daniel A. Kleman
County Administrator

MEMO

To: Commissioner Jan Platt, EPC Chair
From: Commissioner Ben Wacksman
Subject: May 18, 2000 EPC Meeting
Date: May 18, 2000

Jan:

Please be advised that I will be arriving late to the EPC meeting, as I am completing the interview process for the EPC Director. I should be joining the meeting at approximately 10:30 a.m.

SIERRA CLUB



Tampa Bay Group

P.O. Box 1948, Tampa, Florida 33601-1948

May 17, 2000

Honorable Jan K. Platt
Chair
Board of County Commissioners
Hillsborough County
Tampa, Florida

BY HAND DELIVERY

Dear Commissioner Platt:

I am writing on behalf of the Tampa Bay Group of the Sierra Club in support of the candidacy of Dr. Rick Garrity for appointment to the position of Executive Director of the Environmental Protection Commission for Hillsborough County.

Dr. Garrity is a consensus builder and a solution finder. That is the type of person we need protecting the environment of Hillsborough County. In addition, his 15 years of intimate involvement with and knowledge of local environmental issues makes him uniquely qualified for the position.

I urge you to select Dr. Garrity for this critical job.

Sincerely,

Jeanie Williamson
Chair



... To explore, enjoy and preserve the nation's forests, waters, wildlife and wilderness.





The Office of the

HILLSBOROUGH COUNTY LEGISLATIVE DELEGATION

P.O. Box 1110
Tampa, FL 33601

813-272-5865
SunCom: 543-5865

FAX: 813-276-2138
SunCom: 543-2138

Sen. John Grant
District 13

Sen. Jim Sebesta
District 20

Sen. James T. Hargrett, Jr.
District 21

Sen. Tom Lee
District 23

Rep. Rob Wallace
District 47

Rep. Gus Billrakis
District 48

Rep. Rudolph Bradley
District 55

Rep. Sandra Murman
District 56

Rep. Chris Hart IV
District 57

Rep. Bob Henriquez
District 58

Rep. Lesley Miller, Jr.
District 59

Rep. Victor Crist
District 60

Rep. Ken Littlefield
District 61

Rep. Johnnie Byrd
District 62

Rep. J.D. Alexander
District 66

Rep. Mark Ogles
District 67

May 15, 2000

The Honorable Jan Platt, Chair
Hillsborough County Environmental Protection Commission
Post Office Box 1110
Tampa, FL 33601

Dear Madam Chair:

On behalf of the residents of Hillsborough County and the members of the Hillsborough Legislative Delegation, I would like to express our appreciation to Mr. Roger Stewart, director of the Environmental Protection Commission, EPC general counsel Sara Fotopulos, and Air Management Division Director Jerry Campbell for their time and expertise in helping convince The Florida Legislature that the time had come to repeal motor vehicle inspections.

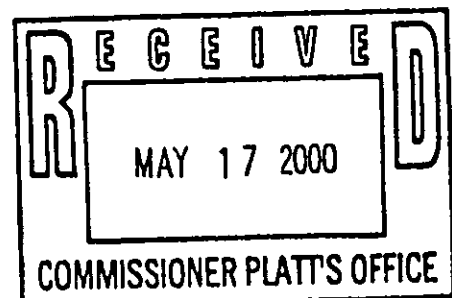
Emissions inspections have done little to protect the environment or improve air quality in the six affected counties, instead resulting in loss of time and productivity and being an annual aggravation to our residents.

Thanks to you and your staff, the Legislature, and, with the pending approval of the Governor, this will become law and inspections will become history on July 1.

For Better Government,

Representative Rob Wallace, Chair
Hillsborough County Legislative Delegation

cc: Members of the Delegation



Comon. Scott

1 Richard Garrity

2) Darrell Howton
~~1) Darrell Howton~~

Wackman

G

Scott

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Hart

H

Platt

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Storno

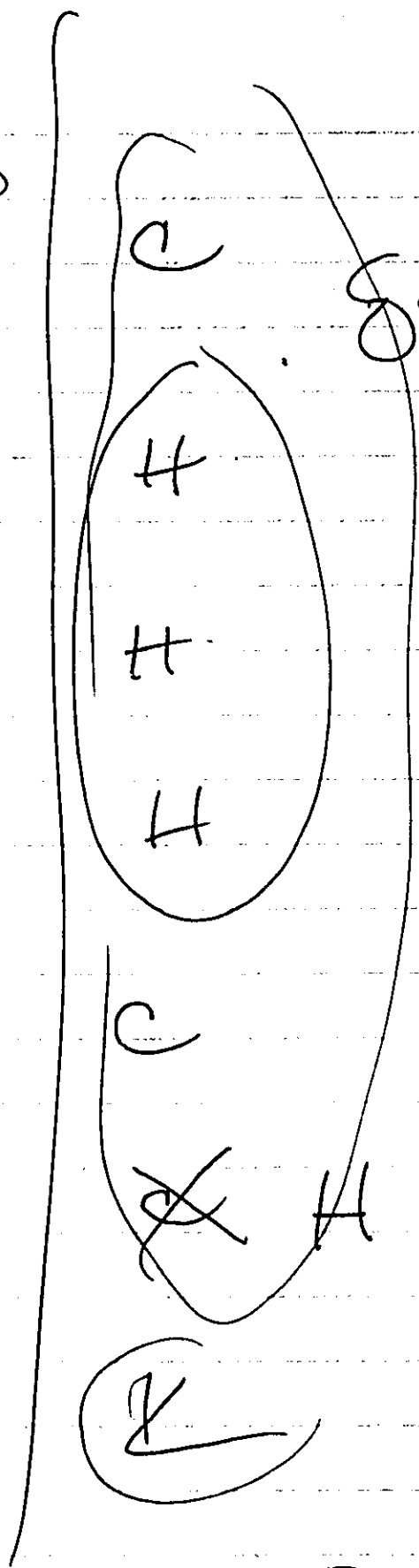
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Dr. Garrity

Keep these on file; voting record for selection of EPC Exec. Director on 5-18-2000. ju

Comm. Wackman

1. Dr. Richard D. Garrity

2. Cory Chadwick

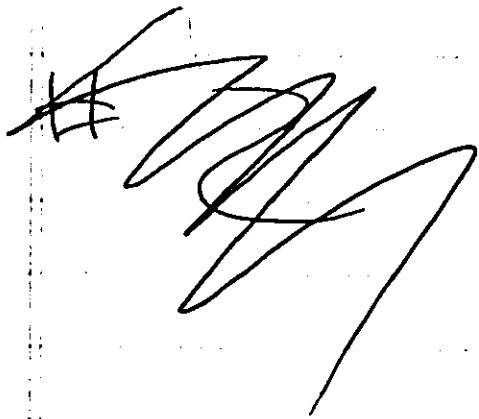
Comm. Hart

1 A. Howton

2 Howton

Comm. Platt

#1 Rick Garrity

~~#1~~ 

2. ~~#1~~ Newton

Comm. Storms

1 Mr. Garrison

2 Cory Chadwick

Comm. Norman

1 Cory Chadwick

2 //

changed
to
Darnell
Howler

Comm. Frank

1 Steven Kubitz

2 Steven Kubitz

Pat Frank