

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
COMMISSIONER'S BOARD ROOM
MARCH 15, 2001
10AM - 12 NOON**

AGENDA

INVOCATION AND PLEDGE OF ALLEGIANCE

**APPROVAL OF CHANGES TO THE AGENDA AND REMOVAL OF CONSENT
AGENDA ITEMS WITH QUESTIONS, AS REQUESTED BY BOARD MEMBERS**

- I. CITIZEN'S COMMENTS**
- II. CITIZEN'S ENVIRONMENTAL ADVISORY COMMITTEE**
- Items of Interest
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- Discuss Recent Supreme Court Decisions

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.

Visit our website at <http://epchc.org>

DECEMBER 6, 2000 - ENVIRONMENTAL PROTECTION COMMISSION SPECIAL MEETING -
DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting to consider Tampa Bay Water's (TBW) request for an adjustment in the facility quantity table of the consolidated water use permit, scheduled for Wednesday, December 6, 2000, at 2:45 p.m., in the Boardroom, County Center, Tampa, Florida.

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

Chairman Storms called the meeting to order at 2:45 p.m.

Chairman Storms introduced the item for EPC to consider approving TBW's request to the Southwest Florida Water Management District for an adjustment to the facility quantity table of the consolidated water use permit.

EPC General Counsel Richard Tschantz noted EPC staff concurred with the recommendation of the Water Resource Team that the facility quantity table changes for November 2000 should be approved and that EPC not arbitrate those changes. **Commissioner Norman moved approval, seconded by Commissioner Scott, and carried six to zero.** (Commissioner Easterling was out of the room.)

There being no further business, the meeting was adjourned at 2:47 p.m.

READ AND APPROVED: _____

CHAIRMAN

ATTEST:

RICHARD AKE, CLERK

By: _____

Deputy Clerk

pgs

DECEMBER 19, 2000 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Tuesday, December 19, 2000, at 2:00 p.m., in the Boardroom, County Center, Tampa, Florida.

The following members were present: Chairman Ronda Storms and Commissioners Stacey Easterling, Pat Frank, Chris Hart (arrived at 2:15 p.m.), Jim Norman, Jan Platt, and Thomas Scott.

Chairman Storms called the meeting to order at 2:08 p.m. Commissioner Scott led in the pledge of allegiance to the flag and gave the invocation.

PUBLIC HEARING

Consider Amendments to Chapter 1-10 (Noise Rule) - EPC General Counsel Richard Tschantz reviewed changes requested by EPC Board members at the October 19, 2000, EPC meeting. Chapter 823.16 exempted existing sport shooting ranges from local noise regulations, but did not mention new facilities. Because of that, EPC staff had created a new section in the noise rule requiring new sport shooting ranges to demonstrate compliance with updated rules. Ms. Kay Strother, EPC staff, commented on a map of sport shooting ranges in the County and reviewed the following changes: clarification the Florida State Fairgrounds were subject to EPC rules, inclusion of competitive sports and parades under spectator events, and keeping amusement parks subject to EPC rule. Mr. Jerry Campbell, EPC Director of Air Management Division, provided details of noise abatement measures Busch Gardens had taken at the request of neighbors, who were satisfied. Commissioner Norman complimented that effort.

Commissioner Frank called for public comment; there was no response. Chairman Storms said the presentation from the Aviation Authority (Authority) was listed under Special Presentations in the agenda, but the subject was related to the noise rule. Mr. Lewis Miller, executive director, Authority, gave a presentation on a voluntary two-year study the Authority conducted to seek federal funding for minimizing noise impacts to the community, and he responded to Commissioner Norman about cumulative effects of noise. Mr. Miller explained effects of previous and more recent zoning decisions. Chairman Storms thanked Mr. Miller for the presentation. Commissioner Hart said the Authority was a national leader in noise abatement. Attorney Tschantz explained federal preemption for airport noise complaints and responded to Commissioner Frank about coordinating with MacDill Air Force Base on noise complaints. **Commissioner Frank moved adoption of the changes**

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to the rule. Commissioner Norman seconded the motion, which carried six to zero. (Commissioner Scott was out of the room.)

CITIZENS' COMMENTS

Mr. B. John Olvink, Friends of the River, commented on the rejected pollution recovery fund (PRF) application Friends of the River had made, which was project 95 in agenda backup, and suggested improving communications between EPC staff and PRF applicants. Dr. Richard Garrity, EPC Executive Director, explained the negative recommendation from EPC staff and advised Chairman Storms a workshop could be held with potential applicants.

SPECIAL PRESENTATIONS

E-Net Presentation - Mr. Dale Coe, EPC staff, said the project was a cooperative effort among EPC, the Planning Commission (PC), and the University of South Florida (USF), and was partially funded by a PRF grant. Mr. Kyle Campbell, director, Center for Community Design and Research, USF, reviewed goals and milestones for the project to establish public and stakeholder access to environmental and planning data via a web site. Mr. Jamie Robe, PC staff, gave a demonstration of how citizens would access the site and said there had already been a positive response. Mr. Campbell recommended finishing automation of some EPC data sets. Mr. Coe advised Commissioner Frank approximately 10 to 20 percent of useful data had been automated thus far. Commissioner Frank thought it important to move forward as quickly as possible, because EPC was the repository for a significant amount of environmental information. She recalled how important the map Mr. Robe had prepared on the reservoir had been to the Board of County Commissioners (BOCC) in making decisions. Dr. Garrity said the desires of the EPC Board on the subject would be included in materials presented during next year's budget. Commissioner Frank moved to ask EPC staff to develop long-range plans in terms of what needed to be done to get all the data in-- which might not be possible to do in one year, but a start had to be made somewhere--and to present some options about how many years it would take, with existing staff, what priorities would be targeted as the information that needed to be in, and what would be the desire for the current year's budget. Commissioner Easterling seconded the motion, which carried five to zero. (Commissioners Norman and Scott were out of the room.)

Consider Recommended Uses of PRF and Gardinier Settlement Trust Fund (GSTF) - Ms. Leslie Campbell, supervisor, EPC Enforcement and Waste Management Division, and coordinator for both trust funds, summarized the review

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procedure and said agenda backup detailed final recommendations for both funds from the Department of Environmental Protection (DEP), EPC staff, and the Citizens Environmental Advisory Committee (CEAC). Ms. Campbell presented final recommendations for the GSTF, as follows: The Ruskin Inlet nonnative eradication project and DeSoto Park shoreline restoration project were recommended for approval, with conditions, of \$47,500 and \$150,000 respectively. The Alafia River shoreline restoration and stabilization project and the community cisterns and stormwater management system (aquavoir) project were not recommended for approval, as documented in agenda backup. **Commissioner Platt moved to concur with the recommendations. Commissioner Frank seconded the motion, which carried five to zero.** (Commissioners Norman and Scott were out of the room.)

Regarding PRF applications, Ms. Campbell reviewed recommendations of approval, with conditions, of \$26,717 for project 92, natural enemies for managing Brazilian pepper tree, and \$10,000 for project 94, airwise/American Lung Association (continuing), and recommendations to not approve project 95, clean heart for Tampa Bay, and project 96, community cisterns and stormwater management system (aquavoir). Regarding project 95, Ms. Campbell had asked Mr. Olvink to contact EPC for assistance in obtaining a successful project next year.

Ms. Campbell listed reasons EPC staff did not recommend approval of project 91, Alafia River shoreline restoration and stabilization, and noted CEAC recommended approval, with conditions. Although agenda backup reflected a recommendation of approval with conditions for project 93, Rivercrest Park restoration, Ms. Campbell said the current EPC recommendation was to table the project for review of recent information and presentation in January or February 2001. She advised Chairman Storms persons involved in project 93 had been notified of the meeting. Regarding project 92, Ms. Campbell responded to Commissioner Frank about proving host specificity of the sawfly. Chairman Storms called for a motion on the noncontroversial items, which Ms. Campbell said were projects 92, 94, 95, and 96. **Commissioner Platt so moved. Commissioner Hart seconded the motion, which carried five to zero.** (Commissioners Norman and Scott were out of the room.)

Regarding project 91, Dr. Garrity advised Commissioner Platt EPC staff was not convinced seagrass had existed at the location in question, so the ability to establish seagrass there in the future was uncertain. Ms. Jadell Kerr, EPC staff, explained EPC concerns about a Tampa Electric Company (TECO) easement, a Tampa Bay Water pipeline, the species and location proposed for planting, and the lack of proof seagrass had grown there before. Mr. Thomas

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Mann, chairman, CEAC, said CEAC strongly believed the site should be improved, coordination with TECO was possible, and some kinds of seagrass plantings would survive. CEAC had been unaware of the pipeline easement. Dr. Nick Ehringer, professor of ecology, Hillsborough Community College, had found evidence of seagrasses in that location, said TECO did not object to the project, and gave his opinion the suggested species would grow well in the area. Dr. Ehringer advised Chairman Storms he had found evidence on historical maps of seagrasses in the area.

Mr. Darrell Howton, EPC Wetlands Management Division, said research by EPC and DEP on the project had shown no seagrass; if the effort went forward, he recommended the project return to EPC regarding some issues such as elevations and existing shoreline vegetation. He encouraged more emphasis on long-term success for PRF projects and responded to Commissioner Platt about collocation of the desalinization pipeline in the TECO easement. Because some facts were in dispute, Dr. Garrity suggested EPC staff confer with Dr. Ehringer and others and present the project at the next EPC meeting. **Commissioner Frank moved to table projects 91 and 93 for future work until the February 2001 EPC meeting. Commissioner Platt seconded the motion.** Ms. Campbell said another EPC staff member would serve as coordinator for the trust funds next year, and she concurred with Mr. Olvink's comments that EPC staff needed more time to work with citizens, and communication should be improved; that was in EPC goals and objectives. Chairman Storms suggested an informational video on the PRF process be prepared. **The motion carried five to zero.** (Commissioners Norman and Scott were out of the room.)

CITIZENS' ENVIRONMENTAL ADVISORY COMMITTEE

Mr. Mann reported CEAC was reviewing sulfur transfer facilities, and recommendations were pending on light pollution. In reply to Chairman Storms, Attorney Tschantz reviewed CEAC authority and the process followed in making recommendations to EPC.

CONSENT AGENDA

- A. Approval of Minutes: September 21, October 5 and 19, and November 1, 2000
- B. Monthly Activity Reports
- C. Legal Department Monthly Report
- D. Pollution Recovery Trust Fund
- E. Gardinier Settlement Trust Fund
- F. Sinkhole Plugging Report

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- G. Environmental Defense Fund Scorecards
- H. Cockroach Bay Oil Boom Contract

Commissioner Platt moved the Consent Agenda. Commissioner Hart seconded the motion, which carried five to zero. (Commissioners Norman and Scott were out of the room.)

COMMISSIONERS' REQUESTS

Letter for Increased Marine Enforcement (Commissioner Platt) - Commissioner Platt said the BOCC had approved her request that the BOCC Chairman send a letter to Governor Jeb Bush requesting additional marine patrol officers for Tampa Bay and adding that item to the Legislative Delegation agenda. The issue was especially important because of recent approval of the manatee protection zone for Apollo Beach. Commissioner Platt moved to authorize the Chairman of EPC to send a letter to Governor Bush, as well as to the Legislative Delegation, requesting more marine patrol officers for Tampa Bay. Commissioner Frank seconded the motion, which carried five to zero. (Commissioners Norman and Scott were out of the room.)

Exotic and Nuisance Plant Control (Chairman Storms) - Chairman Storms had initiated the item, which involved a significant environmental threat to Florida, not just Hillsborough County. She thought efforts of the various entities currently involved should focus on eradication in one area, and she wanted to direct EPC staff to meet with Planning and Growth Management Department, Parks and Recreation Department, and DEP staffs on a unified strategy.

Mr. Bob Upcavage, manager, EPC Wetlands Management Division, referenced agenda backup and said EPC had no comprehensive program to eradicate nuisance species and could partner with other entities. However, he cautioned that would require significant resources, at least initially. The Exotic Pest Plant Council had listed 40 plants intrusive into natural plant communities, 17 of which EPC staff thought required targeting in the County. Nuisance species entered the County from many directions and sources, and targeting one area and moving outward was a good idea.

With so many Florida jurisdictions involved, Commissioner Frank suggested asking the State legislature to fund a pilot program. Mr. Upcavage said the Florida DEP was the designated lead agency, with regions and coordinators, and he suggested contacting the local coordinator of the Bureau of Invasive Plant Management, which had been created to coordinate the various programs.

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In addition to selecting one area, Mr. Upcavage said species should be selected based on location. Chairman Storms commented on the futility of restoring areas nuisance plant species later invaded. Commissioner Frank moved to work with the new agency, the DEP Bureau of Invasive Plant Management, and try to coordinate with programs the County had undertaken to fund eradication of nonnative species that were invasive, including potentially exploring funding sources that might or might not be available. Commissioner Platt seconded the motion, which carried four to zero. (Commissioners Easterling, Hart, and Scott were out of the room.) Chairman Storms presented a plaque to Mr. Upcavage, who was leaving EPC for private practice after 12 years of dedicated service.

Tree Removal and Replacement (Commissioner Frank) - Commissioner Frank gave the history of and expressed her concern about unpermitted removal of 1,600 trees in New Tampa. Mr. Howton said it was unknown how the city of Tampa (City) would resolve mitigation requirements and penalties with the persons responsible for removing the trees. Commissioner Frank was appalled so many trees had been removed without permit and recalled that Lennar Homes, Incorporated, and Florida Technical Services had not requested a permit from the City variance board, as had been required, before the site was cleared. Mr. Howton said errors made in expediting construction plan approval in 1997 had been discovered only recently. The City and County had tree ordinances, and EPC staff had previously suggested consolidating ecosystem regulations; that would be discussed in EPC goals and objectives. He had no information about whether endangered species were involved in the tree removal.

Commissioner Frank emphasized the County would have had jurisdiction if the City had not annexed the land. She wanted to at least ask the City who was being held responsible. Mr. Howton would investigate and report. Commissioner Frank noted the two firms involved were conducting business with the County. She thought the County should be aware of what had happened so similar occurrences could be prevented. Although EPC had no jurisdiction, she thought the EPC Chairman should write a letter to the City requesting follow-up on who was responsible. Dr. Garrity said EPC would follow up with a letter and would explore the concept of more EPC involvement in such issues. Mr. Howton advised Commissioner Platt that pine and oak trees, the species removed, were protected in the County, but application could be made for removal. Board comments followed about protection of trees.

EXECUTIVE DIRECTOR'S COMMENTS

Dr. Garrity said the environmental tour would be repeated next year, and he introduced Ms. Barbara Motte, EPC outreach coordinator, who listed ideas for future EPC outreach efforts. Dr. Garrity advised Commissioner Norman EPC staff had worked on involving the Agriculture Board and other boards with which EPC frequently interfaced.

LEGAL DEPARTMENT

Request Authority to Take Appropriate Legal Action against Dip Mini Mart and Yellow Rose Steakhouse and Saloon, Incorporated - Attorney Tschantz reported a two-year history of no cooperation from Dip Mini Mart regarding two active underground storage tanks and requested authority to pursue appropriate legal action in circuit court. **Commissioner Platt so moved. Commissioner Norman seconded the motion, which carried four to zero.** (Commissioners Easterling, Hart, and Scott were out of the room.) There also had been lack of cooperation regarding ongoing noise disturbance at the Yellow Rose Steakhouse and Saloon, Incorporated. Attorney Tschantz requested authority to pursue appropriate legal action. **Commissioner Platt so moved. Commissioner Frank seconded the motion, which carried four to zero.** (Commissioners Easterling, Hart, and Scott were out of the room.)

There being no further business, the meeting was adjourned at 3:55 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

fw

JANUARY 9, 2001 - ENVIRONMENTAL PROTECTION COMMISSION SPECIAL MEETING -
DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Special Meeting to consider Arbitration for the Adjustment to the Facility Quantity Table of the Tampa Bay Water (TBW) Consolidated Water Use Permit and Modification of the TBW Consolidated Water Use Permit to Increase Maximum Pumpage, scheduled for Tuesday, January 9, 2001, at 4:15 p.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Vice Chairman Jan Platt and Commissioners Stacey Easterling, Pat Frank, Chris Hart, and Thomas Scott.

The following members were absent: Chairman Ronda Storms and Commissioner Jim Norman (illness).

Vice Chairman Platt called the meeting to order at 5:31 p.m.

EPC General Counsel Richard Tschantz explained EPC, through the partnership agreement, had a separate right to enter as a full party in any arbitration of TBW primary environmental permits. Staff recommended EPC take similar action recommended to the Board of County Commissioners by the Water Resource Team. The Water Resource Team recommended not to arbitrate on the facility quantity table adjustments and to arbitrate on exceeding the 158 million gallons per day cap. **Commissioner Hart moved staff recommendation, seconded by Commissioner Frank, and carried five to zero.** (Commissioners Norman and Storms were absent.)

There being no further business, the meeting was adjourned at 5:33 p.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

sw

JANUARY 18, 2001 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, scheduled for Thursday, January 18, 2001, at 10:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Ronda Storms and Commissioners Stacey Easterling, Pat Frank (arrived at 10:35 a.m.), Chris Hart, Jan Platt, and Thomas Scott (arrived at 10:40 a.m.).

The following member was absent: Commissioner Jim Norman (prior commitment).

Chairman Storms called the meeting to order at 10:34 a.m. and asked that Mr. Roger Stewart, former EPC Executive Director, who was recovering from surgery, be remembered in prayer. Commissioner Hart gave the invocation and led in the pledge of allegiance to the flag.

Chairman Storms called for removal of consent items or changes to the agenda. Dr. Richard Garrity, EPC Executive Director, said staff had no changes.

CITIZEN COMMENTS

Ms. Gaye Townsend, 19905 Long Leaf Drive, thanked Dr. Garrity for working with the Citizen's Environmental Advisory Committee (CEAC) and was grateful for the opportunity to represent the County in the University of South Florida community water leadership program. She thought the health, safety, and welfare of potable well users should be considered before increasing wellfield pumpage. An inventory regarding the condition of the County's lakes and wetlands was needed.

Ms. Marilyn Smith, Sydney, commented on the pollution recovery trust fund on the Consent Agenda, noting a keen interest in going forward with the planting and restoration of the Alafia River.

CEAC

Items of Interest - Mr. Thomas Mann, CEAC vice chairman, reported CEAC was currently looking into issues involving sulfur. A new CEAC chairman would be elected in March 2001, and there were vacancies on the committee. Mr. Mann spoke in appreciation of the support from EPC staff.

Outdoor Lighting Regulation Ordinance - Mr. Mann explained CEAC was interested in light pollution, which was the intrusion of outdoor, nighttime

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lighting on neighboring property or light that was misdirected and obscured the sky. Lighting was not a regulated pollutant. CEAC wanted EPC to direct EPC staff to coordinate with the County Administrator and the Planning and Growth Management Department to pass on the research done on that issue.

EPC General Counsel Richard Tschantz asked if EPC members had objections to the request. Chairman Storms informed EPC members that after reading about that issue, she had requested, as a member of the Board of County Commissioners, the issue be addressed. Mr. Mann said, in addition to obscuring the sky, energy was being wasted. **Commissioner Hart moved staff recommendation, seconded by Commissioner Platt, and carried six to zero.** (Commissioner Norman was absent.)

SPECIAL PRESENTATION

Report on Shipbuilding/Repair Industry - Mr. Sterlin Woodard, EPC staff, presented a power point presentation and video regarding the industry from 1993. After receiving complaints about overspray and grit from shipyards that impacted the community of Davis Island, staff had investigated and found air, water, and waste concerns. Rules and controls had been set, including the issuance of permits, and other regulating entities had become involved. Revisions were made in 1996 to require that ships be totally enclosed before being blasted for painting. Progress had been made; however, EPC wanted to improve the compliance rate by educating staff and the industry; having additional surveillance, inspections, and permit overviews; working with the industry to develop best management practices; and developing a pollution prevention strategy. Commissioner Hart requested a copy of the presentation; Mr. Woodard agreed.

CONSENT AGENDA

- A. Approval of Minutes: None
- B. Monthly Activity Reports
- C. Legal Department Monthly Report
- D. Pollution Recovery Trust Fund
- E. Gardinier Settlement Trust Fund

Commissioner Scott moved the Consent Agenda, seconded by Commissioner Frank, and carried six to zero. (Commissioner Norman was absent.)

EXECUTIVE DIRECTOR'S REPORT

Dr. Garrity reported on the Alafia River project, noting staff was attempting to build a consensus by meeting with Hillsborough Community College and the other proponents. The project would be presented to EPC members in February or March 2001 along with the second pollution recovery project that had been delayed at the prior EPC meeting. Dr. Garrity and Attorney Sara Fotopulos, EPC Director of Public and Intergovernmental Affairs, had made a presentation at the Legislative Delegation to acquaint new representatives with EPC. Dr. Garrity thanked EPC staff members who had agreed to be mentors for young people through the Hillsborough Education Foundation.

ADMINISTRATIVE ACTIVITIES

Vehicle Utilization Report - Mr. Tom Koulianos, EPC Director of Finance and Administration, reported on EPC vehicle use, noting a correction to the Fleet Management Department report. Eight EPC vehicles had not reached the yearly 4,000-mile threshold, two of which were now above the threshold, with the remaining six more than ten years old and in poor condition. Staff recommended EPC be allowed to keep two vehicles and replace six ten-year-old vehicles with three four-wheel-drive vehicles. **Commissioner Scott moved staff recommendation, seconded by Commissioner Platt, and carried six to zero.** (Commissioner Norman was absent.)

LEGAL DEPARTMENT

Request Authority to Take Appropriate Legal Action Against Tony Holbrooks and Mary Sutton - Attorney Tschantz reported EPC had not been noticed when the underground storage tank had been removed from 7277 Nebraska Avenue. The violators failed to use a certified contractor or perform the closure assessment. Although the violations were resolved and the property had sold, staff had not recovered penalties and costs for the past violations. Chairman Storms called for a motion. **Commissioner Scott so moved, seconded by Commissioner Platt, and carried six to zero.** (Commissioner Norman was absent.)

Request Authority to Take Appropriate Legal Action Against Coniglio Construction and Demolition Debris Landfill - Attorney Tschantz reported, within the footprint of the landfill, Mr. Coniglio was operating a yard and wood waste processing facility without the required permit. Warning notices had been issued, with no response. Staff wanted authority to pursue. In answer to Commissioner Scott, Attorney Tschantz explained the site was

THURSDAY, JANUARY 18, 2001 - DRAFT MINUTES

currently in compliance with consent orders from the Department of Environmental Protection. Commissioner Scott moved staff recommendation, seconded by Commissioner Hart, and carried six to zero. (Commissioner Norman was absent.)

There being no further business, the meeting was adjourned at 11:08 a.m.

READ AND APPROVED: _____

CHAIRMAN

ATTEST:

RICHARD AKE, CLERK

By: _____

Deputy Clerk

jp

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
JANUARY

A. Public Outreach/Education Assistance:		
1.	Phone Calls	<u>165</u>
2.	Literature Distributed	<u>17</u>
3.	Presentations	<u>0</u>
4.	Media Contacts	<u>6</u>
5.	Internet	<u>66</u>
B. Industrial Air Pollution Permitting		
1.	Permit Applications Received (Counted by Number of Fees Received):	
a.	Operating:	<u>2</u>
b.	Construction:	<u>8</u>
c.	Amendments:	<u>0</u>
d.	Transfers/Extensions:	<u>0</u>
e.	General	<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 Counted by Number of Emission Units affected by the Review):	
a.	Operating ¹ :	<u>2</u>
b.	Construction ¹ :	<u>3</u>
c.	Amendments ¹ :	<u>3</u>
d.	Transfers/Extensions ¹ :	<u>1</u>
e.	Title V Operating ² :	<u>0</u>
f.	Permit Determinations ² :	<u>0</u>
g.	General	<u>0</u>
3.	Intent to Deny Permit Issued	<u>0</u>
C. Administrative Enforcement		
1.	Documents Issued:	
a.	Notice of Intent to Initiate Enforcement	<u>2</u>
b.	Citation	<u>0</u>
c.	Emergency Order	<u>0</u>
2.	Total Cases Initiated:	<u>4</u>
3.	Cases Resolved:	<u>2</u>
4.	Cases Referred to Legal Department:	<u>0</u>
5.	Consent Orders Signed:	<u>1</u>
6.	Contributions to the Pollution Recovery Fund: \$	<u>0</u>

<u>Organization Name</u>	<u>Violation</u>	<u>Amount</u>
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a.

D.	Inspections:	
1.	Industrial Facilities:	<u>4</u>
2.	Air Toxics Facilities:	
a.	Asbestos Emitters	<u>0</u>
b.	Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>26</u>
c.	Major Sources	<u>0</u>
3.	Asbestos Demolition/Renovation Projects:	<u>41</u>
E.	Open Burning Permits Issued:	<u>2</u>
F.	Number of Division of Forestry Permits Monitored:	<u>0</u>
G.	Total Citizen Complaints Received:	<u>55</u>
H.	Total Citizen Complaints Closed:	<u>57</u>
I.	Noise Sources Monitored:	<u>1</u>
J.	Air Program's Input to Development Regional Impacts:	<u>1</u>
K.	Test Reports Reviewed:	<u>23</u>
L.	Compliance:	
1.	Warning Notices Issued:	<u>12</u>
2.	Warning Notices Resolved:	<u>5</u>
3.	Advisory Letters Issued:	<u>3</u>
M.	AOR's Reviewed:	<u>2</u>
N.	Permits Reviewed for NESHAP Applicability:	<u>5</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION
JANUARY

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	\$ <u> -0-</u>
(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	\$ <u> -0-</u>
(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>3,240.00</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>1,000.00</u>
(c) Delegated General Permit (20% is forwarded to DEP and not included here)	\$ <u> 80.00</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	\$ <u>2,990.00</u>
(b) for structure greater than 50,000 sq ft	\$ <u> 430.00</u>
7. Notification for asbestos abatement	
(a) renovation 160 to 1000 sq ft or 260 to 1000 linear feet of asbestos	\$ <u> 435.00</u>
(b) renovation greater than 1000 linear feet or 1000 sq ft	\$ <u> 800.00</u>
8. Open burning authorization	\$ <u> 850.00</u>
9. Enforcement Costs	\$ <u> -0-</u>

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
FEBRUARY

- A. Public Outreach/Education Assistance:
- | | | |
|----|------------------------|-----|
| 1. | Phone Calls | 163 |
| 2. | Literature Distributed | 13 |
| 3. | Presentations | 7 |
| 4. | Media Contacts | 8 |
| 5. | Internet | 62 |
- B. Industrial Air Pollution Permitting
- | | | |
|----|---|---|
| 1. | Permit Applications Received (Counted by Number of Fees Received): | |
| a. | Operating: | 4 |
| b. | Construction: | 2 |
| c. | Amendments: | 0 |
| d. | Transfers/Extensions: | 3 |
| e. | General | 3 |
| 2. | Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval (¹ Counted by Number of Fees Collected) - (² Counted by Number of Emission Units affected by the Review): | |
| a. | Operating ¹ : | 3 |
| b. | Construction ¹ : | 2 |
| c. | Amendments ¹ : | 1 |
| d. | Transfers/Extensions ¹ : | 4 |
| e. | Title V Operating ² : | 6 |
| f. | Permit Determinations ² : | 1 |
| g. | General | 2 |
| 3. | Intent to Deny Permit Issued | 0 |
- C. Administrative Enforcement
- | | | |
|----|---|-------------|
| 1. | Documents Issued: | |
| a. | Notice of Intent to Initiate Enforcement | 2 |
| b. | Citation | 0 |
| c. | Emergency Order | 0 |
| 2. | Total Cases Initiated: | 4 |
| 3. | Cases Resolved: | 2 |
| 4. | Cases Referred to Legal Department: | 0 |
| 5. | Consent Orders Signed: | 7 |
| 6. | Contributions to the Pollution Recovery Fund: | \$16,690.00 |

<u>Organization Name</u>	<u>Violation</u>	<u>Amount</u>
a. Hills Co Resource Recov	Failed stack test	\$8,250
b. James Hardie Bldg Prod	Const/Oper w/o permit	2,000

c.	Tampa Electric Co	VE's Improper maint	1,650
d.	Hanson Pipe & Const	Const/Oper w/o permit	1,500
e.	Janet & Charlie's Recyc	Improper Oper/mainten	390
f.	Evergreen Development	Dust nuisance	1,600
g.	Convergent Label Tech	Const/Oper w/o permit	1,300
D.	Inspections:		
	1.	Industrial Facilities:	<u>3</u>
	2.	Air Toxics Facilities:	
		a. Asbestos Emitters	<u>0</u>
		b. Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>22</u>
		c. Major Sources	<u>0</u>
	3.	Asbestos Demolition/Renovation Projects:	<u>25</u>
E.	Open Burning Permits Issued:		<u>0</u>
F.	Number of Division of Forestry Permits Monitored:		<u>57</u>
G.	Total Citizen Complaints Received:		<u>62</u>
H.	Total Citizen Complaints Closed:		<u>75</u>
I.	Noise Sources Monitored:		<u>3</u>
J.	Air Program's Input to Development Regional Impacts:		<u>2</u>
K.	Test Reports Reviewed:		<u>16</u>
L.	Compliance:		
	1.	Warning Notices Issued:	<u>22</u>
	2.	Warning Notices Resolved:	<u>19</u>
	3.	Advisory Letters Issued:	<u>4</u>
M.	AOR's Reviewed:		<u>0</u>
N.	Permits Reviewed for NESHAP Applicability:		<u>7</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION
FEBRUARY

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	<u>\$ -0-</u>
(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	<u>\$ -0-</u>
(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>\$ 480.00</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>\$3,240.00</u>
(c) Delegated General Permit (20% is forwarded to DEP and not included here)	<u>\$ 240.00</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	<u>\$ 920.00</u>
(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>\$ 200.00</u>
8. Open burning authorization	<u>\$ -0-</u>
9. Enforcement Costs	<u>\$1,491.93</u>

COMMISSION
 PAT FRANK
 CHRIS HART
 JIM NORMAN
 JAN PLATT
 THOMAS SCOTT
 RONDA STORMS
 STACEY EASTERLING



ADMINISTRATIVE OFFICES, LEGAL &
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 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
 RICHARD D. GARRITY, Ph.D.

MEMORANDUM

DATE: February 6, 2001

TO: Tom Koulianos, Director of Finance and Administration

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

SUBJECT: **WASTE MANAGEMENT'S JANUARY 2001 AGENDA INFORMATION**

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	1
2. On-going administrative cases	113
a. Pending	12
b. Active	55
c. Legal	12
d. Tracking Compliance (Administrative)	13
e. Inactive/Referred cases	20
f. Criminal Compliance tracking	1
3. NOI's issued	2
4. Citations issued	1
5. Consent Orders signed	1
6. Civil Contributions to the Pollution Recovery Fund	\$1500.00
7. Criminal Contributions to the Pollution Recovery Fund	\$1279.00
8. Enforcement Costs collected	\$413.58
9. Cases referred to Legal Dept.	2
10. Cases Closed	5



B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	52/46
2. EPC Authorization for Facilities NOT requiring DEP permit	1
3. Other Permits and Reports	
a. County Permits	0
b. Reports	50/45
4. Inspections (Total)	657
a. Complaints	42
b. Compliance/Reinspections	16
c. Facility Compliance	33
d. Small Quantity Generator	566
5. Enforcement	
a. Complaints Received/Closed	42/35
b. Warning Notices Issued/Closed	6/6
c. Compliance letters	28
d. Letters of Agreement	0
e. DEP Referrals	0
6. Pamphlets, Rules and Material Distributed	161

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. Compliance	84
b. Installation	3
c. Closure	5
d. Compliance Re-Inspections	8
2. Installation Plans Received/Reviewed	4/2
3. Closure Plans & Reports	
a. Closure Plans Received/ Reviewed	-
b. Closure Reports Received/Reviewed	2/1
4. Enforcement	
a. Non-compliance Letters Issued/Closed	37/5
b. Warning Notices Issued/Closed	1/0
c. Cases referred to Enforcement	2
d. Complaints Received/Investigated	1/1
e. Complaints Referred	-
5. Discharge Reporting Forms Received	2
6. Incident Notification Forms Received	6
7. Cleanup Notification Letters Issued	9
8. Public Assistance	200+

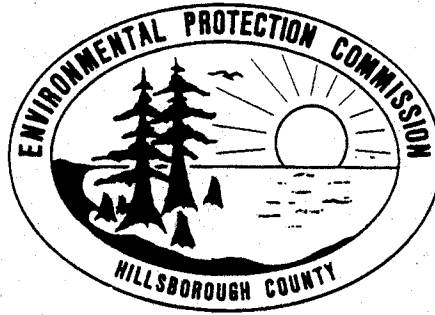
D. STORAGE TANK CLEANUP

1. Inspections	27
2. Reports Received/Reviewed	62/42
a. Site Assessment	24/16
b. Source Removal	3/4
c. Remedial Action Plans (RAP's)	4/0
d. Site Rehabilitation Completion Order/ No Further Action Order	4/2
e. Others	27/20
3. State Cleanup	
a. Active Sites	5
b. Funds Dispersed	\$13,319.20

E. RECORD REVIEWS

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COMMISSION
 PAT FRANK
 CHRIS HART
 JIM NORMAN
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 TELEPHONE (813) 272 - 7104

EXECUTIVE DIRECTOR
 RICHARD D. GARRITY, Ph.D.

MEMORANDUM

DATE: March 7, 2001

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 FEBRUARY 2001 AGENDA INFORMATION

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	6
2. On-going administrative cases	111
a. Pending	10
b. Active	56
c. Legal	12
d. Tracking Compliance (Administrative)	13
e. Inactive/Referred cases	20
3. NOI's issued	3
4. Citations issued	0
5. Consent Orders signed	0
6. Civil Contributions to the Pollution Recovery Fund	\$400.00
7. Enforcement Costs collected	\$0.00
8. Cases referred to Legal Dept.	0
9. Cases Closed	2



B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	40/42
2. EPC Authorization for Facilities NOT requiring DEP permit	2
3. Other Permits and Reports	
a. County Permits	0
b. Reports	37/40
4. Inspections (Total)	223
a. Complaints	48
b. Compliance/Reinspections	27
c. Facility Compliance	48
d. Small Quantity Generator	126
5. Enforcement	
a. Complaints Received/Closed	56/48
b. Warning Notices Issued/Closed	5/9
c. Compliance letters	31
d. Letters of Agreement	0
e. DEP Referrals	1
6. Pamphlets, Rules and Material Distributed	402

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. Compliance	108
b. Installation	14
c. Closure	6
d. Compliance Re-Inspections	17
2. Installation Plans Received/Reviewed	9/9
3. Closure Plans & Reports	
a. Closure Plans Received/ Reviewed	5/5
b. Closure Reports Received/Reviewed	4/3
4. Enforcement	
a. Non-compliance Letters Issued/Closed	56/20
b. Warning Notices Issued/Closed	2/4
c. Cases referred to Enforcement	1
d. Complaints Received/Investigated	0/0
e. Complaints Referred	0
5. Discharge Reporting Forms Received	1
6. Incident Notification Forms Received	4
7. Cleanup Notification Letters Issued	2
8. Public Assistance	200+

D. STORAGE TANK CLEANUP

1. Inspections	21
2. Reports Received/Reviewed	54/72
a. Site Assessment	23/29
b. Source Removal	4/3
c. Remedial Action Plans (RAP's)	4/0
d. Site Rehabilitation Completion Order/ No Further Action Order	2/4
e. Others	21/36
3. State Cleanup	
a. Active Sites	7
b. Funds Dispersed	\$0.00

E. RECORD REVIEWS

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F. PUBLIC INFORMATION PROJECTS

P. Schipfer, Orient Park Brownfields Council Meeting
Waste Management Staff, USF Expo

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

January, 2001

A. ENFORCEMENT

1. New Enforcement Cases Received:	3
2. Enforcement Cases Closed:	0
3. Enforcement Cases Outstanding:	48
4. Enforcement Documents Issued:	1
5. Warning Notices:	16
a. Issued:	9
b. Resolved:	7
6. Recovered costs to the General Fund:	\$ 607.00
7. Contributions to the Pollution Recovery Fund:	\$2,033.33

<u>Case Name</u>	<u>Violation</u>	<u>Amount</u>
a. Country Road Park	Expired permit	\$200.00
b. Windemere Utility	Improper operation/failure to maintain	\$750.00
c. Shady Shores MHP	Improper operation, effluent discharge, failure to maintain	\$750.00
d. Hughes Hard Chrome	Industrial wastewater discharge	\$333.33

B. PERMITTING - DOMESTIC

1. Permit Applications Received:	33
a. Facility Permit:	11
(i) Types I and II	0
(ii) Type III	11
b. Collection Systems-General:	14
c. Collection Systems-Dry Line/Wet Line:	8
d. Residuals Disposal:	0
2. Permit Applications Approved:	25
a. Facility Permit:	3
b. Collection Systems-General:	10
c. Collection Systems-Dry Line/Wet Line:	12
d. Residuals Disposal:	0
3. Permit Applications Recommended for Disapproval:	0
a. Facility Permit:	0
b. Collection Systems-General:	0
c. Collection Systems-Dry Line/Wet Line:	0
d. Residuals Disposal:	0
4. Permit Applications (Non-Delegated) Recommended for Approval:	0
5. Permits Withdrawn:	1

6. Permit Applications Outstanding:	31
a. Facility Permit:	<u>21</u>
b. Collection Systems-General:	<u>8</u>
c. Collection Systems-Dry Line/Wet Line:	<u>2</u>
d. Residuals Disposal:	<u>0</u>
C. INSPECTIONS - DOMESTIC	105
1. Compliance Evaluation:	18
a. Inspection (CEI):	<u>1</u>
b. Sampling inspection (CSI):	<u>16</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>1</u>
2. Reconnaissance:	51
a. Inspection (RI):	<u>17</u>
b. Sample Inspection (SRI):	<u>4</u>
c. Complaint Inspection (CRI):	<u>30</u>
d. Enforcement Inspection (ERI):	<u>0</u>
3. Special:	36
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>0</u>
c. Preconstruction Inspection (PCI):	<u>12</u>
d. Post Construction Inspection (XCI):	<u>24</u>
D. PERMITTING - INDUSTRIAL	
1. Permit Applications Received:	0
a. Facility Permit:	<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>
b. General Permit:	<u>0</u>
c. Preliminary Design Report:	0
(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>5</u>
3. Permit Applications Outstanding:	24
a. Facility Permits:	<u>24</u>
b. General Permits:	<u>0</u>
E. INSPECTIONS - INDUSTRIAL	36
1. Compliance Evaluation:	7
a. Inspection (CEI):	<u>6</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:	29
a. Inspection (RI):	<u>21</u>
b. Sample inspection (SRI):	<u>1</u>
c. Complaint Inspection (CRI):	<u>7</u>
F. CITIZEN COMPLAINTS	
1. Domestic:	20
a. Received:	<u>11</u>
b. Closed:	<u>9</u>
2. Industrial:	21
a. Received:	<u>9</u>
b. Closed:	<u>12</u>
3. Water Pollution:	40
a. Received:	<u>20</u>
b. Closed:	<u>20</u>
G. RECORD REVIEWS	
1. Permitting:	<u>4</u>
2. Enforcement:	<u>0</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR:	
1. Air Division:	<u>108</u>
2. Waste Division:	<u>0</u>
3. Water Division:	<u>155</u>
4. Wetlands Division:	<u>3</u>
I. SPECIAL PROJECT REVIEWS	
1. DRI's:	<u>2</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>2</u>
5. Other	<u>0</u>
K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL	<u>16</u>

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

FEBRUARY, 2001

A. ENFORCEMENT

1. New Enforcement Cases Received:	3
2. Enforcement Cases Closed:	0
3. Enforcement Cases Outstanding:	48
4. Enforcement Documents Issued:	2
5. Warning Notices:	20
a. Issued:	7
b. Resolved:	13
6. Recovered costs to the General Fund:	\$ 412.48
7. Contributions to the Pollution Recovery Fund:	\$4,450.00

Case Name	Violation	Amount
a. Country Road Park	Expired Permit	200.00
b. Shady Shores MHP	Improper Operation	1500.00
c. J.J. Taylor Co.	Placement w/o acceptance letter	2000.00
d. Windemere Utility	Improper operation/ Failure to maintain	750.00

B. PERMITTING - DOMESTIC

1. Permit Applications Received:	27
a. Facility Permit:	7
(i) Types I and II	1
(ii) Type III	6
b. Collection Systems-General:	13
c. Collection Systems-Dry Line/Wet Line:	7
d. Residuals Disposal:	0
2. Permit Applications Approved:	28
a. Facility Permit:	1
b. Collection Systems-General:	18
c. Collection Systems-Dry Line/Wet Line:	9
d. Residuals Disposal:	0
3. Permit Applications Recommended for Disapproval:	0
a. Facility Permit:	0
b. Collection Systems-General:	0
c. Collection Systems-Dry Line/Wet Line:	0
d. Residuals Disposal:	0
4. Permit Applications (Non-Delegated) Recommended for Approval:	0
5. Permits Withdrawn:	0

6. Permit Applications Outstanding:	39
a. Facility Permit:	<u>27</u>
b. Collection Systems-General:	<u>6</u>
c. Collection Systems-Dry Line/Wet Line:	<u>6</u>
d. Residuals Disposal:	<u>0</u>
C. INSPECTIONS - DOMESTIC	90
1. Compliance Evaluation:	<u>13</u>
a. Inspection (CEI):	<u>0</u>
b. Sampling inspection (CSI):	<u>12</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>1</u>
2. Reconnaissance:	<u>43</u>
a. Inspection (RI):	<u>18</u>
b. Sample Inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>25</u>
d. Enforcement Inspection (ERI):	<u>0</u>
3. Special:	<u>34</u>
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>0</u>
c. Preconstruction Inspection (PCI):	<u>8</u>
d. Post Construction Inspection (XCI):	<u>26</u>
D. PERMITTING - INDUSTRIAL	
1. Permit Applications Received:	<u>2</u>
a. Facility Permit:	<u>2</u>
(i) Types I and II	<u>2</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
b. General Permit:	<u>0</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>2</u>
3. Permit Applications Outstanding:	<u>24</u>
a. Facility Permits:	<u>24</u>
b. General Permits:	<u>0</u>
E. INSPECTIONS - INDUSTRIAL	21
1. Compliance Evaluation:	<u>9</u>
a. Inspection (CEI):	<u>9</u>
b. Sampling Inspection (CSI):	<u>0</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>0</u>

2. Reconnaissance:	<u>12</u>
a. Inspection (RI):	<u>9</u>
b. Sample inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):-	<u>3</u>
F. CITIZEN COMPLAINTS	
1. Domestic:	<u>33</u>
a. Received:	<u>17</u>
b. Closed:	<u>16</u>
2. Industrial:	<u>6</u>
a. Received:	<u>2</u>
b. Closed:	<u>4</u>
3. Water Pollution:	<u>16</u>
a. Received:	<u>3</u>
b. Closed:	<u>13</u>
G. RECORD REVIEWS	
1. Permitting:	<u>3</u>
2. Enforcement:	<u>1</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR:	
1. Air Division:	<u>96</u>
2. Waste Division:	<u>1</u>
3. Water Division:	<u>156</u>
4. Wetlands Division:	<u>0</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>2</u>
4. Biomonitoring/Toxicity Reviews (IW)	<u>1</u>
5. Other	<u>0</u>
K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL	<u>26</u>

ASSESSMENT SECTION	TOTALS
A. EPC WETLANDS REVIEWS	
1. Wetland Delineations	
a. Wetland Delineations (\$120.00)	37
b. Wetland Delineation Dispute	1
c. Wetland Line Survey Reviews	47
d. Additional Footage Fees	\$2,564.82
2. Misc Activities in Wetland (\$0 or \$100 as applicable)	
a. Nuisance Vegetation	3
b. Other	9
3. Impact / Mitigation Proposal (\$775)	7
4. Mitigation Agreements Recorded	0
5. FDOT Reviews	0
B. EPC DELEGATION / REVIEWS FROM STATE / REGIONAL / FEDERAL AUTHORITIES	
1. Tampa Port Authority Permit Applications (\$50. Or \$150. as applicable)	20
2. Wastewater Treatment Plants (FDEP)	4
3. FDEP Wetland Resource Applications	0
4. FDEP Grandfathered Delineations	0
5. SWFWMD Wetland Resource Applications	0

- 6. Army Corps of Engineers 0
- 7. Interagency Clearinghouse Reviews 0
- 8. DRI Annual Report 0

C. HILLSBOROUGH COUNTY / MUNICIPALITY
 PERMIT APPLICATION REVIEWS

- 1. Land Alteration / Landscaping (\$100) 2
- 2. Land Excavation (\$785 or \$650 as applicable) 5
- 3. Phosphate Mining
 - a. Unit Review / Reclamation (\$760) 0
 - b. Annual Review / Inspection (\$375) 0
- 4. Rezoning
 - a. Reviews (\$85) 16
 - b. Hearings 0
 - c. Hearing Preparation (hours) 1
- 5. Site Development (\$360)
 - a. Preliminary 14
 - b. Construction 33
- 6. Subdivision
 - a. Preliminary Plat (\$140) 3
 - b. Master Plan (\$550) 0
 - c. Construction Plans (\$250.00) 9
 - d. Final Plat (\$90) 4
 - e. Waiver of Regulations (\$100) 0
 - f. Platted - No-Improvements (\$100) 3
 - g. Minor - Certified Parcel (\$100) 4

EPC Wetlands Management Division
Agenda Backup For January 2001
3 Page

7. As-Builts (\$255)	8
8. Miscellaneous Reviews (no fees)	0
9. Pre-Applications (no fees)	13
10. Development Review Committee (no fees)	
a. Review Preparation (hours)	6
b. Meetings	5

D. OTHER ACTIVITIES

1. Unscheduled meetings with members of the public (walk-ins)	93
2. Other Meetings	90
3. Telephone Conferences	704
4. Presentations	0
5. Correspondence	140
6. Correspondence Review (hours)	0
7. Special Projects (hours)	76
8. On-site visits	64
9. Appeals (hours)	0

ADMINISTRATIVE ENFORCEMENT	TOTALS
A. NEW CASES RECEIVED	3
B. ACTIVITIES	
1. Ongoing Cases	
a. Active	60
b. Legal	3
c. Inactive	28
2. Number of "Notice of Intent to Initiate Enforcement"	2
3. Number of Citations Issued	0
4. Number of "Emergency Order of the Director"	0
5. Number of Consent Orders Signed	4
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	\$7,000.00
E. ENFORCEMENT COSTS COLLECTED	\$1,233.00

INVESTIGATIONS / COMPLIANCE SECTION

A. COMPLAINTS	TOTALS
1. Received	27
2. Return Inspections	50
3. Closed	52
B. WARNING NOTICES	
1. Issued	19
2. Return Inspections	62
3. Closed	24
C. MITIGATION	
1. Compliance/Monitoring Reviews	39
2. Compliance Inspections	20
D. OTHER ACTIVITIES	
1. Case Meetings	0
2. Other Meetings	25
3. Telephone Calls	293
4. File Reviews	13
5. Cases Referred to Enforcement Coordinator	3
6. Letters	60

ADMINISTRATIVE / TECHNICAL SECTIONS TOTALS

A. SOIL SCIENTIST

1. Case Reviews (Soils)	7
2. Field Soil Investigations	9
3. Reports or Notes of Soil Investigations	9
4. Special Projects	
- Central System Wellfield Phase I Mitigation	
- Northern Tampa Bay Phase II Investigation program (SWFWMD)	
- Tampa Bay/Anclote River Comprehensive Watershed Management (SWFWMD)	

B. ADMINISTRATIVE SUPPORT STAFF

1. File Reviews	10
2. Telephone Assistance	559
3. Letters	175
4. Incoming Projects	118
5. Additional Info / Additional Footage	20 / 16
6. Resubmittals / Revisions	18 / 7
7. Surveys / Data Entry	37 / 405

C. ENGINEERING STAFF

1. Meetings	24
2. Reviews	54
3. Field Investigations	5

ASSESSMENT SECTION	TOTALS
A. EPC WETLANDS REVIEWS	
1. Wetland Delineations	
a. Wetland Delineations (\$120.00)	37
b. Wetland Delineation Dispute	3
c. Wetland Line Survey Reviews	25
d. Additional Footage Fees	\$668.84
2. Misc Activities in Wetland (\$0 or \$100 as applicable)	
a. Nuisance Vegetation	0
b. Other	10
3. Impact / Mitigation Proposal (\$775)	12
4. Mitigation Agreements Recorded	1
5. FDOT Reviews	0
B. EPC DELEGATION / REVIEWS FROM STATE / REGIONAL / FEDERAL AUTHORITIES	
1. Tampa Port Authority Permit Applications (\$50. Or \$150. as applicable)	32
2. Wastewater Treatment Plants (FDEP)	23
3. FDEP Wetland Resource Applications	0
4. FDEP Grandfathered Delineations	0
5. SWFWMD Wetland Resource Applications	0

- 6. Army Corps of Engineers 0
- 7. Interagency Clearinghouse Reviews 0
- 8. DRI Annual Report 3

C. HILLSBOROUGH COUNTY / MUNICIPALITY
 PERMIT APPLICATION REVIEWS

- 1. Land Alteration / Landscaping (\$100) 2
- 2. Land Excavation (\$785 or \$650 as applicable) 0
- 3. Phosphate Mining
 - a. Unit Review / Reclamation (\$760) 3
 - b. Annual Review / Inspection (\$375) 0
- 4. Rezoning
 - a. Reviews (\$85) 41
 - b. Hearings 0
 - c. Hearing Preparation (hours) 0
- 5. Site Development (\$360)
 - a. Preliminary 6
 - b. Construction 42
- 6. Subdivision
 - a. Preliminary Plat (\$140) 4
 - b. Master Plan (\$550) 0
 - c. Construction Plans (\$250.00) 12
 - d. Final Plat (\$90) 13
 - e. Waiver of Regulations (\$100) 0
 - f. Platted - No-Improvements (\$100) 5
 - g. Minor - Certified Parcel (\$100) 8

EPC Wetlands Management Division
Agenda Backup For February 2001
3 Page

7. As-Builts (\$255)	12
8. Miscellaneous Reviews (no fees)	0
9. Pre-Applications (no fees)	3
10. Development Review Committee (no fees)	
a. Review Preparation (hours)	5.5
b. Meetings	1

D. OTHER ACTIVITIES

1. Unscheduled meetings with members of the public (walk-ins)	98
2. Other Meetings	102
3. Telephone Conferences	882
4. Presentations	0
5. Correspondence	176
6. Correspondence Review (hours)	48.5
7. Special Projects (hours)	59.5
8. On-site visits	94
9. Appeals (hours)	0

ADMINISTRATIVE ENFORCEMENT	TOTALS
A. NEW CASES RECEIVED	7
B. ACTIVITIES	
1. Ongoing Cases	
a. Active	67
b. Legal	3
c. Inactive	25
2. Number of "Notice of Intent to Initiate Enforcement"	4
3. Number of Citations Issued	0
4. Number of "Emergency Order of the Director"	0
5. Number of Consent Orders Signed	0
C. CASES CLOSED	
1. Administrative / Civil Cases Closed	3
2. Criminal Cases Closed	0
3. Cases Referred to Legal Dept.	0
D. CONTRIBUTIONS TO POLLUTION RECOVERY	\$5,450.00
E. ENFORCEMENT COSTS COLLECTED	\$682.98

INVESTIGATIONS / COMPLIANCE SECTION

A. COMPLAINTS	TOTALS
1. Received	20
2. Return Inspections	73
3. Closed	62
B. WARNING NOTICES	
1. Issued	23
2. Return Inspections	84
3. Closed	16
C. MITIGATION	
1. Compliance/Monitoring Reviews	16
2. Compliance Inspections	18
D. OTHER ACTIVITIES	
1. Case Meetings	6
2. Other Meetings	35
3. Telephone Calls	343
4. File Reviews	9
5. Cases Referred to Enforcement Coordinator	4
6. Letters	57

ADMINISTRATIVE / TECHNICAL SECTIONS TOTALS

A. SOIL SCIENTIST

1. Case Reviews (Soils)	8
2. Field Soil Investigations	9
3. Reports or Notes of Soil Investigations	9
4. Special Projects	
-Mimimum Flow and Level (SWFWMD)	
-Northern Tampa Bay Phase II Investigation program (SWFWMD)	
-Tampa Bay/Anclote River Comprehensive Watershed Management (SWFWMD)	
- Brandon Urban Dispersed Well - Environmental Management Program	

B. ADMINISTRATIVE SUPPORT STAFF

1. File Reviews	11
2. Telephone Assistance	583
3. Letters	205
4. Incoming Projects	128
5. Additional Info / Additional Footage	17/7
6. Resubmittals / Revisions	11/2
7. Surveys / Data Entry	8/532
8. Aerial Reviews	33

C. ENGINEERING STAFF

1. Meetings	39
2. Reviews	50
3. Field Visits	4
4. Seminar / Workshop	1
-Hillsborough Regional Science Fair	

EPC LEGAL DEPARTMENT MONTHLY REPORT
February 15, 2001

A. ADMINISTRATIVE CASES

NEW CASES [4]

Convergent Label Technology, Inc. [LCLT01-006]: On February 14, 2001, an applicant for a permit, Convergent Label Technology, Inc., requested additional time in which to file a petition for administrative hearing on a Notice of Permit Denial for an air permit. An Order was granted on February 14, 2001 providing the applicant an additional 60 days in which to file a petition in the matter. (AZ)

City of Tampa: [LCOT01-005]: On February 13, 2001 the City of Tampa requested additional time in which to respond with additional information on a Notice of Denial of Application for Director's Authorization. The Director's Authorization concerned the operation of a landfill by the city. An Order was granted on February 14, 2001 providing the applicant an additional 75 days to respond or file a written appeal of the denial. (AZ)

Ugenti, Angelo, Sr. - Hillsborough County Recycling & Recovery, Inc.: [LUGE01-003]: On February 5, 2001 the applicant for a yard and wood waste processing facility requested additional time in which to respond with additional information on a Notice of Denial of Application for Director's Authorization. An Order was granted on February 9, 2001 providing the applicant an additional 75 days to respond or file a written appeal of the denial. (AZ)

Environmental Protection Commission and Hillsborough County v. Tampa Bay Water (Consolidated Water Use Permit increase): On January 16, 2001, Environmental Protection Commission and Hillsborough County filed for arbitration of Tampa Bay Water's request to increase the consolidated water use permit limits from 158 million gallons per day (mgd) to 164 mgd. City of Tampa filed for arbitration also. The parties are scheduled to meet to discuss settlement options. (KKB)

EXISTING CASES [8]

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. It was 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 and staff requested additional information only a portion of which was delivered. However, an alternate remedial plan was approved and staff is reviewing the final report. (RT)

Cone Constructors, Inc. [LCONB99-006]: (*See related case under Civil Cases*). Citation for Noise Rule violations during the construction of the Suncoast Parkway was appealed. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (KKB)

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. Landowner and EPC are currently negotiating a P2 pollution prevention plan in lieu of a portion of the penalties. EPC staff is currently calculating penalties and costs for inserting into the consent order. A pollution prevention plan has been proposed which EPC staff is currently reviewing. (AZ)

DOT [LDOTF00-008]: DOT appealed a citation issued to them for failing to obtain a Director's Authorization prior to

excavating solid waste from old landfills at two sites in Hillsborough County. Since DOT indicated that negotiations for settlement were underway, the appeal proceedings will be held in abeyance pending possible settlement. (RT)

Tampa Bay Organics [LTBOF00-007]: Tampa Bay Organics, a wood recycling facility, filed a Notice of Appeal of EPC's citation for causing a dust nuisance and for operating an air pollution source without valid permits. The appeal is being held in abeyance pending settlement discussions. A draft consent order was sent to TBO November 15, 2000. TBO and EPC continue settlement discussions. Parties are in agreement on most issues. Issue regarding necessity of obtaining an air permit remains outstanding. (KKB)

Tampa Bay Regional Reservoir [LRES00-014]: On October 16, 2000 Hillsborough County EPC and Hillsborough County filed notice for binding arbitration regarding Tampa Bay Water's Environmental Resource Permit application to the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers section 404 permit application on the Tampa Bay Regional Reservoir. EPC asserts that reasonable assurances have not been provided that the application meets all applicable agency rules, policies and statutes. Hearing is scheduled to begin March 16, 2001. (KKB)

Freeport-McMoran v. EPC, DEP & Big Bend Transfer [LFRE00-017]: A petition for a formal administrative hearing was filed by Freeport-McMoran Development, L.L.C. (Freeport) on December 5, 2000 challenging the EPC's Intent to Issue a construction permit for a proposed solid sulfur storage, processing and melting facility owned by Big Bend Transfer Co., L.L.C. The petition was referred to the Division of Administrative Hearings on December 12, 2000 with a Motion to Consolidate with the SOBAC case listed below. The case was consolidated with the SOBAC case below. On February 5, 2001 Petitioner Freeport filed a motion to disqualify the attorneys for Big Bend based on a conflict of interest. Discovery is ongoing. (AZ & RT)

SOBAC v. EPC, DEP & Big Bend Transfer [LSOB00-018]: A petition for a formal administrative hearing was filed by Save Our Bays, Air, and Canals, Inc. (SOBAC) on December 5, 2000 challenging the EPC's Intent to Issue a construction permit for a proposed solid sulfur storage, processing and melting facility owned by Big Bend Transfer Co., L.L.C. The petition was referred to the Division of Administrative Hearings on December 12, 2000 with a Motion to Consolidate with the Freeport case listed above. On December 19, 2000 SOBAC filed an amended petition. The administrative Law Judge accepted the amended petition and the matter was consolidated with the above case. (AZ & RT)

RESOLVED CASES [3]

SOBAC v. EPC, DEP & Hanson Pipe [LHAN00-019]: A petition for a formal administrative hearing was filed by Save Our Bays, Air, and Canals, Inc. (SOBAC) on December 5, 2000 challenging the noticed general permit to Hanson Pipe and Products, Inc. (Hanson Pipe) to construct a concrete batch plant. The petition was reviewed for sufficiency and was found insufficient. An Order Dismissing the Petition with leave to amend was entered on December 12, 2000. The petitioner was provided 15 days to file and amended petition. On December 18, 2000 the EPC provided Notice of Permit Denial to Hanson Pipe to operate with a general permit. The EPC received a Motion for Leave to File an Amended Petition on January 3, 2001. The motion and Amended Petition were dismissed as untimely. In addition, because a petition was not received from the applicant after the general permit was denied the matter became moot and the case was resolved. (AZ)

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. The USTs have been emptied of product. The landowner has submitted a closure report of the UST system. The closure inspection has determined that no further assessment of the former UST is required and the facility is currently in compliance. On October 17, 2000 a Settlement Letter was sent to the property owner, Presto Food Stores, Inc. regarding reimbursement of EPC's administrative costs. The EPC has waived penalties against the property owner and is seeking penalties against the tank owner and operator, Gazi Haque instead. On November 16, 2000 a Settlement Letter was executed between the EPC and the property owner. A check for \$672.53 was received for re-imbusement of EPC's costs in obtaining compliance.

Presto Food Stores, Inc. has voluntarily dismissed its appeal and the appeal matter was formally closed on January 12, 2001. All matters have been resolved with Presto Food Stores, Inc. EPC enforcement is currently seeking to recover penalties from the tank owner and operator Gazi Haque. On October 26, 2000 and November 30, 2001 proposed Settlement Letters were sent to the tank owner and operator Gazi Haque. No response has been received from Mr. Haque. (AZ)

City of Tampa [LCOTZ99-005]: Appeal of EPC Citation for the improper disposal of street sweeping debris. Parties agreed in June 1999 to abate the proceeding to develop a plan for the proper disposal of the material. The plan has been reviewed and comments relayed to the city. The city has resolved all non-compliance issues. On October 17, 2000 a Settlement Letter was sent to the City of Tampa regarding reimbursement of EPC's administrative costs in the matter. On December 22, 2000 the City of Tampa accepted the proposed Settlement Letter in writing and sent a check for EPC's expenses and costs in handling the matter. (AZ)

B. CIVIL CASES

NEW CASES | 2 |

Coniglio, George N. Sr. [LCON01-002]: Suit was filed in February 2001 to compel the owner and operator of an unauthorized yard and wood-waste processing facility to obtain the necessary EPC Director Authorizations and to recover penalties and costs for past violations. A letter offering a waiver of service of process was sent on February 8, 2001. The Defendant has 20 days from receipt (March 6, 2001) to respond or service will be made in accordance with Florida law. (AZ)

Holbrooks, Tony – Bugs-R-Us, Inc. [LHOL01-004]: The EPC granted authority to file suit to recover past penalties and costs for a violation concerning the use of an Underground Storage Tank on the Respondents property. Several demand letters have been sent and a deadline for settlement has been set for February 20, 2001. In the event a satisfactory response is not provided by that date suit will be filed in County Court. The complaint has been prepared. (AZ)

EXISTING CASES | 11 |

Holley, Raymond, et al. [LHOL94-161]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank and to obtain civil penalties and costs. The Defendants defaulted but obtained a judicial stay by filing bankruptcy. The bankruptcy case closed in April 1998 and EPC renewed its previously filed Motion for Judgment after Default. Although staff tried to work with Defendants as being eligible for state assistance under the Abandoned Tank Restoration Plan, Defendants did not cooperate. EPC filed an Amended Motion for Judgment after Default with a supporting affidavit on costs and scheduled a hearing. On July 25, 2000 the Court entered a Default Final Judgment requiring the Defendant to properly close the USTs, pay costs of \$1,240.87, and required payment of \$22,100 in penalties if the order for injunctive relief is not complied with. The Defendants have not complied with the judgment and the legal staff is drafting a motion for contempt to get the facility properly closed. EPC staff met with Defendants regarding submitting an application for state assistance in the closure of the USTs on the property. If the Defendants obtain eligibility as indigent owners of abandoned USTs the only remaining issue will be seeking penalties and costs for the associated violations. One of the Defendants attempted to sell an investment property and was precluded because of the EPC lien on the property. Defendant has attempted to contact EPC regarding resolving the violations and satisfying the lien. (AZ)

Slusmeyer, Boyce [LSLU94-152]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank and to obtain civil penalties and costs. In 1995 a judgment was entered by the court ordering the closure of the underground storage tanks and providing for penalties and costs. Defendant did not comply with the judgment. EPC asked the court to hold the Defendant in contempt for failure to remove the tanks. On April 27, 2000 the judge took the issue of contempt under advisement and allowed Defendant 60 days to comply with the judgment after which further sanctions would be sought. The day prior to the hearing on the Renewed Motion for Contempt, the Defendant retained an attorney and a consultant in order to comply with the judgment. He was

provided a brief additional amount of time to resolve all outstanding issues. The underground storage tanks were removed from the site on October 6, 2000 and a proper closure report should have been submitted by December 6, 2000. The EPC received the closure report on December 22, 2000. The closure report indicated there is soil contamination at the site. The Defendant now must initiate a petroleum contamination assessment. In addition to the required soil cleanup the EPC is attempting to recover its penalties and costs. (AZ)

Mulberry Phosphate [LMULF98-166]: 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 Polk counties are being reviewed and considered as possible settlement options. A settlement discussion was held November 28, 2000. Mulberry filed for Chapter 11 Bankruptcy in February 2001. It is unlikely any agency will recover civil penalties or costs of enforcement. Mulberry's insurance coverage may be available for restoration. EPC staff is analyzing its current options. (RT)

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. 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 is reviewing the file to determine the proper amounts. On October 13, 2000 a Settlement Letter was sent to the property owner regarding reimbursement of EPC's administrative costs and penalties. EPC has contacted the opposing party but has been advised that the facility owner is financially unable to make payments for settlement. The EPC is currently considering further enforcement options. A letter was sent to the respondent requesting a settlement or the EPC will commence a lawsuit to recover penalties and costs for the past violations. (AZ)

FDOT & Cone Constructors, Inc. [LCONB99-007]: (*See related case under Administrative Cases*) 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. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (KKB)

Qasem 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. Defendant, property owner HJEM, Inc., filed a motion for summary judgment asserting the Plaintiff's mortgage was entered into fraudulently and that it has priority over all lien holders. EPC responded by asserting the priority of its judgment over the Defendant, HJEM, Inc.'s ownership of the property as the property was sold to HJEM, Inc. subject to EPC's judgment. Hearing on the summary judgment was postponed pending an amended motion for summary judgment. Discovery is ongoing. The hearing on the Motion for Summary Judgment is currently set for January 30, 2001. The hearing on the Plaintiff's Motion for Summary Judgment has been postponed. The attorney for the property owner HJEM, Inc. has contacted the EPC regarding purchasing the EPC's interest in the property and settling the matter. (AZ)

Georgia Maynard [LMAYZ99-003]: Authority to take appropriate action against Ms. Maynard as owner and operator 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. Respondent has asserted willingness to comply but financial inability. Complaint is being drafted. A pre-litigation letter was sent to Respondent advising of pending action. An attorney representing Ms. Maynard responded by suggesting the matter could be resolved without litigation. The attorney has since provided EPC staff with several estimates for the work in anticipation of settling the matter. The property will be sold at a foreclosure at the end of January. Ms. Maynard's attorney notified EPC that monies will be set aside in escrow to cover the expense of closing the UST's at the site. (AZ)

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 failed to comply with the terms of the Consent Order. The Tampa Port Authority is willing to perform the requirements of the settlement. EPC filed suit against Tampa Scrap to protect our rights to legal enforcement of the specific terms of the Consent Order. Tampa Export, a presumed successor entity to Tampa Scrap, has filed for bankruptcy protection. EPC staff will be witnesses in the hearing on Tampa Port Authority's motion to evict Tampa Export and obtain correction. (RT)

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

Manhattan Oil, William Chiles [LMAN00-006]: EPC's Citation for violation of the abandoned underground storage tank regulations was appealed and then settled in a negotiated Consent Order. However, the conditions of the Consent Order have not been implemented and the site remains out of compliance. The Commission granted authority on June 15, 2000 to commence appropriate legal action. A pre-litigation letter has been sent and a Complaint is being drafted. The owner resides in Massachusetts and the EPC is preparing to serve the complaint out of state. The property owner has obtained bids for removal of the underground storage tanks and resolving all non-compliance issues. (AZ)

Dip Mini Mart [LPAT01-001]: Authority was requested and received by the EPC on December 19, 2000 to initiate judicial enforcement to close and remove an abandoned underground storage tank system (USTs) and to obtain civil penalties and costs. Two separate demand letters have been sent to the attorney for the property owner. The attorney left a telephone message with EPC but no other correspondence has been received by the EPC. The judicial complaint was filed January 11, 2001. A letter offering a waiver of service of process was sent on January 12, 2001. The Defendant has 20 days from receipt (February 12, 2001) to respond or service will be made in accordance with Florida law. (AZ)

RESOLVED CASES [1]

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. The Bankruptcy was dismissed with the emergence of a new investor. (RT)

EPC LEGAL DEPARTMENT MONTHLY REPORT
March 8, 2001

A. ADMINISTRATIVE CASES

NEW CASES [1]

Tampa Bay Stevedores, Inc. [LTBS01-010]: On February 22, 2001 the applicant for an air permit requested an extension of time to file a petition for a formal administrative hearing challenging conditions in a draft permit. An Order denying the request for extension of time was entered on February 26, 2001 for failure to show good cause for the extension. The applicant was provided an additional 15 days to file a petition. (AZ)

EXISTING CASES [12]

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. It was 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 and staff requested additional information only a portion of which was delivered. However, an alternate remedial plan was approved and staff is reviewing the final report. (RT)

Cone Constructors, Inc. [LCONB99-006]: (*See related case under Civil Cases*). Citation for Noise Rule violations during the construction of the Suncoast Parkway was appealed. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (KKB)

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. Landowner and EPC are currently negotiating a P2 pollution prevention plan in lieu of a portion of the penalties. EPC staff is currently calculating penalties and costs for inserting into the consent order. The EPC staff accepted a proposed pollution prevention plan to offset the penalties. The EPC staff received a signed Settlement Letter from the Respondents with payment of administrative costs and await a withdrawal of the appeal. (AZ)

DOT [LDOTF00-008]: DOT appealed a citation issued to them for failing to obtain a Director's Authorization prior to excavating solid waste from old landfills at two sites in Hillsborough County. Since DOT indicated that negotiations for settlement were underway, the appeal proceedings will be held in abeyance pending possible settlement. (RT)

Tampa Bay Organics [LTBOF00-007]: Tampa Bay Organics, a wood recycling facility, filed a Notice of Appeal of EPC's citation for causing a dust nuisance and for operating an air pollution source without valid permits. The appeal is being held in abeyance pending settlement discussions. A draft consent order was sent to TBO November 15, 2000. Productive settlement discussions are continuing. (KKB)

Tampa Bay Regional Reservoir [LRES00-014]: On October 16, 2000 Hillsborough County EPC and Hillsborough County filed notice for binding arbitration regarding Tampa Bay Water's Environmental Resource Permit application to the Florida Department of Environmental Protection and the U.S. Army Corps of Engineers section 404 permit application on the Tampa Bay Regional Reservoir. EPC asserts that reasonable assurances have not been provided that the application meets all applicable agency rules, policies and statutes. Hearing is scheduled to begin March 16, 2001. EPC, Hillsborough County and TBW have held settlement discussions. At this time, it does not appear likely that the issues will be able to be resolved through settlement. Discovery is completed. A case management conference is scheduled for March 13, 2001. The hearing will be held at the Embassy Suites on Westshore. (KKB)

Freeport-McMoran v. EPC, DEP & Big Bend Transfer [LFRE00-017]: A petition for a formal administrative hearing was filed by Freeport-McMoran Development, L.L.C. (Freeport) on December 5, 2000 challenging the EPC's Intent to Issue a construction permit for a proposed solid sulfur storage, processing and melting facility owned by Big Bend Transfer Co., L.L.C. The petition was referred to the Division of Administrative Hearings on December 12, 2000 with a Motion to Consolidate with the SOBAC case listed below. The case was consolidated with the SOBAC case below. On February 5, 2001 Petitioner Freeport filed a motion to disqualify the attorneys for Big Bend based on a conflict of interest. Discovery is ongoing. (AZ & RT)

SOBAC v. EPC, DEP & Big Bend Transfer [LSOB00-018]: A petition for a formal administrative hearing was filed by Save Our Bays, Air, and Canals, Inc. (SOBAC) on December 5, 2000 challenging the EPC's Intent to Issue a construction permit for a proposed solid sulfur storage, processing and melting facility owned by Big Bend Transfer Co., L.L.C. The petition was referred to the Division of Administrative Hearings on December 12, 2000 with a Motion to Consolidate with the Freeport case listed above. On December 19, 2000 SOBAC filed an amended petition. The administrative Law Judge accepted the amended petition and the matter was consolidated with the above case. (AZ & RT)

Convergent Label Technology, Inc. [LCLT01-006]: On February 14, 2001, an applicant for a permit, Convergent Label Technology, Inc., requested additional time in which to file a petition for administrative hearing on a Notice of Permit Denial for an air permit. An Order was granted on February 14, 2001 providing the applicant an additional 60 days in which to file a petition in the matter. (AZ)

City of Tampa: [LCOT01-005]: On February 13, 2001 the City of Tampa requested additional time in which to respond with additional information on a Notice of Denial of Application for Director's Authorization. The Director's Authorization concerned the operation of a landfill by the city. An Order was granted on February 14, 2001 providing the applicant an additional 75 days to respond or file a written appeal of the denial. (AZ)

Ugenti, Angelo, Sr. - Hillsborough County Recycling & Recovery, Inc.: [LUGE01-003]: On February 5, 2001 the applicant for a yard and wood waste processing facility requested additional time in which to respond with additional information on a Notice of Denial of Application for Director's Authorization. An Order was granted on February 9, 2001 providing the applicant an additional 75 days to respond or file a written appeal of the denial. (AZ)

Environmental Protection Commission and Hillsborough County v. Tampa Bay Water (Consolidated Water Use Permit increase): On January 16, 2001, Environmental Protection Commission and Hillsborough County filed for arbitration of Tampa Bay Water's request to increase the consolidated water use permit limits from 158 million gallons per day (mgd) to 164 mgd. City of Tampa filed for arbitration also. The parties are scheduled to meet to discuss settlement options. This case may be resolved through agreement on an Emergency Order issued by the Southwest Florida Water Management District. The District is expected to issue a draft Emergency Order to TBW on March 9, 2001. The issue will be discussed at the TBW technical advisory and legal advisory committee meetings on March 12, 2001. (KKB)

RESOLVED CASES [0]

B. CIVIL CASES . .

NEW CASES [0]

EXISTING CASES [13]

Holley, Raymond, et al. [LHOL94-161]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank and to obtain civil penalties and costs. The Defendants defaulted but obtained a judicial stay by filing bankruptcy. The bankruptcy case closed in April 1998 and EPC renewed its previously filed Motion for Judgment after Default. EPC filed an Amended Motion for Judgment after Default with a supporting affidavit on costs and scheduled a hearing. On July 25, 2000 the Court entered a Default Final Judgment requiring the Defendant to properly close the USTs, pay costs of \$1,240.87, and required payment of \$22,100 in penalties if the order for injunctive relief is not complied with. The Defendants have not complied with the judgment and the legal staff is drafting a motion for contempt to get the facility properly closed. EPC staff met with Defendants regarding submitting an application for state assistance in the closure of the USTs on the property. If the Defendants obtain eligibility as indigent owners of abandoned USTs the only remaining issue will be seeking penalties and costs for the associated violations. One of the Defendants attempted to sell an investment property and was precluded because of the EPC lien on the property. Defendant has attempted to contact EPC regarding resolving the violations and satisfying the lien. (AZ)

Slusmeyer, Boyce [LSLU94-152]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank and to obtain civil penalties and costs. In 1995 a judgment was entered by the court ordering the closure and removal of the underground storage tanks and the judgment provided for penalties and costs. The underground storage tanks were removed from the site on October 6, 2000 and a proper closure report was submitted on December 22, 2000. The closure report indicated there is soil contamination at the site. The Defendant now must initiate a petroleum contamination assessment. In addition to the required soil cleanup the EPC is attempting to recover its penalties and costs. (AZ)

Mulberry Phosphate [LMULF98-166]: 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 Polk counties are being reviewed and considered as possible settlement options. A settlement discussion was held November 28, 2000. Mulberry filed for Chapter 11 Bankruptcy in February 2001. It is unlikely any agency will recover civil penalties or costs of enforcement. Mulberry's insurance coverage may be available for restoration. EPC staff is analyzing its current options. (RT)

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. 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 is reviewing the file to determine the proper amounts. On October 13, 2000 a Settlement Letter was sent to the property owner regarding reimbursement of EPC's administrative costs and penalties. EPC has contacted the opposing party but has been advised that the facility owner is financially unable to make payments for settlement. The EPC is currently considering further enforcement options. A letter was sent to the respondent requesting a settlement or the EPC will commence a lawsuit to recover penalties and costs for the past violations. On February 22, 2001 the EPC filed suit against 672 Recovery, Inc. and Richard Hain for past violations. A waiver of service letter was sent out on February 23, 2001 to the attorney for the Defendants requesting that the Defendants waive formal service of the complaint. (AZ)

FDOT & Cone Constructors, Inc. [LCONB99-007]: (*See related case under Administrative Cases*) 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. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (KKB)

Qasem 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. Defendant, property owner HJEM, Inc., filed a motion for summary judgment asserting the Plaintiff's mortgage was entered into fraudulently and that it has priority over all lien holders. EPC responded by asserting the priority of its judgment over the Defendant, HJEM, Inc.'s ownership of the property as the property was sold to HJEM, Inc. subject to EPC's judgment. Hearing on the summary judgment was postponed pending an amended motion for summary judgment. Discovery is ongoing. The hearing on the Motion for Summary Judgment is currently set for January 30, 2001. The hearing on the Plaintiff's Motion for Summary Judgment has been postponed. The attorney for the property owner HJEM, Inc. has contacted the EPC regarding purchasing the EPC's interest in the property and settling the matter. (AZ)

Georgia Maynard [LMAYZ99-003]: Authority to take appropriate action against Ms. Maynard as owner and operator 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. Respondent has asserted willingness to comply but financial inability. Complaint is being drafted. A pre-litigation letter was sent to Respondent advising of pending action. An attorney representing Ms. Maynard responded by suggesting the matter could be resolved without litigation. The attorney has since provided EPC staff with several estimates for the work in anticipation of settling the matter. The property will be sold at a foreclosure at the end of January. Ms. Maynard's attorney notified EPC that monies will be set aside in escrow to cover the expense of closing the UST's at the site. (AZ)

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 failed to comply with the terms of the Consent Order. The Tampa Port Authority is willing to perform the requirements of the settlement. EPC filed suit against Tampa Scrap to protect our rights to legal enforcement of the specific terms of the Consent Order. Tampa Export, a presumed successor entity to Tampa Scrap, has filed for bankruptcy protection. EPC staff will be witnesses in the hearing on Tampa Port Authority's motion to evict Tampa Export and obtain correction. (RT)

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

Manhattan Oil, William Chiles [LMAN00-006]: EPC's Citation for violation of the abandoned underground storage tank regulations was appealed and then settled in a negotiated Consent Order. However, the conditions of the Consent Order have not been implemented and the site remains out of compliance. The Commission granted authority on June 15, 2000 to commence appropriate legal action. A pre-litigation letter has been sent and a Complaint is being drafted. The owner resides in Massachusetts and the EPC is preparing to serve the complaint out of state. The property owner has obtained bids for removal of the underground storage tanks and resolving all non-compliance issues. (AZ)

Dip Mini Mart [LPAT01-001]: Authority was requested and received by the EPC on December 19, 2000 to initiate judicial enforcement to close and remove an abandoned underground storage tank system (USTs) and to obtain civil penalties and costs. Two separate demand letters have been sent to the attorney for the property owner. The attorney left a telephone message with EPC but no other correspondence has been received by the EPC. The judicial complaint was filed January 11, 2001. A letter offering a waiver of service of process was sent on January 12, 2001. The Defendant accepted the waiver of service of process and the Defendant has until March 23, 2001 to

respond to the judicial complaint. (AZ)

Coniglio, George N. Sr. [LCON01-002]: Suit was filed in February 2001 to compel the owner and operator of an unauthorized yard and wood waste processing facility to obtain the necessary EPC Director Authorizations and to recover penalties and costs for past violations. A letter offering a waiver of service of process was sent on February 8, 2001. The Defendant has 20 days from receipt (March 6, 2001) to respond or service will be made in accordance with Florida law. The Defendant has not accepted the waiver of service and the judicial complaint and summons is currently being served. (AZ)

Holbrooks, Tony – Bugs-R-Us, Inc. [LHOL01-004]: The EPC granted authority to file suit to recover past penalties and costs for a violation concerning the use of an Underground Storage Tank on the Respondents property. Several demand letters have been sent and a deadline for settlement has been set for February 20, 2001. In the event a satisfactory response is not provided by that date suit will be filed in County Court. On February 22, 2001 the EPC filed suit against Tony Holbrooks for past violations. A waiver of service letter was sent out on February 23, 2001 to the Defendant requesting he waive formal service of the complaint. (AZ)

RESOLVED CASES [0]

COMMISSION

PAT FRANK
CHRIS HART
JIM NORMAN
JAN PLATT
THOMAS SCOTT
RONDA STORMS
STACEY EASTERLING



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
RICHARD D. GARRITY, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
POLLUTION RECOVERY TRUST FUND
AS OF MARCH 01, 2001

Fund Balance as of 10/01/00		\$1,131,516
Interest Accrued	FY01	27,494
Deposits	FY01	72,325
Disbursements	FY01	56,486

Fund Balance \$1,174,849

Encumbrances Against Fund Balance:

(57a)	Cypress Head Swamp	8,967
(14)	Wetland Surveys	1,781
	Seagrass Study/Sheriff	27,500
	Art. Reef FY01	46,617
(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
(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	2,082
(73)	Balm Road Scrub	300,000
(81)	Tampa Baywatch	12,870
	Waste Reduction/Tampa	98,657
	Upper Tampa Bay Trail	77,300
	Charlie Walker Cons. Cen.	5,000
	Cockroach Bay Turtle	59,920
(92)	Brazilian Pepper	26,717
(94)	Airwise	10,000

Total of Encumbrances 861,678

Minimum Balance 100,000

Fund Balance Available March 01, 2001 \$213,471

COMMISSION

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TELEPHONE (813) 272-7104

EXECUTIVE DIRECTOR

RICHARD D. GARRITY, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
ANALYSIS OF GARDINIER SETTLEMENT TRUST FUND
AS OF MARCH 01, 2001

Fund Balance as of 10/01/00	\$1,653,820
Interest Accrued FY01	38,911
Disbursements FY01	199,742
Fund Balance	\$1,492,989

Encumbrances Against Fund Balance:

Alafia River, Add. (SWIM/DEP)	8,948
Cockroach Bay Exotic Con. (HCC)	8,618
Alafia River/Wolf Branch	118,954
Ballast Point Seawall Phase II	25,000
Audubon Society Riverview CC	50,000
Oakview Utilities	50,000
Port Redwing	300,000
Davis Tract	175,851
Apollo Beachhabitat Restoration	100,000
Fantasy Island Restoration	50,000
Mechanical Seagrass Planting	31,304
Marsh Creek/Ruskin Inlet	47,500
Desoto Park Shoreline	150,000

Total of Encumbrances \$1,116,175

Fund Balance Available March 01, 2001 \$ 376,814

AGENDA ITEM COVER SHEET

Date: **March 8, 2001**

Agenda Item: Alafia River Shoreline Restoration, Pollution Recovery Fund Project #91

Description/Summary:

The Alafia River Basin Stewardship Council applied for \$36,000 from the Pollution Recovery Fund to restore approximately 1500 feet of shoreline on the Alafia River, remove non-native plants and plant seagrasses and shoreline vegetation. This will be a cooperative effort with Hillsborough Community College and the Hillsborough County Stream Watch Program. A successful volunteer clean up of the area was done by the community in February with several school groups participating. Jim Anderson's mechanical seagrass planting technology will be used in the project. Both the staff and the Citizens Environmental Advisory Committee are recommending approval of this project with conditions. The current available balance in the Fund is approximately \$196,000.

Commission Action Recommended:

Grant \$36,000 for the project with the following conditions:

- Seagrasses will be planted in two phases, with a small plot being done first to determine survivability. If the first phase is successful, the second phase funding will be authorized.
- No Pollution Recovery Funds are to be used to do work within the utility easement. The applicant is encouraged to work with TECO on eradicating the Brazilian Pepper in their easement to prevent it from spreading back into the restoration area.
- Applicant to determine required Tampa Port Authority permit or authorization for doing restoration on state owned lands.
- Applicant to provide some documentation that private land owners adjacent to the seagrass and shoreline revegetation areas are aware that the restoration project may restrict the use of their property relative to building docks or operating boats in the area.
- CEAC requests a final report be prepared upon completion of the project to determine if the restoration methods used were successful.

AGENDA ITEM COVER SHEET

Date: March 8, 2001

Agenda Item: Rivercrest Park Restoration, Pollution Recovery Fund Project #93

Description/Summary:

The South Seminole Heights Homeowners Association applied for \$11,916.50 from the Pollution Recovery Fund to stabilize the badly eroded shoreline of this linear park on the Hillsborough River. Appropriate native vegetation will then be planted and monitored. The City of Tampa previously restored the northern end of the park with a grant from the Pollution Recovery Fund; this phase will complete the restoration. Both the staff and the Citizens Environmental Advisory Committee are recommending approval of this project with conditions. The current available balance in the Fund is approximately \$196,000.

Commission Action Recommended:

Grant up to \$15,000 for the project with the following conditions:

- The City of Tampa and the Homeowners Association jointly apply for the EPC/DEP permits that will be required.
- The City provide documentation that it will allow the Homeowners access to the park property to perform the necessary work and any required follow up.
- The Homeowners Association submit additional design plans to carry the restoration to the southern most extreme of the exposed shoreline along with an amended budget to cover the additional work.
- EPC staff to have final approval of specific design criteria and on-site signage.

AGENDA ITEM COVER SHEET

Date: March 15, 2001

Agenda Item: Bay Regional Atmospheric Chemistry Experiment (BRACE) Contract

Description Summary:

BRACE is a follow-on to the Tampa Bay Estuary Programs atmospheric deposition study. BRACE will be funded by the State for four years, with the funding primarily for one part-time position to assist with the additional air monitoring requirements associated with BRACE. The study is a cooperative effort between FDEP, USF, TBEP, and EPC, to determine how much regional air pollution emissions contribute to the nitrogen in Tampa Bay. EPC's portion of the effort will consist of additional air monitoring at three sites around Tampa Bay.

As indicated, the \$166,760 over four years is primarily for one position to assist with the additional air monitoring workload. EPC proposes to meet the contract requirements by filling one existing, but unfunded, Environmental Specialist II position for the life of the contract.

Commission Action Recommended: Grant authority to sign BRACE Contract and to fill the one position funded by this contract.

Commission Action Taken:

BRACE

Bay Regional Atmospheric Chemistry Experiment

Leroy Shelton

March 15, 2001

BRACE

- Follow-on to TBEP Atmospheric Deposition Study
- State Funding
- \$166,760
 - Primarily for additional monitoring work
- 2001-2004

Cooperative Effort

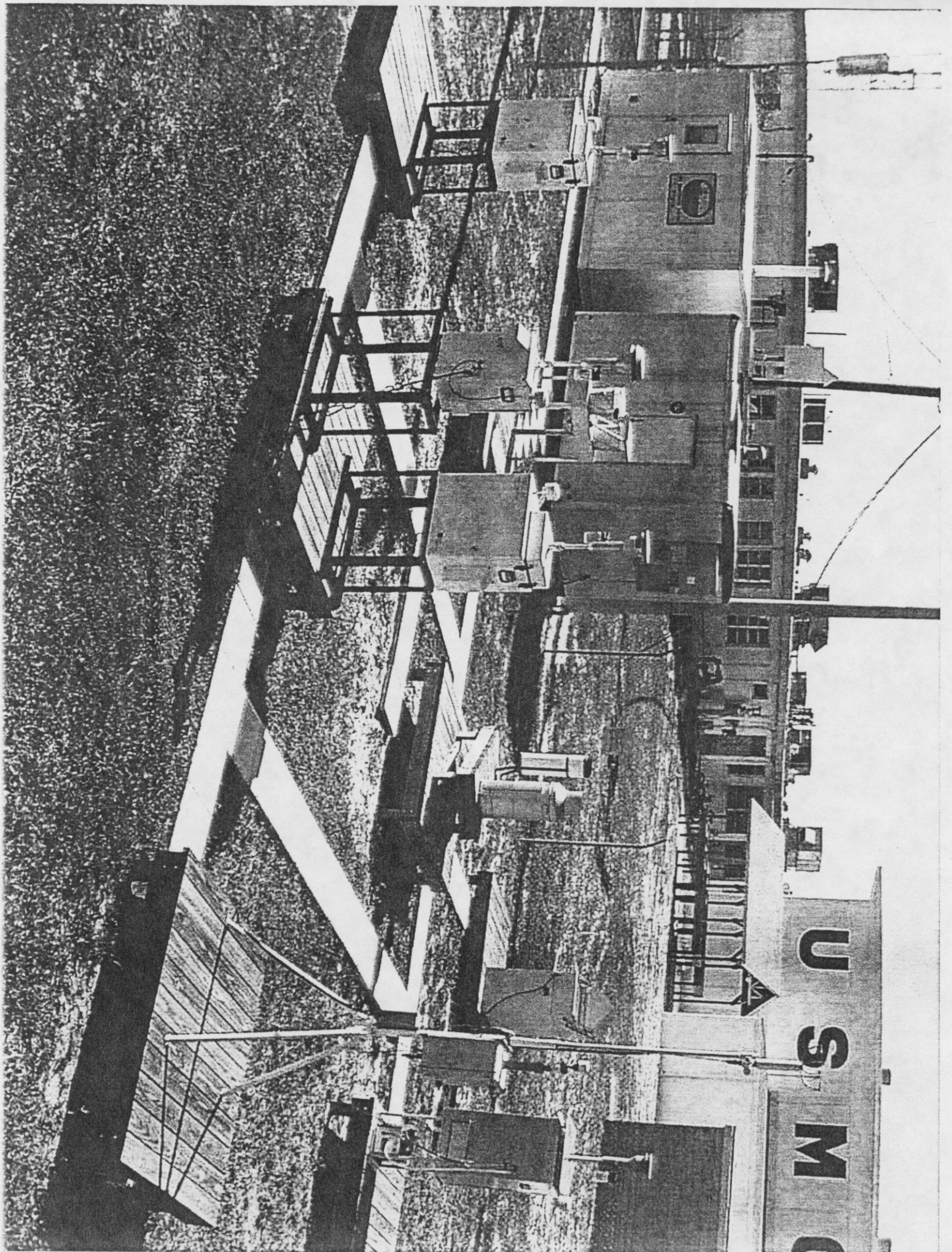
- Florida Department of Environmental Protection
- University of South Florida
- Tampa Bay Estuary Program
- EPC

Purpose

- Determine how much regional air pollution emissions contribute to the nitrogen in Tampa Bay
 - Better estimate atmospheric nitrogen deposition
 - Apportion nitrogen deposition to its sources

Plan

- Additional monitoring at Gandy Site
- Add similar equipment at Simmons Park
- Set up a third site to the east of Tampa



Action Required

- Authority to sign contract with State
- Authority to fill one part-time position funded by this contract
 - No County funds required
 - Position already exists (unfunded)

CONTRACT

THIS CONTRACT is entered into between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION, whose address is 3900 Commonwealth Boulevard, Tallahassee, Florida 32399-3000 (hereinafter referred to as the "Department") and HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION, whose address is 1410 North 21st Street, Tampa, Florida 33605, (hereinafter referred to as the "Contractor"), a governmental entity, to provide technical support services for ambient air quality studies in the Tampa Bay Region.

In consideration of the mutual benefits to be derived herefrom, the Department and Contractor do hereby agree as follows:

1. The Department does hereby retain the Contractor to perform ambient atmospheric monitoring services as defined herein and the Contractor does hereby agree to perform such services upon the terms and conditions set forth in this Contract, Attachment A (Scope of Services), and all attachments and exhibits named herein which are attached hereto and incorporated by reference.
2. The Contractor shall perform the services in a proper and satisfactory manner as determined by the Department. Any and all equipment, products or materials necessary to perform this Contract shall be supplied by the Contractor, unless otherwise specified herein.
3. The Contractor shall perform as an independent contractor and not as an agent, representative, or employee of the Department.
4.
 - A. As consideration for the services rendered by the Contractor under the terms of this Contract, the Department shall pay the Contractor on a fee schedule basis as specified Attachment A. It is hereby understood and agreed that the compensation amount of this Contract shall not exceed \$166,760 for the forty month term of this Contract. The initial funding increment under this Contract is set at \$15,849 which shall cover the services rendered for the period beginning February 1, 2001 through June 30, 2001, as described in Attachment A. Based upon continued satisfactory performance by the Contractor and annual appropriations by the Legislature, the Department reserves the right to provide increments of funding on an "as needed" basis. The Contractor shall be notified, by certified letter from the Director or Assistant Director of the Division of Resource Assessment and Management, of any additional funding increments.
 - B. In no event shall the Contractor continue to perform services once the authorized funding increment of the Contract has been reached. It is understood and agreed that the Contractor shall not commence work on any project that will exceed the balance of the current funding increment amount until notice is received by the Contractor of an increase in funding.
 - C. All bills for amounts due under this Contract shall be submitted in detail sufficient for a proper pre-audit and post-audit thereof. All travel and incidental expenses are included in the fee schedule amount.
5. This Contract shall begin upon execution by both parties, or March 1, 2001 (whichever is later) and end June 30, 2004, inclusive. In accordance with Section 287.058(2), Florida Statutes, the Contractor shall not be eligible for reimbursement for services rendered prior to the execution date of this Contract. This Contract may be renewed for an additional term not to exceed the original Contract period unless the original Contract period is 24 months or less, in which case the Contract may be renewed up to two additional one-year periods. Renewal of this Contract shall be in writing and subject to the same terms and conditions of this Contract. All renewals are contingent upon satisfactory performance by the Contractor and the availability of funds.

6. The State of Florida's performance and obligation to pay under this Contract is contingent upon an annual appropriation by the Legislature.
7. Pursuant to Section 215.422, Florida Statutes, the Department's Contract Manager shall have five (5) working days, unless otherwise specified herein, to inspect and approve the services for payment; the Department must submit a request for payment to the Florida Department of Banking and Finance within twenty (20) days; and the Department of Banking and Finance is given ten (10) days to issue a warrant. Days are calculated from the latter date the invoice is received or services received, inspected, and approved. Invoice payment requirements do not start until a proper and correct invoice has been received. Invoices which have to be returned to a contractor for correction(s) will result in a delay in the payment. A Vendor Ombudsman has been established within the Florida Department of Banking and Finance who may be contacted if a contractor is experiencing problems in obtaining timely payment(s) from a State of Florida agency. The Vendor Ombudsman may be contacted at 850/410-9724 or 1-800-848-3792.
8. In accordance with Section 215.422, Florida Statutes, the Department shall pay the Contractor, interest at a rate as established by Section 55.03(1), Florida Statutes on the unpaid balance, if a warrant in payment of an invoice is not issued within forty (40) days after receipt of a correct invoice and receipt, inspection, and approval of the goods and services. Interest payments of less than \$1 will not be enforced unless a contractor requests payment. The interest rate established pursuant to Section 55.03(1), Florida Statutes may be obtained by calling the Department of Banking and Finance, Vendor Ombudsman at the telephone number provided above or the Department's Contracts Section at 850/922-5942.
9. Each party hereto agrees that it shall be solely responsible for the negligent or wrongful acts of its employees and agents. However, nothing contained herein shall constitute a waiver by either party of its sovereign immunity or the provisions of Section 768.28, Florida Statutes.
10. The Department may terminate this Contract at any time in the event of the failure of the Contractor to fulfill any of its obligations under this Contract. Prior to termination, the Department shall provide ten (10) calendar days written notice of its intent to terminate and shall provide the Contractor an opportunity to consult with the Department regarding the reason(s) for termination.

The Department may terminate this Contract without cause and for its convenience by giving thirty (30) calendar days written notice to the Contractor.

Notice shall be sufficient if delivered personally or by certified mail to the address set forth in paragraph 11.

11. Any and all notices shall be delivered to the parties at the following addresses:

<u>Contractor</u>	<u>Department</u>
Mr. Jerry Campbell, P.E., Director	Thomas D. Atkeson, Ph.D. (MS-6540)
Air Pollution Control Program	Mercury Program
Hillsborough County Environmental Protection Commission	Division of Resource Assessment and Management
1410 North 21 st Street	Florida Department of Environmental Protection
Tampa, Florida 33605	2600 Blair Stone Road
	Tallahassee, Florida 32399-2400

12. Pursuant to Section 216.2815, Florida Statutes, all records in conjunction with this Contract shall be public records and shall be treated in the same manner as other public records are under general law.

This Contract may be unilaterally canceled by the Department for refusal by the Contractor to allow public access to all documents, papers, letters, or other material subject to the provisions of Chapter 119, Florida Statutes, and made or received by the Contractor in conjunction with this Contract.

13. The Contractor shall maintain books, records and documents directly pertinent to performance under this Contract in accordance with generally accepted accounting principles consistently applied. The Department, the State, or their authorized representatives shall have access to such records for audit purposes during the term of this Contract and for three years following Contract completion. In the event any work is subcontracted, the Contractor shall similarly require each subcontractor to maintain and allow access to such records for audit purposes.
14. The Department's Contract Manager is Thomas D. Atkeson, Ph.D., Mercury Coordinator, Phone 850/921-0884 (SunCom 291-0884). The Contractor's Contract Manager is Mr. Tom Tamanini, Air Monitoring Supervisor, Phone 813/272-5530 (SunCom 543-5530). All matters shall be directed to the Contract Managers for appropriate action or disposition.
15. The Contractor covenants that it presently has no interest and shall not acquire any interest which would conflict in any manner or degree with the performance of services required.
16. This Contract has been delivered in the State of Florida and shall be construed in accordance with the laws of Florida. Wherever possible, each provision of this Contract shall be interpreted in such manner as to be effective and valid under applicable law, but if any provision of this Contract shall be prohibited or invalid under applicable law, such provision shall be ineffective to the extent of such prohibition or invalidity, without invalidating the remainder of such provision or the remaining provisions of this Contract. Any action hereon or in connection herewith shall be brought in Leon County, Florida.
17. No delay or failure to exercise any right, power or remedy accruing to either party upon breach or default by either party under this Contract, shall impair any such right, power or remedy of either party; nor shall such delay or failure be construed as a waiver of any such breach or default, or any similar breach or default thereafter.
18. The Contractor recognizes that the State of Florida, by virtue of its sovereignty, is not required to pay any taxes on the services or goods purchased under the terms of this Contract.
19. This Contract is neither intended nor shall it be construed to grant any rights, privileges or interest in any third party without the mutual written agreement of the parties hereto.
20.
 - A. No person, on the grounds of race, creed, color, national origin, age, sex, or disability, shall be excluded from participation in; be denied the proceeds or benefits of; or be otherwise subjected to discrimination in performance of this Contract.
 - B. An entity or affiliate who has been placed on the discriminatory vendor list may not submit a bid on a contract to provide goods or services to a public entity, may not submit a bid on a contract with a public entity for the construction or repair of a public building or public work, may not submit bids on leases of real property to a public entity, may not award or perform work as a contractor, supplier, subcontractor, or consultant under contract with any public entity, and may not transact business with any public entity. The Florida Department of Management Services is responsible for maintaining the discriminatory vendor list and intends to post the list on its website. Questions regarding the discriminatory vendor list may be directed to the Florida Department of Management Services, Office of Supplier Diversity at 850/487-0915.
21. This Contract is an exclusive contract for services and may not be assigned in whole or in part without the written approval of the Department.
22. The Contractor shall not subcontract, assign, or transfer any work under this Contract.
23. To the extent required by law, the Contractor will be self-insured against, or will secure and maintain during the life of this Contract, Workers' Compensation Insurance for all of his employees connected with the work of this project and, in case any work is subcontracted, the Contractor shall require the subcontractor similarly

to provide Workers' Compensation Insurance for all of the latter's employees unless such employees are covered by the protection afforded by the Contractor. Such self-insurance program or insurance coverage shall comply fully with the Florida Workers' Compensation law. In case any class of employees engaged in hazardous work under this Contract is not protected under Workers' Compensation statutes, the Contractor shall provide, and cause each subcontractor to provide, adequate insurance satisfactory to the Department, for the protection of his employees not otherwise protected.

24. The Contractor, as an independent contractor and not an agent, representative, or employee of the Department, agrees to carry adequate liability and other appropriate forms of insurance. The Department shall have no liability except as specifically provided in this Contract.
25. All work performed under this Contract by the Contractor shall be consistent with the Department's Division of Air Resources Management's State-Wide Quality Assurance Air Program Plan; 40 CFR, Part 58; EPA's Quality Assurance Handbook for Air Pollution Measurement Systems, EPA/600/R-94/038a, Volume I: A Field Guide to Environmental Quality Assurance, dated April 1994; EPA's Handbook for Air Pollution Measurement Systems, EPA/600/R-94/038b, Volume II: Ambient Air Specific Methods, dated April 1994; EPA's Handbook for Air Pollution Measurement Systems, EPA/600/R-94/038d, Volume IV: Meteorological Measurements, dated April 1994; and Department/EPA approved Standard Operating Procedures which address all instrumentation utilized in the Contractor's ambient monitoring program. The Contractor has three (3) opportunities to submit their Air Quality Assurance Program Plan to the Department for approval. If the plan fails the approval process three (3) times, the Department may terminate the Contract in its entirety.
26. Upon satisfactory completion of this Contract, the Contractor may retain ownership of the non-expendable personal property or equipment purchased under this Contract. However, the Contractor shall complete and sign a Property Reporting Form, DEP 55-212, provided as Attachment B, and forward it along with the appropriate invoice to the Department's Contract Manager. The following terms shall apply:
 - A. The Contractor shall have use of the non-expendable personal property or equipment for the authorized purposes of the contractual arrangement as long as the required work is being performed.
 - B. The Contractor is responsible for the implementation of adequate maintenance procedures to keep the non-expendable personal property or equipment in good operating condition.
 - C. The Contractor is responsible for any loss, damage, or theft of, and any loss, damage or injury caused by the use of, non-expendable personal property or equipment purchased with state funds and held in his possession for use in a contractual arrangement with the Department.
27. The Department may at any time, by written order designated to be a change order, make any change in the work within the general scope of this Contract (e.g., specifications, time, method or manner of performance, requirements, etc.). All change orders are subject to the mutual agreement of both parties as evidenced in writing. Any change order which causes an increase or decrease in the Contractor's cost or time shall require formal amendment to this Contract.
28. A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not perform work as a grantee, contractor, supplier, subcontractor, or consultant under a contract with any public entity, and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, F.S., for Category Two, for a period of 36 months from the date of being placed on the convicted vendor list.
29. The Contractor shall comply with all applicable federal, state and local rules and regulations in providing services to the Department under this Contract. The Contractor acknowledges that this requirement includes compliance with all applicable federal, state and local health and safety rules and regulations. The Contractor further agrees to include this provision in all subcontracts issued as a result of this Contract.

30. This Contract represents the entire agreement of the parties. Any alterations, variations, changes, modifications or waivers of provisions of this Contract shall only be valid when they have been reduced to writing, duly signed by each of the parties hereto, and attached to the original of this Contract, unless otherwise provided herein.

IN WITNESS WHEREOF, the parties have caused this Contract to be duly executed, the day and year last written below.

HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION

STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

By: _____
Dr. Richard Garrity

By: [Signature]
Secretary or designee

Date: _____

Date: 2-8-2001

[Signature]
DEP Contract Manager

[Signature]
DEP Contracts Administrator

Approved as to form and legality:

[Signature]
DEP Attorney

FEID No.: 59-6000661

Contractor's Remittance Address:

(Address)

(City, State and Zip Code)

*For contracts with governmental boards/commissions: If someone other than the Chairman signs this Contract, a resolution, statement or other document authorizing that person to sign the Contract on behalf of the Contractor must accompany the Contract.

List of attachments/exhibits included as part of this Contract:

Specify Type	Letter/ Number	Description (include number of pages)
<u>Attachment</u>	<u>A</u>	<u>Scope of Services (3 Pages)</u>
<u>Attachment</u>	<u>B</u>	<u>Property Reporting Form (1 Page)</u>

ATTACHMENT A

SCOPE OF SERVICES

FIELD TECHNICAL SUPPORT FOR BAY REGIONAL ATMOSPHERIC CHEMISTRY EXPERIMENT (BRACE)

As collaboration with the Tampa Bay National Estuary Program (TBNEP, now TBEP), Hillsborough County Environmental Protection Commission has been actively engaged in the Tampa Bay Atmospheric Deposition Study (TBADS) since its inception in the early 1990's. TBADS identified atmospheric deposition of biologically active forms of nitrogen as a significant contributor to the nitrogen budget of Tampa Bay, but further, more intensive, work is required to refine the TBADS estimates, reduce uncertainties, apportion sources, and inform policies regarding potential control strategies. DEP has become partners with TBEP to accomplish these further goals through a successor to TBADS, called the Bay Regional Atmospheric Chemistry Experiment (BRACE). The purpose of this contract is to secure the continued involvement, services and support of the Hillsborough County Environmental Protection Commission, Air Monitoring Section in establishing, maintaining and operating the atmospheric monitoring sites and equipment to acquire the data needed to achieve the BRACE objectives.

Specific Contractor Responsibilities:

1. The Contractor will operate ambient air quality monitoring equipment in Hillsborough County at the Gandy Bridge Monitoring Site, Tampa, Fla. and at other sites in accordance with protocols specified by DEP or EPA. This station will consist of the following instrumentation:
 - a. Sequential Dichotomous Fine-Particle Samplers - Two Rupprecht and Patashnick Co. model 2025 dichotomous samplers collecting fine and coarse particulate matter daily, one using quartz filters and the other Teflon. Filters will be supplied, prepared and packaged by the DEP Central Laboratory, shipped using similar protocols to the PM_{2.5} program, and returned to DEP for mass determination and subsequent analysis.
 - b. Automated Sequential Rain sampler - Daily event precipitation collection for trace element and mercury analyses. The collector to be provided is based on the UM-modifications to the MIC-B collector, further modified to collect up to 8 samples without operator intervention. Sample analysis will be through contract with the University of Michigan Air Quality Laboratory (UMAQL). Sampling apparatus and analyses will be provided by UMAQL.
 - c. NADP AirMon site - For nationally consistent collection and analysis of precipitation acidity and nutrients, continue operation of daily event precipitation in the AerochemMetrics collector at the Gandy Bridge site.
 - d. High-volume sampler - Collection of one sample per week on polyurethane foam (PUF)/quartz filters for analysis of semi-volatile organic compounds.

Sampling materials will be provided to the Hillsborough Co. EPC by the DEP laboratory and returned to DEP for chemical analysis.

- e. Automated Sequential Annual Denuder System – Daily (or twice-daily during intensives) collection of acid and basic gasses using annular denuder techniques.
 - f. Manual Annular Denuder System – To demonstrate comparability between the present manual ADS measurements and those to be made in the newer automated sampler, the two systems will be operated concurrently for a period of 6 months.
 - g. TECO Model 43-CTL – installation, setup, calibration and operation of high-sensitivity SO₂ monitor.
 - h. Standard Meteorological System consisting of wind speed & direction, temperature, humidity, rainfall occurrence and depth (tipping bucket gauge), solar radiation, leaf wetness and barometric pressure.
 - i. OPSIS Differential Optical Absorption Spectrometer (DOAS) – Siting, installation, calibration and operation of long-path UV monitoring system.
 - j. Method development and/or validation, and other special studies as required to complete the full complement of BRACE field measurements.
2. Specific activities include: network design, management, equipment procurement, site setup; site management; equipment preparation, installation, operation, maintenance and calibration; reporting site data to the BRACE Program Manager, Dr. Noreen Poor, University of South Florida; receipt and shipment of samples, supplies and equipment; air monitoring contract management activities and administration; and ambient air statistical and descriptive data analysis work. All of these activities are to be charged to State Air Non-Title V Modules.
 3. The Contractor will assist DEP and Dr. Poor in development of equipment standard operating procedures; field testing of equipment; and production of quality assurance plans and project reports.
 4. The Contractor will provide the services, as needed, of an air monitoring specialist(s) with an electronic/mechanical background to operate, calibrate and maintain the ambient air monitoring site and equipment.
 5. Equipment items (costing \$1,000 or more) needed by the Contractor must be authorized by the Department's Contract Manager, in writing, and budgetary provision made by Contract amendment to provide funding for same. All Equipment (costing \$1,000 or more) shall be subject to Paragraph 26 of this Contract.
 6. The Contractor shall provide quarterly progress reports in conjunction with invoices. It is understood and agreed by the parties that quarterly progress reports and invoices shall be submitted within fifteen (15) calendar days following the completion of each calendar quarter (March 31, June 30, September 30,

December 31). Progress reports shall describe the work completed during the reporting period, problems encountered, problem resolution, work to be performed during the next calendar quarter, and schedule updates.

7. The Contractor shall be compensated on a fee schedule basis for the service period funded in accordance with paragraph 4 of the Contract. Invoices shall be submitted and payments shall be made quarterly in the amounts based on the monthly rates given below:

BRACE Field Technical Support
Hillsborough County EPC Air Monitoring Section

Category		FY 00-01	FY01/02*	FY02/03	FY 03/04	
		(4 mo.)				
Salary	(@ \$31,200)	\$10,400	\$32,136	\$33,100	\$34,093	
Fringe	44.38%	\$4,616	\$14,262	\$14,690	\$15,131	
OPS		\$0	\$0	\$0	\$0	
Equipment**		\$0	\$0	\$0	\$0	
Expenses	Misc. Supplies***	\$500	\$1,500	\$1,500	\$1,500	
	Travel****	\$333	\$1,000	\$1,000	\$1,000	
	Total	\$15,849	\$48,898	\$50,290	\$51,724	\$166,760
Monthly Rate		\$3,962	\$4,075	\$4,191	\$4,310	

* Annual salary increments estimated at 3% per year, to be adjusted annually based on HCEPC policy.

** Evolving field requirements may necessitate HCEPC acquire and operate certain equipment. Equipment acquisition is subject to the provisions of Attachment A, paragraph 5.

*** Parts, maintenance, supply gasses, calibration gasses, repairs, and small devices costing <\$1000.

**** Periodic BRACE planning, mgmt. & review meetings will be held in Tallahassee & HCEPC AMS staff will be needed

REMAINDER OF PAGE INTENTIONALLY LEFT BLANK

ATTACHMENT B

PROPERTY REPORTING FORM FOR DEP CONTRACT NO. AQ162

CONTRACTOR: List non-expendable equipment/personal property* costing \$1,000 or more purchased under the above contract. Also list all upgrades* under this contract, costing \$1,000 or more, of property previously purchased under a DEP contract (identify the property upgraded and the applicable DEP contract on a separate sheet).

Description	Serial No./cost**	LOCATION/ADDRESS	DEP USE ONLY	
			(PC)	(LC)

*Not including software. **Attach copy of invoice, bill of sale, or other documentation of purchase.

CONTRACTOR: _____ Contractor's Project Manager: _____ Date: _____

BELOW FOR DEP USE ONLY

DEP CONTRACT MANAGER: COMPLETE AND SIGN THIS SECTION AND SEND ORIGINAL DOCUMENTS WITH THE INVOICE FOR PAYMENT TO DEP FINANCE AND ACCOUNTING (MS#78); SEND COPIES TO THE DEP PROPERTY SECTION (MS#87). REFER TO DEP DIRECTIVE 330 FOR PROPERTY GUIDELINES.
 Organization Code: _____ HO: _____ Module: _____ Grant No. _____ Contract End Date: _____

DEP Contract Manager Signature: _____ Date: _____

DEP FINANCE AND ACCOUNTING: Record above listed items as OCO, enter Voucher number below and forward a copy to DEP Property Management (MS#87).

Voucher Number: _____

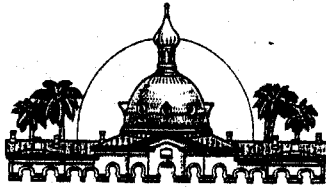
DEP PROPERTY MANAGEMENT: Assign OCO Property Control (PC) number and Location Code (LC) above.

BOARD OF COUNTY COMMISSIONERS

Chairman
Pat Frank, District 7

Vice Chairman
Jim Norman, District 2

Stacey L. Easterling, District 1
Thomas Scott, District 3
Ronda Storms, District 4
Chris Hart, District 5
Jan K. Platt, District 6



Hillsborough County
Florida

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

Daniel A. Kleman
County Administrator

Memo

Date: 2/13/01

To: Dr. Rick Garrity, Executive Director, EPC

From: Commissioner Jan K. Platt *JKP*

RE: Agenda Item Request

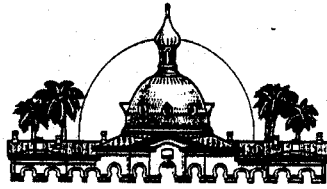
*Tom ✓
please place on
agenda
cc Rick T
Sara F
fb*

Rick:

Please place the issue of Mulberry Phosphate closing on the next EPC agenda. Please be prepared to discuss such issues as the status of the settlement negotiations regarding its 1997 spill; implications regarding bankruptcy; existing safeguards, if any; and recommended safeguards, which we as a Board may propose or recommend to the State for permitting similar companies who wish to do business.

JKP/cmp

BOARD OF COUNTY COMMISSIONERS



Hillsborough County
Florida

MEMORANDUM

DATE: February 9, 2001
TO: Dr. Rick Garrity, Director, EPC
FROM: Ronda Storms, County Commissioner, District 4
SUBJECT: Item for Agenda

Dr. Garrity:

I would like to schedule a discussion regarding the January 31, 2001, Environmental Awareness News Brief. Please set for the next EPC board meeting.

RRS/aac

Cc: File

2113
① - Tom - please set on March agenda
② Jerry C. - please be prepared to report on this

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

Daniel A. Kleman
County Administrator

③ cc to Sara / Barbara

REC'D
FEB 13 2001
ENV. PROTECTION
OF ILC.

COMMISSION
 PAT FRANK
 CHRIS HART
 JIM NORMAN
 JAN PLATT
 THOMAS SCOTT
 RONDA STORMS
 STACEY BASTERLING

EXECUTIVE DIRECTOR
 RICK CARRITY



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

AIR MANAGEMENT DIVISION
 FAX (313) 272 - 5605

WASTE MANAGEMENT DIVISION
 FAX (813) 270 - 2256

WETLANDS MANAGEMENT DIVISION
 FAX (813) 272 - 7144

For Immediate Release

January 31, 2001

ENVIRONMENTAL AWARENESS NEWS BRIEF

On January 30, 2001 the Environmental Protection Commission of Hillsborough County responded to a call from a concerned South Tampa resident of dust impacting the residential community near Plant High School as a result of sandblasting lead paint from a City of Tampa water tower. According to the complainant, strong winds caused a tear in the tarp used to contain dust from the sandblasting of the tall tower. The citizen expressed concern about the impact of lead containing dust in the area.

An investigation conducted by the Environmental Protection Commission determined that the contractor, hired by the City of Tampa, ceased the blasting operation before noon Tuesday and was in compliance with Environmental Protection Commission regulations. At the time of the investigation, sandblasting activities were not in progress and the area appeared clean. Sandblasting debris materials appeared to be confined to the area directly under the tank.

The Environmental Protection Commission believes that proper procedures were used and that the sandblasting did not represent a public health threat. An unsigned flyer circulated in nearby neighborhoods contained some misinformation and concerned area residents. The Environmental Protection Commission will continue to monitor the area for any breaks in the containment barriers or the existence of excessive dust.

We encourage any citizen with additional concerns or questions to contact the Air Management Division at 272-5530.

CONTACT PERSON:
Jerry Campbell, Director, Air Management Division

Phone: 813-272-5960 ext. 1057; Fax: 813-272-5157; E-mail: sara@fatopulos.com