

Agenda Item Cover Sheet

Date: **September 18, 2003**

Agenda Item: **PESTICIDE COLLECTION EVENT FOR THE
AGRICULTURAL COMMUNITY**

Description/Summary:

The Economic Development Department and the Solid Waste Management Department was granted \$39,000.00 from the Pollution Recovery Fund to sponsor a collection event for waste or unwanted pesticides for the agricultural community in Hillsborough County. The collection event took place on September 5, 2003. A total of 13,436 pounds of pesticides was collected. It is estimated that it will cost approximately \$16,000.00 to dispose of the pesticides collected.

Since less than half of the \$39,000.00 is expected to be used by the collection event that took place on September 5, the Economic Development Department is requesting that another collection event be allowed to take place. This will maximize the use of the \$39,000.00 originally approved and to potentially remove over 10,000 additional pounds of waste or unwanted pesticides in Hillsborough County.

Board Action Recommended:

Approve another pesticide collection event for the agricultural community funded by the remainder of the \$39,000.00 originally approved from the Pollution Recovery Fund.

Board Action Taken:

AUGUST 21, 2003 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting scheduled for Thursday, August 21, 2003, at 10:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Jan Platt and Commissioners Kathy Castor, Pat Frank, Ken Hagan, Jim Norman, Thomas Scott (arrived at 10:11 a.m.), and Ronda Storms (arrived at 10:20 a.m.).

Chairman Platt called the meeting to order at 10:02 a.m. Commissioner Hagan gave the invocation and led in the pledge of allegiance to the flag.

CITIZENS COMMENTS

Chairman Platt called for public comment; there was no response.

CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Mr. David Jellerson, chairman, CEAC, said the August 4, 2003, CEAC meeting included presentations regarding Tampa Bay Estuary Program minigrants and Planning Commission quality-of-life study. CEAC could use some of the information regarding the minigrants to evaluate pollution recovery grant applications. CEAC endorsed a proposal for the EPC to use pollution recovery funds (PRF) to conduct the groundwater contamination assessment on old landfills adjacent to Coronet Industries Incorporated, with the caveat that if contamination was discovered, responsible parties should be required to reimburse the PRF for study costs.

CONSENT AGENDA

- A. Approval of Minutes: May 15, 2003; June 4, 2003; June 10, 2003; June 12, 2003; and July 17, 2003.
- B. Monthly Activity Reports.
- C. Legal Department Monthly Report.
- D. PRF.
- E. Gardinier Settlement Fund.
- F. Ammonia Release Update.
- G. Grant Award for Artificial Reef Program.
- H. Communication to Florida Fish and Wildlife Conservation Commission regarding sediment chemistry data.

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Commissioner Norman moved the Consent Agenda, seconded by Commissioner Castor, and carried five to zero. (Commissioners Scott and Storms had not arrived.)

EXECUTIVE DIRECTOR

Mr. Jerry Campbell, EPC Air Management Division staff, used an aerial photograph to update EPC on Coronet Junction, as provided in agenda material. He explained staff was referring to the area as Coronet Junction, because staff was looking at a larger area than Coronet Industries Incorporated. EPC was monitoring air issues and landfills; the Department of Health was the primary agency for health issues; and the Department of Environmental Protection (DEP) was looking at surface water, groundwater, and soil contamination. The State Attorney's Office, Hillsborough County Sheriff's Office, and Environmental Protection Agency (EPA) were looking at criminal allegations. The city of Plant City and Hillsborough County were providing assistance for the site assessment for old landfills. Coronet Industries was responsible for the operation of the chemical plant.

Mr. Campbell explained the steps taken to install additional air monitoring devices in the Lincoln Park and Springhead communities, increasing a regulatory presence at Coronet Industries, and to provide public outreach. Dr. Richard Garrity, EPC Executive Director, summarized the meeting with the community on August 19, 2003. Dr. Garrity replied to questions by Commissioner Castor regarding legal status, past violations, current investigations, and evidence.

Commissioner Frank perceived agencies needed to work cooperatively to learn the facts. In that respect, the Board of County Commissioners (BOCC) had taken action requesting total cooperation between Hillsborough County and EPC to provide assistance regarding landfills. However, if EPC ran into trouble, Commissioner Frank asked that EPC notify Chairman Platt immediately. Commissioner Norman wanted to speed the process as quickly as data would allow. Mr. Campbell explained the Health Department assessment could take 9 to 12 months. Dr. Garrity would work with the Health Department to see how quickly the health assessment could be completed. Commissioner Storms encouraged EPC staff and other agencies to continue having public meetings and to provide more information, not less.

WASTE MANAGEMENT DIVISION

Request for PRF - Old Landfill North of Coronet - Mr. Hooshang Boostani, Director, EPC Waste Management Division, requested \$50,000 from the PRF to investigate two landfills northwest of Coronet and adjacent to Lincoln Park

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property. CEAC had unanimously approved the request to expedite the investigation. Legal staff had determined the request was appropriate. **Commissioner Storms moved approval and asked the Chairman to draft a letter or make a telephone call that day to the Acting Assistant County Administrator to make sure that the evaluation process-- however long it was taking or whatever the holdup was in the evaluation process on the solid waste landfill--was all hands on deck, and everybody was doing it as rapidly as possible. Commissioner Norman seconded the motion, which carried six to zero. (Commissioner Scott was out of the room.)**

Proclamation - Used Oil Recycling Day - Mr. Boostani introduced the item. Mr. Gerry Javier, EPC Pollution Prevention Coordinator, discussed the benefits of recycling used oil and asked EPC to designate August 30, 2003, as Used Oil Recycling Day in Hillsborough County. **Commissioner Scott moved staff recommendation, seconded by Commissioner Norman, and carried seven to zero. Mr. Javier accepted the proclamation.**

LEGAL DEPARTMENT

Phosphogypsum Stack Financial Assurances and Closure Plan Analysis - EPC General Counsel Richard Tschantz presented a brief report, as provided in agenda material, which included information about current regulations and legislation. Attorney Tschantz recommended EPC (1) direct staff to support proposed legislation; (2) accept the invitation for EPC to join the ongoing industry and DEP committee in negotiating the new legislation and amended regulations; and (3) if not preempted by the State or EPA, EPC should consider the option of drafting an EPC local rule to strengthen phosphogypsum stack system financial assurance mechanisms. **Commissioner Storms moved to follow staff Recommendations 1 and 2, and bring back Recommendation 3 for a policy discussion in the event that legislation failed. Commissioner Castor seconded the motion.**

Mr. Robert Hugli, senior vice president of governmental affairs, Florida Phosphate Council, noted the nonmandatory land trust fund had been used to abate problems at Piney Point and Mulberry Phosphate, decreasing the \$140 million trust fund balance to approximately \$30 million by the end of 2004. Commissioner Frank opined a constitutional amendment was necessary to prohibit trust funds from being used for anything other than the purpose for which moneys were raised. Attorney Tschantz suggested adding to the motion that EPC ask the local Legislative Delegation to push phosphate legislation forward and look into the issue of protecting trust funds, which would authorize staff to send a letter to the Legislative Delegation from the EPC Chairman to try to

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move phosphate legislation forward. **Commissioner Storms accepted the amendment.** Commissioner Storms clarified for Commissioner Norman that the motion only addressed that particular phosphate trust fund. Commissioner Norman suggested adding to the motion that the Legislative Delegation make that a top priority. **Commissioner Storms agreed.** Commissioner Castor suggested adding taking that issue to the BOCC to authorize Ms. Edith Stewart, Public Affairs Officer, and the lobbying team to continue the effort and assist, which would be important for the Legislative Delegation. **Commissioner Storms made that part of the motion.**

Chairman Platt asked if current law or legislation included a requirement for developing a plan for appropriate disposal of process water. Attorney Jonathan Alden, DEP, said current legislation included a proviso that the cost of closure would include the cost of disposal of the process water. The means and method for disposing of process water was governed by other environmental regulations and would not include dumping process water on the ground. That cost could vary dramatically; it was a point of negotiation in the rule making process. Chairman Platt suggested the phosphate industry make reducing the amount of process water a priority. Mr. Ozzie Morris, vice president of environmental health and safety, Cargill, said the Florida Institute of Phosphate Research, which was supported by phosphate severance tax dollars, understood the issue but had not found a solution. Commissioner Frank suggested the EPC write the phosphate research institute and ask that they make that a top priority in terms of research. **Commissioner Storms amended the motion to include that. The amended motion carried six to zero.** (Commissioner Hagan was out of the room.)

Agricultural Lands and Practices Act Analysis - Attorney Tschantz summarized Board direction to staff, recapped legislation, and suggested methods to amend EPC rules without losing regulatory powers, as provided in agenda material. No action was necessary.

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There being no further business, the meeting was adjourned at 11:23 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

sw

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
AUGUST

A. Public Outreach/Education Assistance:		
1. Phone Calls:		138
2. Literature Distributed:		<u>165</u>
3. Presentations:		<u>4</u>
4. Media Contacts:		<u>14</u>
5. Internet:		<u>69</u>
6. Host/Sponsor Workshops, Meetings, Special Events (Clean Air Month Photography Exhibit)		<u>1</u>
B. Industrial Air Pollution Permitting		
1. Permit Applications Received (Counted by Number of Fees Received):		
a. Operating:		5
b. Construction:		<u>3</u>
c. Amendments:		<u>0</u>
d. Transfers/Extensions:		<u>2</u>
e. General:		<u>0</u>
f. Title V:		<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 :		13
b. Construction ¹ :		<u>10</u>
c. Amendments ¹ :		<u>0</u>
d. Transfers/Extensions ¹ :		<u>2</u>
e. Title V Operating ² :		<u>4</u>
f. Permit Determinations ² :		<u>7</u>
g. General:		<u>1</u>
3. Intent to Deny Permit Issued:		<u>0</u>
C. Administrative Enforcement		
1. New cases received:		<u>7</u>
2. On-going administrative cases:		
a. Pending:		8
b. Active:		<u>14</u>
c. Legal:		<u>3</u>
d. Tracking compliance (Administrative):		<u>23</u>
e. Inactive/Referred cases:		<u>0</u>
	Total	<u>48</u>
3. NOIs issued:		<u>1</u>
4. Citations issued:		<u>0</u>
5. Consent Orders Signed:		<u>2</u>
6. Contributions to the Pollution Recovery Fund:		<u>\$4,155.00</u>
7. Cases Closed:		<u>7</u>

D.	Inspections:	
1.	Industrial Facilities:	<u>7</u>
2.	Air Toxics Facilities:	
a.	Asbestos Emitters	<u>0</u>
b.	Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>10</u>
c.	Major Sources	<u>0</u>
3.	Asbestos Demolition/Renovation Projects:	<u>30</u>
E.	Open Burning Permits Issued:	<u>7</u>
F.	Number of Division of Forestry Permits Monitored:	<u>237</u>
G.	Total Citizen Complaints Received:	<u>48</u>
H.	Total Citizen Complaints Closed:	<u>35</u>
I.	Noise Sources Monitored:	<u>6</u>
J.	Air Program's Input to Development Regional Impacts:	<u>7</u>
K.	Test Reports Reviewed:	<u>6</u>
L.	Compliance:	
1.	Warning Notices Issued:	<u>16</u>
2.	Warning Notices Resolved:	<u>25</u>
3.	Advisory Letters Issued:	<u>7</u>
M.	AOR's Reviewed:	<u>31</u>
N.	Permits Reviewed for NESHAP Applicability:	<u>2</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION
AUGUST

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	\$ -0-
(b) all others	<u>\$ -0-</u>
2. Non-delegated operation permit for an air pollution source	
(a) class B or smaller facility - 5 year permit	\$ -0-
(b) class A2 facility - 5 year permit	<u>\$ -0-</u>
(c) class A1 facility - 5 year permit	<u>\$ -0-</u>
3. (a) Delegated Construction Permit for air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$1,080.00</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>\$3,800.00</u>
(c) Delegated General Permit (20% is forwarded to DEP and not included here)	<u>\$ -0-</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	\$2,300.00
(b) for structure greater than 50,000 sq ft	<u>\$ -0-</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>\$1,200.00</u>
8. Open burning authorization	<u>\$3,400.00</u>
9. Enforcement Costs	<u>\$1,342.10</u>

COMMISSION
 Kathy Castor
 Pat Frank
 Ken Hagan
 Jim Norman
 Jan K. Platt
 Thomas Scott
 Ronda Storms



Administrative Offices,
 Legal & Water Management Division
 The Roger P. Stewart Environmental Center
 1900 - 9th Ave. • Tampa, FL 33605
 Ph. (813) 272-5960 • Fax (813) 272-5157
 Air Management Fax 272-5605
 Waste Management Fax 276-2256
 Wetlands Management Fax 272-7144
 1410 N. 21st Street • Tampa, FL 33605

Executive Director
 Richard D. Garrity, Ph.D.

MEMORANDUM

DATE: September 10, 2003

TO: Tom Koulianos, Director of Finance and Administration

FROM: Joyce H. Moore, Executive Secretary, Waste Management Division through
 Hooshang B. B. [Signature], Director of Waste Management

SUBJECT: **WASTE MANAGEMENT'S August 2003
 AGENDA INFORMATION**

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	3
2. On-going administrative cases	125
a. Pending	37
b. Active	62
c. Legal	4
d. Tracking Compliance (Administrative)	22
e. Inactive/Referred Cases	0
3. NOI's issued	4
4. Citations issued	6
5. Settlement Documents Signed	2
6. Civil Contributions to the Pollution Recovery Fund	\$2,400
7. Enforcement Costs collected	\$1,725
9. Cases Closed	1

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B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	63/52
2. EPC Authorization for Facilities NOT requiring DEP permit	1/0
3. Other Permits and Reports	
a. County Permits	3/2
b. Reports	59/50
4. Inspections (Total)	215
a. Complaints	32
b. Compliance/Reinspections	18
c. Facility Compliance	32
d. Small Quantity Generator	132
e. P2 Audits	1
5. Enforcement	
a. Complaints Received/Closed	37/33
b. Warning Notices Issued/Closed	5/3
c. Compliance letters	12
d. Letters of Agreement	0
e. DEP Referrals	2
6. Pamphlets, Rules and Material Distributed	227

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. Compliance	115
b. Installation	15
c. Closure	8
d. Compliance Re-Inspections	25
2. Installation Plans Received/Reviewed	1/1
3. Closure Plans & Reports	
a. Closure Plans Received/ Reviewed	5/5
b. Closure Reports Received/Reviewed	2/4
4. Enforcement	
a. Non-compliance Letters Issued/Closed	60/60
b. Warning Notices Issued/Closed	3/9
c. Cases referred to Enforcement	2
d. Complaints Received/Investigated	2
e. Complaints Referred	2
5. Discharge Reporting Forms Received	2
6. Incident Notification Forms Received	5
7. Cleanup Notification Letters Issued	3
8. Public Assistance	200+

D. STORAGE TANK CLEANUP

1. Inspections	29
2. Reports Received/Reviewed	73/85
a. Site Assessment	21/22
b. Source Removal	6/8
c. Remedial Action Plans (RAP's)	4/10
d. Site Rehabilitation Completion Order/ No Further Action Order	4/2
e. Others	38/43
3. State Cleanup	
a. Active Sites	NO LONGER ADMINISTERED
b. Funds Dispersed	

E. RECORD REVIEWS

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**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION
AUGUST, 2003**

A. ENFORCEMENT

1. New Enforcement Cases Received:	2
2. Enforcement Cases Closed:	5
3. Enforcement Cases Outstanding:	40
4. Enforcement Documents Issued:	6
5. Recovered costs to the General Fund:	\$ 800.36
6. Contributions to the Pollution Recovery Fund:	\$8,500.00

Case Name	Violation	Amount
a. Bashor & Legendre	Placement of C/S in service w/out acceptance letter	\$102.44
b. Cory Lake Isles Professional Ctr.	Construction without a permit	\$157.72
c. Neptune Mobile Village	Effluent Discharges/Improper Operation/ Violation of Permit Conditions	\$540.20

B. PERMITTING/PROJECT REVIEW - DOMESTIC

1. Permit Applications Received:	28
a. Facility Permit:	3
(i) Types I and II	1
(ii) Type III	2
b. Collection Systems-General:	16
c. Collection Systems-Dry Line/Wet Line:	9
d. Residuals Disposal:	0
2. Permit Applications Approved:	36
a. Facility Permit:	2
b. Collection Systems-General:	21
c. Collection Systems-Dry Line/Wet Line:	13
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
a. Facility Permit:	0
b. Collection Systems-General:	0
c. Collection Systems-Dry Line/Wet Line:	0
d. Residuals Disposal:	0

6. Permit Applications Outstanding:	<u>46</u>
a. Facility Permit:	<u>22</u>
b. Collection Systems-General:	<u>24</u>
c. Collection Systems-Dry Line/Wet Line:	<u>0</u>
d. Residuals Disposal:	<u>0</u>
7. Permit Determination:	<u>4</u>
8. Special Project Reviews:	<u>1</u>
a. ARs:	<u>1</u>
b. Reuse:	<u>0</u>
c. Residuals/AUPs:	<u>0</u>
d. Others:	<u>37</u>
C. INSPECTIONS - DOMESTIC	
1. Compliance Evaluation:	<u>16</u>
a. Inspection (CEI):	<u>0</u>
b. Sampling Inspection (CSI):	<u>13</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>3</u>
2. Reconnaissance:	<u>39</u>
a. Inspection (RI):	<u>9</u>
b. Sample Inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>27</u>
d. Enforcement Inspection (ERI):	<u>3</u>
3. Engineering Inspections:	<u>37</u>
a. Reconnaissance Inspection (RI):	<u>0</u>
b. Sample Reconnaissance Inspection (SRI):	<u>0</u>
c. Residual Site Inspection (RSI):	<u>0</u>
d. Preconstruction Inspection (PCI):	<u>10</u>
e. Post Construction Inspection (XCI):	<u>27</u>
f. On-site Engineering Evaluation:	<u>0</u>
g. Enforcement Reconnaissance Inspection (ERI):	<u>0</u>
D. PERMITTING/PROJECT REVIEW - INDUSTRIAL	
1. Permit Applications Received:	<u>0</u>
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:	<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>1</u>

3. Special:	<u>0</u>
a. Facility Permits:	<u>0</u>
b. General Permits:	<u>0</u>
4. Permitting Determination:	<u>0</u>
5. Special Project Reviews:	<u>0</u>
a. ARs:	<u>0</u>
b. Phosphate DMRs:	<u>35</u>
c. Phosphate:	<u>6</u>
d. Industrial Wastewater:	<u>0</u>
e. Others:	<u>0</u>
E. INSPECTIONS - INDUSTRIAL	
1. Compliance Evaluation:	<u>7</u>
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:	<u>15</u>
a. Inspection (RI):	<u>8</u>
b. Sample Inspection (SRI):	<u>2</u>
c. Complaint Inspection (CRI):	<u>5</u>
3. Engineering Inspections:	<u>10</u>
a. Compliance Evaluation (CEI):	<u>10</u>
b. Sampling Inspection (CSI):	<u>0</u>
c. Performance Audit Inspection (PAI):	<u>0</u>
d. Complaint Inspection (CRI):	<u>0</u>
e. Enforcement Reconnaissance Inspections (ERI):	<u>0</u>
F. INVESTIGATION/COMPLIANCE	
1. Citizen Complaints:	
a. Domestic:	<u>19</u>
(i) Received:	<u>14</u>
(ii) Closed:	<u>5</u>
b. Industrial:	<u>7</u>
(i) Received:	<u>3</u>
(ii) Closed:	<u>4</u>
2. Warning Notices:	
a. Domestic:	<u>8</u>
(i) Received:	<u>5</u>
(ii) Closed:	<u>3</u>
b. Industrial:	<u>5</u>
(i) Received:	<u>4</u>
(ii) Closed:	<u>1</u>
3. Non-Compliance Advisory Letters:	<u>27</u>

4. Environmental Compliance Reviews:	<u>172</u>
a. Industrial:	<u>30</u>
b. Domestic:	<u>142</u>
5. Special Project Reviews:	<u>0</u>
a. ARs:	<u>0</u>
b. Others:	<u>0</u>
G. RECORD REVIEWS	<u>4</u>
1. Permitting:	<u>4</u>
2. Enforcement:	<u>0</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR	
1. Air Division:	<u>112</u>
2. Waste Division:	<u>0</u>
3. Water Division:	<u>53</u>
4. Wetlands Division:	<u>0</u>
5. ERM Division:	<u>140</u>
I. SPECIAL PROJECT REVIEWS	
1. DRI's:	<u>6</u>
2. ARs:	<u>0</u>
3. Technical Support:	<u>3</u>
4. Other:	<u>10</u>

AR08.03

**EPC WETLANDS MANAGEMENT DIVISION
BACKUP AGENDA
August 2003**

A. General		Totals
1. Telephone Conferences		960
2. Unscheduled Citizen Assistance		70
3. Scheduled Meetings		219
4. Correspondence		482
B. Assessment Projects		
1. Wetland Delineations		32
2. Surveys		38
3. Miscellaneous Activities in Wetland		41
4. Impact/ Mitigation Proposal		20
5. Tampa Port Authority Permit Applications		59
6. Wastewater Treatment Plants (FDEP)		5
7. DRI Annual Report		3
8. Land Alteration/Landscaping		0
9. Land Excavation		0
10. Phosphate Mining		0
11. Rezoning Reviews		31
12. CPA		0
13. Site Development		37
14. Subdivision		69
15. Wetland Setback Encroachment		0
16. Easement/Access-Vacating		0
17. Pre-Applications		86
18. On-Site Visits		92
C. Investigation and Compliance		
1. Complaints Received		42
2. Complaints Closed		80
3. Warning Notices Issued		8
4. Warning Notices Closed		13
5. Complaint Inspections		86
6. Return Compliance Inspections		63
7. Mitigation Monitoring Reports		10
8. Mitigation Compliance Inspections		30
9. Erosion Control Inspections		65
D. Enforcement		
1. Active Cases		40
2. Legal Cases		1
3. Number of "Notice of Pending Enforcement"		4
4. Number of Citations Issued		0
5. Number of Consent Orders Signed		3
6. Administrative - Civil Cases Closed		6
7. Cases Referred to Legal Department		3
8. Contributions to Pollution Recovery		\$4,110
9. Enforcement Costs Collected		\$930

EPC LEGAL DEPARTMENT MONTHLY REPORT
September 2003

A. ADMINISTRATIVE CASES

NEW CASES [0]

EXISTING CASES [4]

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. (RT)

Tampa Bay Organics [LTBOF00-007]: Tampa Bay Organics, a wood and yard waste 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 civil complaint was filed June 29, 2001. (*See related case under Civil Cases*). (RT)

Roy & Edith Rock and MNH, Inc.: [LROC02-031]: Respondents filed a Notice of Appeal on October 7, 2002 challenging a Citation alleging improper handling of wastes and finding of soil and groundwater contamination on the property. The matter has been referred to a Hearing Officer and a case management conference was scheduled for November 18, 2002. The matter is being held in abeyance pending a circuit court litigation case that may resolve the liability issue for the contamination. On May 21, 2003, the circuit court judge, in a property dispute case, determined that the Respondents are responsible for cleanup of petroleum contamination located at the property. The circuit court denied the motion for rehearing and the abeyance ended in August. The case is ongoing with discovery and settlement negotiations. (AZ)

RESOLVED CASES [0]

B. CIVIL CASES

NEW CASES [0]

EXISTING CASES [7]

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. (RT)

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. The EPC filed suit for injunctive relief and penalties and costs on March 8, 2001. The Defendant has failed to respond to the complaint and on July 9, 2001 the court entered a default against the Defendant. On August 28, 2001 the court entered a Default Final Judgment in the case. On March 12, 2002 the EPC obtained an amended Final Judgment that awarded the EPC \$15,000 in penalties and allows the agency to complete the work through Pollution Recovery Fund (PRF) money and to assess these costs back to the Defendant. On April 12, 2002 Ms. Maynard applied for state assistance for cleanup of any contamination at the site. The Defendant has become eligible for state assistance to cleanup any contamination on the property. The parties are attempting to negotiate a sale of the property and have the buyers perform the corrective actions. Negotiations are continuing in the case. (AZ)

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)

Tampa Bay Organics [LTBO01-015]: Authority was requested and received by the EPC on April 19, 2001 to initiate judicial enforcement with respect to failure to comply with a Director's Authorization and failure to obtain an air pollution source permit for the operation of a wood and yard waste recycling facility. EPC filed a civil complaint on June 29, 2001. A motion to dismiss was denied on October 24, 2002. Settlement discussions are ongoing. (*See related case under Administrative Cases*). (RT)

Louis and Jeanie Putney [LPUT01-007]: The Plaintiffs Louis and Jeanie Putney filed suit against the EPC alleging inverse condemnation by denying them authorization for impacts to wetlands on their property. The Plaintiffs filed suit against Hillsborough County in 2001 and on August 9, 2002 they amended their complaint to include the EPC. The EPC filed its response to the Plaintiffs' lawsuit and is currently proceeding in discovery. The EPC has filed a Motion for Summary Judgment seeking a ruling in its favor based on there being no disputed facts in the case. The motion was heard by the Court on March 3, 2003. The judge entered summary judgment in favor of the EPC and provided the Plaintiffs 20 days to file an amended lawsuit. The deadline for filing an appeal is April 16, 2003. The Plaintiffs filed a Motion for a Re-hearing on the summary judgment. On July 18, 2003 the court granted the Plaintiffs' motion to vacate the summary judgment. The EPC's renewed motion for summary judgment will be heard on October 15, 2003. (AZ)

Flamingo Apartments/Abe Vaknin [LG002-004]: EPC approved suit against this carwash facility in 2002. After repeated attempts to settle this matter, the EPC staff filed suit against the former owner and president of the facility that discharged carwash facility wastewater into waters of the County without a permit. Flamingo Apartments and Mr. Vaknin have been served. EPC now only seeks penalties and costs, because the facility has been closed. (RM)

Strawberry Fields Ventures, LLC [LSTR03-012]: EPC and Strawberry Fields Ventures, LLC (d/b/a Strawberry Fields Mobile Home Park) entered into a consent order on August 12, 2002, to resolve multiple wastewater treatment and disposal violations at this mobile home park in Plant City. The facility has not come into compliance with the majority of the consent order conditions, the facility has new violations, and the facility has not provided proper proof of financial assurance to qualify for issuance of a permit renewal. The EPC will file suit, but the parties are close to a settlement by Consent Final Judgment outlining an amended timeline to comply. (RM)

RESOLVED CASES | 0 |

COMMISSION
 Kathy Castor
 Pat Frank
 Ken Hagan
 Jim Norman
 Jan K. Platt
 Thomas Scott
 Ronda Storms



Administrative Offices,
 Legal & Water Management Division
 The Roger P. Stewart Environmental Center
 1900 - 9th Ave. • Tampa, FL 33605
 Ph. (813) 272-5960 • Fax (813) 272-5157
 Air Management Fax 272-5605
 Waste Management Fax 276-2256
 Wetlands Management Fax 272-7144
 1410 N. 21st Street • Tampa, FL 33605

Executive Director
 Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
 OF HILLSBOROUGH COUNTY
 POLLUTION RECOVERY TRUST FUND
 AS OF AUGUST 31, 2003

Fund Balance as of 10/01/02	\$1,601,788
Interest Accrued FY03	50,323
Deposits FY03	282,353
Disbursements FY03	177,758

Fund Balance \$1,756,706

Encumbrances Against Fund Balance:

Art. Reef FY03	15,037
(66) Asbestos Abatement	4,486
(73) Balm Road Scrub	300,000
(84b) Cockroach Bay Aerial Photos	16,188
(90) Upper Tampa Bay Trail	71,339
(91) Alafia River Basin	25,233
(92) Brazilian Pepper	26,717
(93) Rivercrest Park	15,000
(95) COT Stormwater Improvement	37,800
(96) H. C. Parks/Riverview Civic	- 0 -
(97) COT Parks Dept/Cypress Point	100,000
(98) AirWise	- 0 -
(99) Seagrass Restoration CR Bay	58,020
(100) Ag Pesticide Collection Day	39,000
(101) Pollution Prevention Program	82,705
Investigations Old Landfill	50,000

Total of Encumbrances 841,525

Minimum Balance (Reserve) 120,000 *

Fund Balance Available August 31, 2003 \$ 795,181

-21-

*\$20,000 to be used for City of Tampa Parks Department

-21-

COMMISSION
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Executive Director
 Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
 OF HILLSBOROUGH COUNTY
 ANALYSIS OF GARDINIER SETTLEMENT TRUST FUND
 AS OF AUGUST 31, 2003

Fund Balance as of 10/01/02	\$1,265,455
Interest Accrued FY03	36,917
Disbursements FY03	21,416
 Fund Balance	 \$1,280,956

Encumbrances Against Fund Balance:

SP462 Port Redwing	300,000
Sp464 Davis Tract	-0-
SP591 Mechanical Seagrass Planting	3,584
SP597 Fantasy Island Restoration	1,633
SP602 Apollo Beachhabitat Restoration	100,000
Marsh Creek/Ruskin Inlet	47,500
SP604 Desoto Park Shoreline	150,000
SP610 H.C. Resource Mmt/Apollo Beach Restoration	35,000
Tampa Bay Scallop Restoration	127,900
SP611 COT Stormwater Improvements	21,000
SP612 Riverview Civic Center	120,000
SP615 Little Manatee River Restoration	50,000
SP616 Manatee Protection Areas	40,147
SP614 Manatee & Seagrass Protection	27,200
Fantasy Island	20,000
E.G. Simmons Park	43,200
Cockroach Bay ELAPP Restoration	193,792
 Total of Encumbrances	 1,280,956

Fund Balance Available August 31, 2003	\$	- 0 -
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**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY**

AGENDA ITEM COVER SHEET

DATE: September 10, 2003

TO: Environmental Protection Commissioners

FROM: Leslie L. Campbell, Enforcement Coordinator, Waste Management Division

SUBJECT: DEP Enforcement Contract #GC647

RECOMMENDATION: Authorize the EPC Chair to enter into a contract with DEP for petroleum cleanup enforcement.

BACKGROUND:

EPC is currently under contract with DEP to manage petroleum contaminated sites that are being cleaned up under one of several state funded cleanup programs.

The state has a backlog of sites that are contaminated with petroleum but are not eligible for any state funded programs. If the required site assessment and remedial actions have not been initiated, this additional contract authorizes EPC to take formal enforcement action to compel compliance with the appropriate regulations.

ACTION TAKEN BY THE COMMISSION

[] Approved [] Disapproved [] Continued/Deferred Until _____

Other: _____

SPECIAL INSTRUCTIONS: _____

By: _____

MEETING

DATE: _____

DIAGRAM (IF APPROPRIATE)

AGENDA ITEM COVER SHEET

Date: September 18, 2003

Agenda Item: FY 2004 Title V and Air Contracts

Description Summary:

Each year the State of Florida issues amendments to the basic Title V and Air Monitoring Contracts (Air Contract), originally signed in FY 1992, that stipulate the level of effort and funding offered for the next fiscal year. There are no significant changes to either contract. The level of effort and funding levels remain the same as FY 2003. There is no requirement for matching funds or other actions by the County against either of these contracts.

Commission Action Recommended: Grant authority for the Executive Director to sign the Title V and Air Contracts for FY 2004.

Commission Action Taken:

DEP CONTRACT NO. AQ178
AMENDMENT NO. 2

THIS AGREEMENT as entered into on the 28th day of September, 2001, and amended on the 9th day of October, 2002, between the STATE OF FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY (hereinafter referred to as the "Contractor") is hereby amended.

WHEREAS, funding provided for this Agreement under State Fiscal Year (SFY) 2002-2003 was overextended; and,

WHEREAS, the Department deems it necessary to provide funds from SFY 2003-2004 to fulfill its financial obligation for the completion of this project; and,

WHEREAS, in order to reflect the above referenced change, and to include the most current Special Audit Requirements, Attachment C needs to be replaced in its entirety; and,

WHEREAS, additional changes to the Agreement are necessary.

NOW, THEREFORE, the parties hereto agree as follows:

-- As of January 7, 2003, all references in this Agreement to the State Comptroller and the Department of Banking and Finance shall hereinafter be referred to as the State Chief Financial Officer and the Department of Financial Services, respectively. All references to the website for the State Comptroller's Voucher Processing Handbook shall hereinafter be referred to as the Department of Financial Services' Reference Guide for State Expenditures at www.dbf.state.fl.us/aadir/reference_guide.

-- Paragraph 16. B., is hereby modified to read as follows:

In addition to the provisions contained in paragraph 16.A. above, the Contractor shall comply with the applicable provisions contained in Attachment C-1. A revised copy of Attachment C-1, Exhibit-1, must be provided to the Contractor with each amendment which authorizes a funding increase or decrease. The revised Exhibit-1 shall summarize the funding sources supporting the Agreement for purposes of assisting the Contractor in complying with the requirements of Attachment C-1. If the Contractor fails to receive a revised copy of Attachment C-1, Exhibit-1, the Contractor shall notify the Department's Grants Development and Review Manager at 850/245-2361 to request a copy of the updated information.

-- Paragraph 17 is hereby revised to remove Mr. Clair Fancy as one of the Department's Project Managers for this Agreement.

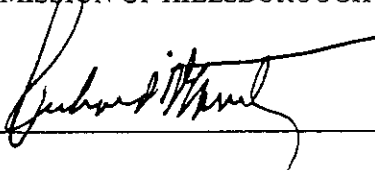
-- Attachment C, Special Audit Requirements, is hereby deleted in its entirety and replaced with Attachment C-1, Revised Special Audit Requirements, attached hereto and made a part of the Agreement. All references in the Agreement to Attachment C shall hereinafter refer to Attachment C-1.

In all other respects, the Agreement of which this is an Amendment and attachments relative thereto, shall remain in full force and effect.

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

ENVIRONMENTAL PROTECTION
COMMISSION OF HILLSBOROUGH COUNTY

By: 
Title: _____


Date: 8/1/03

STATE OF FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION


By: Michael S. Losh
Director, Division of Air Resource
Management or designee

Date: 8/8/03


Patty Adams, DEP Contract Manager


DEP Contracts Administrator

Approved as to form and legality:


DEP Attorney

List of attachments included as part of this Amendment:

Specify Type	Letter/ Number	Description (include number of pages)
Attachment	C-1	Revised Special Audit Requirements (5 Pages)

ATTACHMENT C-1
REVISED SPECIAL AUDIT REQUIREMENTS

The administration of resources awarded by the Department of Environmental Protection (*which may be referred to as the "Department", "DEP", "FDEP" or "Grantor", or other name in the contract/agreement*) to the recipient (*which may be referred to as the "Contractor", Grantee" or other name in the contract/agreement*) may be subject to audits and/or monitoring by the Department of Environmental Protection, as described in this attachment.

MONITORING

In addition to reviews of audits conducted in accordance with OMB Circular A-133 and Section 215.97, F.S., as revised (see "AUDITS" below), monitoring procedures may include, but not be limited to, on-site visits by Department staff, limited scope audits as defined by OMB Circular A-133, as revised, and/or other procedures. By entering into this Agreement, the recipient agrees to comply and cooperate with any monitoring procedures/processes deemed appropriate by the Department of Environmental Protection. In the event the Department of Environmental Protection determines that a limited scope audit of the recipient is appropriate, the recipient agrees to comply with any additional instructions provided by the Department to the recipient regarding such audit. The recipient further agrees to comply and cooperate with any inspections, reviews, investigations, or audits deemed necessary by the Chief Financial Officer or Auditor General.

AUDITS

PART I: FEDERALLY FUNDED

This part is applicable if the recipient is a State or local government or a non-profit organization as defined in OMB Circular A-133, as revised.

1. In the event that the recipient expends \$300,000 or more in Federal awards in its fiscal year, the recipient must have a single or program-specific audit conducted in accordance with the provisions of OMB Circular A-133, as revised. EXHIBIT 1 to this Agreement indicates Federal funds awarded through the Department of Environmental Protection by this Agreement. In determining the Federal awards expended in its fiscal year, the recipient shall consider all sources of Federal awards, including Federal resources received from the Department of Environmental Protection. The determination of amounts of Federal awards expended should be in accordance with the guidelines established by OMB Circular A-133, as revised. An audit of the recipient conducted by the Auditor General in accordance with the provisions of OMB Circular A-133, as revised, will meet the requirements of this part.
2. In connection with the audit requirements addressed in Part I, paragraph 1., the recipient shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133, as revised.
3. If the recipient expends less than \$300,000 in Federal awards in its fiscal year, an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, is not required. In the event that the recipient expends less than \$300,000 in Federal awards in its fiscal year and elects to have an audit conducted in accordance with the provisions of OMB Circular A-133, as revised, the cost of the audit must be paid from non-Federal resources (i.e., the cost of such an audit must be paid from recipient resources obtained from other than Federal entities).
4. The recipient may access information regarding the Catalog of Federal Domestic Assistance (CFDA) via the internet at <http://aspe.os.dhhs.gov/cfda>.

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PART II: STATE FUNDED

This part is applicable if the recipient is a nonstate entity as defined by Section 215.97(2)(1), Florida Statutes.

1. In the event that the recipient expends a total amount of State financial assistance equal to or in excess of \$300,000 in any fiscal year of such recipient, the recipient must have a State single or project-specific audit for such fiscal year in accordance with Section 215.97, Florida Statutes; applicable rules of the Executive Office of the Governor and the Chief Financial Officer; and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General. EXHIBIT 1 to this Agreement indicates State financial assistance awarded through the Department of Environmental Protection by this Agreement. In determining the State financial assistance expended in its fiscal year, the recipient shall consider all sources of State financial assistance, including State financial assistance received from the Department of Environmental Protection, other state agencies, and other nonstate entities. State financial assistance does not include Federal direct or pass-through awards and resources received by a nonstate entity for Federal program matching requirements.
2. In connection with the audit requirements addressed in Part II, paragraph 1, the recipient shall ensure that the audit complies with the requirements of Section 215.97(7), Florida Statutes. This includes submission of a financial reporting package as defined by Section 215.97(2)(d), Florida Statutes, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General.
3. If the recipient expends less than \$300,000 in State financial assistance in its fiscal year, an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, is not required. In the event that the recipient expends less than \$300,000 in State financial assistance in its fiscal year and elects to have an audit conducted in accordance with the provisions of Section 215.97, Florida Statutes, the cost of the audit must be paid from the non-State entity's resources (i.e., the cost of such an audit must be paid from the recipient's resources obtained from other than State entities).
4. For information regarding the Florida Catalog of State Financial Assistance (CSFA), a recipient should access the Florida Single Audit Act website located at <http://sun6.dms.state.fl.us/fsaa/catalog.htm> or the Governor's Office of Policy and Budget website located at <http://www.eog.state.fl.us/> for assistance. In addition to the above websites, the following websites may be accessed for information: Legislature's Website <http://www.leg.state.fl.us/>, Governor's Website <http://www.flgov.com/>, Department of Financial Services' Website <http://www.dbf.state.fl.us/> and the Auditor General's Website <http://www.state.fl.us/audgen>.

PART III: OTHER AUDIT REQUIREMENTS

(NOTE: This part would be used to specify any additional audit requirements imposed by the State awarding entity that are solely a matter of that State awarding entity's policy (i.e., the audit is not required by Federal or State laws and is not in conflict with other Federal or State audit requirements). Pursuant to Section 215.97(7)(m), Florida Statutes, State agencies may conduct or arrange for audits of State financial assistance that are in addition to audits conducted in accordance with Section 215.97, Florida Statutes. In such an event, the State awarding agency must arrange for funding the full cost of such additional audits.)

PART IV: REPORT SUBMISSION

1. Copies of reporting packages for audits conducted in accordance with OMB Circular A-133, as revised, and required by PART I of this Agreement shall be submitted, when required by Section .320 (d), OMB Circular A-133, as revised, by or on behalf of the recipient directly to each of the following:
 - A. The Department of Environmental Protection at the following address:

Audit Director
Florida Department of Environmental Protection
Office of the Inspector General, MS 40
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

- B. The Federal Audit Clearinghouse designated in OMB Circular A-133, as revised (the number of copies required by Sections .320 (d)(1) and (2), OMB Circular A-133, as revised, should be submitted to the Federal Audit Clearinghouse), at the following address:

Federal Audit Clearinghouse
Bureau of the Census
1201 East 10th Street
Jeffersonville, IN 47132

- C. Other Federal agencies and pass-through entities in accordance with Sections .320 (e) and (f), OMB Circular A-133, as revised.

2. Pursuant to Section .320(f), OMB Circular A-133, as revised, the recipient shall submit a copy of the reporting package described in Section .320(c), OMB Circular A-133, as revised, and any management letters issued by the auditor, to the Department of Environmental Protection the following address:

Audit Director
Florida Department of Environmental Protection
Office of the Inspector General, MS 40
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

3. Copies of financial reporting packages required by PART II of this Agreement shall be submitted by or on behalf of the recipient directly to each of the following:

- A. The Department of Environmental Protection at the following address:

Audit Director
Florida Department of Environmental Protection
Office of the Inspector General, MS 40
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

- B. The Auditor General's Office at the following address:

State of Florida Auditor General
Room 401, Claude Pepper Building
111 West Madison Street
Tallahassee, Florida 32399-1450

4. Copies of reports or management letters required by PART III of this Agreement shall be submitted by or on behalf of the recipient directly to the Department of Environmental Protection at the following address:

Audit Director
Florida Department of Environmental Protection
Office of the Inspector General, MS 40
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

5. Any reports, management letters, or other information required to be submitted to the Department of Environmental Protection pursuant to this Agreement shall be submitted timely in accordance with OMB Circular A-133, Florida Statutes, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable.

6. Recipients, when submitting financial reporting packages to the Department of Environmental Protection for audits done in accordance with OMB Circular A-133, or Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, should indicate the date that the reporting package was delivered to the recipient in correspondence accompanying the reporting package.

PART V: RECORD RETENTION

The recipient shall retain sufficient records demonstrating its compliance with the terms of this Agreement for a period of 5 years from the date the audit report is issued, and shall allow the Department of Environmental Protection, or its designee, Chief Financial Officer, or Auditor General access to such records upon request. The recipient shall ensure that audit working papers are made available to the Department of Environmental Protection, or its designee, Chief Financial Officer, or Auditor General upon request for a period of 3 years from the date the audit report is issued, unless extended in writing by the Department of Environmental Protection.

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EXHIBIT -- 1

FUNDS AWARDED TO THE RECIPIENT PURSUANT TO THIS AGREEMENT CONSIST OF THE FOLLOWING:

Federal Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following:				
Federal Program Number	Federal Agency	CFDA Number	CFDA Title	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Matching Resources for Federal Programs:				
Federal Program Number	Federal Agency	CFDA	CFDA Title	State Appropriation Category

State Resources Awarded to the Recipient Pursuant to this Agreement Consist of the Following Resources Subject to Section 215.97, F.S.:						
State Program Number	Funding Source	State Fiscal Year	Catalog of State Financial Assistance Number	CSFA Title or Funding Source Description	Funding Amount	State Appropriation Category
Original Agreement	Air Pollution Control Trust Fund - GAA Line Item 1871	2001-2002	37043	Delegated Title V Air Pollution Control Program	\$721,376.00	030000
Amendment No. 1	Air Pollution Control Trust Fund - GAA Line Item 1904	2002-2003	37043	Delegated Title V Air Pollution Control Program	\$721,376.00	030000
Amendment No. 2	Air Pollution Control Trust Fund - GAA Line Item 1904	2002-2003	37043	Delegated Title V Air Pollution Control Program	(\$234,000.00)	030000
Amendment No. 2	Air Pollution Control Trust Fund - GAA Line Item 1734	2003-2004	37043	Delegated Title V Air Pollution Control Program	\$234,000.00	030000
Total Award					\$1,442,752.00	

For each program identified above, the recipient shall comply with the program requirements described in the Catalog of Federal Domestic Assistance (CFDA) (<http://aspe.os.dhs.gov/cfda>) and/or the Florida Catalog of State Financial Assistance (CSFA) (<http://sun6.dms.state.fl.us/fgaw/catalog.htm>). The services/purposes for which the funds are to be used are included in the Contract scope of services/work. Any match required by the recipient is clearly indicated in the Contract.

DEP CONTRACT NO. AQ176
AMENDMENT NO. 1

THIS AGREEMENT as entered into on the 28th day of September, 2001, between the FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (hereinafter referred to as the "Department") and the HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION (hereinafter referred to as the "Contractor") is hereby amended as follows:

-- In accordance with Paragraph 5, which allows for the inclusion of additional services and funding for each additional year of the Agreement, the maximum compensation amount of the Agreement is hereby increased from \$343,150 to \$686,300 (an increase of \$343,150) to provide funding for the Second Service Period which shall begin upon execution of Amendment No. 1 on October 1, 2002 (whichever is later) and end September 30, 2003.

-- Paragraph 7, items B.1. and B.2. are hereby modified, respectively, to read as follows:

1. Fringe Benefits -- Shall be calculated at the rate of 44.0%.
2. Indirect Cost -- Shall be calculated at the rate of 8.8847% of direct labor plus fringe benefits, supplies, equipment, travel and miscellaneous expenses.

-- Pursuant to Paragraph 10, which provides for two one-year renewal periods, the first renewal option is exercised and the completion date of the Agreement is hereby changed from September 30, 2002 to September 30, 2003.

-- Paragraph 22, item A, the second sentence is hereby modified to read as follows:

The Department, the State, or other authorized representatives shall have access to such records for audit purposes during the term of this Agreement and for five (5) years following Contract completion.

-- Paragraph 28 is hereby modified to read as follows:

- A. The Contractor shall not subcontract, assign, or transfer any work under this Agreement without the prior written consent of the Department's Project Manager. The Contractor agrees to be responsible for the fulfillment of all work elements included in any subcontract consented to by the Department and agrees to be responsible for the payment of all monies due under any subcontract. It is understood and agreed by the Contractor that the Department shall not be liable to any subcontractor for any expenses or liabilities incurred under the subcontract and that the Contractor shall be solely liable to the subcontractor for all expenses and liabilities incurred under the subcontract.
- B. The Department supports diversity in its procurement program and requests that all subcontracting opportunities afforded by this Agreement embrace diversity enthusiastically. The award of subcontracts should reflect the full diversity of the citizens of the State of Florida. The Department will be glad to furnish a list of minority owned businesses for consideration in subcontracting opportunities.

-- Attachment A-1, Scope of Services -- Second Service Period is hereby added to the Agreement. All references in the Agreement to Attachment A are hereby revised to read Attachments A and A-1, as appropriate.

-- Attachment C, Special Audit Requirements, Part V: RECORD RETENTION, the first sentence is hereby modified to change the retention period for records from three years to five years.

-- Attachment C, Special Audit Requirements, Page 5 of 5 is hereby deleted in its entirety and replaced with Page 5 (Revised) of 5, attached hereto and made a part of the Agreement.

In all other respects, the Agreement of which this is an Amendment and attachments relative thereto, shall remain in full force and effect.

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

HILLSBOROUGH COUNTY
ENVIRONMENTAL PROTECTION
COMMISSION

FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION

By: *Ronald M. Hamby*
Title:

By: *Howard K. Rhodes*
Director, Division of Air Resource
Management or designee

Date: 10-1-02

Date: Sept. 27, 2002

Thomas D. Gray
DEP Contracts Administrator

Approved as to form and legality:

Marcus [Signature]
DEP Attorney

List of attachments included as part of this Amendment:

Specify Type	Letter/ Number	Description (include number of pages)
Attachment	A-1	Scope of Services – Second Service Period (2 Pages)
Attachment	C	Page 5 (Revised) of 5 (1 Page)

ATTACHMENT A-1

SCOPE OF SERVICES – SECOND SERVICE PERIOD

Service Period: Execution of Amendment No. 1 or October 1, 2002 (whichever is later) through September 30, 2003

Specific Contractor Responsibilities:

1. The Contractor will operate an ambient air quality monitoring network within Hillsborough County which consists of certain monitors designated as State/Local Air Monitoring Stations (SLAMS) and National Air Monitoring Stations (NAMS) for particulates (PM₁₀), lead, carbon monoxide, sulfur dioxide, ozone and nitrogen dioxide. The Contractor may also operate an air toxics monitoring program within Hillsborough County.
2. Specific activities associated with the network described in Paragraph 1 of this Attachment include: network design, management, equipment procurement, preparation, installation, operation, calibration, and maintenance requirements; reporting of data to the Department's central air quality database in accordance with Section 8 of this Agreement; production of equipment standard operating procedures; software development; production of required reports; air monitoring contract development and management; and ambient air statistical and descriptive data analysis work. The Contractor shall maintain a cost accumulator system to account for the monitoring program component.
3. The Contractor will calculate and provide to the public and media the Air Quality Index for Hillsborough County a minimum of 5 days each week according to 40 CFR, Part 58, Appendix G or other applicable EPA guidance.
4. The Contractor will attend the State Annual Air Program Meeting, the Annual EPA Air Monitoring Workshop, the biannual Florida Air Monitoring Advisory Committee Meeting, and upon request, any additional in-state meetings which deal with ambient air monitoring.
5. The Contractor will provide the full time services of an air monitoring specialist(s) with an electronic/mechanical background to operate, calibrate and maintain the ambient air monitoring network, including any electronic uploads to the current Department database as may be in effect at the time.
6. The Contractor shall be compensated on a cost reimbursement basis up to a maximum of \$343,150 for the second service period beginning upon execution of Amendment No. 1 or October 1, 2002 (whichever is later) through September 30, 2003.
7. The Contractor, upon Amendment execution and the purchase of authorized equipment under the terms of Paragraph 6 of the Agreement, shall submit an invoice(s) for up to a maximum of \$51,159. For the purpose of this Agreement the following equipment items (costing \$1,000.00 or more which are specifically required to support the operation of the ambient air quality monitoring network described in Paragraph 1 of this Attachment) are authorized for purchase:

2 TEI Model 146C Calibration Systems
1 Continuous PM₁₀/PM_{2.5} Sampler

- 1 Data Logger Memory Upgrade
- 2 ESC Model 8816 Data Logger Systems

Any additional equipment items (costing \$1,000.00 or more) needed by the Contractor must be authorized by the Department's Project Manager, in writing, prior to purchase. All equipment (costing \$1,000.00 or more) shall be subject to the terms of Paragraph 31 of this Agreement.

- 8. The Contractor, after deduction of the total cost of authorized equipment purchases, for months one (1) through nine (9) of the second service period, shall be compensated on a cost reimbursement basis for operating costs up to a maximum of \$25,549 per month. For the remainder of the second service period, the Contractor may submit invoices for reimbursable expenses up to the amount remaining after the first nine (9) months of the second service period but not to exceed \$25,549 per month. Reimbursement for operating costs shall be subject to the terms of Paragraphs 6 and 7 of this Agreement.

ESTIMATED BUDGET

Salaries	\$149,745
Fringe Benefits*	\$ 65,888
Equipment	\$ 51,159
Expenses	\$ 42,358
Travel	<u>\$ 6,000</u>
Subtotal	\$315,150
Overhead/Indirect**	<u>28,000</u>
TOTAL	\$343,150

* Fringe Benefits – Shall be calculated at the rate of 44.0% of direct labor.

** Indirect Cost – Shall be calculated at the rate of 8.8847% of direct labor plus fringe benefits, supplies, equipment, travel and miscellaneous expenses.

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AGENDA ITEM COVER SHEET

Date: September 18, 2003

Agenda Item: Update on Coronet Industries and the Environmental Conditions
Surrounding the Plant

Description Summary:

EPC staff is committed to briefing the Board on a regular basis regarding Coronet until the situation warrants otherwise. As we did at the July and August meetings, staff will make a brief presentation on some of the latest developments. We will also discuss some of the EPC's efforts to follow the Board's directive to help expedite the public health assessment process.

The purpose of today's briefing is to share information with the Board members and answer questions.

Commission Action Recommended:

Accept the briefing and give guidance as necessary.

Commission Action Taken:



CORONET INDUSTRIES, INC.

September 8, 2003

Jerry Campbell, P.E., Director
Air Management Division
Hillsborough County
Environmental Protection Commission
1410 N. 21st. Street
Tampa, FL 33605

Re: Case No. 01-0315AR0075
Coronet Industries, Inc.
Air Compliance "Self-audit"
Corrective Action Schedule

Dear Mr. Campbell:

This letter is forwarded to your office as formal confirmation of receipt of your letter dated August 27, 2003. In accordance with your request, Coronet Industries, Inc. is pleased to inform the Commission that Coronet's development of an appropriate corrective action schedule will be completed and subsequently submitted to the Commission in an expedited manner. Immediate corrective action to all of Coronet's environmental issues continues to be a top priority of our Chief Executive Officer. As such, it should be noted that staff began immediately developing an appropriate corrective action schedule upon receipt of Koogler & Associates' Final Report in May of this year. As a result, staff has already corrected approximately 30 deficiencies noted in the final audit report.

Formal submittal of Coronet Industries, Inc.'s corrective action schedule is anticipated to be completed no later than September 26, 2003. Our staff will continue to make every effort to complete every corrective action necessary well in advance of the May 2005 deadline. Please contact my office as necessary should questions arise.

Sincerely,
Coronet Industries, Inc.

Jim Baker, P.E.
Environmental Manager

cc: Sheila Schneider, DEP-SW
Bill Proses, P.E., Koogler & Associates
Mike Nagashima, C.O.O., Coronet Industries, Inc.
Coronet Industries, Inc. Environmental Committee

For Immediate Release

September 8, 2003

NEWS BRIEF***EPC Evaluates Initial Soil Samples Around Coronet Industries***

Tampa, FL -- The Environmental Protection Commission of Hillsborough County (EPC) has completed an initial evaluation of surface soils in the vicinity of Coronet Industries. Twenty-two (22) soil samples were taken to assess the extent of air pollution deposition on the local communities. The soil was tested for eleven inorganic compounds which include arsenic, cadmium, lead and boron. All measured concentrations are well below standards for direct exposure levels in residential areas. This information is being shared with the Florida Department of Environmental Protection and the Florida Department of Health for further assessment.

A press opportunity regarding the soil sample results has been scheduled for September 8, 2003 at 2:00 PM at the EPC – 1900 9th Avenue, Tampa FL 33605. At this meeting a brief technical report summarizing the study and its findings will be available.

CONTACT PERSON:

Jerry Campbell 272-5960 extension 1253

or

Paul Schipfer 272-5960 extension 1290

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COMMISSION
Kathy Castor
Pat Frank
Ken Hagan
Jim Norman
Jan K. Platt
Thomas Scott
Ronda Storms



Administrative Offices,
Legal & Water Management Division
The Roger P. Stewart Environmental Center
1900 - 9th Ave. • Tampa, FL 33605
Ph. (813) 272-5960 • Fax (813) 272-5157
Air Management Fax 272-5605
Waste Management Fax 276-2256
Wetlands Management Fax 272-7144
1410 N. 21st Street • Tampa, FL 33605

Executive Director
Richard D. Garrity, Ph.D.

TECHNICAL MEMORANDUM

From: Hal Koechlein
To: Hooshang Boostani
Copies to: Paul Schipfer
Date: September 5, 2003
Subject: Soil Sampling – Coronet Industries Project, Plant City, FL

Objective

The Air Division and Waste Division of EPC completed the collection of soil samples to determine whether long-term deposition of air pollutants from Coronet has rendered the surrounding soils unsafe. The data quality objectives included collection of surficial soil samples that may be contaminated from stack air or other fugitive particulate discharges at the Coronet Industries site. Samples were collected at background locations and at distances within the potential zone of impact (Figure 1). Lead, Arsenic, Cadmium, Cobalt, Beryllium, Boron, Antimony, Nickel, Manganese, Selenium, and Chromium are potential indicator parameters of concern for air emissions from Coronet. The absence or preponderance of such contaminants in the soil will assist in determining whether these areas are impacted by the air emissions. Some of the metals however, are also naturally occurring elements of the soil matrix, or may be introduced by land application of fertilizers, pesticides, fungicides, automobile emissions or other anthropogenic sources. If present, these concentrations will be compared to the permissible levels of metals provided in the Direct Exposure Soil Cleanup Guidance Criteria (Table 1. - Summary from Chapter 62-777). This guidance is set to protect human contact or ingestion of soils.

On 25-26 August 2003, surface soil samples were collected per DEP-SOP-FS 3000. Each soil sample location (Figure 2) selected was beyond an area of suspected drainage erosion or deposition, foot/vehicular traffic, construction or changes in grade, fence posts, tree canopies, active or past citrus groves or other potential sources of cross contamination unless specifically designated. The top inch of soil (organic layer of fresh decaying plant residue) was removed to enable collection of soil less subject to processes of degradation, leaching and chemical speciation. At some locations, the top 2 inches were removed in order to avoid a thick root zone. All samples were collected between a depth of approximately 1 to 3 inches and consisted of moist to dry, silty sand to sandy silt consistent with the Myakka-Basinger-Holopaw poorly drained soil type. The standard operating procedure guidance allows sample collection depth up to 6 to 12 inches. The potential contaminants were not expected to penetrate and accumulate at these depths. At

these depths, the soils generally contain more sand, and metals concentrations are expected to be lower than the overlying soil horizon(s) from air deposition.

All samples were collected with plastic spoons individually sealed and transferred into sealed plastic sample bags provided by the Hillsborough County EPC Laboratory. Each sample location was assigned a location number on the sample bag and map (Figure 2). Dates and time of sampling were recorded. The samples were secured in a locked drawer when not under the control of Alain Watson (Air Division) and Hal Koechlein (Waste Division).

Figure 2 shows the locations of the 22 samples collected, two of which were duplicate samples (Location Numbers 9 and 15). A majority of samples were collected approximately 500 to 1000 meters from the Coronet facility (Figure 1). Background samples were collected at two distant residential locations. The background locations were collected at a distance of over 2000 meters from stacks at Coronet and beyond the expected zone of significant particulate deposition. A screening air dispersion model determined this zone, shown in the attached figure (Figure 1).

Laboratory Analytical Results.

The laboratory analytical results of the above samples are shown in the attached (Table 2). The results were compared to the soil cleanup target levels guidance as provided in Chapter 62-777 of the Florida Administrative Code (F.A.C.) (Table 1. - Summary from Chapter 62-777). These concentrations are provided for direct exposure in residential areas and are generally much lower than that of industrial areas.

All metals analyzed were well below direct exposure levels for residential areas when detected. These guidance levels are established to protect human health under normal outdoor activities in residential areas. The concentrations reported are also well below the leachability standards, except for a few lead sample values. This is an indication of little to no potential for leaching of metals from the soil to groundwater.

There appears to be no consistent, conclusive occurrence and distribution of metals to correlate the presence of those detected with a natural or man-made source. The concentrations for the metals were compared to the Background Concentrations of Trace Metals in Florida Surface Soils (Ma, Lena Q. et. al., 1997). Only lead, at location numbers 6 and 10; cadmium, at locations 5 and 6; chromium, at locations numbers 4, 5 and 6; and manganese, at location numbers 3, and 14 appear somewhat elevated above the mean concentrations. This may reflect air deposition but all values are below residential exposure guidance. All values were also well below the highest concentration reported for background soils. Some or all of these metals may result from potential automobile emissions and fertilizer application. Additional soil sample results collected around these and other locations may indicate actual elevated concentrations resulting from long-term air emissions.

Conclusions and Recommendations;

1. All sampling point data reflect concentration values that are well below the specified direct exposure guidance concentrations utilized in State programs for residential environments. In direct terms, all values are within standards considered safe for play and daily activities for private residences.
2. The data reflect values below the leachability criteria and are thus not expected to result in groundwater or surface water contamination. A few locations provided values for lead that approached the "rule of thumb" leachability value of 30 mg/kg, however, they were proximal to roadways and are likely influenced accordingly.
3. The data results indicate expected deposition from an air emissions source such as Coronet, but again, all values were well below action levels for residential environments. It is important to point out that the model used to identify sampling locations is preliminary and EPC is incorporating greater amounts of data into a more accurate Air model to ensure the sampling locations selected were indeed best and representative. If the more precise model(s) identifies additional sampling is needed, EPC will collect more samples.
4. EPC did not address radionuclides in the study for air dispersion based on the history of the facility. It is well known that the Coronet facility and surrounding property are located in an area of former phosphate mining, and that radionuclides are naturally occurring within the matrix of phosphate mined materials. Therefore, the data would not assist in the evaluation of air disposition. Additionally, the Florida Department of Health is performing well sampling that includes evaluation of radionuclides and additional soil sampling may be directed resultant of their sampling study.
5. This report and follow-up studies will be forwarded to the Florida Department of Health to assist in their Coronet Industries area wide health study.

Table 1. - Summary from Chapter 62-777 F.A.C., Soil Cleanup Target Levels (SCTLs)

Contaminant	Direct Exposure – Residential (mg/kg)	Direct Exposure – Industrial (mg/kg)	Leachability Based on GW Criteria (mg/kg)
Antimony	26	240	5
Arsenic	0.8	3.7	29
Beryllium	120	800	63
Boron	7000	160000	***
Cadmium	75	1300	8
Chromium	210	420	38
Cobalt	4700	110000	***
Lead	400	920	***

ENVIRONMENTAL PROTECTION COMMISSION LABORATORY

TABLE 2. Coronet Industries Special Study Results

Leachability Based on Groundwater	29	63	8	36	***	130	5	***	5	***	10000	5	***	160000
Direct Exposure-Industrial (mg/kg)	3.7	800	1300	420	920	28000	240	110000	10000	70000	390	7000	NR	NR
Direct Exposure-Residential (mg/kg)	0.8	120	75	210	400	1600	26	4700	300	26	4700	0.25	NR	NR
Florida Background (mg/kg)**	1.34	0.67	0.07	15.90	11.20	48.80	0.28	NR	0.28	Antimony	Cobalt	Selenium	Boron	2.5*
MDL	0.3581	0.0120	0.0141	0.1459	0.1160	0.0319	0.7667	0.0410	0.1616	0.0410	0.1616	0.1616	0.0410	0.1616
4779 Lab ID / Sample Location	<0.3581	0.1259	<0.0141	1.8670	2.8240	8.9680	<0.7667	<2.0629	<0.0410	<0.1616	<2.5			
Location #1														
1901 MLK Jr. Blvd.														
4780 Location #2	<0.3581	0.1860	<0.0141	4.1640	7.0230	4.8700	0.8554	<2.0629	<0.0410	<0.1616	<2.5			
801 Alabrook St.														
4781 Location #3	<0.3581	0.1648	<0.0141	1.5720	1.8650	3.9630	<0.7667	<2.0629	<0.0410	<0.1616	<2.5			
Coronet & Roberts Branch														
4782 Location #4	<0.3581	0.5200	0.9929	17.9400	18.5500	63.5000	3.2680	<2.0629	0.6403	<0.1616	11.6			
P.C. Golf Club Entrance														
4783 Location #5	<0.3581	0.4090	2.3430	20.0400	7.9140	16.3000	2.2040	<2.0629	0.2550	<0.1616	3.8			
500m view of Facility on Coronet Rd														
4784 Location #6	<0.3581	0.4832	2.8760	20.5900	29.6700	42.9200	3.5980	<2.0629	0.7897	<0.1616	5.5			
200m South on Clemens Rd.														
4785 Location #7	<0.3581	0.2386	0.2797	14.1300	16.1200	32.4300	2.5570	<2.0629	0.2580	<0.1616	<2.5			
3108 Laurel Ln.														
4786 Location #8	<0.3581	0.2969	0.6477	8.6360	17.9400	15.7500	3.3580	<2.0629	0.3812	<0.1616	<2.5			
2201 Clemens Rd.														
4787 Location #9A	<0.3581	0.3543	0.0800	9.1500	8.0440	14.2500	1.8950	<2.0629	0.1658	<0.1616	<2.5			
Fire Station #25														
4788 Location #9B	<0.3581	0.3596	0.1219	9.9310	8.8870	12.9300	2.0790	<2.0629	0.1782	<0.1616	<2.5			
Fire Station #25 (Duplicate Sample)														
4789 Location #10	<0.3581	0.4032	0.9207	13.5100	25.1700	22.3100	3.4660	<2.0629	0.4239	<0.1616	<2.5			
Coronet & Cason														
4790 Location #11	<0.3581	0.3125	0.2174	8.2470	14.9200	12.3500	2.1320	<2.0629	0.1935	<0.1616	<2.5			
3600 Century & Cason Rd.														
4791 Location #12	<0.3581	0.1733	<0.0141	4.4900	8.1400	26.7900	1.8740	<2.0629	0.1088	<0.1616	<2.5			
204 N. Webb Rd. (Background Sample)														
4792 Location #13	<0.3581	0.1702	<0.0141	2.4620	8.1570	1.4750	1.8720	<2.0629	<0.0410	<0.1616	<2.5			
Wilder Rd. & Sansone Blvd. (Background Sample)														
4793 Location #14	<0.3581	0.1218	<0.0141	2.8240	10.8200	50.5200	1.4360	<2.0629	0.1135	<0.1616	3.6			
1500 S. Wiggins Rd.														
4794 Location #15A	<0.3581	0.1474	<0.0141	3.4090	1.5910	1.4550	<0.7667	<2.0629	<0.0410	<0.1616	<2.5			
Springhead Church														
4795 Location #15B	<0.3581	0.2007	<0.0141	3.6100	0.3548	1.7880	<0.7667	<2.0629	<0.0410	<0.1616	<2.5			
156 Springhead Church (Duplicate Sample)														
4796 Location #16	<0.3581	0.3743	<0.0141	10.4500	2.6660	20.8100	2.4290	<2.0629	0.1865	<0.1616	<2.5			
Fancy Farms Rd.														
4797 Location #17	<0.3581	0.1694	0.5011	6.9640	9.5190	33.8400	1.4810	<2.0629	0.2090	<0.1616	5.8			
2119 S. Wiggins Rd.														
4798 Location #18	<0.3581	0.1780	<0.0141	5.3840	3.0110	14.0400	2.0450	<2.0629	0.1398	<0.1616	<2.5			
Former Grove on Cason Rd.														
4799 Location #19	<0.3581	0.2928	0.4143	9.4420	3.5750	11.4900	1.0500	<2.0629	0.1191	<0.1616	<2.5			
Lexie Ln.														
4800 Location #20	<0.3581	0.1458	0.0873	5.9590	5.2600	40.0600	1.2750	<2.0629	0.1703	<0.1616	2.5			
Cason & S. Wiggins														

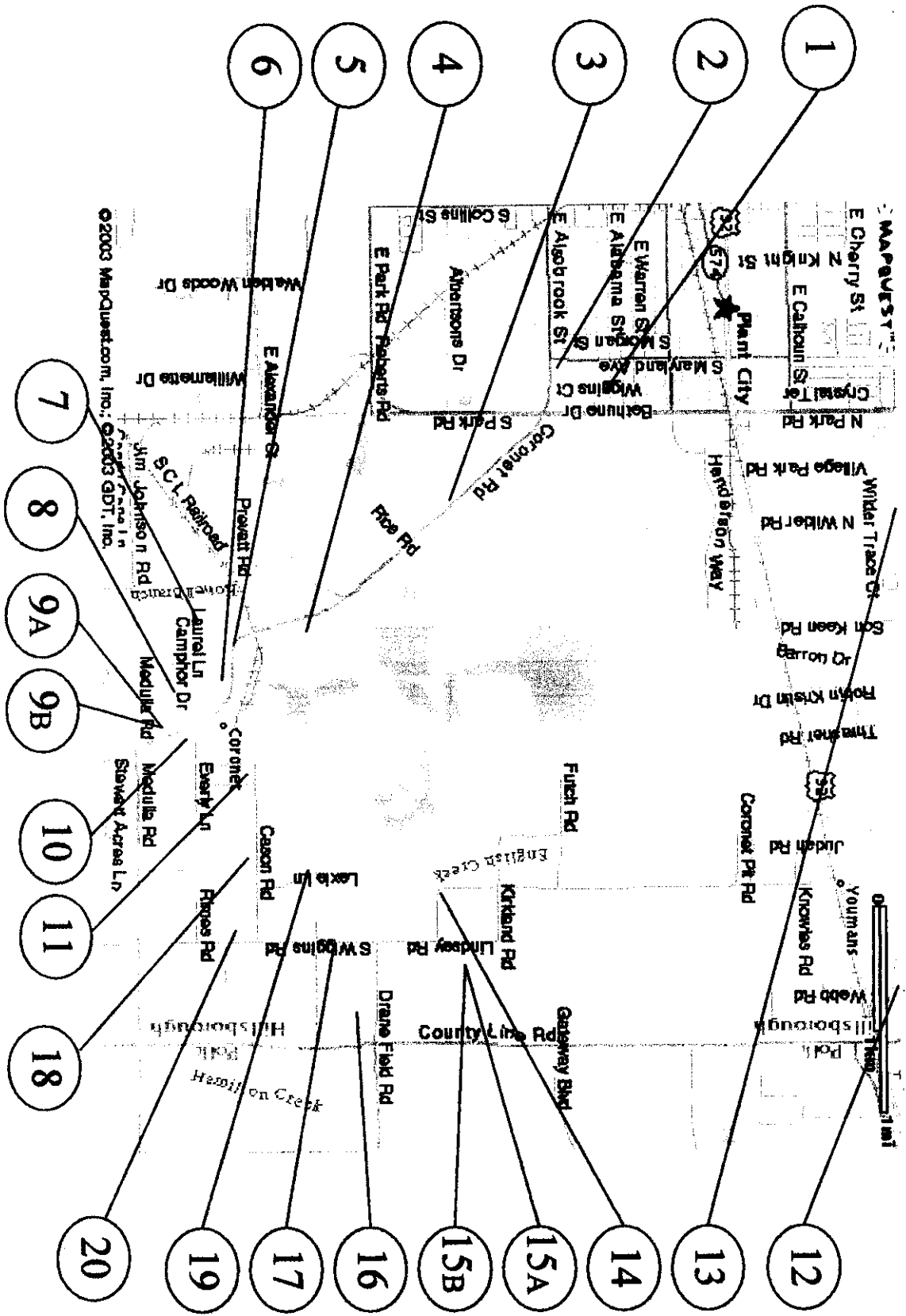
* Estimated ** Mean Background for Florida Soils (Lena Q. Ma, 1977) *** Leachability Values may be derived by the SPLP Test to Calculate Site Specific Concentration Target Levels

All values in mg/kg, NR - Not Reported, MDL - Minimum Detection Level

Figure 1 - Screening Air Dispersion Model



Figure 2 - Soil Sampling Locations



From: Jerry Campbell
To: Randy_merchant@doh.state.fl.us
Date: 9/3/03 9:00AM
Subject: Coronet Public Health Assessment Meeting

A meeting to discuss coordination of the pending public health assessment has been scheduled for Tuesday September 16th at 1:00 at the EPC's main conference room at 1900 9th Avenue. DOH Tally, DOH local, DEP SW and EPC have all indicated they will be available at this time and will be represented.

The suggested agenda would be as follows:

Discussion of the Heath Assessment Process (Health Assessment 101) and the Schedule for the Coronet Junction Study - DOH Tally

DEP Briefing on Environmental Data Available in the Area of Concern and Any On-Going Special Initiatives - DEP SW

EPC Briefing on Environmental Data Available in the Area of Concern and Any On-Going Special Initiatives - EPC

Coordination Issues - All

If you have any changes you want to the agenda, please let me know. The meeting room holds 15 or more comfortably and we are not anticipating that many folks. We will have a power point system available as well.

Any problems or questions, contact me. Thanks for your continuing assistance.

This e-mail and any files transmitted with it are confidential. If you have received this e-mail in error, please notify the sender immediately by e-mail. This e-mail and any files transmitted with it are confidential and may be subject to the Freedom of Information Act. If you are not the intended recipient, you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system. If you are not the intended recipient you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by e-mail if you have received this e-mail by mistake and delete this e-mail from your system.

CC: Boostani@epchc.org; Cece.mckiernan@dep.state.fl.us; Cindy_morris@doh.state.fl.us; Dunn@epchc.org; garrityr@epchc.org; Merritt.mitchell@dep.state.fl.us; Tschantz@epchc.org

From: Jerry Campbell
To: Beth_copeland@doh.state.fl.us
Date: 8/28/03 1:29PM
Subject: Coronet Public Health Assessment Meeting

In order to better assist DOH in their work on the health assessment, Dr Garrity thought it would be a good idea to host a meeting to discuss what you will need from the environmental agencies. Both EPC and DEP have lots of historical information which you should find useful. In addition, we can tailor some of our current initiatives to fit your needs.

The meeting agenda would probably start with Tally DOH describing what is involved in your assessment and the steps you go through. Then the EPC and DEP could advise DOH on the type of environmental data we have for this area. We could also take a few minutes and describe some of the latest intensive sampling exercises we are undertaking or overseeing. At that point, DOH could make suggestions on different things you would like us to look for or sample. Perhaps we could discuss ways to expedite the assessment as well.

Because everyone is interested in moving this process along as quickly as possible, we ask that you consider meeting with us as early as the of week September 8th. More specifically we offer the following dates:

Tuesday September 9th in the morning or afternoon
Thursday September 11th in the afternoon
Friday September 12th in the morning

We anticipate the meeting could take several hours (up to 3) and we would provide our conference room. We have a projector for any power point presentations. We also have teleconferencing capability in that room, but hope that the main players would be attending in person.

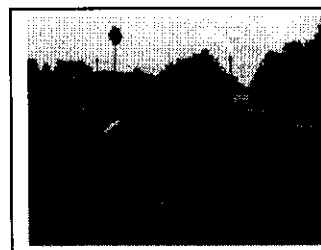
Thank you for your consideration. We look forward to hearing from DOH in Tally, DOH locally and the DEP.

CC: Douglas_holt@doh.state.fl.us;Garrityr@epchc.org;cece.mckieman@dep.state.fl.us

For Immediate Release

August 28, 2003

NEWS BRIEF
EPC Adds Air Monitors in Coronet Vicinity
Photo Opportunity



Tampa, FL – The Environmental Protection Commission (EPC) of Hillsborough County has installed three additional air monitors in the vicinity of Coronet Junction, specifically to assess the air quality in the area. The three air monitors commenced operations August 28, 2003 and are in addition to the air monitoring station operating at Plant City High School since 1998.

The air monitors are approximately 120 degrees apart: located to the northwest, the northeast, and due south of Coronet Industries. The air monitors will run for 24-hour periods and collect airborne matter on filters that will be collected and analyzed by EPC's laboratory. The filters will be compared to similar monitors already operating in other parts of Hillsborough County. Results of the air monitoring will be turned over to Department of Health officials for use in their health assessment in that area.

EPC will have a photo opportunity for the press on Friday, August 29, 2003 at 10:00 AM at the location of one of the new monitoring sites - Springhead Fire Station - located at 4503 Coronet Rd., Plant City. EPC staff will be on-site conducting routine maintenance.

CONTACT PERSON:

Leroy Shelton 272-5955, extension 1251

or

Barbara Motte 272-5955, extension 1008

Agenda Item Cover Sheet

Date: September 18, 2003

Agenda Item: PINEY POINT UPDATE

Description/Summary:

The Piney Point phosphate chemical plant is located in Manatee County and has been inactive since October 1999 when production was shut down. Since implementation of the closure activities by the Receiver and FDEP, the site has experienced several periods of rainfall that created water management emergencies. The FDEP issued an Emergency Final Order on July 26, 2002, which required the Receiver to remove at least 2 million gallons per day of process water through March 2003, and 1.5 million gallons per day through October 2003, to accommodate expected rainfalls and allow closure work to start in November.

Gulf dispersion activities began on or around July 20, 2003. Through September 4, 2003, a total of about 67 million gallons of treated water have been dispersed into the Gulf of Mexico. It is estimated that no more than 200 million gallons of treated water can be dispersed through the expiration date of the EPA emergency permit (November 30, 2003).

Since the beginning of the year through September 4, 2003, the site has received about 51 inches of rain (10.8 inches above normal). Over the preceding 12 months the site received over 80 inches of rain, about 26 inches above average. Each inch of rain adds an additional 12.4 million gallons of wastewater to the site.

These concerns prompted the FDEP to issue the Fifth Modification to the Emergency Final Order on September 5, 2003, authorizing the Receiver of the Piney Point plant to double the amount of treated process wastewater produced and removed from the site over the next 3-5 months to allow closure activities to be conducted over the upcoming dry season.

In summary the Fifth Modification to the Final Emergency Order:

- Requires the Receiver to increase the amount of reverse osmosis permeate being produced from 0.6 million gallons per day to a minimum of 1.0 million gallons per day (mgd), by October 15, 2003. Allows a maximum of 1.5 mgd to Bishop Harbor until August 31, 2004.
- Requires the Receiver to increase the amount of double-lime plus aeration water being produced at the site to a minimum of 3.0 mgd by October 15, 2003.
- Allows the resumption of the discharge of double-lime plus aeration water to Bishop Harbor (only those volumes not barged, transferred to area treatment plants or other offsite facilities)

Board Action Recommended:

No action required. For information only.

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY**

AGENDA ITEM COVER SHEET

DATE: September 18, 2003

TO: Environmental Protection Commissioners

FROM: Brenda Fonda, Enforcement Coordinator, Waste Management Division

SUBJECT: Request for Authority to Take Legal Action regarding U-Haul Company

RECOMMENDATION: Grant authorization to pursue appropriate legal action, including civil litigation, and settlement authority

BACKGROUND:

U-Haul Company of Florida, a subsidiary of U-Haul International, operates a rental facility, known as U-Haul Facility #78678, on property owned by Amerco Real Estate Company, another subsidiary of U-Haul International. The facility is located at 4406 West Hillsborough Avenue.

In April 1995, EPC staff discovered that a new building had been constructed on the site on a portion of the property that is an old City of Tampa landfill. It is a violation of Chapter 1-7, Rules of the EPC to construct buildings, structures or facilities, parking areas or paved surfaces on or through areas filled with solid waste or areas otherwise impacted by solid waste disposal without an EPC Executive Director's Authorization. A Warning Notice was issued for constructing a new building on a solid waste filled area without the Director's Authorization.

Subsequently, EPC entered into a Consent Order with U-Haul Company of Florida that required the solid waste filled areas to be identified and evaluated to determine if landfill generated gases are present and, if so, do they pose a potential impact or hazard. Based on the evaluation, U-Haul must submit a proposal of corrective actions, such as placement of gas detectors, installation of a gas collection system, long term monitoring, etc.

To date, no corrective action plan has been received by EPC; U-Haul is in violation of the terms of the executed Consent Order; and the staff recommends initiation of appropriate legal action to compel U-Haul to comply with the existing Consent Order.

ACTION TAKEN BY THE COMMISSION

Approved Disapproved Continued/Deferred Until _____

Other: _____

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY**

AGENDA ITEM COVER SHEET

DATE: September 18, 2003

TO: Environmental Protection Commissioners

FROM: Jadell Kerr, Director, Wetlands Management Division

SUBJECT: Request for Authority to take appropriate legal action and for settlement authority regarding Clyde Botner

BACKGROUND: Mr. Clyde Botner owns property located at S. 45th Street, in Tampa Florida. Within the property are areas of wetlands under the jurisdiction of the Environmental Protection Commission. Chapter 1-11, Wetlands, Rules of the EPC, prohibits impacts to wetlands without the authorization of the EPC Executive Director.

An EPC Wetland Management Division investigation revealed that fill was being placed in a jurisdictional wetland on the property without first obtaining an EPC Executive Director's Authorization, in violation of Chapter 1-11, Rules of the EPC. EPC staff issued Warning Notice #20676 to Mr. Botner. No response to the Warning Notice was received. On September 26, 2002, EPC investigated the property from an adjacent site and determined that the fill remained in the wetland. On December 20, 2002 the EPC entered a Citation against Mr. Botner making formal findings of wetland violations and requiring corrective actions. Mr. Botner failed to appeal that decision and the order became final as a matter of law. The activities referenced above were conducted without the authorization of the EPC Executive Director in violation of EPC rules.

Continued discussions have not led to resolution of the matter. Mr. Botner has violated Chapter 1-11, Rules of the EPC, and Section 17 of the Hillsborough County Environmental Protection Act by filling wetlands without the appropriate authorization.

RECOMMENDATION: Grant authority to pursue appropriate legal action, including civil litigation, and take appropriate settlement.

ACTION TAKEN BY THE COMMISSION

Approved Disapproved Continued/Deferred Until _____

Other: _____