



**EPC LEGAL DEPARTMENT MONTHLY REPORT**  
**November 2003**

**A. ADMINISTRATIVE CASES**

**NEW CASES** [ 0 ]

**EXISTING CASES** [ 5 ]

**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. The operation has been closed and the property is scheduled to be sold. A settlement document is being reviewed by counsel for TBO regarding the related Civil case. (*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)

**Col Met, Inc.** [LCOL03-019]: On March 19, 2003, Co Met, Inc. was issued a Citation to Cease and Order to Correct Violation regarding its aluminum painting operation. Col Met, Inc. timely filed an Appeal of the Citation. The company has since ceased operations and is negotiating a sale. The matter has been held in abeyance pending result of the sale and a determination whether the operation will continue. (RT)

**RESOLVED CASES** [ 1 ]

**Collins, Peter and Maria**: [LCOL03-015]: On September 12, 2003, Peter and Maria Collins submitted an amended application for a variance from the EPC Wetland Rule Chapter 1-11 requiring wetland mitigation for proposed impacts to wetlands on their property. The Collins have submitted information regarding their substantial hardship in complying with the rule and how they would comply with the underlying purpose of the rule. The Executive Director has reviewed their application and recommended approval of the variance based on the conditions agreed to in the application. On October 16, 2003, the EPC Board approved the variance request after seeking public comment at the regular board meeting. The matter has been closed. (AZ)

## B. CIVIL CASES

### NEW CASES [ 1 ]

**Al-Samkari, Mouhammed** [LSAM03-024]: Authority to take appropriate action against Mr. Al-Samkari as owner and operator of an underground storage tank facility was granted in February 2003. A prior Citation and Order to Correct 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 Citation have not been met. After a period of unsuccessful negotiations with Mr. Al-Samkari, the EPC is filing suit for injunctive relief and penalties and costs. (AZ)

### EXISTING CASES [ 8 ]

**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. The property is scheduled for sale and the operation is closed. A Consent Final Judgment containing civil penalties is being reviewed by counsel for TBO. (*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 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 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 was heard on October 15, 2003. The court has denied the EPC's renewed motion and the matter is currently set for trial on the week of March 29, 2004. Preparation for trial is ongoing. (AZ)

**Flamingo Apartments/Abe Vaknin** [LG0002-004]: 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. Mr. Vaknin has agreed to the terms of a settlement, and the parties are finalizing a Consent Final Judgment. (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)

**Botner, Clyde** [LBOT03-017]: Authority to take appropriate action against Mr. Botner for unauthorized wetland impacts was granted in September 2003. The EPC issued Mr. Botner a Citation and Order to Correct for the unresolved wetland violations. He failed to appeal the Citation and the EPC is filing suit to enforce the Order. On October 16, 2003 the EPC Legal Department filed a lawsuit requiring corrective actions as well as penalties and costs for the unresolved wetland violation. The EPC is waiting for service of the lawsuit. (AZ)

**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 OCTOBER 30, 2003

Fund Balance as of 10/01/03	\$1,748,743
Interest Accrued FY04	- 0 -
Deposits FY04	18,106
Disbursements FY04	5,982

Fund Balance \$1,760,867

Encumbrances Against Fund Balance:

Art. Reef FY04	117,379
(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	79,519
Investigations Old Landfill	50,000

Total of Encumbrances 940,681

Minimum Balance (Reserve) 120,000 \*

Fund Balance Available October 30, 2003 \$ 700,186

\*\$ 20,000 to be used for City of Tampa Parks Department  
 100,000 held as buffer in PRF

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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 OCTOBER 30, 2003

Fund Balance as of 10/01/03	\$1,239,034
Interest Accrued FY04	- 0 -
Disbursements FY04	- 0 -
<b>Fund Balance</b>	<b>\$1,239,034</b>

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	2,246
SP614 Manatee & Seagrass Protection	27,200
Fantasy Island	20,000
E.G. Simmons Park	43,200
Cockroach Bay ELAPP Restoration	189,771

Total of Encumbrances	1,239,034
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Fund Balance Available	October 30, 2003	\$ - 0 -
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**AGENDA ITEM COVER SHEET**

**Date:**                    **November 6, 2003**

**Agenda Item:**        **Enforcement case notification process**

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**Description/Summary:**

At the September 18, 2003 meeting, the Commission voted to have staff bring back options to consider ways in which the public could be notified of significant enforcement cases in their area. Due to the early November meeting, staff will bring up this item for consideration at the December meeting.

**Commission Action Recommended:**

No action required.

## AGENDA ITEM COVER SHEET

Date: November 6, 2003

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

### Description Summary:

EPC staff is committed to updating the Board on a regular basis regarding Coronet until the situation warrants otherwise. At the last several meetings, staff made full presentations on the latest developments. Given the timing of this month's meeting, we are foregoing a full presentation and simply giving a brief update for the Board's review. Staff will be available to respond to any questions.

The purpose of this update is to share information with the Board members.

### Commission Action Recommended:

Accept the update and give guidance as necessary.

### Commission Action Taken:





# Coronet Junction Update

## A Community Report

The Environmental  
Protection Commission  
of Hillsborough County



October 2003

### A Message...

from the Executive Director  
**Rick Garrity, Ph.D.**

In light of recent health concerns from residents of the Springhead and Lincoln Park communities, the EPC is working diligently with the Florida Department of Environmental Protection and the Hillsborough County Health Department/Florida Department of Health to assist with a public health assessment by the U.S. Agency for Toxic Substances and Disease Registry. The assessment is being conducted to determine whether abandoned landfills or Coronet Industries, an animal feed supplement producer, represents a special health risk to local residents.



Hydrogen Fluoride Analyzer

Also, based on feedback received from residents at a Community Open House in August, the EPC has participated in several additional environmental initiatives. Three specialized air monitors have been positioned around the communities adjacent to Coronet Industries to test local air quality. Initial test results indicate that dust and metals are similar in concentrations to other areas of the county. Dust concentrations and most metal numbers are well below EPA's health-based benchmarks. Levels of the metals cadmium, arsenic and chromium were elevated, but that is not unique to the Coronet Junction area. Those same metals are showing up at our west Tampa and Temple Terrace monitoring sites. In fact, these metals are a problem in most of the urban areas tested across the country, thus their presence is indicative of a national problem currently being addressed by regulatory efforts through the reduction of these concentrations to safe levels.

To determine the impact of air pollution from Coronet Industries on the surrounding soils, the EPC analyzed soil samples from over 20 neighborhood locations. The thought here was to capture any pollution accumulating from deposition of air emissions. Results showed that all metals analyzed were well below standards considered safe for residential activities. EPC has also commenced testing for airborne hydrogen fluoride gases with a specialized hydrogen fluoride analyzer from the EPA. The device must be pulled around in a special trailer and might look curious to the average citizen. So be on the lookout for us as we begin testing in neighborhoods within the next few weeks.

To address community concerns of potential environmental contamination from old landfills, the EPC has secured funding to contract a consultant for a hydrological site assessment on two old landfills off Park Road. Additional testing will be completed on soils in ditches in the adjacent Lincoln Park community. Site activity should begin soon.

Be assured the EPC Board and the staff are fully committed to fulfilling our responsibility to protect the environment and the health and welfare of the community. To facilitate the dissemination of information to the public, the EPC will continue to release test results to the media and through our Website. As the investigation progresses, the EPC will also work closely with the state to ensure that the health assessment is completed as soon as practical. Thank you for your patience and do not hesitate to contact us if we can be of service. I may be reached through my direct line at 272-5960 extension 1002.

### Inside this issue:

<i>Neighborhood soil analyzed</i>	<i>Pg 2</i>
<i>Three new air monitors added</i>	<i>Pg 3</i>
<i>Enforcement action taken for water violations</i>	<i>Pg 4</i>
<i>Agency contact list</i>	<i>Pg 5</i>

## Soil in Neighborhoods Around Coronet Industries Analyzed

In an effort to determine the impact of air pollution from Coronet Industries on the surrounding soils, the EPC collected soil samples and analyzed them for toxic compounds. Heavy metals like arsenic, lead and cadmium are found naturally in phosphate rock. In the process of making animal feed supplements, these metal compounds are released into the atmosphere. In addition, hydrogen fluoride gas is emitted from the defluorinating processes at the facility. These pollutants are carried by the wind and may settle in the surrounding environment. Once there, pollutants may be washed off into surface waters, leach into ground water or inadvertently ingested during normal human activity. The severity of health impacts from atmospheric deposition of air pollutants depends on the concentrations found in the environment. One indicator of potential health problems is the pollutant levels in surface soils. Therefore, soil testing was completed to evaluate the long-term deposition of pollutants to the surface.

The locations for soil sampling were chosen according to the predominant wind directions and the expected areas of greatest impact in the local communities. Preliminary air dispersion modeling showed the highest concentrations of particle deposition would occur relatively close to the plant. The EPC took soil samples from 21 locations and analyzed them for 11 inorganic compounds and water soluble fluorides. The 11 compounds examined were: arsenic, antimony, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel, selenium and boron. The results were compared to soil clean-up target levels codified in Chapter 62-777 of the Florida Administrative Codes.

*... the test data showed that local soils did not appear to be significantly impacted by dust fallout from Coronet, and that the soils were safe for residential areas...*



The results showed all measured concentrations were well below safe direct exposure levels for residential areas. The levels of arsenic, antimony and selenium were so low they were below the detection limits of the laboratory testing equipment. Consequently, results showed that local soils did not appear to be significantly impacted by dust fallout from Coronet, and that the soils were safe for residential areas for the 12 substances EPC tested. The reported concentrations are also well below the leachability standards and are not expected to result in groundwater or surface water contamination.

In order to better understand the level of impact from air pollution sources at Coronet Industries on the surrounding communities, a more comprehensive air deposition modeling study will be conducted with the assistance of the state. The air deposition model will factor in locally-specific meteorology and account for all sources of air pollution at the Coronet facility. The results will provide a more realistic estimate of pollutant deposition. If the deposition modeling study indicates more soil sampling is warranted, it will be done at that time.

Be advised this soil sampling exercise is only looking at the affect of air pollution settling on the surface. Over the next few months, EPC and other agencies may be conducting additional soil sampling for other reasons. For instance, the company will be testing soils in and around the plant looking for spills and contamination. In addition, the EPC has initiated a complete assessment of some old landfills in the Lincoln Park area which most certainly will involve additional soil sampling.

If you have any questions about the soils or the data we took, please contact Hal Koechlein or Alain Watson at (813) 272-5960.

## Additional Air Monitors Installed in Coronet Junction

Because of citizen concerns regarding air quality in the Coronet Junction area the EPC installed three new specialized dust/metals monitors in the area. These monitors are located around Coronet Industries and sample every three days for 24-hour periods. The initial results of the filter analysis on the limited number of samples collected from August 22 - September 12, 2003 indicate that the dust and metals in the air around Coronet Junction are generally the same as or less than those collected at other similar monitors running in Hillsborough County and Pinellas County. Winds on the sampling days, recorded at EPC's Plant City High School monitoring site, were light and the three samplers generally registered similar readings, none of which could be attributed to any single source at this time.



*(Air Monitoring continued on page 5)*

## EPC Leads Landfill Investigation

In order to determine the impact of two old disposal sites located northwest of the Coronet Industries property, EPC was tasked to conduct a hydrogeological site assessment. The primary objective of this project is to investigate potential contamination issues that may be caused by the pair of old unpermitted waste disposal sites. The information obtained from the site investigation will be used by the Florida Department of Health in its efforts to determine current health risks to the residents in the Lincoln Park and Springhead communities.

In cooperation with the Citizen's Environmental Advisory Committee, Hillsborough County Board of County Commissioners, and the City of Plant City Commission, the EPC has secured adequate funding to hire an environmental consulting firm to implement this investigation. A technical group consisting of representatives of all the participating organizations was assembled to develop the scope of work for the landfill assessment. EPC's Legal Division has negotiated a site access agreement with the current property owner, Gregg Enterprises. The progress we have made thus far would not have been possible without the continued cooperation of Gregg Enterprises.

Based on available information, the disposal sites were leased by the landowner to Plant City and Hillsborough County from approximately 1959 to 1967 for waste disposal activities. The assessment of the area will include review of available information including historical aerial photographs, test pits to evaluate depth and composition of debris, soil borings for lithologic information, and soil and groundwater sampling and analyses. The results of the soil and groundwater testing will be evaluated using the State of Florida guidelines for soil and groundwater contamination. If either source is determined to be impacted by contaminants, additional assessment and remediation will be required of the appropriate responsible parties. The study will begin soon and is expected to be completed before the end of the year.

Additionally, the EPC has been requested by the State of Florida Department of Health to collect soil samples in the Lincoln Park subdivision area to investigate potential impacts from stormwater. This information also will be forwarded to state and county health agencies for inclusion in the federal health assessment.

## Hillsborough County Health Department Leads Well Testing Efforts



The Hillsborough County Health Department is focusing on current health risks to residents in the Coronet area. The strategy is to investigate whether there are pollutants currently in the water, air and soil.

In cooperation with the Florida Department of Environmental Protection 93 wells have been sampled in the area of concern to determine whether they currently contain contaminants that may cause health problems. Of the 93 wells sampled, 73 of these wells have met safe drinking water standards. The 20 individual well owners with unacceptable results have been notified and are being supplied bottled water.

Preliminary results have led us to an area of interest that is bounded to the North by Cason Road, East by Wiggins Road, South by Medulla Road and Jim Johnson Road, and West by Tom Brewer Lane. Lists and maps of all citizen requests for sampling are being maintained. An additional 50 wells were sampled the week of October 6 within a quarter mile around elevated arsenic levels, results are expected the beginning of November.

The ongoing public health assessment is using this new data and existing environmental data provided by the Florida Department of Environmental Protection and the Environmental Protection Commission to guide the study. If at any time, the findings suggest a health risk exists the Health Department will take immediate action.

The Health Department has been actively documenting and addressing area residents health concerns, providing them with up-to-date information and ensuring that they are part of the public health assessment.

The Department remains committed to fully evaluating any potential risks and assuring the ongoing protection of the residents. Ultimately all the information will be provided to the Florida Department of Health and to the U.S. Agency for Toxic Substances and Disease Registry who will issue a final report.

## FDEP Initiates Enforcement Against Coronet

Initial results from eight new on-site monitoring wells installed in August and September at Coronet Industries indicate that the facility is violating state groundwater quality standards at its property boundary. The new wells are in addition to its existing groundwater monitoring network of 11 wells, which have been part of the site's groundwater monitoring plan since 1984. As a result of these findings, the Florida Department of Environmental Protection has initiated enforcement against Coronet for violation of its Industrial Wastewater permit.

Initial results in one of the new test wells on the property, located between holding pond six and Cason Road, indicate elevated levels of radium 226, boron, gross alpha and sodium. Because test results from six private wells in the vicinity of the intersection of Gentry and Cason Roads revealed elevated levels of boron, there is reason to believe substances in Coronet's holding pond may be moving beyond the facility's boundary.

The FDEP wants Coronet to take swift and decisive action to ensure substances from its wastewater ponds are not affecting nearby groundwater. The agency is taking enforcement for groundwater violations at the property boundary. Coronet Industries has until November 7 to respond to the FDEP with measures they plan to take to come into compliance with its Industrial Wastewater permit. The EPC is responding to complaints and assisting the FDEP in their investigation.

(Air Monitoring continued from page 3)

These preliminary results are being forwarded to state and county health officials for inclusion in their health assessment of the Coronet Junction area. The preliminary review only looks at the airborne threat presented by these compounds and does not take into account other possible pathways of entry into the human body, such as ingestion or dermal contact. Qualified health officials need to review the data for any other possible health effects.



**New air monitor located at Springhead fire station**

Even though the air in the vicinity of Coronet Junction appears to be generally the same as other areas, EPC has again confirmed some concerns previously identified to the public. As EPC staff presented to the Board last year, the EPA's Cumulative Exposure Project (1998) and the National Air Toxics Assessment (2002) stated some air toxics were present in urban areas at elevated levels. There are some metals in the air in every urbanized area around the country, including Florida and the Tampa Bay area, which exceed EPA's health benchmarks. These metals include arsenic, cadmium, and chromium, which are emissions generated in part from combustion of fossil fuels, such as coal and fuel oils. EPA has previously identified these metals, along with a

number of other compounds, as compounds of concern. These 33 compounds are called Urban Air Toxics, and EPA, in conjunction with state and local agencies such as EPC, is concentrating efforts to reduce these compounds, by confirming their levels through modeling and monitoring, and by reducing these concentrations to safe levels through regulation.

Because of the collective regulatory efforts of EPA, FDEP and EPC, additional air pollution controls were recently installed on waste incinerators in the Tampa Bay area, and with the conversion of TECO's Gannon power plant from coal to natural gas, EPC expects to see a decrease in these emissions in the future.

If you have questions about EPC's air monitoring, please call Leroy Shelton at (813)-272-5960, extension 1251.

### **Lead Agency Contact Information:**

#### **Environmental Protection Commission**

Air quality

Community soil sampling study

Old landfills study

(813) 272-5960

#### **Florida Department of Environmental Protection**

Surface and ground water issues

Soil contamination issues at Coronet Industries

(813) 744-6100, ext 481

#### **HC Health Department**

Private well testing

(813)307-8015, ext 5961

#### **Florida Department of Health**

Health study

(toll free) 1-877-798-2772

**The Environmental Protection Commission  
of Hillsborough County**

1900 9th Avenue  
Tampa, FL 33605

Phone: (813) 272-5960  
Fax: (813) 272-5157

**We're on the Web!**  
[www.epchc.org](http://www.epchc.org)



**The Environmental Protection Commission  
of Hillsborough County**  
1900 9th Avenue  
Tampa, FL 33605

**Executive Director:**

Richard D. Garrity, Ph.D

**Division Directors:**

Air Management: Jerry Campbell

Environmental Resources Management: Gerold Morrison

Wetlands Management: Jadel K Kerr

Waste Management: Hooshang Boostani

Water Management: Christopher A. Dunn

Legal: Richard Tschantz

Administration: Tom Koulianos

**EPC Board Members:**

Commissioner Jan Platt 272-5730

Commissioner Ronda Storms 272-5740

Commissioner Thomas Scott 272-5720

Commissioner Kathy Castor 272-5470

Commissioner Pat Frank 272-5735

Commissioner Ken Hagan 272-5452

Commissioner Jim Norman 272-5725

**Coronet Junction Update**  
A Community Report

## MEMORANDUM

**DATE :** October 20, 2003

**TO:** CeCe McKiernan, FDEP Project Manager

**THROUGH :** Frederick Nassar, Manager, Compliance Assurance

**FROM :** Paula Noblitt, Engineer, Compliance Assurance

**SUBJECT :** **HOWELL CREEK AND VICINITY  
RESULTS OF SEPTEMBER 25, 2003 EPC SAMPLING**

### Background:

On August 25, 2003, the EPC was contacted by Hillsborough County Commissioner Frank's office on behalf of Kam Baker of Oakview Estates subdivision, Plant City. Ms. Baker was concerned about potential pollution to Howell Creek, in the vicinity of the subdivision, as a result of activities originating at Coronet Industries. EPC was asked to investigate and to provide a response to Ms. Baker.

The following investigation and conclusions are being provided to you for your action. If you do not anticipate taking action, please advise us so we may take action accordingly.

### Investigation:

Maps of Coronet Industries, Howell Creek and its tributaries were reviewed in conjunction with information provided from Ms. Baker. Initial sampling was conducted on August 27, 2003, of Howell Creek and tributaries originating near Coronet Industries (see map for locations). Due to QA/QC issues, these results were not used to formulate any conclusions. As a result a second, more in-depth sampling was conducted on September 25, 2003, at locations identified on the attached map. This sample event included two points located on Coronet Industries' property. Samples were collected for the following parameters: ammonia, nitrate, nitrite, TKN, T.N, T.P., fluoride, antimony, arsenic, beryllium, cadmium, chromium, cobalt, lead, manganese, nickel, selenium, and boron.

### Discussion:

The laboratory analytical results of the samples are shown in the attached Table. The results were compared to the Chapter 62-302 standards for Class III freshwater. In general, for all parameters that were above detection limits, the highest values were observed in Sample #1 taken at the southwest corner

Howell Creek and Vicinity  
October 20, 2003 Memorandum  
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of Coronet's Pond 1. This sample location was chosen for evaluation of possible seepage from Pond 1 and subsequent discharge to Howell Creek. Exceedences of the 62-302 standards for arsenic, beryllium, cadmium and lead were noted at this location. Although there is no numeric standard for nutrients, the levels observed in this sample were elevated with an ammonia concentration of 5.54 mg/l, TKN of 10.76 mg/l, and total phosphorus of 323.98 mg/l. The location of Sample #1 is situated on Coronet's property and is at the head of a tributary that can feed Howell Creek. Due to this fact a background sample was not possible. However, the data collected was compared with August 5, 2003, Pond 1 data provided by Coronet. Pond 1 quality for arsenic, cadmium, chromium, ammonia, fluoride, TKN, nitrate/nitrite was several orders of magnitude greater than noted in Sample #1. Beryllium results were similar. However, boron, lead, manganese, phosphorus were several orders of magnitude lower in the pond versus Sample #1. Runoff from the adjacent golf course runoff may be a contributing factor. It is also possible, that Pond 1 water quality in August 2003 may have been diluted by significant rainfall received prior to the August 5, 2003 sampling date. The point to consider here is that Sample #1 contains constituents found in Pond 1 and at concentrations that tend to indicate a link via seepage. To further evaluate potential seepage, water levels in the peizometer located in the southwest corner of the Pond 1 dike were reviewed. Attached is a chart showing September 2003 data obtained from Coronet Industries' Daily Report. Further information is needed to evaluate whether the phreatic line intersects the pond berm above the ground elevation in the adjacent tributary to Howell Creek.

A comparison of downstream Sample #4, which also receives drainage from the wetland area west of the golf course, shows significant reduction in the levels of all parameters indicating there is better water quality from the west side of the golf course. This is supportive of the assertion that Pond 1 seepage may be contributing to poor water quality.

Sample #3 was obtained from the southwest corner of Pond 4 and was chosen for evaluation of possible impact from Pond 4 seepage to Howell Creek. The data collected was compared with August 5, 2003, Pond 4 data provided by Coronet. Pond 4 quality for arsenic, boron, cadmium, chromium, manganese, nickel, ammonia, fluoride, TKN, nitrate/nitrite were several orders of magnitude greater than in sample #3. TKN, nitrate/nitrite and total phosphorus levels were similar. An evaluation of potential seepage could not be made as piezometers are located on the opposite side (east) of the pond.

Comparing Sample #3, taken near the SW Corner of Pond 4 and Sample #8, taken downstream of this point at Coronet and Robert Rd., indicates that values are higher in the upstream sample, except for lead and nitrate/nitrite.

Sample #5 taken at Willow and Willow reflect the combined flows from the ditches that originate near Pond 4 and Pond 1. At this location, there were still elevated levels of metals and nutrients. In fact, levels in Sample #5 are similar to those in Sample #4. However, the upstream location at Sample #8 is much higher in boron and phosphorus indicating dilution in this segment of the tributary.

Between Sample #5 and #7, taken at Jim Johnson Rd. and Lloyd Humphrey Rd., metals are persistent but boron, fluoride and phosphorus decrease downstream.



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It is noted that Blanks #1 and #2 show some parameters at levels above detection levels. The blanks were equipment blanks. Sample equipment was used only in Sample #3 (SW#4) and Sample #7 (J. Johnson & Lloyd). Results for the Blanks are significantly lower than the Samples #3 and #7.

Conclusions:

There are exceedances of several 62-302, F.A.C. standards in Howell Creek.

For several parameters, particularly boron, phosphorus, fluoride and hardness, there appears to be a noticeable increase in value with proximity to Coronet Industries and its ponds.

Contributions to water quality standards exceedances in Howell Creek from Coronet's activities (specifically Pond 1 and 4 seepage to tributaries of Howell Creek) should be investigated further.

## September 25, 2003 Sampling Event

Sample #				1	2	3	4	5	6	7	8
Parameter/Location	Units	62-302 Std.	MDL	SW #1	Blank #1	SW #4	Coronet & RR	Willow & Willow	Blank #2	J. Johnson & Lloyd	Coronet & Robert
Antimony	ug/l	4300	82.514	882.514	882.514	882.514	882.514	882.514	882.514	882.514	882.514
Arsenic	ug/l	50	14.324	51.2	114.324	17	114.324	114.324	114.324	114.324	114.324
Beryllium	ug/l	0.13	0.48	5.1	2.8	3.2	2.7	2.8	2.6	2.9	2.8
Boron	ug/l	No std.	0.1	74980	864.3	24930	11100	9957	344.8	2781	21770
Cadmium	ug/l	HB*	0.565	26.6 std 33.36	4.3	5.9 std 11.71	4.5 std 11.27	5.4 std 11.26	4.1	5.2 std 11.04	5.3 std 11.57
Chromium	ug/l	HB*	5.834	142.1 std 6644.2	55.834 std 666.5	55.834 std 3319.1	55.834 std 2233.7	7.1 std 2231.4	55.834 std 666.5	8.5 std 1190.7	55.834 std 2291.9
Cobalt	ug/l	No std.	1.639	5.4	11.639	11.639	11.639	11.639	11.639	11.639	11.639
Hardness	mg/l	No std.	NA	507.2	0	169.7	116	114.6	0.1	90.5	152.2
Lead	ug/l	HB*	4.641	37.6 std 118.6	18.9	20.7 std <6.2	22.4 std <3.8	22.5 std 33.78	18.4	30 std <2.8	24.8 std <5.4
Manganese	ug/l	No std.	1.275	949.7	7.4	233	42.1	134.8	7	107.5	107
Nickel	ug/l	HB*	30.669	330.669 std 5509.4	330.669 std 448.8	330.669 std 2246.6	330.669 std 1178.7	330.669 std 1176.9	330.669 std 448.8	330.669 std 1167.6	330.669 std 1167.6
Selenium	ug/l	5	6.465	66.465	66.465	66.465	66.465	66.465	66.465	66.465	66.465
Ammonia	mg/l	No std.	0.02	5.54	0.02	2.57	0.1	0.12	0.02	0.18	0.36
Fluoride	mg/l	No std.	0.02	37.6	0.04	15.1	3.86	3.47	0.03	1.31	1.75
TKN	mg/l	**	0.02	10.76	0.02	3.81	1.23	1.64	0.06	1.21	1.7
NO3/NO2	mg/l	**	0.003	0.353	0.021	0.221	0.358	0.257	0.01	0.495	0.303
T.P.	mg/l	**	0.08	323.98	0.05	93.79	24.37	24.84	0.05	8.6	64.64

\* HB =Hardness based limit

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August 27, 2003 Sampling Event						
Parameter/Location	62-302 Std.	Coronet @ Roberts Ranch Rd.	Jim Johnson Rd. & Lloyd Humphrey Rd.	RR @ Coronet Rd.	N & W Willow	Field Blank
Arsenic	50 ug/l	56.400 ug/l	40.200 ug/l	59.500 ug/l	49.500 ug/l	34.100 ug/l
Beryllium	0.13 ug/l	4.800 ug/l	4.300 ug/l	4.500 ug/l	4.500 ug/l	4.400 ug/l
Cadmium	Hardness based	6.400 ug/l (std 1.09 ug/l)	4.800 ug/l (std 0.796 ug/l)	4.900 ug/l (std 1.642 ug/l)	4.700 ug/l (std 1.340 ug/l)	4.500 ug/l (std 0.382 ug/l)
Chromium	Hardness based	8.600 ug/l (std. 199.6 ug/l)	8.000 ug/l (std 143.06 ug/l)	7.900 ug/l (std 304.475 ug/l)	8.200 ug/l (std 246.3 ug/l)	6.500 ug/l (std 66.50 ug/l)
Lead	Hardness based	39.700 ug/l (std 3.00 ug/l)	35.200 ug/l (std 1.79 ug/l)	34.300 ug/l (std 5.796 ug/l)	34.300 ug/l (std 4.17 ug/l)	32.500 ug/l (std 0.545 ug/l)
Manganese	No std.	36.500 ug/l	32.000 ug/l	71.400 ug/l	33.600 ug/l	7.800 ug/l
Nickel	Hardness based	330.669 ug/l (std 151.9 ug/l)	330.669 ug/l (std 107.65)	330.669 ug/l (std 234.898 ug/l)	330.669 ug/l (std 188.74 ug/l)	330.669 ug/l (std 48.797 ug/l)
Antimony	4300 ug/l	882.514 ug/l	882.514 ug/l	882.514 ug/l	882.514 ug/l	882.514 ug/l
Cobalt	No std.	4.200 ug/l	3.900 ug/l	4.200 ug/l	4.300 ug/l	4.000 ug/l
Selenium	5.0 ug/l	17.6 ug/l	17.700 ug/l	17.300 ug/l	14.600 ug/l	14.200 ug/l
Boron	No std.	11520 ug/l	3005.000 ug/l	7613.000 ug/l	4025.000 ug/l	121.300 ug/l
Hardness	No std.	95.7 mg/l	63.7 mg/l	160.2 mg/l	123.7 mg/l	0.3 mg/l
Ammonia	No std.	0.03 mg/l	0.06 mg/l	0.06 mg/l	0.05 mg/l	0.01 mg/l
Fluoride	10 mg/l	2.18 mg/l	1.11 mg/l	3.34 mg/l	2.34 mg/l	0.03 mg/l
TKN		0.89 mg/l	1.31 mg/l	1.58 mg/l	1.24 mg/l	0.05 mg/l
NO3/NO2		0.046 mg/l	0.082 mg/l	0.559 mg/l	0.154 mg/l	0.0004 mg/l
Organic Nitrogen		0.86 mg/l	1.25 mg/l	1.52 mg/l	1.19 mg/l	0.04 mg/l
T.N.		0.94 mg/l	1.39 mg/l	2.14 mg/l	1.39 mg/l	0.05 mg/l
T.P.		16.58 mg/l	7.69 mg/l	16.44 mg/l	15.09 mg/l	0.08 mg/l

## **Agenda Item Cover Sheet**

**Date:**                    November 6, 2003

**Agenda Item:**        Update on Piney Point

**Description/Summary:**

The Executive Director will update the Board on the current situation surrounding Piney Point.

**Board Action Recommended:**

No action required.

**AGENDA ITEM COVER SHEET**

**Date:** November 6, 2003

**Agenda Item:** Phosphate bill update - SB 18-E

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**Description/Summary:**

On October 23, 2003 in special session, the Legislature passed SB 18-E, a bill related to phosphate mining. In June and September of this year, the Commission sent letters encouraging the Governor and the Local Legislative Delegation to support certain aspects of the proposed bill and to act on it in special session. The General Counsel will discuss the positive and negative provisions of the final bill.

**Commission Action Recommended:**

To be discussed.