

COMMISSION

Joshua Wostal, *Chair*
Harry Cohen, *Vice Chair*
Donna Cameron Cepeda
Ken Hagan
Pat Kemp
Gwendolyn “Gwen” W. Myers
Michael Owen



Executive Director

Janet D. Lorton

General Counsel

Ricardo Muratti

Location

In Person attendance: 601 E. Kennedy Blvd., Tampa
BOCC Boardroom, County Center, 2nd Floor
Virtual attendance: see details below

Meeting time
9:00 a.m.

COMMISSION AGENDA
February 16, 2023

- 1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, and INVOCATION**
- 2. ROLL CALL**
- 3. CHANGES TO THE AGENDA**
- 4. REMOVAL OF CONSENT ITEM FOR QUESTION, COMMENT, or SEPARATE VOTE**
- 5. RECOGNITIONS and PROCLAMATIONS** *(None)*
- 6. PUBLIC COMMENT** - *Each speaker is allowed 3 minutes unless the Commission directs differently. If you wish to provide public comment, please see guidance below or on our website at: [agendas and public comment](#).*
- 7. APPROVAL OF CONSENT AGENDA**

Consent Agenda Items

a. Approval of EPC Meeting Minutes for January 12, 2023	2
b. Monthly Activity Report FY2023 (December and January)	6
c. Pollution Recovery Fund (PRF) Budget FY2023	9
d. Select Performance Measure Goals 2022 Summary.....	11

- 8. PUBLIC HEARING** *(None)*
- 9. REGULAR AGENDA**
 - a. EPC’s Brownfields Program Presentation..... 13
 - b. Yard Trash Processing Facility Permitting & Compliance Presentation..... 16
 - c. Executive Director’s Report

10. DISCUSSION OF FUTURE AGENDA ITEMS

ADJOURN

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

Anyone who wishes to speak either virtually or in-person during the meeting may do so by completing the online Public Comment Form found at: www.epchc.org/pubcomment. The form is open 48 hours prior to the start of the meeting for both virtual and in-person appearances. Virtual speakers must submit the online public comment form at least 30 minutes prior to the start of the meeting. In-person speakers will be able to sign up using the same online form 48 hours prior to arrival or can sign up on-site via our kiosk up until the start of the meeting. Visit the EPC webpage for more details on [agendas and public comment](#). Seating inside the Boardroom may be limited. This meeting will also be available LIVE as follows: Spectrum - Channel 637, Frontier - Channel 22, Comcast - Channel 22, PC: <http://www.hcflgov.net/HTVlive>, and iOS: <http://65.49.32.149/iosvideo/ios.htm>.



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item #7.a.

Date of EPC Meeting: February 16, 2023

Subject: Approval of the January 12, 2023, EPC meeting minutes.

Agenda Section: Consent Agenda

Division: Administration Division

Recommendation: Approve the January 12, 2023, EPC meeting minutes.

Brief Summary: Staff requests the Commission approve the meeting minutes from the Commission meeting held on January 12, 2023.

Financial Impact: No Financial Impact

List of Attachments: Draft copy of the January 12, 2023, EPC meeting minutes.

Background: None

JANUARY 12, 2023 - ENVIRONMENTAL PROTECTION COMMISSION

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Thursday, January 12, 2023, at 9:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida, and held virtually.

The following members were present: Chair Joshua Wostal and Commissioners Donna Cameron Cepeda, Harry Cohen, Ken Hagan, Pat Kemp, Gwen Myers, and Michael Owen.

1. CALL TO ORDER, PLEDGE OF ALLEGIANCE, AND INVOCATION

▶ Chair Wostal called the meeting to order at 9:00 a.m. ▶ Commissioner Cameron Cepeda led in the pledge of allegiance to the flag and gave the invocation.

2. ROLL CALL - ▶ **None.**

3. CHANGES TO THE AGENDA

▶ Ms. Janet Lorton, EPC Executive Director, announced there were no changes to the agenda.

4. REMOVAL OF CONSENT ITEM FOR QUESTION, COMMENT, OR SEPARATE VOTE - ▶ **None.**

5. RECOGNITIONS AND PROCLAMATIONS - ▶ **None.**

6. PUBLIC COMMENT

▶ EPC General Counsel Rick Muratti elaborated on public comment guidelines.

▶ Ms. Lenore Krentz was available for questions.

7. APPROVAL OF CONSENT AGENDA

Consent Agenda Items

- a. Approval of EPC Meeting Minutes for October 20, 2022
- b. Monthly Activity Report Fiscal Year (FY) 2023 (October, November, December)
- c. Pollution Recovery Fund Budget FY 2023
- d. Legal Case Notification
- e. Request for authority to take appropriate legal action against AM Properties Tampa, LLC

THURSDAY, JANUARY 12, 2023

▶ **Commissioner Kemp moved approval, seconded by Commissioner Cohen, and carried seven to zero.**

8. PUBLIC HEARING - ▶ **None.**

9. REGULAR AGENDA

a. Final Order Proceeding in L. Krentz and K. Goodwin v. Park Square Enterprises, LLC and EPC, Case No. 20-EPC-006.

▶ Ms. Lorton deferred to Attorney Muratti, who reviewed the case status. Responding to Commissioner Owen, Attorney Muratti explained the appellant process. ▶ **Commissioner Myers moved for approval with the included recommendation, seconded by Commissioner Cohen, and carried seven to zero.**

b. Old Landfills Redevelopment Program Presentation

▶ Ms. Lorton introduced Ms. Nicole Garcia, EPC, who presented the item. ▶ Commissioner Kemp asked about methane gas release/new sites/Brownfields, to which, Ms. Garcia responded. Talks occurred.

c. Request to Initiate Fee Study and Rulemaking Regarding EPC Fees (Chapter 1-6, Rules of the EPC)

▶ Ms. Lorton introduced Mr. Jeff Sims, EPC, who provided an overview. Commissioner Kemp questioned statute mandates; Ms. Lorton offered clarification. Discussion ensued.

d. Executive Director's Report

▶ Ms. Lorton supplied the report. ▶ Commissioner Kemp spoke on the land preservation article. Comments followed.

10. DISCUSSION OF FUTURE AGENDA ITEMS

▶ Commissioner Owen addressed updates on the Little Manatee River scenic designation. Commissioner Myers wanted an educational workshop for Board members on EPC functions.

THURSDAY, JANUARY 12, 2023

ADJOURN

▶ There being no further business, the meeting was adjourned at 9:56 a.m.

READ AND APPROVED: _____
CHAIR

ATTEST:
CINDY STUART, CLERK

By: _____
Deputy Clerk

rs

DRAFT



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 7.b.

Date of EPC Meeting: February 16, 2023

Subject: Agency Monthly Activity Report

Agenda Section: Consent Agenda

Division: All five EPC Divisions

Recommendation: None. Informational report.

Brief Summary: The Agency-wide report represents the total number of select divisional activities that were tracked within a specific month.

Financial Impact: No financial impact.

List of Attachments: Agency monthly report for December and January FY23

Background: Select data that is associated with the EPC's five core functions; outreach, monitoring, permitting, compliance and enforcement, is tracked monthly by each Division. These monthly activity reports are then tallied to generate one final Agency-wide report.

EPC STAFF ACTIVITIES - AGENCY-WIDE
Monthly Activity Report
FY23

		<u>December</u>	<u>January</u>	<u>FISCAL YEAR TO DATE</u>
A.	<u>Core Function: Citizen Support & Outreach</u>			
1	Environmental Complaints Received (see attached Divisional breakdown)			see attached
2	Number of Presentations/Outreach Events	3	4	17
3	Citizen Support (walk-ins, file reviews, email/letter correspondence, etc.)	362	352	1265
B.	<u>Core Function: Air & Water Monitoring</u>			
1	Air Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	95.7%	97.2%	N/A
2	Water Quality Monitoring Data Completeness (Note: reflects previous month due to data acquisition delay)	99.8%	99.5%	N/A
3	Number of Noise Monitoring Events	3	2	8
C.	<u>Core Function: Environmental Permitting</u>			
1	Permit/Authorization Applications Received	100	145	572
2	Applications In-house >180 days	1	1	N/A
3	Permits/Authorizations Issued	225	108	562
4	Petroleum Cleanup Cases	70	69	337
D.	<u>Core Function: Compliance Assurance</u>			
1	Compliance Inspections	287	344	1280
2	Compliance Test Reviews (NOTE: Wetlands reviews included under D.1)	117	129	498
3	Compliance Assistance Letters Issued	168	138	616
4	Warning Notices Issued	12	19	72
E.	<u>Core Function: Enforcement</u>			
1	New Cases Initiated	0	3	13
2	Active Cases	82	83	N/A
3	Tracking Cases	47	44	N/A



Citizen Support & Outreach

Environmental Complaints Received for FY2023

02/07/2023 02:56 PM

Environmental Complaints Received	Dec	Jan	FY2023
Agency Total	116	137	503
Air Division	46	56	194
General	4	5	17
Noise	33	37	126
Open Burning	4	4	26
Pollution	5	10	25
Waste Division	6	11	41
General		2	4
Pollution	1	1	2
Solid & Hazardous Waste	2	4	14
SQG	3	3	20
Unauthorized Discharge/Disposal		1	1
Water Division	34	36	127
General	4	2	9
Unauthorized Discharge/Disposal	6	7	28
Wastewater	21	23	76
Water Pollution/Quality	3	4	14
Wetlands Division	30	34	141
Dredge & Fill	12	9	46
General			4
Mangrove Impacts	1	3	8
Unauthorized Seawall/Dock	4	7	21
Water Pollution/Quality	2	2	7
Wetland Clearing	8	12	45
Wetland Flooding/Drainage	3	1	10



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 7.c.

Date of EPC Meeting: February 16, 2023

Subject: Pollution Recovery Fund Budget

Agenda Section: Consent Agenda

Division: Administration Division

Recommendation: Informational Report Only

Brief Summary: The EPC staff provides a monthly summary of the funds allocated and available in the Pollution Recovery Fund.

Financial Impact: No Financial Impact

List of Attachments: PRF Budget Spreadsheet

Background: The EPC staff provides a monthly summary of the funds allocated and available in the Pollution Recovery Fund (PRF). The PRF funds are generated by monetary judgments and civil settlements collected by the EPC staff. The funds are then allocated by the Commission for restoration, education, monitoring, the Artificial Reef Program, and other approved uses.

**ENVIRONMENTAL PROTECTION COMMISSION
OF HILLSBOROUGH COUNTY
FY 23 POLLUTION RECOVERY FUND
10/1/2022 through 1/31/2023**

REVENUE		EXPENDITURES		RESERVES		NET PRF
Beginning Balance	\$ 1,136,503	Artificial Reef	\$ 33,852	Minimum Balance	\$ 120,000	
Interest	\$ 2,131	Open Projects	\$ 345,259	Est. FY 24 Budget	\$ 33,852	
Deposits	\$ 132,732			Asbestos Removal	\$ 5,000	
Total	\$ 1,271,365	Total	\$ 379,111	Total	\$ 158,852	\$ 733,402



PROJECT		Project Amount	Project Balance
FY21 Projects			
TBW 2D Island Living Shoreline	10131.102063.582990.5370.1350	\$ 49,560	\$ 30,541
Eckerd College Microplastic Pollution	10131.102063.582990.5370.1351	\$ 49,450	\$ 49,450
USF Multidrug Resistant Bacteria	10131.102063.581990.5370.1353	\$ 50,000	\$ 33,830
Tampa P&R Ignacio Haya Park	10131.102063.581001.5370.1354	\$ 50,000	\$ -
USF Fecal Source Detection	10131.102063.581990.5370.1355	\$ 50,000	\$ 13,322
ERI MacDill AFB Saltern Restoration	10131.102063.582990.5370.1356	\$ 37,000	\$ 27,350
ERI FWC Living Shoreline Demo Site	10131.102063.582990.5370.1357	\$ 42,000	\$ 200
UF/IFAS Florida Friendly Landscaping	10131.102063.581990.5370.1358	\$ 8,600	\$ 8,600
		\$ 336,610	\$ 163,293
FY22 Projects			
DOH/EPC Radon Study	10131.102063.534990.5370.1359	\$ 20,860	\$ 10,630
DOH/EPC Radon Study	10131.102063.552001.5370.1359	\$ 14,000	\$ 8,165
Heckman Petro. Assess.	10131.102063.534990.5370.1297	\$ 15,000	\$ 15,000
		\$ 49,860	\$ 33,795



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item #7.d.

Date of EPC Meeting: February 16, 2023

Subject: Select Performance Measure Goals 2022 Summary

Agenda Section: Consent Agenda

Division: Executive Director Report

Recommendation: Informational Report

Brief Summary: As part of the EPC staff's strategic planning, the Agency measured key activities and set goals for 2022. These have been tabulated and periodically presented to the Commission in the consent agenda. The final results for 2022 are included in the attached table.

Financial Impact: No Financial Impact

List of Attachments: Table Titled 2022 Goals

Background: The Agency measures performance for all five of its core functions. These core functions include permitting, compliance assurance, citizen support & outreach, enforcement, and ambient air & water quality monitoring. As part of the Agency's annual evaluation, staff sets goals for select activities and reports them periodically to the Commission. This is an integral part of the continuous improvement required by the Agency's strategic planning.

2022 Goals

Core Function	Measure	Pre-Sterling Year (2009)	2019	2020	2021	2022	2022 Goal
Permitting	Average Time to Issue an Intent for State Construction Permits	57 days	19 days	28 days	23 days	27 days	Less Than or Equal to 30 days
	Average Time to Issue an Intent for Tampa Port Authority Permits	56 days	51 days	56 days	58 days	47 days	Less Than or Equal to 60 days
	Average Time EPC Permits were In-house	21 days	34 days	36 days	34 days	31 days	Less Than or Equal to 30 days
Compliance	Timely Resolution of Lower Level Non-Compliance Cases	92%	92%	97%	93%	97%	Greater Than or Equal to 95%
Environmental Complaints	Timely Initiation of Investigation	99% in 5 Days	96% in 3 Days	96% in 3 Days	97% in 3 Days	99% in 3 Days	Greater Than or Equal to 90% in 3 Days
Enforcement	Timely Initiation of Enforcement	73%	92%	98%	98%	98%	Greater Than or Equal to 90%



ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item #9.a.

Date of EPC Meeting: February 16, 2023

Subject: EPC's Brownfields Program

Agenda Section: Regular Agenda

Division: Waste Division

Recommendation: Informational Report

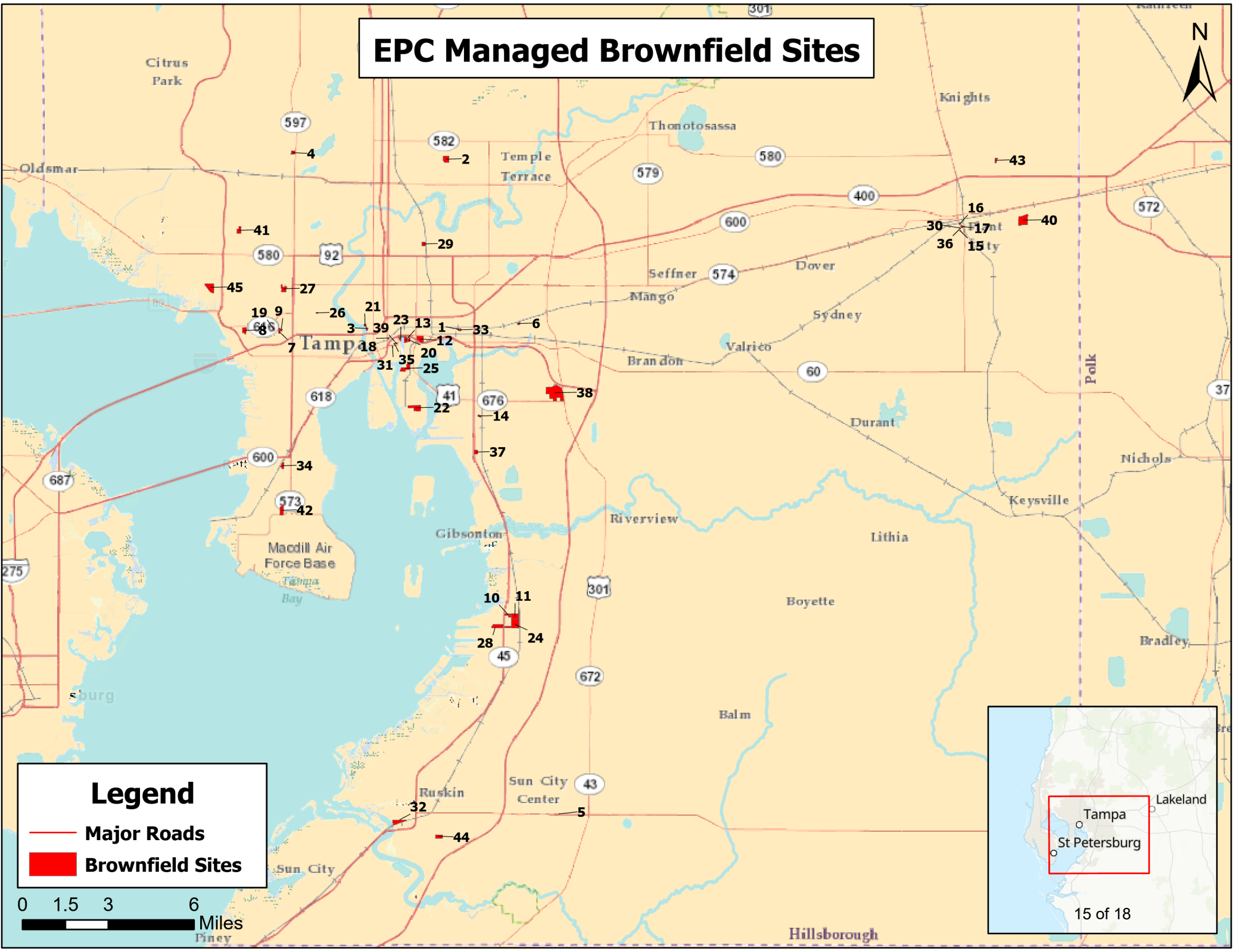
Brief Summary: EPC manages two redevelopment programs that improve environmental conditions at impacted properties. Our Old Landfill Redevelopment Program was presented last month and today staff will provide an informational update on the EPC's Brownfields Program. This is a program delegated to the EPC by the Florida Department of Environmental Protection and provides incentives for the voluntary cleanup and redevelopment of impacted properties.

Financial Impact: No Financial Impact.

List of Attachments: List of EPC managed Brownfield sites; Map of EPC managed Brownfield sites.

Background: The EPC's Brownfields Program has been managed in Hillsborough County, by the EPC since 2004 pursuant to a delegation agreement executed with the Florida Department of Environmental Protection. This redevelopment/revitalization program provides, with certain criteria having been met, both financial incentives and liability protections for property owners who did not cause or contribute to contamination present or perceived to be present at a redevelopment site. The EPC works with Hillsborough County Economic Development and provides assistance and regulatory oversight in order to bring new sites into voluntary cleanup agreements known as Brownfield Site Rehabilitation Agreements (BSRA), the goal of which is to conserve undeveloped lands through the cleanup and reuse of impacted properties and to enhance the surrounding communities.

EPC Managed Brownfield Sites



Legend

- Major Roads
- Brownfield Sites





ENVIRONMENTAL PROTECTION COMMISSION

AGENDA ITEM COVER SHEET

Agenda Item # 9.b.

Date of EPC Meeting: February 16, 2023

Subject: Yard Trash Processing Facility Permitting & Compliance

Agenda Section: Regular Agenda

Division: Waste Division

Recommendation: No Staff Recommendations. Informational Presentation Only

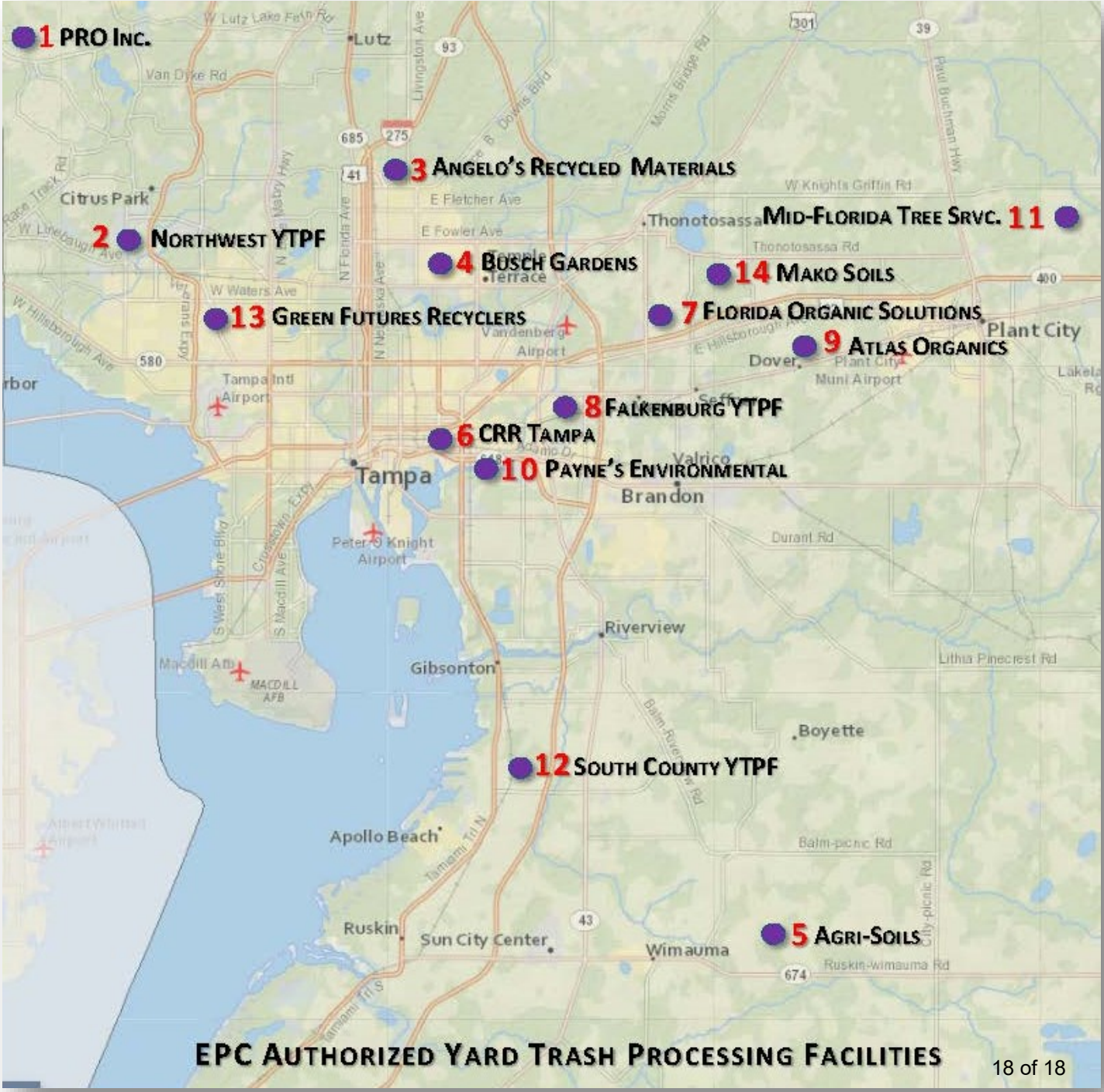
Brief Summary: Staff will provide a brief overview of the agency's permitting and compliance activities associated with those facilities that process yard trash, land clearing debris, vegetative waste and animal by-products.

Financial Impact: No Financial Impact

List of Attachments: List of authorized facilities in Hillsborough County; General facility location map

Background: As relates to the operation and maintenance of facilities that process yard trash, land clearing debris, other clean wood materials, manure and animal by-products, staff will provide the Commission with an overview, with some history, of the EPC's program associated with the permitting and compliance monitoring of those facilities. The information provided will generally outline the EPC's requirements for obtainment of an EPC Director's Authorization, will touch on the frequency of compliance inspections performed and will identify those facilities authorized to operate in Hillsborough County.

Facility Name		Materials Managed	Capacity	End Products	Site Acres
(1)	PRO Inc.	Yard trash; bedding waste	20,000 yds ³	Mulch; soil	4.5
(2)	Hills. Co. Northwest	Yard trash	30,000 tons	Mulch	10
(3)	Angelo’s Recycled Materials	Yard trash	12,000 yds ³	Mulch	1.5
(4)	Busch Gardens	Yard trash; manures	3,300 yds ³	Compost	2.7
(5)	Agri-Soils, Inc.	Yard trash	151,000 yds ³	Mulch; soil	40
(6)	CRR Tampa	Yard trash	4,000 tons	Mulch	5
(7)	Florida Organic Solutions	Yard trash; vegetative waste	290,000 yds ³	Mulch; soil	54
(8)	Hills. Co. Falkenburg Rd.	Yard trash	30,000 tons	Mulch	10
(9)	Atlas Environmental	Yard trash; vegetative waste	74,000 yds ³	Mulch; soil	12
(10)	Payne’s Environmental	Yard trash	40,000 yds ³	Mulch; soil	8.8
(11)	Mid-Florida Tree Service	Yard trash	3,500 yds ³	Mulch; soil	15.0
(12)	Hills. Co. South	Yard trash	30,000 tons	Mulch	17
(13)	Green Futures Recycling	Yard Trash	4,000 yds ³	Mulch	4.0
(14)	Mako Soils (pending)	Yard Trash	34,400 yds ³	Mulch	32.8



1 PRO Inc.

2 NORTHWEST YTPF

3 ANGELO'S RECYCLED MATERIALS

4 BOSCH GARDENS

13 GREEN FUTURES RECYCLERS

MID-FLORIDA TREE SRVC. 11

14 MAKO SOILS

7 FLORIDA ORGANIC SOLUTIONS

9 ATLAS ORGANICS

8 FALKENBURG YTPF

6 CRR TAMPA

10 PAYNE'S ENVIRONMENTAL

12 SOUTH COUNTY YTPF

5 AGRI-SOILS

EPC AUTHORIZED YARD TRASH PROCESSING FACILITIES