

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
NOVEMBER

A.	Compliance Assistance Activities	
1.	Outreach Correspondence	<u>0</u>
2.	Workshops	<u>0</u>
B.	Public Outreach/Education Assistance:	<u>932</u>
C.	Industrial Air Pollution Permitting	
1.	Permit Applications Received (Counted by Number of Fees Received):	
a.	Operating:	<u>1</u>
b.	Construction:	<u>5</u>
c.	Amendments:	<u>2</u>
d.	Transfers/Extensions:	<u>3</u>
2.	Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval (Counted by Number of Fees Collected):	
a.	Operating:	<u>6</u>
b.	Construction:	<u>7</u>
c.	Amendments:	<u>4</u>
d.	Transfers/Extensions:	<u>0</u>
3.	Intent to Deny Permit Issued	<u>0</u>
4.	General Permits	<u>0</u>
D.	Administrative Enforcement	
1.	Documents Issued:	
a.	Notice of Intent to Initiate Enforcement	<u>0</u>
b.	Citation	<u>0</u>
c.	Other_____	<u>0</u>
2.	Total Cases Initiated:	<u>1</u>
3.	Cases Resolved:	<u>0</u>
4.	Cases Referred to Legal Department:	<u>0</u>
5.	Consent Orders Signed:	<u>2</u>

6. Contributions to the Pollution Recovery Fund: \$ 3,708.00

<u>Organization Name</u>	<u>Violation</u>	<u>Amount</u>
a. Haliburton Motors	Mobile Source	\$108.00
b. Nitram Inc.	Permit Violation	\$3,600.00

E. Inspections:

1. Industrial Facilities:	<u>8</u>
2. Air Toxics Facilities:	
a. Asbestos Emitters	<u>0</u>
b. Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>11</u>
c. Major Sources	<u>0</u>
3. Asbestos Demolition/Renovation Projects:	<u>28</u>
4. Gasoline Retailers:	<u>8</u>
5. Auto Repair Facilities:	<u>17</u>
6. Retail Auto Dealers:	<u>10</u>
7. Automotive Parts Stores:	<u>0</u>
8. Fleet Operators:	<u>0</u>
9. CFC Facilities:	<u>39</u>
F. Open Burning Permits Issued:	<u>7</u>
G. Number of DOF Permits Monitored:	<u>60</u>
H. Total Citizen Complaints Received:	<u>33</u>
I. Total Citizen Complaints Investigated:	<u>36</u>
J. Noise Sources Monitored:	<u>8</u>
K. Air Program's Input to DRI's:	<u>0</u>
L. Test Reports Reviewed:	<u>56</u>
M. Compliance:	
1. Warning Notices Issued:	<u>11</u>
2. Warning Notices Resolved:	<u>6</u>
3. Advisory Letters Issued:	<u>3</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION
NOVEMBER

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	<u>\$ -0-</u>
(b) all others	<u>\$1,645.00</u>
2. Non-delegated operation permit for an air pollution source	
(a) class B or smaller facility - 5 year permit	<u>\$ -0-</u>
(b) class A2 facility - 5 year permit	<u>\$ -0-</u>
(c) class A1 facility - 5 year permit	<u>\$ -0-</u>
3. (a) Delegated Construction Permit for air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$5,100.00</u>
(b) Delegated operation permit for an air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$1,250.00</u>
4. Non-delegated permit revision for an air pollution source	<u>\$ -0-</u>
5. Non-delegated permit transfer of ownership, name change or extension	<u>\$ -0-</u>
6. Notification for commercial demolition	
(a) for structure less than 50,000 sq ft	<u>\$ 285.00</u>
(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>\$ 240.00</u>
(b) renovation greater than 1000 linear feet or 1000 sq ft	<u>\$ 330.00</u>
8. Open burning authorization	<u>\$2,485.00</u>
9. Enforcement Costs	<u>\$ -0-</u>

LEGAL DEPARTMENT MONTHLY REPORT
November 7, 1996

A. ADMINISTRATIVE APPEALS

NEW CASES [0]

EXISTING CASES [7]

Marks: Appealed EPC Citation for wetland destruction; settlement negotiations reached impasse. Authority to take appropriate legal action granted in 1995 (See Marks - litigation cases).

Truck Parts of Tampa: EPC cited the owner, California Property, Inc., and lessee Truck Parts, Inc., for violations including the discharge of acid and hydraulic fluid, and the accumulation of solid waste. The owner of the property appealed the Citation and asserted that he is unable to gain access to the property. The lessee did not appeal. Authority to take appropriate legal action granted in 1995 (See Truck Parts - litigation cases).

EPC v. DEP: (Florida Power & Light, Orimulsion conversion project.) EPC requested an administrative hearing, objecting to DEP's proposed permit upon Florida Power & Light's failure to provide the required assurances that environmental regulations would be met. EPC's Executive Director entered a stipulation with FP&L by which EPC objections to the permitting be withdrawn if certain conditions were added to the permit. The Hearing Officer recommended that the conversion project be permitted subject to conditions, including those agreed to in our stipulation. The Governor and Cabinet, sitting as the Power Plant Siting Board entered an order denying the power plant certification. FP&L appealed and DEP Secretary Wetherall is withholding her decision as to the separate PSD (air) permit pending the outcome of FP&L's appeal of the certification denial.

FIBA/Bridge Realty: EPC issued a Citation to the owner, Bridge Realty, and former tenant, FIBA Corp., for various unlawful waste management practices, and ordered that a contamination assessment be conducted, that a report be submitted and contaminated material appropriately handled. Bridge Realty and FIBA appealed. Bridge Realty initiated a limited assessment, and provided staff with a copy of the report which is currently being reviewed.

Tampa Scrap Processors, Inc.: Appealed EPC Citation for violations relating to the management of solid waste, used oil and hazardous waste. Respondent agreed to proceed with development of an Preliminary Contamination Assessment Plan (PCAP) and implement that plan after EPC staff review and approval. Respondent is reviewing a draft Consent Order.

Metro Recycling & Disposal, Inc. Et al.: Appeal of an EPC citation for operating a Materials Recovery Facility without the proper permits. We have received DEP's confirmation as to the proper application of their rules, and Respondent submitted additional information. DEP approval appears unlikely.

Martin Brothers: EPC is pursuing enforcement of the 1988 Memorandum of Agreement between Pinellas County, KBH, Hillsborough County, EPC and the Martins. EPC met with Hillsborough County, opened negotiations with Pinellas County and is trying to schedule a follow-up meeting between Pinellas and the Martins. A Citation is also being drafted in the meantime. In the related case in the Pinellas County Court, EPC provided information regarding necessary reclamation.

CASES RESOLVED [1]

Central Florida Pipeline Corp.: Appealed EPC Citation for excessive turbidity, inadequate erosion controls during the installation of a pipeline within wetlands near the Alafia River, and wetland impacts outside of the areas authorized. Violations ceased and a majority of the restoration activities have been completed. Respondent agreed to a settlement which includes reimbursement of investigative and enforcement costs and continued correction.

B. LITIGATION CASES

NEW CASES [0]

EXISTING CASES [16]

Hughes Hard Chrome, Inc.: Authority granted in 1993 regarding water violations. The company, which signed a Consent Order is out of business on the affected site, but does still exist in the county. Staff is pursuing use of Pollution Recovery Funds to conduct a Preliminary Contamination Assessment, which will cost about \$5,000.

Holley, Raymond, et al: Suit filed against owners for improperly abandoning Underground Storage Tank and to compel proper closure, assessment of contamination, remediation, civil penalties and costs. Default entered; Defendants filed bankruptcy. Property has been auctioned to a third party purchaser who has not yet followed through with the purchase, and is waiting on results of his investigation as to the condition of the site.

Marks: Authority granted to take appropriate legal action for restoration of wetlands disturbed by the Mark's activities, penalties and costs. The complaint has been drafted.

Balm Grocery: Received authority on 3/95 to proceed against owners/operators for improperly abandoning underground storage tanks, and for operational problems with 3 active tank systems. The abandoned tanks appear to be on County property. Inquiry has been made of County as to what interest they may claim. County has also been advised of existing cleanup programs for which the site may be eligible. There is a meeting scheduled for 11/7 with the County Real Estate department and the County Attorney's office.

Causeway Station: Authority granted 10/95, to compel upgrades or closure of underground storage tanks (UST), to enforce the applicable operating requirements, and to recover penalties and EPC's enforcement costs. Staff has been working with property owner to remedy violations. Removal of the five previously existing UST's and required closure assessment has been completed. A settlement agreement has been proposed by EPC which requires the removal of the stockpiled contaminated soils as well as the payment of penalty and costs.

Moore Properties of Tampa, Inc.: Filed suit to compel proper closure and removal of abandoned underground storage tanks, recover penalties and EPC's enforcement costs. Default was entered and Final Judgment is being prepared. In a separate action by a judgment creditor a receiver has been appointed and is authorized to investigate and bring site into compliance with environmental regulations.

Truck Parts of Tampa: Suit filed against multiple defendants to abate pollution and obtain soil and groundwater assessment, soil and waste tire cleanup, proper disposal, proper management of incoming waste products, costs, and applicable penalties. Proceeding with discovery.

Dibbs v. EPC: Dibbs filed a Declaratory Judgment action seeking a declaration that EPC's wetland rule is unconstitutional. EPC moved to dismiss the complaint. The case was consolidated with Dibbs' 1991 suit against Hillsborough County. The court ordered Mediation was fruitless. Dibbs has now submitted an application and staff is expediting the review process.

GATX Terminals Corp.: Authority granted 4/96 to compel compliance with standards of the EPC and DEP pertaining to construction and operation of two above ground storage tanks. Staff provided notice to the Port Authority, as requested. Settlement of other environmental issues relating to GATX is likely.

Billings Amoco: Authority granted 4/96 to compel compliance with underground storage tank rules. The facility does not appear to have the required release detection nor has the cathodic protection system been adequately tested. The UST system has now been taken out of service and a settlement agreement is being reviewed to resolve the remaining issues.

Optimum Petroleum v. Emad Qasem, EPC, et.al: In pursuing the foreclosure of a construction lien, Plaintiff named EPC as a Defendant because of our recorded judgment and injunction regarding an UST on the site. EPC has responded to the Complaint asserting the priority of the agency's judgment lien . No further action has occurred.

Slusmeyer: Slusmeyer has failed to comply with a prior judgment and injunction pertaining to proper closure of underground storage tanks. Discovery as to assets has been initiated so that injunctive relief might be pursued.

Nix v. EPC: An employee released because of budget cuts filed suit against the agency and individuals within the agency alleging, under the Whistle-blowers Act, that her discharge was retaliatory. EPC's Motion to Dismiss is pending.

Larrett Mobile Home Park: Proceeding against owner of Mobile Home Park Wastewater Treatment System for breach of Settlement Agreement, seeking payment of penalties. Complaint has been filed. Awaiting service of process.

Kings Food Mart: Authority granted 9/96 to compel an assessment of extent of reported contamination at a retail gasoline facility and compliance with regulations relating to leak detection of existing the Underground Storage Tank system. Complaint is being drafted.

Skrypek: Authority granted 9/96 to compel assessment for possible contamination and potential on-going pollution source from a illegal landfill operated during late 1970's and early 1980's.

RESOLVED CASES [1]

Eastwood Estates Mobile Home Park: Complaint and Motion for Temporary Injunction filed to compel proper wastewater permitting, operation and treatment, and effluent disposal, to recover penalties and enforcement costs. After hearing, Defendant's Motion to Dismiss was denied. Defendant has agreed to a settlement calling for specific actions bringing the facility into compliance with environmental regulations, obtaining the required permit as well as payment of penalties and reimbursement of EPC's investigative and enforcement costs.

(agenda\november 96 agenda)

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

NOVEMBER, 1996

A. ENFORCEMENT

1. New Enforcement Cases Received:	<u>1</u>
2. Enforcement Cases Closed:	<u>3</u>
3. Enforcement Cases Outstanding:	<u>32</u>
4. Enforcement Documents Issued:	<u>0</u>
5. Warning Notices:	<u>10</u>
a. Issued:	<u>5</u>
b. Resolved:	<u>5</u>
6. Recovered costs to the General Fund:	\$ <u>0</u>
7. Contributions to the Pollution Recovery Fund:	\$ <u>0</u>

B. PERMITTING - DOMESTIC

1. State Permit Applications Received:	<u>37</u>
a. Facility Permit:	<u>6</u>
(i) Types I and II	<u>1</u>
(ii) Type III	<u>5</u>
b. Collection Systems-General:	<u>19</u>
c. Collection Systems-Dry Line/Wet Line:	<u>12</u>
d. Residuals Disposal:	<u>0</u>
2. State Permit Applications Approved:	<u>34</u>
a. Facility Permit:	<u>7</u>
b. Collection Systems-General:	<u>16</u>
c. Collection Systems-Dry Line/Wet Line:	<u>11</u>
d. Residuals Disposal:	<u>1</u>
3. State Permit Applications Recommended for Disapproval:	<u>0</u>
a. Facility Permit:	<u>0</u>
b. Collection Systems-General:	<u>0</u>
c. Collection Systems-Dry Line/Wet Line:	<u>0</u>
d. Residuals Disposal:	<u>0</u>
4. State Permit Applications (Non-Delegated) Recommended for Approval:	<u>2</u>
5. State Permits Withdrawn:	<u>1</u>
6. State Permit Applications Outstanding:	<u>86</u>
a. Facility Permit:	<u>70</u>
b. Collection Systems-General:	<u>10</u>
c. Collection Systems-Dry Line/Wet Line:	<u>6</u>
d. Residuals Disposal:	<u>0</u>

C. INSPECTIONS - DOMESTIC	<u>82</u>
1. Compliance Evaluation:	<u>26</u>
a. Inspection (CEI):	<u>1</u>
b. Sampling inspection (CSI):	<u>12</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>13</u>
2. Reconnaissance:	<u>31</u>
a. Inspection (RI):	<u>18</u>
b. Sample Inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>13</u>
d. Enforcement Inspection (ERI):	<u>0</u>
3. Special:	<u>25</u>
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>1</u>
c. Preconstruction Inspection (PCI):	<u>0</u>
d. Post Construction Inspection (XCI):	<u>24</u>
D. PERMITTING - INDUSTRIAL	
1. State Permit Applications Received:	<u>1</u>
a. Facility Permit:	<u>0</u>
(i) Types I and II	<u>1</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>1</u>
(i) Types I and II	<u>1</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
2. Permits Recommended to DEP for Approval:	<u>0</u>
3. State Permit Applications Outstanding:	<u>29</u>
a. Facility Permits:	<u>28</u>
b. General Permits:	<u>1</u>
E. INSPECTIONS - INDUSTRIAL	<u>21</u>
1. Compliance Evaluation:	<u>10</u>
a. Inspection (CEI):	<u>8</u>
b. Sampling Inspection (CSI):	<u>2</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>0</u>
2. Reconnaissance:	<u>11</u>
a. Inspection (RI):	<u>8</u>
b. Sample inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>3</u>

F. CITIZEN COMPLAINTS

1. Domestic:	<u>10</u>
a. Received:	<u>5</u>
b. Closed:	<u>5</u>
2. Industrial:	<u>2</u>
a. Received:	<u>1</u>
b. Closed:	<u>1</u>
3. Water Pollution:	<u>2</u>
a. Received:	<u>1</u>
b. Closed:	<u>1</u>

G. RECORD REVIEWS

1. Permitting:	<u>7</u>
2. Enforcement:	<u>3</u>

H. ENVIRONMENTAL SAMPLES ANALYSED FOR:

1. Air Division:	<u>81</u>
2. Waste Division:	<u>2</u>
3. Water Division:	<u>116</u>
4. Wetlands Division:	<u>0</u>

I. SPECIAL PROJECT REVIEWS

1. DRI's:	<u>1</u>
2. Permitting:	<u>0</u>
3. Enforcement:	<u>0</u>
4. Other:	<u>0</u>

J. WATER QUALITY MONITORING SPECIAL PROJECTS

1. Data Review	<u>2</u>
2. Special Sampling	<u>0</u>
3. Biomonitoring/Toxicity Reviews (DW)	<u>2</u>
4. Biomonitoring/Toxicity Reviews (IW)	<u>2</u>
5. Other	<u>2</u>

K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL

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WETLANDS MANAGEMENT DIVISION
EPC BOARD AGENDA BACKUP
November, 1996

ASSESSMENT SECTION

A.	EPC Wetlands Reviews	<u>Initial</u>
1.	Wetland Delineations	
	a. Wetland Delineations (\$100)	<u>39</u>
	b. Wetland Delineation Dispute	<u>0</u>
	c. Wetland Line Survey Reviews	<u>20</u>
	d. Additional Footage Fees	<u>\$2,340.12</u>
2.	Misc. Activities in Wetlands (\$0, \$50 or \$80 as applicable)	
	a. Nuisance Vegetation	<u>11</u>
	b. Other	<u>19</u>
3.	Impact Justification & Mitigation Proposal (\$645)	<u>4</u>
4.	Mitigation Agreements Recorded	<u>2</u>
8.	FDOT Reviews	<u>0</u>
B.	EPC Delegation/Reviews from State, Regional, or Federal Authorities	
1.	Tampa Port Authority Permit Apps. (\$50 or \$150 as applicable)	<u>30</u>
2.	Wastewater Treatment Plants (DEP)	<u>26</u>
3.	FDEP/SWFWMD Wetland Resource Apps.	<u>2</u>
4.	FDEP Grandfathered Delineation	<u>0</u>
5.	Army Corps of Engineers	<u>2</u>
6.	Interagency Clearinghouse Reviews	<u>2</u>
7.	Development of Regional Impact	<u>1</u>

C. Hillsborough County Permit Application Reviews

1.	Land Alteration/Landscaping (\$80)	<u>1</u>
2.	Land Excavation (\$785 or \$650 as applicable)	<u>1</u>
3.	Phosphate Mining	
	a. Unit Review/Reclamation	<u>0</u>
	b. Annual Review/Inspection	<u>0</u>
4.	Rezoning	
	a. Reviews (\$70)	<u>10</u>
	b. Hearings	<u>0</u>
	c. Hearing Prep (hours)	<u>0</u>
5.	Site Development/Commercial (\$300)	
	a. Preliminary	<u>5</u>
	b. Construction	<u>9</u>
6.	Subdivision	
	a. Preliminary Plat (\$140)	<u>5</u>
	b. Master Plan (\$550)	<u>0</u>
	c. Construction Plans (\$250)	<u>3</u>
	d. Final Plat (\$90)	<u>5</u>
	e. Waiver of Regulations (\$100)	<u>0</u>
	f. Minor--Survey Subd. (\$100)	<u>11</u>
	g. Minor--Certified Parcel (\$100)	<u>2</u>
7.	As-Builts	<u>5</u>
8.	Miscellaneous Reviews (no fees)	
	a. LAL Variance/ Setback Encroachment	<u>2</u>
	b. Easement Vacating	<u>0</u>
	c. NRCS Review	<u>0</u>
9.	Preapplications (no fees)	
	a. Review preparation (hours)	<u>19</u>
	b. Meetings/Reports	<u>1</u>

10. Development Review Committee (no fees)	
a. Review preparation (hours)	<u>0</u>
b. Meetings	<u>0</u>

D. Other Activities

1. Unscheduled meetings with members of the public (walk-ins)	<u>64</u>
2. Other Meetings	<u>69</u>
3. Telephone conferences	<u>771</u>
4. Presentations	<u>8</u>
5. Correspondence	<u>224</u>
6. Correspondence Review (hours)	<u>22</u>
7. Special Projects (hrs.)	<u>61.5</u>
8. On-site visits	<u>61</u>
9. Appeals	<u>0</u>

INVESTIGATIONS/COMPLIANCE SECTION

A. Complaints

1. Received	<u>34</u>
2. Inspected	<u>58</u>
3. Closed	<u>54</u>

B. Warning Notices

1. Issued	<u>15</u>
2. Return Inspections	<u>44</u>
3. Closed	<u>10</u>

C. Mitigation

1. Compliance/Monitoring Reviews	<u>17</u>
2. Compliance Inspections	<u>19</u>

D. Other Activities

1. Case Meetings	<u>1</u>
2. Other Meetings	<u>45</u>
3. Telephone conferences	<u>330</u>
4. File Reviews	<u>37</u>
5. Cases Referred to Enforcement Coordinator	<u>3</u>
6. Letters	<u>49</u>

ADMINISTRATIVE ENFORCEMENT/ENFORCEMENT COORDINATOR

A. New Cases Received	<u>3</u>
B. Activities	
1. Ongoing Cases	
a. Active	<u>34</u>
b. Legal	<u>3</u>
c. Tracking	<u>26</u>
2. Number of "Notice of Intent to Initiate Enforcement" Issued	<u>0</u>
3. Number of Citations Issued	<u>0</u>
4. Number of "Emergency Order of the Director" Issued	<u>0</u>
5. Number of Consent Orders Signed	<u>1</u>
C. Cases Closed	
1. Administrative/Civil Cases Closed	<u>0</u>
2. Criminal Cases Closed	<u>0</u>
3. Cases Referred to Legal Dept.	<u>0</u>
D. Contributions to Pollution Recovery Fund	<u>\$775.00</u>
E. Enforcement Costs Collected	<u>\$300.00</u>

OTHER SECTIONS

A. Engineering Staff

1. Meetings	<u>21</u>
2. Reviews	<u>27</u>
3. Aerial Reviews	<u>22</u>
4. Telephone Inquiries	<u>57</u>

Special Projects

Great American Teach In

B. Soil Scientist

1. Case Reviews	<u>9</u>
2. Field Soil Investigation	<u>8</u>
3. Soil Investigation Notes/Reports	<u>8</u>

Special Projects

1. Supervision of Support Section
2. Division SOP Writing
3. Hydric Soil Study
4. Study of Wetland Classification

C. Administrative Support Staff

1. Public Record/File Reviews	<u>3</u>
2. Unscheduled Reviews	<u>1</u>
3. Telephone Assistance	<u>950</u>
4. Incoming Projects/Information	<u>193/56</u>
5. Additional Projects/Info logged	<u>123</u>