

**ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY  
COMMISSIONER'S BOARD ROOM  
APRIL 15, 1999  
10 AM - 12 NOON**

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

## **AGENDA ITEM COVER SHEET**

**Date:** 7 April 1999

**Agenda Item:** Status of seagrasses in Cockroach Bay for 1998

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### **Description/Summary:**

In 1997 the Environmental Protection Commission of Hillsborough County approved Pollution Recovery Funds to continue, for an additional three years, seagrass studies in the Cockroach Bay Aquatic Preserve. The studies being conducted are being performed by the Hillsborough Community College (HCC), under the direction of Dr. J. Nicholas Ehringer, and University of South Florida (USF), under the direction of Dr. Clinton J. Dawes. This agenda item presents the 1998, second of three years, study results.

A detailed description and analysis of the following ongoing studies is provided in the backup information.

#### Hillsborough Community College Studies

1. Aerial photographic monitoring of prop scarring damage and recovery in Cockroach Bay Little Cockroach Bay, and the surrounding waters of Tampa Bay.
2. Conduct research on seagrass recovery and re-growth techniques in an effort to reestablish seagrasses in damaged seagrass beds.

#### University of South Florida Study

1. A study of the re-growth and induction of apical meristems of turtle grass (*Thalassia testudinum*) in Cockroach Bay.

### **Commission Action Recommended:**

No action requested. For information only.

# Cockroach Bay Status of Seagrasses for 1998 HCC Results

By: J. Nicholas Ehringer  
Hillsborough Community College / Brandon

Assisted by: James Wysong  
Hillsborough Community College / Brandon

Students: Lyle Kelley  
Rob Helms



In 1997 the Environmental Protection Commission of Hillsborough County extended the contract for Hillsborough Community College (HCC) and the University of South Florida (USF) to continue studies of seagrasses in Cockroach Bay, Little Cockroach Bay, and the surrounding waters of Tampa Bay. The project was funded by pollution recovery funds and extends the coverage of research until 1999. This report summarizes the data collected from January 1998 through July 1998.

The work contracted to Hillsborough Community College for this project involves two distinct tasks:

1. Conduct aerial photographic monitoring of Cockroach Bay, Little Cockroach Bay, and the surrounding waters of Tampa Bay. The monitoring includes aerial photographs of the site, computer analysis of the images, measurements of seagrass prop-scarring, and ground truthing to establish and verify the accuracy of the images.
2. Conduct research on seagrass recovery and re-growth techniques in an effort to reestablish seagrasses in damaged seagrass beds.

## **Aerial photography:**

### **Procedure:**

In order to record images of seagrass beds for measurement and analysis, an improved imaging system has been employed by HCC investigators, beginning in 1997. This system utilizes a vertically mounted Sony digital video camcorder (mini D.V. format) to record a continuous record of the study area(s) from an altitude of 800 feet. A video monitor in the cockpit allows the pilot to align the flight

track for optimum coverage. An audio patch cable connects the pilot's intercom to the camcorder, allowing in-flight commentary to be recorded. All of Cockroach Bay, Little Cockroach Bay, and the surrounding waters of Tampa Bay are filmed on digital video tape. Following the flight, the tape is reviewed and digital still frame images are produced using Computer Eyes hardware/software. These images are imported into a computer program (Sigma Scan) for detailed analysis. The images may also be printed out, or archived in a presentation program. Resolution and color fidelity offered by this system is very comparable to the 35 mm film-based system used previously. Advantages realized by using the digital video method rather than the film-based system includes lower cost per image, shorter post-flight turn-around time, greater flexibility in image processing/enhancement, and improved accuracy. An additional benefit obtained is the greater safety this system affords the flight crew, since it is "heads-up" and less difficult to manage in-flight.

### Results:

Three flights were flown over the site in May and June of 1998. The results of the aerial photography and computer analysis are listed below relative to each location.

1. Recovery Area #1: this site had very little seagrass in it five years ago. In 1996 we noted that new seagrasses had grown back into the area, completely covering the site. The site has remained the same during the period of record. No new prop scars were noted.
2. Recovery Area #2: no changes were noted in this area. There were no new scars.
3. Recovery Area #3: this site is unchanged except for the shifting of sand attributed to currents in "Hole-in-the-Wall" pass. The shifting sands have covered about 25 square feet of seagrasses. This was also noted in the report from 1997.
4. Recovery Area #4: No new scars in this area.
5. In the inner waters of Little Cockroach Bay and in Big Pass 11,575 linear feet of prop scars were noted. Most of the scars were very long, moving from Tampa Bay, through Big Pass and into Little Cockroach Bay. One concentric scar was noted in Little Cockroach Bay.
6. In Tampa Bay in front of Little Cockroach Bay, 6,257 linear feet of new prop scars have been measured.

### Seagrass growth research:

A number of experiments have been conducted by the HCC and USF teams over the past six years to determine preferred methodology for restoration of damaged seagrass beds. The primary impetus for the research has centered around nutrient enrichment and the use of plant growth regulators. Both treatments showed promising results in experiments conducted from 1995 to the present. Nutrients and plant growth regulators were used in 1997 to stimulate seagrass re-growth.

### Procedure:

A special boat and injection system, designed to inject a nutrient formula into the seagrass sediments, was built in the winter of 1997 by Mr. Jim Anderson of Ruskin, Florida. The system has a series of small injectors that push about 10 ml. of formula into the sediment. The injectors are set in a circular pattern around a wheel. As the wheel rolls along the bottom, the nutrients are injected into the sediment with a force of about 20 pounds per square inch. There are two wheels that roll along the sediment parallel to each other injecting at the same time. The boat contains a 100-gallon tank for mixing the formula, which is pumped from the tank through a series of tubes to the injectors.

A mixture of 100 pounds of prilled nitrogen 44% plus two ounces of synthetic cytokinin and two ounces of synthetic gibberellin dissolved in 100 gallons of seawater is used for injections. In 1998, poly-phosphate was added to the formula. The seawater was pulled from the bay at the site of the injections. Injections were made into the sediment about every 20 centimeters along designated prop scars. Injections were made in Little Cockroach Bay and in Big Pass beginning in May 1998 for three total injections.

A counting method was established in 1997 to determine the number of new shoots that grow into the prop scars after the injections. A one meter square PVC frame was made to place over PVC stakes placed in a square pattern over select prop scars. The center portion of the meter square frame had a one meter by 22 centimeter frame inside the larger frame that fit over the prop scar lengthwise. The entire frame structure was set over the stakes during each counting period so that the seagrass shoots could be counted each time in the same manner. Six sites were established for counting injected prop scars. Two sites were established as controls. All of the sites were located in Little Cockroach Bay. Counting was conducted approximately every 10 days, yielding five sampling periods. Two sites each were located in prop scars through *Thalassia testudinum* and in *Halodule wrightii*.

## Results:

The results of the injections are as follows:

1. All of the prop scars injected in 1997 have grown to complete recovery.
2. The prop scars injected in 1998 are at the beginning stages of recovery. Preliminary counts show that new shoots are growing into the prop scars. A complete accounting of the growth will be given in September 1998 and again in the spring 1999.

## Discussion:

In 1992 discussions were held concerning the health of the Cockroach Bay ecosystem, especially the status of prop scarring in the bay. In 1993 monitoring of the seagrasses was initiated and signs were placed in critical sites within the bay. Recovery areas 1, 2, 3, and 4 were marked as zones where motorized boats were not allowed. In the first three years of the restrictions, prop scarring continued to eliminate more seagrasses than were recovering. Complete closure of Cockroach Bay was considered.

Four events occurred that resulted in improvements in seagrass recovery in Cockroach Bay. The first event was the formation of CBUG (Cockroach Bay Users Group). This organization set out to educate boaters on the importance of seagrasses and on the means to avoid damaging them. The CBUG education program has made more boaters aware of their actions in shallow marine systems and their actions have resulted in a reduction in prop scarring.

The second event that has helped the recovery of seagrasses is the hiring of an ecosystem manager for the bay. Having a resource manager in the field is a continual reminder to the boaters of the need to remain cautious in the shallow water. The manager is an in-field educator reminding the boaters of their responsibilities in a protected ecosystem.

The third event that aided the seagrasses was the passage of the "net ban" rule for shallow waters in the state of Florida. Prior to the ban, concentric scarring of the seagrasses was a yearly event. Following the ban, only one such pattern has been seen in the bay.

The fourth event that has aided seagrasses in the bay has been our ability to recover prop scars. We now have an injection system and a seagrass formula that completely recovers damaged seagrasses in 12 to 15 months. Normal recovery of seagrasses could take from 3 to 7 years. This recovery technique grew out of research at Cockroach Bay. An injection boat was built by Jim Anderson that has the ability of injecting 17,000 linear feet of prop scars in one day. The result is we now have a system for recovery when boaters accidentally damage seagrasses. We no longer have to wait for the long natural recovery of seagrasses. We can now repair them.

In Cockroach Bay and the surrounding waters of Little Cockroach bay and Tampa Bay, seagrass damage has gradually declined. The only site where damage continues to occur is in Little Cockroach Bay and in some sites in Tampa Bay. A lack of signs alerting boaters of the shallow conditions could be the reason for this. In Cockroach Bay proper, especially the restricted areas, no new damage has occurred in over two years. The seagrasses have recovered as much as they can. They can only recover more as water quality in the bay improves. Boaters are now more educated on the importance of seagrasses and a recovery system for damaged seagrasses is now in place. Six years of education, monitoring and research have resulted in significant recovery of seagrasses in Cockroach Bay.

### Recommendations:

As a result of recovery of seagrasses in Cockroach Bay, the following recommendations are presented:

- In Area 2 of Cockroach Bay, remove the restrictions on motorized boats. Change the signs to read "Seagrass Caution."
- Areas 1, 3 and 4 are small sites that have recovered. However, they are in locations that could become severely damaged if restrictions are removed. Keep the restrictions in place for these locations.
- Place "Seagrass Caution" signs at the entrances to Little Cockroach Bay, especially along Big Pass.
- Continue the monitoring of seagrasses. Our present monitoring contract continues through 1999.
- Establish a long-term Cockroach Bay "Seagrass Recovery" program. This may be accomplished by contracting with a firm or individual capable of applying recovery techniques as demonstrated by Mr. Jim Anderson's specially designed water craft.
- Encourage CBUG to continue their boater education program. This has been very successful and should be a model for other damaged sites in the state of Florida.

## Cockroach Bay. Summary of Data for 1998

Results from the University of South Florida

By: Clinton J. Dawes  
Department of Biology  
University of South Florida  
Tampa, Florida.

Research Assistant: Mr. John Andorfer  
Department of Biology

### **INTRODUCTION**

A proposal to study *Thalassia testudinum* Banks ex Konig (turtle grass) regrowth in Cockroach Bay (CRB) was approved by the Environmental Protection Commission of Hillsborough County E.P.C. in October 1996. The study is for a three year period and began on 1 April 1997. This report summarizes activities on the induction of apical meristems of turtle grass carried out by the University of South Florida during the second year, from 1 August, 1997 through to 31 August 1998. The aerial photographic monitoring and some restoration experiments on turtle grass has been covered by Dr. J. Nicholas Ehringer, Hillsborough Community College.

### **FIELD STUDIES**

The field studies now include analysis of the three nurseries begun in June 1997 as well as the establishment of three new nurseries for turtle grass initiated in the summer of 1998. In 1997 and 1998, two experimental nurseries were established in Cockroach Bay (CRB) and one in Tampa Bay.

**1997 Nurseries.** Recovery Area 4 (RA-4; Hole-in-the Wall) and RA-2 (near channel C in RA 2 on the edge of Tampa Bay) were selected for the two nursery areas within CRB. The Tampa Bay site was located about 200 m west of channel C of RA-2. Each nursery was surrounded by turtle

grass and located in sandy areas with propeller cuts traversing them. Details of site selection, dates, and planting techniques are given in the August 1997 report. All sites contained 40 transplants of turtle grass consisting of two short shoots per rhizome and eight transplants with a single short shoot per rhizome (total of 48 plantings per nursery). Treatments of transplanted turtle grass for induction of rhizome apical meristems included: (1) a control group with no plant growth regulator application, (2) 0.2% auxin (naphthalene acetic acid, NAA), (3) 0.1% cytokinin, (4) 0.2% NAA + 0.02% cytokinin, (5) 0.1% NAA + 0.01% cytokinin, and (6) commercial rooting hormone (Green Light Rootone: 0.2% 1-naphthaleneacetamide) containing a fungicide (4.04% Thiram).

The nurseries were monitored on 4 September and 17 December 1997; all survivors were collected on 3 August 1998. Survivorship was low. There was 29% survival at the Tampa Bay nursery by 17 December and no survivors in August. It appeared a boat had anchored or moved around in the nursery. There were 81% and 67% survival rates in RA 4 and 2C sites respectively by 17 December 1997 and 15% and 19% survivorship in August 1998 respectively. The primary survivors (6 of 8 in RA 4, 3 of 8 in RA 2C) were plants treated with auxin only (Treatment 2). All 18 produced one (4 individuals) or two (14 individuals) new rhizomes with apical meristems and new short shoots. In all cases, the new rhizome was produced from the short shoot and not from the old rhizome. The average new rhizome length of the 18 survivors was 9.0 cm ( $\pm$  0.6 S.E.).

**1998 Nurseries.** Based on laboratory culture experiments (see below) the nurseries established in 1998 included the use of pots and sterile sand to support early production of roots and new apical meristems. The goal is to compare the success of turtle grass with or without pots with transplants that are directly planted in the field nurseries along with the effect of fertilizer and presence of an apical meristem. Our aquaria experiments carried over the winter of 1997-98 (see below) demonstrated that the roots of turtle grass do not survive transplantation and that new root production requires a period of at least 1 month. Thus, this experiment compares fertilization immediately after transplantation versus a delay of 1 month to determine level of root production. In addition, the importance of the apical meristem in growth is examined as well as the effect of using planting pots.

Experimental nurseries were initiated at 3 sites described in Field Experiment 1. Sites were selected on 13 May, planted on 25 June, and fertilized on 3 August 1998 using plants collected in

Greater Cockroach Bay. The site in RA 4 was moved across the channel to RA 3 due to extensive erosion, while the sites at RA 2C and Tampa Bay were located on the north side of the channel. The experiment was expanded to 7 treatments ( $n = 8$ ) for a total of 56 plants per nursery. Six sets of 8 plants are double short shoot-containing rhizomes without an apical meristem, while two sets have apical meristems. Treatments at each of the three sites are: 1. Control with no pot, fertilizer, or apical meristem; 2. No pot, fertilizer initiated after 1 month, no apical meristem; 3. No pot, fertilization at time of planting, no apical meristem; 4. In a pot, fertilization at time of planting, no apical meristem; 5. In a pot, no fertilization, no apical meristem; 6. No pot, fertilization at time of planting, with an apical meristem; 7. No pot, no fertilization, with an apical meristem. Fertilization consisted of the addition of two Forest Tablets (NPK: 20-8-2) added every 8 weeks to the designated treatments throughout the growing period (June through October). Pot treatments consisted of plastic trays. Each pot holds the 8 replicate double short shoot rhizomes of a single treatment. Silica sand was used as the substrate for all plantings. This was done by excavating a hole with a bottomless pot, inserting the plants, adding silica sand, and removing the pot. Each treatment of 8 plantings was marked with a stake with a metal tag. Fertilization was applied to the potted plants on 13 May and all treatments to be fertilized (2,3,4,6) after establishment were done on 3 August 1998. The sites will be monitored during the fall and winter and survivors will be collected in the summer of 1999.

#### **LABORATORY STUDIES.**

In addition to the proposed field studies, we carried out two 2 month+ culture experiments during academic year 1997-98 in order to better understand regrowth of transplanted *Thalassia testudinum*. The use of tank experiments was attempted because our field studies are necessarily limited to spring through early fall (April through October) because of the slowdown of growth by turtle grass in the winter. Aquaria studies, if successful, would allow shorter term experiments (e.g. 2 months) to select for optimal transplanting conditions in the field.

**Aquaria Experiment 1.** The goal was to examine the effects of fertilizer and plant growth regulators on rhizome meristem induction of *Thalassia testudinum*. The study was initiated on 7 November 1997 and terminated 13 January 1998. Rhizomes with double short shoots and no apical

meristems were taken from inner CRB when the field salinity was 12 ppt and water temperature 18 °C. When collected in CRB, the plants appeared stressed with almost no blade tissue showing.

The experiment used three 20 gallon aquaria and three levels of fertilizer (8 g Forestry Tree Tablets: 22N-8P-2K); were possible (1, 2, or 3 tablets per tank = L, M, H in Figures 1-3). Hormone concentrations were  $10^{-7}$ ,  $10^{-5}$ ,  $10^{-3}$  M NAA, and control ( $n = 6$  double short shoot units treatment<sup>-1</sup>; 2 tank<sup>-1</sup>). Lanolin paste, used to carry hormones, was applied to the scraped side of each short shoot and cut ends of rhizomes of all 72 plants. Plants were grown in the three aquaria (20 gallon, 20 cm silica sand, 8 plants per row, randomly mixed). Salinity was maintained at 26-28 ppt, temperature at 26 to 28 °C, and irradiance with a 16 hour photoperiod under  $200 \mu\text{mol photons m}^{-2} \text{ s}^{-1}$  (measured daily). Because only three tanks were used, the number of replicates was low ( $n = 3$ ) for each treatment.

The two month experiment was successful in that there was 98% survival with all plants appearing healthy and producing new blades. However there were no outstanding significant differences between treatments with regard to new blades (Fig. 1) or root biomass (Fig. 2). Further, the three levels of fertilizer did not result in different responses as shown in Figures 1, 2, and 3. However the number of replicates (3) was low in this study and thus, statistical analysis was limited. By contrast, the apical meristem biomass (Fig. 3) indicated a significant new rhizome growth in a short time.

**Aquaria Experiment 2.** The goal of this study was to continue testing the effects of hormones on induction of roots and rhizome meristems in *Thalassia testudinum*. Again, the tank studies were intended to guide the single, yearly field nursery study. The number of replicates was increased when compared with Experiment 1 to strengthen the statistical analysis for determination of possible significant differences.

The experiment was initiated on 26 February 1998 and terminated on 22 April. Rhizomes having two short shoots and no apical meristem were taken from Cockroach Bay where the salinity was 15 ppt and temperature was 19 °C. Each tank had 24 double short shoots so that all three 20 gallon tanks held a total of 72 plants. Each tank was designed as a replicate with 3 rows of 8 plants each. The four treatments were randomized in each row so that there were two replicates of each treatment per row increasing the number of replicates ( $n$ ) to 18 plants per treatment. Tanks contained

20 cm clean silica sand without fertilizer. Salinity was maintained at 26 ppt and temperature at 27 to 28 °C and irradiance with a 16 hour photoperiod at 200  $\mu\text{mol photons m}^{-2} \text{s}^{-1}$  (measured daily). The four treatments (8 replicates treatment<sup>-1</sup>) were: (1) Control (Lanolin paste applied to scraped short shoots), (2) With cytokinin ( $10^{-5}$  M Kinetin in lanolin paste), (3) With auxin and cytokinin (10:1 ratio of NAA: Kinetin in lanolin paste), and (4) with Rootone commercial rooting agent (0.2% NAA + 4.04% Thiram). In the Rootone treatment, the double short shoot rhizomes were placed in a plastic bag with the Rootone powder and shaken, then in the air for five minutes before planting to allow the powder to dry.

Even though the number of replicates was increased to 8, the results did not show any significant differences ( $P < 0.5$ ) between use of the plant growth regulators kinetin, auxin plus kinetin, or Rootone vs the control in terms of leaf mass (Fig. 4), root biomass (Fig. 7) or number of new roots (Fig. 6). Again, survival was high (95%) and this may reflect the limited length (2+ months) of the experiment. Plants were healthy and showed a high production of new leaves (Fig. 5). Although fertilizer levels did not appear to affect the outcome of the first Aquaria Experiment 1, perhaps the lack of any nutrient addition affected the overall response of the plants in the second experiment. In support of these findings, there was a much lower production of rhizome meristems when compared with Aquaria Experiment 1.

## SUMMARY

The two aquaria experiments, although not showing significant differences between treatments, did demonstrate three developmental aspects of turtle grass that must be considered in creating nurseries. First, the original roots are non functional and die after transplantation and new roots are produced within two months from the short shoots. Thus, transplantations must take the delay in root formation into account. Second, root and rhizome meristem production occurs on the short shoot, not the transplanted rhizome. In fact, the original rhizome appears to function only in terms of supplying nutrients to the growing short shoots. Third, the apical meristem can develop rapidly upon transplantation if conditions are correct. This last point gives support to the need to establish standard techniques for turtle grass transplantations.

Based on these results, and the low survivorship of the first field experiment, we are focusing

on methods to induce rapid production of roots to support induction of new apical meristems. Further we are concentrating the induction efforts on the short shoots of turtle grass.

## **ACKNOWLEDGMENTS**

Mr. John Andorfer is the Research Assistant on this project. Mr. Andorfer prepared the solutions, helped carry out the plantings and will aid in the aquaria studies during this winter. We also wish to thank undergraduates from the University of Tampa, Mr. Nol Rizzuto and Mr. Joe Severson who helped in the plantings this summer.

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The experiment used three 20 gallon aquaria and three levels of fertilizer (8 g Forestry Tree Tablets: 22N-8P-2K); were possible (1, 2, or 3 tablets per tank = L, M, H in Figures 1-3). Hormone concentrations were  $10^{-7}$ – $10^{-3}$  M NAA, and control ( $n = 6$  double short shoot units treatment<sup>-1</sup>; 2 tank<sup>-1</sup>). Lanolin paste, used to carry hormones, was applied to the scraped side of each short shoot and cut ends of rhizomes of all 72 plants. Plants were grown in the three aquaria (20 gallon, 20 cm silica sand, 8 plants per row, randomly mixed). Salinity was maintained at 26-28 ppt, temperature at 26 to 28 °C, and irradiance with a 16 hour photoperiod under 200  $\mu\text{mol photons m}^{-2} \text{ s}^{-1}$  (measured daily). Because only three tanks were used, the number of replicates was low ( $n = 3$ ) for each treatment.

The two month experiment was successful in that there was 98% survival with all plants appearing healthy and producing new blades. However there were no outstanding significant differences between treatments with regard to new blades (Fig. 1) or root biomass (Fig. 2). Further, the three levels of fertilizer did not result in different responses as shown in Figures 1, 2, and 3. However the number of replicates (3) was low in this study and thus, statistical analysis was limited. By contrast, the apical meristem biomass (Fig. 3) indicated a significant new rhizome growth in a short time.

**Aquaria Experiment 2.** The goal of this study was to continue testing the effects of hormones on induction of roots and rhizome meristems in *Thalassia testudinum*. Again, the tank studies were intended to guide the single, yearly field nursery study. The number of replicates was increased when compared with Experiment 1 to strengthen the statistical analysis for determination of possible significant differences.

The experiment was initiated on 26 February 1998 and terminated on 22 April. Rhizomes having two short shoots and no apical meristem were taken from Cockroach Bay where the salinity was 15 ppt and temperature was 19 °C. Each tank had 24 double short shoots so that all three 20 gallon tanks held a total of 72 plants. Each tank was designed as a replicate with 3 rows of 8 plants each. The four treatments were randomized in each row so that there were two replicates of each treatment per row increasing the number of replicates ( $n$ ) to 18 plants per treatment. Tanks contained

20 cm clean silica sand without fertilizer. Salinity was maintained at 26 ppt and temperature at 27 to 28 °C and irradiance with a 16 hour photoperiod at 200  $\mu\text{mol photons m}^{-2} \text{s}^{-1}$  (measured daily). The four treatments (8 replicates treatment<sup>-1</sup>) were: (1) Control (Lanolin paste applied to scraped short shoots), (2) With cytokinin ( $10^{-5}$  M Kinetin in lanolin paste), (3) With auxin and cytokinin (10:1 ratio of NAA: Kinetin in lanolin paste), and (4) with Rootone commercial rooting agent (0.2% NAA + 4.04% Thiram). In the Rootone treatment, the double short shoot rhizomes were placed in a plastic bag with the Rootone powder and shaken, then in the air for five minutes before planting to allow the powder to dry.

Even though the number of replicates was increased to 8, the results did not show any significant differences ( $P < 0.5$ ) between use of the plant growth regulators kinetin, auxin plus kinetin, or Rootone vs the control in terms of leaf mass (Fig. 4), root biomass (Fig. 7) or number of new roots (Fig. 6). Again, survival was high (95%) and this may reflect the limited length (2+ months) of the experiment. Plants were healthy and showed a high production of new leaves (Fig. 5). Although fertilizer levels did not appear to affect the outcome of the first Aquaria Experiment 1, perhaps the lack of any nutrient addition affected the overall response of the plants in the second experiment. In support of these findings, there was a much lower production of rhizome meristems when compared with Aquaria Experiment 1.

## SUMMARY

The two aquaria experiments, although not showing significant differences between treatments, did demonstrate three developmental aspects of turtle grass that must be considered in creating nurseries. First, the original roots are non functional and die after transplantation and new roots are produced within two months from the short shoots. Thus, transplantations must take the delay in root formation into account. Second, root and rhizome meristem production occurs on the short shoot, not the transplanted rhizome. In fact, the original rhizome appears to function only in terms of supplying nutrients to the growing short shoots. Third, the apical meristem can develop rapidly upon transplantation if conditions are correct. This last point gives support to the need to establish standard techniques for turtle grass transplantations.

Based on these results, and the low survivorship of the first field experiment, we are focusing

on methods to induce rapid production of roots to support induction of new apical meristems. Further we are concentrating the induction efforts on the short shoots of turtle grass.

#### **ACKNOWLEDGMENTS**

Mr. John Andorfer is the Research Assistant on this project. Mr. Andorfer prepared the solutions, helped carry out the plantings and will aid in the aquaria studies during this winter. We also wish to thank undergraduates from the University of Tampa, Mr. Nol Rizzuto and Mr. Joe Severson who helped in the plantings this summer.

## AGENDA ITEM COVER SHEET

**Date:** 7 April 1999

**Agenda Item:** Update on the assessment of delegation of the Hillsborough County Uplands Ordinance from PGMD to EPC

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### Description/Summary:

At the September 1998 EPC board meeting the Wetlands Management Division was directed by the board to pursue the possibilities of receiving delegation of the Hillsborough County Uplands Ordinance (Article IV, Part 4.01.00 [in part] of the Hillsborough County Land Development Code, 1997) from the Planning and Growth Management Department (PGMD).

Since September a number of meetings between the County Administrator and his staff, County Attorney staff, and staff from the EPC have been held to determine whether or not a delegation could occur and, if it could occur, how best to accomplish the activity. Developments surrounding the Ordinance itself have prolonged the assessment, however, recent findings have allowed the evaluation to continue and additional meetings with the County Administrator and Attorney are being scheduled.

### Commission Action Recommended:

No action requested. For information only.

MONTHLY ACTIVITIES REPORT  
AIR MANAGEMENT DIVISION  
March 1999

A.	Public Outreach/Education Assistance:	<u>12</u>												
B.	Industrial Air Pollution Permitting													
	1. Permit Applications Received (Counted by Number of Fees Received):													
	a. Operating:	<u>0</u>												
	b. Construction:	<u>8</u>												
	c. Amendments:	<u>0</u>												
	d. Transfers/Extensions:	<u>2</u>												
	2. Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval ( <sup>1</sup> Counted by Number of Fees Collected - <sup>2</sup> Except for Title V Facilities where it is Counted by Number of Emission Units affected by the Applicant's Request):													
	a. Operating <sup>1</sup> :	<u>6</u>												
	b. Construction <sup>1</sup> :	<u>6</u>												
	c. Amendments <sup>1</sup> :	<u>2</u>												
	d. Transfers/Extensions <sup>1</sup> :	<u>0</u>												
	e. Title V Operating <sup>2</sup> :	<u>0</u>												
	f. Permit Determinations <sup>2</sup> :	<u>5</u>												
	3. Intent to Deny Permit Issued	<u>0</u>												
	4. General Permits	<u>0</u>												
C.	Administrative Enforcement													
	1. Documents Issued:													
	a. Notice of Intent to Initiate Enforcement	<u>2</u>												
	b. Citation	<u>1</u>												
	c. Other _____	<u>0</u>												
	2. Total Cases Initiated:	<u>3</u>												
	3. Cases Resolved:	<u>3</u>												
	4. Cases Referred to Legal Department:	<u>1</u>												
	5. Consent Orders Signed:	<u>2</u>												
	6. Contributions to the Pollution Recovery Fund: <u>\$18,400.00</u>													
	<table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;"><u>Organization Name</u></th> <th style="text-align: left;"><u>Violation</u></th> <th style="text-align: right;"><u>Amount</u></th> </tr> </thead> <tbody> <tr> <td>a. Ron Hagan Corp/Superior Auto Sales</td> <td>Mobile Source</td> <td style="text-align: right;">\$ <u>500.00</u></td> </tr> <tr> <td>b. Marathon Ashland Petroleum</td> <td>Permit Violation</td> <td style="text-align: right;">\$ <u>3,600.00</u></td> </tr> <tr> <td>c. International Ship Repair &amp; Marine Services</td> <td>Paint &amp; Grit Overspray</td> <td style="text-align: right;">\$ <u>14,300.00</u></td> </tr> </tbody> </table>	<u>Organization Name</u>	<u>Violation</u>	<u>Amount</u>	a. Ron Hagan Corp/Superior Auto Sales	Mobile Source	\$ <u>500.00</u>	b. Marathon Ashland Petroleum	Permit Violation	\$ <u>3,600.00</u>	c. International Ship Repair & Marine Services	Paint & Grit Overspray	\$ <u>14,300.00</u>	
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c. International Ship Repair & Marine Services	Paint & Grit Overspray	\$ <u>14,300.00</u>												

D.	Inspections:	
1.	Industrial Facilities:	<u>13</u>
2.	Air Toxics Facilities:	
	a. Asbestos Emitters	<u>0</u>
	b. Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>16</u>
	c. Major Sources	<u>0</u>
3.	Asbestos Demolition/Renovation Projects:	<u>25</u>
4.	Gasoline Retailers:	
	a. On-Site Inspections	<u>0</u>
	b. Self Inspections	<u>0</u>
5.	Auto Repair Facilities:	
	a. On-Site Inspections	<u>0</u>
	b. Self Inspections	<u>0</u>
6.	Retail Auto Dealers:	
	a. On-Site Inspections	<u>0</u>
	b. Self Inspections	<u>0</u>
7.	Automotive Parts Stores:	
	a. On-Site Inspections	<u>0</u>
	b. Self Inspections	<u>0</u>
8.	Fleet Operators:	
	a. On-Site Inspections	<u>0</u>
	b. Self Inspections	<u>0</u>
9.	CFC Facilities:	
	a. On-Site Inspections	<u>0</u>
	b. Self Inspections	<u>0</u>
E.	Open Burning Permits Issued:	<u>7</u>
F.	Number of DOF Permits Monitored:	<u>190</u>
G.	Total Citizen Complaints Received:	<u>59</u>
H.	Total Citizen Complaints Investigated:	<u>65</u>
I.	Noise Sources Monitored:	<u>3</u>
J.	Air Program's Input to DRI's:	<u>0</u>
K.	Test Reports Reviewed:	<u>20</u>
L.	Compliance:	
	1. Warning Notices Issued:	<u>17</u>
	2. Warning Notices Resolved:	<u>19</u>
	3. Advisory Letters Issued:	<u>11</u>
M.	AOR's Reviewed	<u>0</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION  
March 1999

	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>\$960.00</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>\$14,440.00</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>\$ 40.00</u>
(c) Delegated General Permit	<u>\$100.00</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	\$1,495.00
(b) for structure greater than 50,000 sq ft	<u>\$215.00</u>
7. Notification for asbestos abatement	
(a) renovation 160 to 1000 sq ft or 260 to 1000 linear feet of asbestos	<u>\$290.00</u>
(b) renovation greater than 1000 linear feet or 1000 sq ft	<u>\$600.00</u>
8. Open burning authorization	<u>\$2,975.00</u>
9. Enforcement Costs	<u>\$ -0-</u>

**ACTIVITIES REPORT  
WATER MANAGEMENT DIVISION**

March, 1999

**A. ENFORCEMENT**

1. New Enforcement Cases Received:	4
2. Enforcement Cases Closed:	1
3. Enforcement Cases Outstanding:	33
4. Enforcement Documents Issued:	3
5. Warning Notices:	24
a. Issued:	9
b. Resolved:	15
6. Recovered costs to the General Fund:	\$ 565.50
7. Contributions to the Pollution Recovery Fund:	\$1691.66

<u>Case Name</u>	<u>Violation</u>	<u>Amount</u>
a. Eastwood Estates MHP	Improper O & M	\$475.00
b. Grandview MHP	Operating above permitted capacity & failure to clean pond by deadline	\$766.66
c. Midas Muffler	Constructing & placing collection system into service	\$450.00

**B. PERMITTING - DOMESTIC**

1. Permit Applications Received:	38
a. Facility Permit:	9
(i) Types I and II	2
(ii) Type III	7
b. Collection Systems-General:	19
c. Collection Systems-Dry Line/Wet Line:	10
d. Residuals Disposal:	0
2. Permit Applications Approved:	30
a. Facility Permit:	4
b. Collection Systems-General:	17
c. Collection Systems-Dry Line/Wet Line:	9
d. Residuals Disposal:	0
3. Permit Applications Recommended for Disapproval:	0
a. Facility Permit:	0
b. Collection Systems-General:	0
c. Collection Systems-Dry Line/Wet Line:	0
d. Residuals Disposal:	0
4. Permit Applications (Non-Delegated) Recommended for Approval:	0
5. Permits Withdrawn:	0

6. Permit Applications Outstanding:	52
a. Facility Permit:	<u>28</u>
b. Collection Systems-General:	<u>25</u>
c. Collection Systems-Dry Line/Wet Line:	<u>12</u>
d. Residuals Disposal:	<u>0</u>
<b>C. INSPECTIONS - DOMESTIC</b>	<b>113</b>
1. Compliance Evaluation:	<u>17</u>
a. Inspection (CEI):	<u>10</u>
b. Sampling inspection (CSI):	<u>6</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>1</u>
2. Reconnaissance:	<u>67</u>
a. Inspection (RI):	<u>42</u>
b. Sample Inspection (SRI):	<u>2</u>
c. Complaint Inspection (CRI):	<u>20</u>
d. Enforcement Inspection (ERI):	<u>3</u>
3. Special:	<u>29</u>
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>0</u>
c. Preconstruction Inspection (PCI):	<u>4</u>
d. Post Construction Inspection (XCI):	<u>25</u>
<b>D. PERMITTING - INDUSTRIAL</b>	
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. Permit Applications Outstanding:	<u>29</u>
a. Facility Permits:	<u>29</u>
b. General Permits:	<u>0</u>
<b>E. INSPECTIONS - INDUSTRIAL</b>	<b>36</b>
1. Compliance Evaluation:	<u>6</u>
a. Inspection (CEI):	<u>6</u>
b. Sampling Inspection (CSI):	<u>0</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>0</u>

2. Reconnaissance:	<u>30</u>
a. Inspection (RI):	<u>8</u>
b. Sample inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>15</u>
d. Enforcement (ERI):	<u>7</u>
<b>F. CITIZEN COMPLAINTS</b>	
1. Domestic:	<u>35</u>
a. Received:	<u>14</u>
b. Closed:	<u>21</u>
2. Industrial:	<u>18</u>
a. Received:	<u>9</u>
b. Closed:	<u>9</u>
3. Water Pollution:	<u>5</u>
a. Received:	<u>1</u>
b. Closed:	<u>4</u>
<b>G. RECORD REVIEWS</b>	
1. Permitting:	<u>12</u>
2. Enforcement:	<u>1</u>
<b>H. ENVIRONMENTAL SAMPLES ANALYSED FOR:</b>	
1. Air Division:	<u>93</u>
2. Waste Division:	<u>3</u>
3. Water Division:	<u>128</u>
4. Wetlands Division:	<u>0</u>
<b>I. SPECIAL PROJECT REVIEWS</b>	
1. DRI's:	<u>1</u>
2. Permitting:	<u>0</u>
3. Enforcement:	<u>1</u>
4. Other:	<u>0</u>
<b>J. WATER QUALITY MONITORING SPECIAL PROJECTS</b>	
1. Data Review	<u>3</u>
2. Special Sampling	<u>1</u>
3. Biomonitoring/Toxicity Reviews (DW)	<u>3</u>
4. Biomonitoring/Toxicity Reviews (IW)	<u>1</u>
5. Other	<u>0</u>
<b>K. TAMPA PORT AUTHORITY/DEP DREDGE &amp; FILL</b>	<u>19</u>

ASSESSMENT SECTION	TOTALS
A. EPC Wetlands Reviews	
1. Wetland Delineations	
a. Wetland Delineations (\$120)	41
b. Wetland Delineation Dispute	0
c. Wetland Line Survey Reviews	33
d. Additional Footage Fees	\$997.50
2. Misc. Activities in Wetlands (\$0 or \$100 as applicable)	
a. Nuisance Vegetation	1
b. Other	3
3. Impact/Mitigation Proposal (\$775)	7
4. Mitigation Agreements Recorded	5
5. FDOT Reviews	0
B. EPC Delegation/Reviews from State/ Regional/ Federal Authorities	
1. Tampa Port Authority Permit Apps. (\$50 or \$150 as applicable)	0
2. Wastewater Treatment Plants (FDEP)	17
3. FDEP Wetland Resource Apps.	0
4. FDEP Grandfathered Delineation	0
5. SWFWMD Wetland Resource Apps.	0
6. Army Corps of Engineers	0

TOTALS

7.	Interagency Clearinghouse Reviews	0
8.	DRI Reviews	0
C. Hills. County/ Municipality Permit Application Reviews		
1.	Land Alteration/Landscaping (\$100)	5
2.	Land Excavation (\$785 or \$650 as applicable)	1
3.	Phosphate Mining	
a.	Unit Review/Reclamation (\$760)	0
b.	Annual Review/Inspection (\$375)	0
4.	Rezoning	
a.	Reviews (\$85)	13
b.	Hearings	0
c.	Hearing Prep (hours)	0
5.	Site Development/Commercial (\$360)	
a.	Preliminary	8
b.	Construction	27
6.	Subdivision	
a.	Preliminary Plat (\$140)	3
b.	Master Plan (\$550)	0
c.	Construction Plans (\$250)	19
d.	Final Plat (\$90)	17
e.	Waiver of Regulations (\$100)	0
f.	Platted, No-Improvements (\$100)	8
g.	Minor - Certified Parcel (\$100)	2
7.	As-Builts (\$255)	5

8.	Miscellaneous Reviews (no fees)	
a.	Wetland Setback Encroachment	0
b.	Easement /Vacating	0
c.	NRCS Review	0
9.	Preapplications (no fees)	
a.	Review preparation (hours)	34
b.	Meetings/Reports	11
10.	Development Review Committee (no fees)	
a.	Review preparation (hours)	0
b.	Meetings	0
D. Other Activities		
1.	Unscheduled meetings with members of the public (walk-ins)	56
2.	Other Meetings	99
3.	Telephone conferences	702
4.	Presentations	2
5.	Correspondence	186
6.	Correspondence Review (hours)	23.25
7.	Special Projects (hours)	122.5
8.	On-site visits	73
9.	Appeals	0

ADMINISTRATIVE ENFORCEMENT	TOTALS
A. NEW CASES RECEIVED	3
B. ACTIVITIES	
1. Ongoing Cases	
a. Active	60
b. Legal	3
c. Tracking	43
2. Number of "Notice of Intent to Initiate Enforcement"	2
3. Number of Citation Issued	0
4. Number of "Emergency Order of the Director"	0
5. Number of Consent Orders Signed	3
C. CASES CLOSED	
1. Administrative/Civil Cases Closed	0
2. Criminal Cases Closed	0
3. Cases Referred to Legal Dept.	0
D. CONTRIBUTIONS TO POLLUTION RECOVERY	\$7,975.00
E. ENFORCEMENT COSTS COLLECTED	\$820.00

## INVESTIGATIONS / COMPLIANCE SECTION

A. COMPLAINTS	TOTALS
1. Received	39
2. Return Inspections	57
3. Closed	42
B. WARNING NOTICES	
1. Issued	10
2. Return Inspections	68
3. Closed	13
C. MITIGATION	
1. Compliance/Monitoring Reviews	32
2. Compliance Inspections	30
D. OTHER ACTIVITIES	
1. Case Meetings	3
2. Other Meetings	51
3. Telephone Conferences	426
4. File Reviews	31
5. Cases Referred to Enforcement Coordinator	3
6. Letters	76

## ADMINISTRATIVE/TECHNICAL SECTIONS

A. SOIL SCIENTIST	TOTALS
1. Case Reviews	6
2. Field Soil Investigations	9
3. Reports or Notes of Soil Investigations	6
4. Special Projects	
- Peninsular Florida Riverine Hydrogeomorphic (HGM) Wetland Functional Assessment	
- Cone Ranch Well Field	
- Environmental Management Plan of Eleven Wellfields	
B. ADMINISTRATIVE SUPPORT STAFF	
1. File Reviews	8
2. Unscheduled Reviews	2
3. Telephone Assistance	2015
4. Incoming Projects	116
5. Additional Info/Resubmittals and/or Revisions	43/16
6. Data Entry / Letters	386/140
C. ENGINEERING STAFF	
1. Meetings	45
2. Reviews	35
3. Aerial Reviews	13
4. Telephone Inquiries	58
5. Field Investigations	5

**LEGAL DEPARTMENT MONTHLY REPORT**  
**March 10 through April 7, 1999**

**A. ADMINISTRATIVE CASES**

**NEW CASES** | 2 |

**City of Tampa:** Appeal of EPC Citation for the improper disposal of street sweeping debris. Parties have agreed to abate the proceeding for 90 days (June, 1999) during which time a plan for the proper disposal of the material will be formulated.

**Cone Constructors, Inc.:** Appeal of EPC Citation for nuisance and Noise Rule violations during the construction of the Sun Coast Parkway (*see, FDOT & Cone Constructors, Inc. - litigation cases*).

**EXISTING CASES** | 8 |

**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 Properties, 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 legal action granted (*see, Truck Parts - litigation cases*).

**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 must be conducted, a report 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. Staff has reviewed the report and requested additional information only a portion of which was delivered. Staff has, however, considered and approved an alternate plan for remedial work which was presented by Counsel for Respondent, Bridge during a June 1998 meeting. The plan and approval has been memorialized in a letter agreement and the case will be closed upon completion of the required actions. Initiation of the required corrective actions is imminent.

**672 Recovery, Inc.:** Under 84-446, Laws of Florida, respondent appealed EPC citation for unauthorized burning and waste disposal problems. The facility has implemented some corrections and has provided a plan for avoiding and handling similar situations in the future. Staff is continuing to monitor the facility. Regarding the underlying operation permit, respondent has requested a formal Chapter 120 Fla. Statutes administrative hearing on DEP's intent to deny. If requested, EPC staff will assist in supporting DEP's position.

**Woodcock:** Mediation, requested under EPC rule 1-2, of a dispute relating to installation of an unpermitted vertical seawall along a portion of the Alafia River. Mid-December 1998 mediation did not produce a settlement, however EPC has agreed to leave their final offer of settlement, tendered at the mediation, open for thirty days for evaluation by Woodcocks. Additional extension agreed to - negotiations continue.

**Kinman:** The Kinmans have requested a 84-446 administrative review of the EPC Director's Decision upholding the delineation of wetlands on their property. Amended appeal received in December 1998. The matter has been referred to Hearing Officer and at pre-hearing conference it was agreed that the administrative process be held in abeyance to provide the Kinmans with an opportunity to apply for impacts and for the agency to respond to the application.

**Tampa Bay Water - Brandon Urban Dispersed Wellfield, Water Use Permits (BUDW WUPs):** As part of the Hillsborough County and EPC "water team" and pursuant to the interlocal agreement, EPC is a party to binding arbitration on permits pertaining to the Brandon Urban Dispersed Wellfields. Arbitrators have been selected and the matter is proceeding through discovery with the commencement of arbitration scheduled for late April, 1999.

**SWFWMD Minimum Flows and Level Rule - Northern Tampa Bay (NTB):** During December 1998, EPC intervened in statutorily authorized independent scientific peer review process being conducted by the Water Management District regarding the District's proposed Minimum Flows and Levels Rules for certain waters in Hillsborough County, (Northern Tampa Bay). The parties have been working toward agreement as to cost sharing, general processes and panelists selection. The deadline for selecting panelists, extended by agreement of the parties. Thus far Panelists have been selected and contracts for their services entered into by District. The interlocal (cost sharing agreement) between the parties to the peer review has been executed by all but EPC. Pinellas County withdrew from process the last week of March. The panel will be required to produce a report prior to the first week of August.

#### **RESOLVED CASES [ 2 ]**

**Metro Recycling & Disposal, Inc. Et al.:** Appealed EPC citation for operating a Materials Recovery Facility without the proper permits. FDEP confirmed the permit requirement under their rules. Anticipating FDEP's denial of the permit, we obtained authority to take appropriate legal action (*see, Metro-litigation case*). Corrective actions taken and Agreement resolving the litigation case also addressed and resolved the issues remaining as part of this administrative proceeding.

**Horace Road Hotel:** Developer has filed an 84-446 appeal of a EPC Executive Director's denial of authorization to impact wetlands. Appeal was withdrawn prior to hearing.

### **B. CIVIL CASES**

#### **NEW CASES [ 2 ]**

**672 Recovery, Inc.:** Authority granted in March 1999, to take appropriate legal action to compel compliance with EPC rules which require the EPC Director's Authorization for the operation of a yard and wood waste processing facility. 672 Recovery, Inc. currently operates such a facility without the required authorization.

**FDOT & Cone Constructors, Inc.:** 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.

#### **EXISTING CASES [ 14 ]**

**Hughes Hard Chrome, Inc.:** Authority granted in 1993 regarding water violations. The company, which signed a consent order, went out of business on the affected site. Staff obtained approval to use Pollution Recovery Funds to conduct a Preliminary Contamination Assessment, to be recovered through litigation. Suit was filed and process served on defendants. Defendants Gates' Motion to Dismiss was denied; defendants have answered the complaint; and EPC has replied. The property was sold to new owners in April of 1998. We are proceeding with discovery and notice that case is ready for trial has been filed with the Court. During this proceeding we have also conducted a limited contamination assessment of the site and are attempting to recover those costs as part of our relief requested. Settlement has been reached in concept and a draft agreement is being reviewed by counsel.

**Holley, Raymond, et al.:** Suit filed against owners to compel proper closure for improperly abandoned Underground Storage Tank, and seeking civil penalties and costs. Default was entered and the Defendants filed bankruptcy. Property has been auctioned to a third party purchaser who did not follow through with the purchase, The bankruptcy case closed in April of 1998. EPC is renewing the previously filed Motion for Judgment after Default and asking that a hearing be set on that motion.

**Marks:** Authority granted to take appropriate legal action for restoration of wetlands disturbed by the Mark's activities, penalties and costs. Suit filed and served. Defendants answered EPC's complaint and moved to transfer the case to the Plant City Division of the Circuit Court. Mediation held on March 31, 1998 produced an agreement in principle which is in the process of being reduced to a Settlement Agreement including a plan for restoration of the property. EPC has filed a motion to compel the Defendant to comply with the agreement produced from the mediation. Settlement has been reached as to those issues relevant to the EPC motion and a document reflecting the agreement has been prepared and is being circulated for execution.

**Balm Grocery:** Received authority in 1995 to proceed against owners/operators for improperly abandoning underground storage tanks, and for operational problems with 3 active tank systems. The new facility operator was notified that the facility must be brought into compliance; the abandoned tanks appear to be on County property. The County has been advised of existing cleanup programs for which the site may be eligible. The issue of abandoned tanks on the County's right of way has been separated from the operational violations, and suit was filed against the current facility owners and operators for correction, as well as civil penalties and recovery of enforcement costs. Defendants have filed their answers to the Complaint, met with staff, and a settlement agreement proposed to the Defendants is currently under review by their counsel. Amended Complaint is being prepared to add a count for missed retrofit deadline of December 1998.

**Truck Parts of Tampa:** Authority granted in 1995. Suit filed against multiple defendants to abate pollution, obtain soil and groundwater assessment, soil and waste tire cleanup, proper disposal, proper management of incoming wastes, costs, and applicable penalties. Proceeding with discovery. Trial date set for mid-August.

**GATX Terminals Corp.:** [In a related case, settlement entered pertaining to other environmental issues requiring penalties and costs.] Authority granted April 1996 to compel compliance with standards pertaining to construction and operation of two above ground storage tanks. GATX submitted, and EPC staff reviewed an application for DEP approval of an "Alternate Procedure" which they claim would provide the required environmental protection. GATX has now submitted another "Alternative Procedure" taking into consideration EPC comments on the initial plan. The recently submitted materials have been reviewed by EPC and our comments forwarded to DEP. Agreement has been reached which settles of remaining issues. A memorialization of the agreement has been prepared and is being circulated for execution.

**Optimum Petroleum v. Emad Qasem, EPC, et al.:** In pursuing foreclosure of a construction lien on a UST facility, Plaintiff named EPC as a Defendant because of our recorded judgment. EPC answered the complaint asserting the priority of our judgment lien. EPC's has entered a settlement agreement with Plaintiff allowing for foreclosure of Plaintiff's lien subject to EPC's judgment lien. A judgment of foreclosure was entered, and the property sold to a third party at a May 8, 1998 sheriff's sale. The facility has not yet been brought into compliance. EPC has also moved against the existing operator (tenant) (*see EPC v. Quasem/Samkari*).

**Slusmeyer:** Defendant has failed to comply with a prior judgment and injunction requiring proper closure of underground storage tanks. Discovery is proceeding to obtain injunctive relief.

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

**Mulberry Phosphate:** Authority granted January, 1998, to proceed against Mulberry to recover environmental damages as result of a process water spill from an impoundment system failure. The spill impacted the Alafia River and Tampa Bay. EPC is also seeking recovery of costs of enforcement and civil penalties. Currently, EPC in cooperation with The DEP, NOAA and Mulberry, is in the process of damage assessment and consideration of appropriate restoration.

**Plant Stop Inc.:** Authority granted in February, 1998, to proceed against responsible parties for violations pertaining to open burning. Complaint is being drafted.

**Stasiak v. EPC:** Mortgage holder's attempted foreclosure of EPC's interest in certain real property held by virtue of a recorded settlement agreement against the property owner U.S.H. & B. EPC has responded consenting to foreclosure and maintaining our rights to proceeds over and above those owed to prior and superior lien holders. U.S.H.&B. filed chapter 11 Bankruptcy.

**Hanna v. EPC:** This matter previously listed as resolved has been reactivated due to the filing of a notice of appeal to the Second District Court. Property owner filed suit June of 1998 against EPC claiming an unlawful deprivation of all beneficial use and enjoyment of the property i.e. an uncompensated "taking." In response to the complaint, EPC filed a Motion to Dismiss which was granted and the case dismissed in August of 1998. Property owner filed a Notice of Appeal and Initial Brief in the Second District Court of Appeal. During December of 1998 EPC has filed its Answer Brief and Pinellas County filed a Amicus Curia Brief supporting EPC's position. Oral argument has been set for the last week in April.

**Quasem/Samkari:** This matter previously listed as resolved has been reactivated due to defendant's failure to comply with the courts order. EPC obtained final judgment in January 1996 against the property owner for approximately \$36,000 in civil penalties, and an injunction requiring assessment and remediation of contamination on the site. Defendant has failed to comply. A hearing on EPC's Motion for Order of Contempt and Order to Compel Defendant's Performance has been partially completed with the continuation to be scheduled in the near future.

#### **RESOLVED CASES [ 3 ]**

**Metro Recycling, Inc.:** Authority granted 11/96 and EPC notified Metro of forthcoming litigation. Although DEP has issued a permit for this facility, EPC withheld the Director's Authorization. EPC filed suit seeking to compel compliance with regulations and to recover civil penalties and costs of the enforcement. Prior to trial, corrections were made to the facility and operations which bring the facility into compliance with the DEP permit. In addition, payment of civil penalties and reimbursement of EPC's enforcement costs for past violations were agreed to and EPC has withdrawn objection to the DEP permitting, allowing that permit to operate as the required EPC, Director's Authorization.

**Florida General Corp. v EPC, et al :** First mortgage holder's attempted foreclosure of EPC's interest in certain real property held by virtue of a judgment lien against the property owner Alvin P. Coulter. EPC filed a response admitting the priority of the Plaintiff's lien and reserving rights to proceeds of the sale after Plaintiff's share. Judgment was entered and the property ultimately sold to Plaintiff for credit on their judgment. No proceeds of the sale were paid into the court for EPC to proceed against.

**McGhee:** Authority granted January 1998, regarding breach of a consent order which required a WWTS to be brought into compliance with environmental regulations by a certain deadline. Although ultimately brought into compliance, this was not accomplished in a timely manner. The order stipulated certain penalty amounts for such a breach. Prior to suit being filed, the amount and terms of penalty payments were agreed to and memorialized in separate agreement.

COMMISSION

PAT FRANK  
CHRIS HART  
JIM NORMAN  
JAN PLATT  
THOMAS SCOTT  
RONDA STORMS  
BEN WACKSMAN

EXECUTIVE DIRECTOR

ROGER P. STEWART



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TELEPHONE (813) 272-5788

WETLANDS MANAGEMENT DIVISION  
TELEPHONE (813) 272-7104

ENVIRONMENTAL PROTECTION COMMISSION  
Of HILLSBOROUGH COUNTY  
ANALYSIS OF POLLUTION RECOVERY TRUST FUND  
AS OF APRIL 07, 1999

* Fund Balance as of 10/01/98	\$782,125
Interest Accrued FY99	20,001
Deposits FY99	59,867
Disbursements FY99	(57,534)
Fund Balance	<u>\$804,459</u>

Encumbrances Against Fund Balance:

(57a) Cypress Head Swamp	8,967
(14) Wetland Surveys	1,781
Seagrass Study/Sheriff	23,500
Artificial Reef FY99	31,252
(53) Clayton Lake	6,007
(54) Mosi Restoration	963
(55) Riverview Civic Center	39,525
(56) Oakview Utilities	74,925
(61) Thalassea Study	27,004
(63) McKay Bay	15,000
(64) Hughes Hard Chrome	3,373
(66) Asbestos Abatement	5,000
(71) Seagrass Recovery	43,463
(72) Brooker Creek	1,266
(75) Adopt A Pond	50,000
(78) River Crest Restoration	15,000
(79) Epps Park Restoration	10,000

Total of Encumbrances 357,026

Fund Balance Available April 07, 1999 \$447,433

\* Includes \$100,000 Mobil Oil Settlement Funds

COMMISSION

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EXECUTIVE DIRECTOR

ROGER P. STEWART

ENVIRONMENTAL PROTECTION COMMISSION  
of HILLSBOROUGH COUNTY  
ANALYSIS OF GARDINIER SETTLEMENT TRUST FUND  
AS OF APRIL 07, 1999

Fund Balance as of 10/01/98	\$1,500,109
Interest Accrued FY99	35,848
Disbursements FY99	- 0 -
 Fund Balance	 \$1,535,957

Encumbrances Against Fund Balance:

Alafia River, Add. (SWIM/DEP)	8,948	
McKay Bay Restoration (COT)	50,000	
Cockroach Bay Exotic Cont. (HCC)	8,618	
Alafia River/Wolf Branch	300,000	
Ballast Point Seawall Phase II	25,000	
Audubon Society Riverview CC	50,000	
Oakview Utilities	50,000	
Port Redwing	300,000	
Davis Tract	200,000	
 Total of Encumbrances		<u>992,564</u>

Fund Balance Available April 07, 1999 \$ 543,393

COMMISSION

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MEMORANDUM

**DATE:** March 30, 1999

**TO:** EPC of Hillsborough County Board Members

**FROM:** Roger Stewart, Executive Director, EPC

**SUBJECT: QUARTERLY STATUS REPORT ON HILLSBOROUGH COUNTY  
SUPERFUND SITES**

This memorandum serves as the quarterly status report on the United States Environmental Protection Agency-identified Superfund sites in Hillsborough County. The previous quarterly status memorandum was submitted to you on January 5, 1999.

**SCHUYLKILL METALS CORPORATION SITE**

The United States Environmental Protection Agency (USEPA) is waiting for comments from the Florida Department of Environmental Protection (FDEP) concerning the USEPA's proposal to delete this site from the National Priorities List (NPL).

**SYDNEY MINE SLUDGE POND SITE**

The USEPA is waiting to receive a draft of the work plan for the second and final phase (i.e., Phase II) of the intrinsic bioremediation.

**62<sup>ND</sup> STREET DUMP SITE**

The potential responsible party's (PRP) contractor is working on a review of 5 years of monitoring data in order to determine the effectiveness of the cleanup remedy that was used on this site.

**KASSAUF-KIMERLING SITE**

The review of 5 years of monitoring data is being planned. This review will be performed in order to determine the effectiveness of the cleanup remedy that was used on this site.

**HELENA CHEMICAL COMPANY SITE**

The Treatability Study is still being done. Hopefully, the Remedial Design (RD) will be completed within the next 3 months.

**STAUFFER CHEMICAL COMPANY SITE**

The Treatability Study has been completed. The potential responsible party (PRP) has provided the USEPA with the "90% Design" (i.e., 90% of the Remedial Design). Hopefully, the Remedial Design (RD) will be completed within the next 3 months.

**NORMANDY PARK APARTMENTS SITE**

The USEPA expects to receive the draft Remedial Investigation (RI) report by the end of March 1999. The USEPA is reviewing the draft Community Relations Plan and will send its comments to its consultant once the review is completed.

**SOUTHERN SOLVENTS, INC. SITE**

The USEPA expects to receive the final Remedial Investigation (RI) report by the end of March 1999. The USEPA will send a facts sheet concerning the findings of the RI report to all persons on the USEPA's mailing list sometime in April 1999. The USEPA will place the RI report, the Risk Assessment report, and the Community Relations Plan in the information repository at the public library that is located across from Chamberlain High School simultaneously when the facts sheets are mailed out. The USEPA expects to receive the draft Feasibility Study (FS) report by the first week of April 1999.

**MRI CORPORATION SITE**

The USEPA expects to receive both the final Remedial Investigation (RI) report and the final Risk Assessment report by mid-April 1999. The USEPA expects to receive the revised Feasibility Study (FS) report by mid-May 1999.

**PEAK OIL/BAY DRUMS SITE**

The USEPA met with the potential responsible parties (PRPs) in January 1999 and discussed the Remedial Design (RD) sampling results. Another meeting is scheduled in April 1999 in order to discuss the results of a Treatability Study. It is the USEPA's understanding that the PRPs will discuss possible changes to the chosen cleanup remedy for the site due to the PRPs' Treatability Study results.

**REEVES SOUTHEASTERN CORPORATION SITE**

The USEPA states that the cleanup remedy for the site requires a control structure that will prevent the discharge of contaminated groundwater to surface water. The potential responsible party (PRP) is evaluating the extent of the groundwater contamination plume in order to determine what the design parameters of the control structure will need to be.

Page 3  
March 30, 1999  
EPC Board Members

The PRP will then need to determine whether or not the Remedial Design (RD) for the site needs to be altered.

**TAYLOR ROAD LANDFILL SITE**

The USEPA and the FDEP conducted the Final Construction inspection of the site on March 17, 1999; Hillsborough County officials were reportedly present during this inspection. Hillsborough County is preparing the Final Construction report, which is due to be submitted to the USEPA on April 16, 1999. The first official Remedial Action (RA) quarterly groundwater sampling event will be conducted during the end of April 1999. However, there have been preliminary reported groundwater quality exceedences for mercury in the southwest corner of the ring of compliance monitoring wells. The USEPA expects that the groundwater compliance monitoring well ring and the 270 foot buffer zone will be expanded only in the southwest corner area. The USEPA reports that it appears that all properties in the expected southwest buffer zone expansion area are already on County water supply and does not expect that additional water supply extensions will be necessary.

c: Hooshang Boostani, P.E., EPC  
Paul Schipfer, E.I., EPC  
Carl J. Heintz, P.G., EPC

RPS/cjh

## Agenda Item Cover Sheet

**Date Submitted:** 4/2/99

**Re: Northern Tampa Bay MFL's Peer Review**

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On November 25, 1998, SWFWMD published its proposed Minimum Flows and Levels for the Northern Tampa Bay Area (NTB MFL's) covering lakes, wetlands, aquifers, and the Tampa Bypass Canal. Pinellas County had requested Peer Review of these proposed rules the evening prior to publication; and EPC, Hillsborough County, Tampa Bay Water, Environmental Confederation of Southwest Florida (ECOSWF), and SWFWMD joined the process. Two extensions of time to select the peer review panel were agreed to by all parties, and a panel was ultimately selected and a charge agreed upon as of April 5, 1999.. On March 30, 1999, Pinellas County withdrew its request for peer review. The remaining parties decided to continue the process despite Pinellas' withdrawal.

On March 12, 1999, SWFWMD published its proposed Minimum Flow Rule for the Hillsborough River. A review of the proposed rule by technical staff produced the recommendation that it too be subjected to independent scientific peer review.

After a meeting of the Water Team, it was decided that EPC would participate in peer review of the Hillsborough River representing the interests of the Water Team. Due to a concern for budgetary constraints, it was suggested that the Hillsborough River peer review be rolled into the current peer review process. The City of Tampa, however, exercised its right to petition for peer review of the Hillsborough River rules, and specifically rejected the incorporation of the two peer review processes. As a result, EPC will be forced to expend the projected costs (\$160,000 to \$320,000) twice if it is to participate in both processes, bringing the total funding for EPC's peer review obligations to a range of \$320,000 to \$640,000.

After examining the current process, it was decided that EPC's interests are being represented through Hillsborough County's participation and guidance of the panel selection and charge. The other parties to the peer review of the NTB MFL's have been advised of EPC's position, and the peer review of the NTB MFL's will continue if EPC withdraws its request.

**Board Action Recommended:**

Approve EPC withdrawal from NTB MFL peer review.

REC'D

CAREY, O'MALLEY, WHITAKER & MANSON, P.A.

APR 06 1999

ATTORNEYS AT LAW

712 S. OREGON AVENUE  
TAMPA, FLORIDA 33606

ENV. PROT. COMM.  
OF H.C.

MICHAEL R. CAREY  
DOUGLAS P. MANSON  
RANDALL P. MUELLER  
ANDREW M. O'MALLEY  
JACK R. PEPPER, JR.  
DANIEL D. WHITAKER

TELEPHONE: (813) 250-0577  
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April 2, 1999

Via Fax: 352-544-5148

Anne Taylor, Agency Clerk  
Southwest Florida Water Management District  
2379 Broad Street  
Brooksville, Florida 34609-6899

Re: City of Tampa Request for Peer Review of Proposed Minimum Flow for the Hillsborough River

Dear Ms. Taylor:

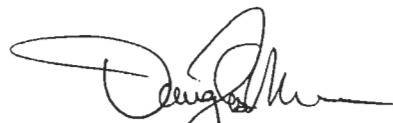
The City of Tampa by and through undersigned counsel, request peer review pursuant to Section 373.042(4), Florida Statutes (1996 supp.) for proposed Rules 40D-8.041(2) and 40D-80.073(4) as published in *Florida Administrative Weekly* on March 12, 1999 and as amended at the Southwest Florida Water Management District Governing Board meeting of March 30, 1999.

The City of Tampa request independent peer review of the above-referenced minimum flow for the Hillsborough River and also requests copies of any and all requests for peer review filed by other parties. The City of Tampa's reservoir is directly impacted by the proposed minimum flow; therefore, it is a substantially affected person under §373.042(4)(a) and §120.52(13), Florida Statutes.

The City of Tampa does not wish to join any ongoing peer review process and request this peer review maintain separate and independent status and address only those issues relevant to the proposed rules.

Sincerely,

CAREY, O'MALLEY, WHITAKER & MANSON, P.A.



Douglas Manson

DPM/trh

cc: Karen Lloyd  
Kathy Fry  
Patrick B. Courtney

Agenda Item Cover Sheet

Date Submitted: 4/2/99

Re: Ratification of Staff's Request for Peer Review of Hillsborough River MFL

---

On March 12, 1999, SWFWMD published its proposed MFL for the Hillsborough River. The rule provides for a minimum flow for the Hillsborough River of 10 cfs (approximately 6 mgd). This flow must be provided from the reservoir only when the City of Tampa's reservoir is full (22.5' NGVD). It may be provided from other sources when the reservoir is not full and it is feasible to do so without compromising the health, safety, and welfare of the City. The City and SWFWMD are obligated to perform an assessment of the feasibility of providing the minimum flow from other sources (Sulphur Springs, Blue Sink, etc.), as well as an assessment of the biological communities below the dam to determine the suitability of the minimum flow.

Based upon a review by technical staff of the attached Minimum Flow Rule proposed by SWFWMD, it is recommended that the scientific methodologies and data be subjected to independent scientific peer review.

**Recommended Board Action:**

Ratify staff's request for peer review of the Hillsborough River MFL Rule.

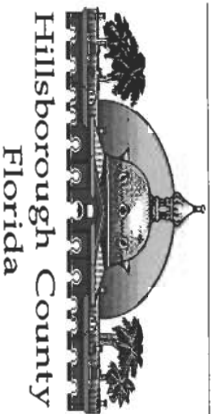


## Peer Review

### Lower Hillsborough River Minimum Flow

- SWFWMD Published Revised Draft Rules on 3/12/99
  - amended 40D-8.041 "Minimum Flow"
  - amended 40D-80.073 "Recovery Strategy"
- Revised Rules Phase In Minimum Flow
  - effective 1/1/00
  - enforced 1/1/10





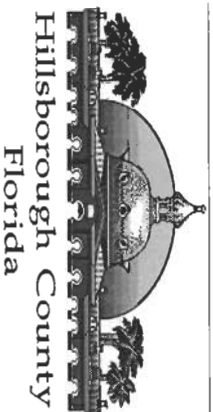
## Peer Review



### Lower Hillsborough River Minimum Flow

#### Revised Rule Standards:

- 10cfs minimum flow
- augmentation (other sources) allowed when city reservoir stage less than spillway elevation of 22.5 feet
- minimum flow required only if city water supply and “public health, safety, and welfare” are not compromised



## Peer Review

### Lower Hillsborough River Minimum Flow



- Revised SWFWMD Rule is not derived through a sound analytic process based on science.
- Augmentation of flow still represents no net freshwater gain to the system.
- Revised SWFWMD Rule still associates minimum flow to reservoir level.
- Independent Scientific Peer Review is the procedure available to validate scientific basis of proposed rules.

4/6/99

**HILLSBOROUGH RIVER**

**MINIMUM FLOW**

**DRAFT RULE**

**FEBRUARY 22, 1999**

**CHAPTER 40D-8, MINIMUM FLOWS AND LEVELS**  
DRAFT February 22, 1999 (2:30PM)

40D-8.041 Minimum Flows

- (2) Minimum Flows for the Lower Hillsborough River
- (a) For the purposes of Minimum Flows, the Lower Hillsborough River is defined as the river downstream of Fletcher Avenue. A tributary of the Lower Hillsborough River is Sulphur Springs, an artesian spring which enters the River via a short spring run at a point 2.2 miles downstream of the City's dam.
- (b) Effective January 1, 2000, the Minimum Flow for the Lower Hillsborough River shall be at the rate of flow of ten (10) cubic feet per second (cfs) at the base of the dam as measured at the Rowlett Park Drive bridge gauging station. Through December 31, 2007, the City shall be required to supply this Minimum Flow from the reservoir or other sources when the surface water elevation is above 22.5 NGVD at USGS Gauge 02304500. Because the storage of water within the Reservoir is critical to the public health, safety, and welfare of those dependent on the City potable water supply, this flow requirement may be met by diverting flow from sources other than the City's Reservoir. The City shall provide this flow from sources other than the City's Reservoir, when the surface water elevation is below 22.5 ft. NGVD at USGS Gauge 02304500 and it is feasible to provide the flow without compromising public health, safety or welfare. This Minimum Flow has been determined based on the loss of historical hydrologic functions, the existing changes and structural alterations in and along the river and its water shed pursuant to subparagraph 373.0421(1), F.S., and the dependence of viable ecological communities downstream of the dam on flows from the Hillsborough River and Sulphur Springs. Following completion of the District and City study described in Rule 40D-80.73(4)(d), F.A.C., the Minimum Flow shall be re-established, as necessary, based on the results of the study.
- (c) Pursuant to the district priority schedule for establishment of minimum flows and levels required by Section 373.042, F.S., the District will establish Minimum Flow for Sulphur Springs by December 31, 2001.

## CHAPTER 40D-80, RECOVERY STRATEGY

DRAFT February 22, 1999 (3:00PM)

40D-80.073 Regulatory Portion of Recovery Strategy for Pasco, Northern Hillsborough, and Pinellas Counties.

### (4) Hillsborough River Strategy

(a) Beginning January 1, 2000, the Minimum Flow for the Lower Hillsborough River shall be at the rate of flow of 10 cubic feet per second (cfs). The City shall provide measurement of the delivery of water to the base of the dam. The Minimum Flow shall be measured at the Rowlett Park Drive bridge gauging station.

1. Through December 31, 2007, the City shall be required to provide the 10 cfs Minimum Flow from the reservoir or other sources when the surface water elevation is above 22.5 ft. NGVD at USGS Gauge 02304500. The City shall provide this flow from sources other than the City's Reservoir when the surface water elevation is below 22.5 ft. NGVD at USGS Gauge 02304500 and it is feasible to provide the flow without compromising the public health, safety and welfare of the City. Once the City has determined that flow from another source or sources is feasible pursuant to 40D-80.073(4)(b), F.A.C., below and the evaluation of the source(s) pursuant to 40D-80.073(4)(c), F.A.C., is complete, such flow shall be supplied when necessary to maintain the Minimum Flow.
2. Beginning January 1, 2008 through December 31, 2009, the City shall meet the Minimum Flow unless flow is not feasible from the other source(s) as set forth in 40D-80.073(4)(b), F.A.C., below. If these other source(s) are not feasible, the City, will request sufficient quantity of water from Tampa Bay Water to meet the Minimum Flow. If Tampa Bay Water is unable to provide sufficient additional water supply needed to meet the required Minimum Flow, and if the provision of water for Minimum Flow from the City's drinking water supply would compromise the public health, safety, and welfare the City shall not be required to meet the Minimum Flow until Tampa Bay Water can supply sufficient replacement water or January 1, 2010, whichever occurs first.

3. Beginning January 1, 2010, the City shall meet the Minimum Flow.
- (b) By December 31, 2003, the City, with District consideration of financial participation, shall complete a study of the economic and technical feasibility of meeting the Minimum Flow for the Lower Hillsborough River from sources other than the City's Reservoir, including but not limited to Blue Sink, Curiosity Creek watershed, and the Howard F. Curren Advanced Wastewater Treatment Plant. The City shall submit to the District a written report each December 31 through December 31, 2003, on the sources investigated, the results of the investigation, and the City's determination as to the feasibility of each of the sources.
- (c) The City's implementation of the use of any source other than the City's Reservoir or Sulphur Springs is subject to a coordinated evaluation with the District to determine that its quality is at least equivalent to the water being used from Sulphur Springs. After the study specified in 40D-80.073(4)(d), F.A.C., below, is completed, the District shall use the findings of that study to evaluate the alternate sources, including Sulphur Springs, for providing the required Minimum Flow.
- (d) On or before October 1, 1999, the District and the City shall commence a work plan and the subsequent study of the biological communities below the dam, taking into account loss of historical hydrologic functions, water quality, water quantity, and existing changes and structural alterations, to reevaluate the Minimum Flow requirement to maintain the existing biological communities in the Lower Hillsborough River. The study will provide recommendations to enhance or improve the biologic communities below the dam in the Lower Hillsborough River. The study shall be completed by December 31, 2005, unless an extension of time is mutually agreed to by the District and the City. If the study demonstrates the need for revisions to the Minimum Flow for the Lower Hillsborough River established in paragraph 40D-8.041(2), F.A.C. the District shall initiate rulemaking to adopt the revised Minimum Flow resulting from this study and the study results on the Minimum Flow requirement shall be binding on the City and the District in any rulemaking proceeding on the revised Minimum Flow.

Agenda Item Cover Sheet

Date Submitted: 4/2/99

Re: **Entry into Interlocal Agreement**

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In order to spread the costs of the peer review process, as statutorily mandated, it is necessary to enter into an Interlocal Agreement for cost-sharing purposes. The Interlocal will be drafted during the course of assembling a peer review panel.

**Board Action Recommended:**

Authorize the Executive Director to execute an Interlocal Agreement for cost-sharing for the Hillsborough River MFL Peer Review.

Agenda Item Cover Sheet

**Date Submitted: 4/2/99**

**Re: Authority to Request Funding From BOCC**

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Since EPC relies upon Hillsborough County for its funding, it is necessary for EPC staff to submit a formal request to the Board of County Commissioners, and its staff, for funding of the costs of the Hillsborough River Peer Review Panel. Costs are projected to be similar as those of the current peer review panel (\$160,000 to \$320,000). This range will depend upon the number of parties co-funding peer review and the number of panelists chosen.

**Board Action Recommended:**

Authorize staff to request funding from the BOCC for the Hillsborough River Peer Review Panel costs.

**AGENDA ITEM COVER SHEET**

**DATE:** April 8, 1999

**AGENDA ITEM:** Pollution Recovery Fund Request - MFL Peer Review Panelist Cost

**DESCRIPTION:** Request for use of the Pollution Recovery Fund for the shared cost of statutory independent scientific peer review of the Northern Tampa Bay and Hillsborough River Minimum Flows and Levels Rules adopted by the Southwest Florida Water Management District.

**COMMISSION ACTION RECOMMENDED:** Approve encumbrance and expenditure of funds requested.

COMMISSION

PAT FRANK  
CHRIS HART  
JIM NORMAN  
JAN PLATT  
THOMAS SCOTT  
RONDA STORMS  
BEN WACKSMAN



ADMINISTRATIVE OFFICES, LEGAL &  
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TELEPHONE (813) 272-7104

EXECUTIVE DIRECTOR

ROGER P. STEWART

MEMORANDUM

**DATE:** April 8, 1999  
**TO:** Roger P. Stewart, Executive Director  
**FROM:** Vernon R. Wagner, Esq., Legal Counsel  
**SUBJECT:** *YOUR REQUEST THAT I REVIEW THE FOLLOWING PROPOSAL FOR POSSIBLE FUNDING BY THE POLLUTION RECOVERY FUND*

**Name of Proposal:** Minimum Flows and Levels Panelist Costs  
**Person Making Request:** Environmental Protection Commission  
**Requested Amount:** up to \$300,000.00 for the 1998 proposed rules  
up to \$160,000.00 for the Hillsborough River rules

**Brief Description of Project:**

Pursuant to Section 373.042, Florida Statutes (1996), the Southwest Florida Water Management District (SWFWMD) was directed by the Florida legislature to establish minimum flows for surface water courses and minimum levels for aquifers and surface waters. Under the statute, a minimum flow for a given surface water course shall be the limit at which further withdrawals would be "significantly harmful" to the water resources or ecology of the area. The minimum water level is the level of the ground water in an aquifer, or the level of surface water, at which further withdrawals would be "significantly harmful" to the water resources of the area. The minimum flows and levels shall be based upon the "best information available."

The peer review process is set forth in Section 373.042(4)(a), Florida Statutes (1996). That section provides that prior to establishing a minimum flow or level, "scientific or technical data and methodologies... shall be subject to independent scientific peer review" if requested by a substantially affected person. After approving its proposed rules establishing minimum flows and levels for certain lakes, wetlands, and the Floridan Aquifer in October 1998, SWFWMD received petitions requesting independent scientific peer review from Hillsborough County, Pinellas County, the Environmental Protection Commission of Hillsborough County, Tampa Bay Water (TBW), and the Environmental Confederation of Southwest Florida. Pinellas County has recently withdrawn from the process. After approving its proposed rules establishing minimum flows and levels for the Hillsborough River in February 1999, SWFWMD received petitions requesting independent scientific peer review from the Environmental Protection Commission of Hillsborough County, City of Tampa and Tampa Bay Water.

The Commission has authorized staff to participate in the peer review process and has authorized EPC director to enter into an interlocal agreement to share the cost of the review of the 1998 proposed rules including the Peer Review Panelists' compensation. That cost is anticipated to be within the range of one hundred sixty thousand to three hundred thousand dollars. The cost remains somewhat dependent on the number of parties available to share the cost as well as the scope of review that can be agreed upon. Although we are only in the initial stages of the process as it pertains to the Hillsborough River rules, we are at the end of the process pertaining to the 1998 proposed rules and have a draft interlocal agreement the terms of which are acceptable to EPC staff. Unfortunately, to date no specific source of funding has been identified by BOCC, Commission or staff. The cost of review of the Hillsborough River portion of the rules is anticipated to be within a range of eighty thousand to one hundred sixty thousand dollars.

**Pollution Recovery Rule:**

1-9.05(a). The Commission must first determine that there exists a polluted area, that harmful effects of past pollution are continuing to occur, or that known pollution harmful to the public welfare will occur unless adequate controls are implemented. In making the determination, the Commission shall consider:

(i) the degree and severity of the actual or potential harm that may occur to the public, wildlife, birds, game, fish, and other aquatic life;

(ii) the causal relationship of the pollution to the actual or potential harm; and

(iii) the time over which the situation has existed or is likely to exist before any harm can be demonstrated.

(b) Upon such determination of a polluted area or harmful situation, there shall be a review of the appropriate applicable restoration/mitigation or pollution control activities, their respective costs and the practicality of achieving the desired results.

(c). The Commission shall give the following priority to identified and reasonable uses of the available fund monies:

(i) polluted areas for which enforcement could not obtain restoration;

(ii) polluted areas for which restoration was not obtained but monies were contributed;

(iii) polluted areas for which neither restoration or monies were obtained; and

(iv) polluted areas for which pollution control activities minimize the effects of pollution.

(d). The Commission may assign certain amounts of the fund to be used for educational programs designed to alleviate existing pollution. However, the Commission shall insure that there is always, except in emergencies, a reasonable balance to cover unexpected or emergency situations.

**Discussion:**

(a) EPC's participation in the independent scientific peer review process is derived from and necessary as a result of TBW's existing and continued expansion of its consumptive water use projects in Hillsborough County. More specifically, the consumptive water use projects envisioned by TBW have the potential to cause harm to the public, wildlife birds, game, fish and other aquatic life of Hillsborough County by reducing freshwater flows in the surface water system and by impacting water level in the lakes, ponds and wetlands of Hillsborough County. The independent scientific peer review process is designed to evaluate and validate the scientific basis behind the SWFWMD proposed rules that regulate minimum flows and levels in the water bodies of Hillsborough County. This series of rules establishes those specific flows and levels that will prevent "significant harm" to these water bodies. Therefore, the criterion of determination in Rule 1-9.05 (a) is met. *That is, in my opinion, the Commission would not be in error to conclude that the harmful effects of pollution will continue to occur unless adequate controls are implemented.*

(b) The effectiveness of the peer review process as a pollution control activity as well as the appropriateness of the proposed costs of the process are technical and practical questions beyond the scope of legal review and are somewhat dependent on the design and method of implementation. Because the statutory peer review process is relatively new, it is predictable that the method of implementation will continue to evolve and that our participation in the process may need to be reevaluated at various points in the process. However, technical staff have reviewed this matter and recommend funding of this process as an appropriate use within the statutory and rule requirements.

The Rule states:

Upon motion of the Director, or request of the Commission, the Commission shall consider in its discretion at a regular public meeting, the use of Pollution Recovery Fund monies for a portion or all of the funds necessary to ensure the health, safety and welfare of the public, or affected wildlife, birds, game, fish or other aquatic life.

**Conclusion:**

It would not be legally inappropriate for the Commission to approve the requested funding for the proposed project if it determines that:

- 1) there exists an area that is subject to actual or reasonably expected threats of harmful pollution which will continue without adequate controls,
- 2) the Peer Review process is suitably designed and practical in its approach to achieve its purpose and
- 3) a reasonable balance remains in the fund to cover unexpected or emergency situations.

## AGENDA ITEM COVER SHEET

**Date:** April 7, 1999

**Agenda Item:** Distribution of 1998 Annual Air Quality Reports and informational presentation on Title V air pollution permits.

**Description/Summary:**

The 1998 Annual Air Quality Report is a continuation of the Agency's practice of having staff produce informational reports intended for use by the general public. Copies will be distributed and some of the highlights will be mentioned.

Title V of the Clean Air Act Amendments of 1990 required major sources of air pollution to obtain air pollution operating permits from delegated state/local programs. The EPC has been working on behalf of the US EPA and the Florida DEP to implement this program in Hillsborough County since 1993. A brief staff presentation on the program and its status will be given.

**Commission Action Recommended:**

No action is necessary.

AGENDA ITEM COVER SHEET

**Date:** April 7, 1999

**Agenda Item:** Briefing on Prevention of Accidental Release Program and request for Board direction.

**Description/Summary:**

Title III of the Clean Air Act Amendments of 1990 requires facilities that store and/or handle certain flammable or toxic chemicals, to enter an accidental release prevention program. Affected facilities must submit a risk management plan by this summer, and for the first time will be subject to a comprehensive preventative strategy. In Florida, the Department of Community Affairs has been delegated the majority of the program, but unfortunately the Legislature only funded three positions to sit in Tallahassee to carry it out.

Because of the many affected facilities in Hillsborough County, and our overlapping jurisdiction, the EPC has worked with the US EPA and the Florida DCA to help bring this program to the Tampa Bay area. With their limited staffing, the DCA has announced they will only be able to audit one percent of the subject facilities in any given year. Using existing staff and our knowledge of local businesses, EPC offered to act as the DCA's "eyes and ears" in this County. We would conduct on-site inspections and review risk management plans in coordination with them. Unfortunately, DCA has not been receptive to our offer and we are seeking the Board's assistance.

**Commission Action Recommended:**

Direct staff to work with the EPC Chairman to draft correspondence to the DCA Secretary (the Honorable Steven Seibert), and request DCA reconsider EPC's offer to assist in implementing this vital program.



STATE OF FLORIDA

# DEPARTMENT OF COMMUNITY AFFAIRS

*"Helping Floridians create safe, vibrant, sustainable communities"*

JEB BUSH  
Governor

RECEIVED

STEVEN M. SEIBERT  
Secretary

REC'D

March 10, 1999

MAR 12 1999

MAR 12 1999  
ENV. PROT. COMM  
OF H.C.

Mr. Jerry Campbell, P.E.  
Director  
Air Management Division  
Hillsborough County Environmental Protection Commission  
1900 9<sup>th</sup> Avenue  
Tampa, Florida 33605

EPC of HC  
AIR MANAGEMENT

RE: February 8<sup>th</sup> letter to Ms. Eve Rainey

Dear Mr. Campbell:

Thank you for your letter regarding a possible memorandum of understanding between the Department and the Hillsborough County Environmental Protection Commission. Ms. Rainey forwarded your letter to me for a response.

While the Department has every intention of working cooperatively with your Commission, I am not sure that the Legislature anticipated that the Department would enter into formal memoranda of understanding with local government programs.

Although Section 252.937(1)(c), Florida Statutes, provides the Department with the power and duty to make agreements necessary or convenient to the implementation of the Act, the Legislature specifically authorized "state agencies", rather than "state agencies and local governments" to enter into memoranda of agreement and specifically prohibited the Department from delegating the program to any local environmental agency.

It appears that most of the activities contemplated by the draft memorandum of understanding may be accomplished under existing authorities. Accordingly, the Department respectfully declines your invitation to enter into a formal memorandum of understanding at this time.

We are hopeful that you will not consider this response to your gracious invitation as a suggestion that this agency does not intend to fully cooperate with local environmental agencies such as the Hillsborough County Environmental Protection Commission.

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100  
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781  
Internet address: <http://www.state.fl.us/comaff/>

Once again, thank you for your kind invitation. The Department looks forward to a productive working relationship with the Commission regarding 112(7) program implementation in Hillsborough County.

Sincerely,

A handwritten signature in black ink, appearing to read "Ross", with a long horizontal line extending to the right.

Ross Stafford Burnaman  
Assistant General Counsel

cc: Eve Rainey, Chief, Bureau of Compliance Planning & Support

COMMISSION

DOTIE BERGER  
JOE CHILLURA  
CHRIS HART  
JIM NORMAN  
JAN PLATT  
THOMAS SCOTT  
ED TURANCHIK

EXECUTIVE DIRECTOR

ROGER P. STEWART



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February 8, 1999

Ms. Eve Rainey  
Chief, Bureau of Compliance Planning and Support  
Division of Emergency Management  
Department of Community Affairs  
2555 Shumard Oak Boulevard  
Tallahassee, FL 32399-2100

Dear Eve;

Last year, the Environmental Protection Commission (EPC) of Hillsborough County indicated our desire to assist the State of Florida with the 112(r) program in Hillsborough County. Since then, the necessary legislation has been passed and EPA has granted delegation of the program to DCA. With the deadline for submission of RMP's fast approaching, I believe now is the time to discuss how EPC can assist with the program.

We have a copy of the MOU between DEP & DCA for the 112(r) program. Attached is a proposal for a MOU between DCA and EPC that is very similar to your MOU with DEP. EPC management is currently reviewing this MOU and we would like to discuss this subject at your earliest convenience.

If you have any questions, please call me or Leroy Shelton at (813)-272-5530.

Sincerely,

Jerry Campbell, P.E.  
Director,  
Air Management Division



MEMORANDUM OF UNDERSTANDING

BETWEEN

THE DEPARTMENT OF COMMUNITY AFFAIRS  
DIVISION OF EMERGENCY MANAGEMENT

AND

THE ENVIRONMENTAL PROTECTION COMMISSION  
OF HILLSBOROUGH COUNTY

I. Purpose

The Florida Accidental Release Prevention and Risk Management Planning Act, Chapter 98-193, Laws of Florida, creates Chapter 252, Part IV, Florida Statutes (F.S.) and directs the Department of Community Affairs (DCA), to seek delegation from the United States Environmental Protection Agency (EPA) to establish and implement an Accidental Release Prevention and Risk Management Planning (ARP/RMP) Program to implement the provisions of Section 112(r)(7) of the Clean Air Act Amendments of 1990 and implementing federal regulations for specified Florida sources.

The legislation also directs the DCA to enter into Memoranda of Understanding (MOU) with allied State agency programs. The Environmental Protection Commission (EPC) of Hillsborough County has volunteered to assist DCA in implementing the ARP/RMP Program in Hillsborough County.

The EPC was created and expanded by special acts passed in 1967 through 1973, later repealed and superseded in 1984 by Chapter 84-446, Laws of Florida, and amended in 1987 by Chapter 87-495, Laws of Florida. Furthermore, the State of Florida Department of Environmental Protection (FDEP) and the EPC have established a Specific Operating Agreement (SOA) to formally establish the basis upon which FDEP and EPC will work together to protect the air quality of Hillsborough County according to the provisions of Section 403.182, F.S. and Rule Chapter 62-209, Florida Administrative Code.

DCA and FDEP, Division of Air Resources Management, have negotiated an MOU for this program addressing Title V sources only. The purpose of this MOU is to define the respective roles of DCA and EPC for Title V sources and other sources subject to the 112(r)(7) program in Hillsborough County.

## II. Background

The 112(r)(7) program was created by EPA without funding. The legislation passed by the Florida Legislature in 1998 provided a very limited source of funding to execute this program and relies heavily on the technical expertise of existing agencies to assist industry compliance. Recognizing the importance of this Accidental Release Prevention program to the citizens of Hillsborough County, EPC has volunteered to assist DCA in the implementation of this program in Hillsborough County, utilizing existing assets.

## III. General Terms and Conditions

This MOU is authorized by Chapter 252, Part IV, F.S. to facilitate the efficient implementation of the Florida ARP/RMP Act and to facilitate EPC verification of Section 112(r)(7) compliance for Title V sources and other sources in Hillsborough County, and specifically includes the following terms and conditions:

This MOU becomes effective upon the date of last signing. The agreement terminates upon mutual written agreement, or sixty (60) days after one party gives written notice of intent to terminate the MOU. This MOU can be amended at any time upon mutual written consent of both parties; the amendment is effective upon the last signing of the amended MOU.

Nothing herein is intended to conflict with any existing statute or regulation governing the actions of either agency. In the event of a conflict between a statute or regulation and a provision of this MOU, the statute or regulation shall govern and the parties shall confer to amend the MOU to eliminate the conflict, while continuing to implement all other provisions of the MOU.

The DCA contact person for the purposes of this MOU is the Chief of the Bureau of Compliance Planning and Support (currently Eve Rainey), DCA, Division of Emergency Management, 2555 Shumard Oak Boulevard, Tallahassee, Florida 31399, 851-413-9914, facsimile, 850-488-1739.

The EPC contact person for the purposes of this MOU is the Director of the Air Management Division (currently Jerry Campbell), EPC, 1410 N. 21<sup>st</sup> Street, Tampa, Florida 33605, 813-272-5530, facsimile, 813-272-5605.

For purposes of this MOU, the points of contact are the positions listed above, not the individuals; however, each party to the MOU shall notify the other, in writing, within five days of any change in the position incumbent or the address/phone information.

Every effort shall be made to resolve operational issues related to this MOU between the points of contact. In the event that the points of contact cannot resolve an issue, then each agency shall designate a higher-level administrator as the point of contact to resolve the issue.

Each agency shall bear its own costs in carrying out the terms of this MOU, which contains all terms and conditions agreed to.

#### IV. Specific Terms and Conditions for Use of Staff, Facilities and Materials

##### DCA

1. The DCA agrees to seek and maintain authorization for Section 112(r)(7) delegated responsibilities from EPA, Region 4, including enforcement, for specified sources.
2. The DCA agrees to provide the following staff positions to primarily support the ARP/RMP program: Chief of the Division of Emergency Management, Bureau of Compliance Planning and Support, as the DCA Contact Person (currently Eve Rainey), Planning Manager, Division of Emergency Management, Bureau of Compliance Planning and Support, Compliance Planning Section, and Planner II, Division of Emergency Management, Bureau of Compliance Planning and Support, Compliance Planning Section (the last two positions are new and currently vacant).
3. The DCA agrees to provide staff, facilities and materials necessary to institute, settle, or litigate all non-criminal legal proceedings necessary for ARP/RMP compliance verification and enforcement, and to make appropriate criminal referrals to State officials responsible for law enforcement.
4. The DCA agrees to provide EPC access to all the RMP data submitted to EPA for all sources in Hillsborough County.
5. The DCA agrees to provide staff to assist the EPC with the determination of Section 112(r)(7) compliance status for Title V sources in Hillsborough County during processing of a source's initial Title V permit application and/or subsequent permit renewals.
6. The DCA agrees to coordinate, as appropriate, scheduling of ARP/RMP inspections and audits of Title V sources in Hillsborough County with EPC, Air Management Division, and to facilitate joint ARP/RMP inspections, audits or compliance verification activities involving Title V sources in Hillsborough County.
7. The DCA agrees to provide, upon request, the results of ARP/RMP written preliminary determinations, and inspections, audits or compliance verification activities for Title V sources in

Hillsborough County to EPC, unless disclosure is otherwise prohibited by law.

#### EPC

1. EPC agrees to provide the most current information available annually to the DCA/DEM on all Title V permitted and other sources subject to this program in Hillsborough County.
2. EPC agrees to make background, inspection and compliance information on Title V and other sources subject to this program in Hillsborough County readily available to DCA/DEM program staff.
3. EPC agrees to provide technical assistance and advice to DCA, including ARP/RMP program staff on sources in Hillsborough County as resources allow.
4. EPC agrees to assign the following staff positions to assist DCA with ARP/RMP program implementation and enforcement: Senior Engineer, Air Toxics Program (Currently Leroy Shelton), Environmental Specialist II, Air Toxics Program (currently Manfred Liebner), and Senior Environmental Enforcement Specialist (currently Kay Strother), as resources allow.
5. EPC agrees to work with DCA/DEM, FDEP, and others to successfully implement the Section 112(r) (7) program in Hillsborough County.
6. EPC agrees to review RMP's submitted by sources subject to the program in Hillsborough County. EPC also agrees in conduct ARP/RMP inspections and audits of all sources subject to the program in Hillsborough County.

#### Joint

1. The DCA and EPC agree to provide staff to engage in collaborative outreach, technical assistance, program compliance and training opportunities that are mutually beneficial, and to provide sufficient facilities and equipment for those purposes.
2. The DCA and EPC agree to assign staff to meet with other agencies with regulatory, inspection or technical assistance programs in Hillsborough County for stationary sources subject to the 112(r) (7) program.
3. The DCA and EPC agrees to provide staff support to provide expert and factual testimony in all civil inspection warrant and enforcement proceedings without the necessity of a subpoena or witness fee, whenever requested by either party at mutually agreed to times.

Signed:

\_\_\_\_\_  
Roger P. Stewart  
Executive Director  
Environmental Protection  
Commission of Hillsborough County

\_\_\_\_\_  
Joseph F. Myers  
Director  
Division of Emergency Management  
Department of Community Affairs

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

draft

COMMISSION

PAT FRANK  
CHRIS HART  
JIM NORMAN  
JAN PLATT  
THOMAS SCOTT  
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BEN WACKSMAN

EXECUTIVE DIRECTOR  
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TELEPHONE (813) 272 - 7104

**MEMORANDUM**

**DATE:** April 7, 1999

**TO:** Tom Koulianos, Director of Finance and Administration through Hooshang Boostani, Director of Waste Management

**FROM:** Shanna Lawson, Clerk III, Waste Management Division through Sheila Luce, Senior Environmental Enforcement Specialist *SLC*

**SUBJECT: WASTE MANAGEMENT'S MARCH 1999 AGENDA INFORMATION**

The following is a summary of activities for the month of March 1999. If you would like more information concerning any of these activities, please let me know.

**A. ADMINISTRATIVE ENFORCEMENT**

1. New Cases received	3
2. Ongoing administrative cases	
a. Pending	10
b. Active	34
c. Legal	9
d. Tracking Compliance (Admin.)	21
e. Inactive/referred cases	23
f. Criminal compliance tracking	1
3. NOI's Issued	2
4. Citations issued	0
5. Consent Orders signed	0
6. Civil Contrib. to the Pollution Rec. Fund	\$1,102.00
7. Criminal contrib. to the Pollution Rec. Fund	\$0.00
8. Enforcement costs collected	\$1,026.46
9. Cases referred to legal	1
10. Cases Closed	2

**B. SOLID AND HAZARDOUS WASTE**

1. Permits (Received/Reviewed)	3/2
2. EPC Authorization for Facilities Not Requiring DEP Permit	2/1
3. Other permits and Reports	
a. County Permits	0
b. *Reports	62/70
4. Inspections (Total)	282
a. Complaints	52
b. Compliance/reinspections	37
c. Facility Compliance	14
d. Small Quantity Generator	179
5. Enforcement	
a. Complaints Received/Closed	30/13
b. Warning Notice Issued/Closed	02/04
c. Compliance letters	24
d. Letters of Agreement	0
e. DEP Referrals	0
6. Pamphlets, Rules and Material Distributed	640

**C. STORAGE TANK COMPLIANCE**

1. Inspections	
a. UST Compliance	51
b. AST Compliance	51
c. UST Installation	14
d. AST Installation	4
e. UST Closure	16
f. AST Closure	0
g. *Other Inspections	
2. Installation Plan Reviewed	25/13
3. Closure Plans & Reports Received/Reviewed	
a. Closure Plans Received/ Reviewed	14/11
b. Closure Reports Received/Reviewed	13/12
4. Enforcement	
a. Noncompliance Letters	47
b. Warning Notices (issued/closed)	8/1
c. Cases referred to Enforcement	0
d. Complaints received/investigated	0
e. Complaints referred	0
f. Cases Referred to DEP	0
5. FPLIRP Checklist Completed	6
6. Cleanup Notification Letters Issued	7
7. Public Assistance	200+

**D. STORAGE TANK CLEANUP**

1. Inspections:	16
2. Reports Received/Reviewed	44/44
a. Site Assessment	07/12
b. Source Removal	02/02
c. Remedial Action Plans (RAP's)	06/04
d. Site Rehabilitation Completion (SRCs)	01/00
e. Others	28/26
4. State Cleanup Site Activities	
a. Active Sites	3
b. Funds Disbursed	\$0.00

**E. RECORD REVIEWS** 74

**F. PUBLIC INFORMATION PROJECTS** 0