

MAY 16, 2002 - ENVIRONMENTAL PROTECTION COMMISSION - DRAFT MINUTES

The Environmental Protection Commission (EPC), Hillsborough County, Florida, met in Regular Meeting, scheduled for Thursday, May 16, 2002, at 10:00 a.m., in the Boardroom, Frederick B. Karl County Center, Tampa, Florida.

The following members were present: Chairman Ronda Storms and Commissioners Stacey Easterling (arrived at 10:22 a.m.), Pat Frank, Chris Hart (arrived at 10:19 a.m.), Jim Norman, and Thomas Scott.

The following member was absent: Commissioner Jan Platt (prior commitment).

Chairman Storms called the meeting to order at 10:15 a.m. Commissioner Scott led in the pledge of allegiance to the flag and gave the invocation.

CONSENT AGENDA

- A. Approval of Minutes: November 20, 2001; January 9, 2002; January 17, 2002; February 13, 2002; February 21, 2002; February 26, 2002; March 21, 2002; and April 3, 2002.
- B. Monthly Activity Reports.
- C. Legal Department Monthly Report.
- D. Pollution Recovery Trust Fund.
- E. Gardinier Settlement Trust Fund.

Commissioner Norman moved the Consent Agenda, seconded by Commissioner Frank. (The motion was not voted on.) Commissioner Norman suggested hearing citizens' comments before voting on the motion. (Resumed later in the meeting.)

CITIZENS' COMMENTS

Mr. Clarence Townes, 2706 North 33rd Street, asked EPC to look into the possibility of 22 homes built on a dumpsite in Highland Pines Estates, in the 4500 block, 26th Avenue, and in the 3400 block, Sand Dune Lane. Those homes were built in conjunction with the Tampa Housing Authority and Allstate Homes. Garbage could be seen coming out of the ground. Commissioners Hart, Frank, and Scott spoke about the seriousness with which the EPC and EPC staff considered issues. **Commissioner Scott moved that staff look into the Highland Pines Estates, seconded by Commissioner Norman, and carried six to zero.** (Commissioner Platt was absent.)

Ms. Marilyn Smith, P.O. Box 66, Sydney, commented on an air quality problem from uncovered rail cars traveling from Polk County and leaving behind a cloud of phosphate dust; gas-consuming sport utility vehicles (SUV) owned by the County; and the need to include EPC documents in the geographic information system (GIS).

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CONSENT AGENDA - RESUMED

- A. Approval of Minutes: November 20, 2001; January 9, 2002; January 17, 2002; February 13, 2002; February 21, 2002; February 26, 2002; March 21, 2002; and April 3, 2002.
- B. Monthly Activity Reports.
- C. Legal Department Monthly Report.
- D. Pollution Recovery Trust Fund.
- E. Gardinier Settlement Trust Fund.

Chairman Storms called for a motion to approve the Consent Agenda. **Commissioner Norman so moved, seconded by Commissioner Easterling, and carried six to zero.** (Commissioner Platt was absent.)

SPECIAL PRESENTATION

Memoriam Honoring Ms. Carol Key - Meses. Francis Key and Rita Long Hector and Mr. Jeff Key accepted a proclamation posthumously recognizing the contributions made by Ms. Carol Key. Ms. Francis Key thanked EPC for the recognition. Dr. Rick Garrity, EPC Executive Director, presented Ms. Francis Key a memoriam honoring Ms. Carol Key.

CITIZENS ENVIRONMENTAL ADVISORY COMMITTEE (CEAC)

Items of Interest - In the absence of Mr. David Forziano, CEAC chairman, EPC General Counsel Richard Tschantz said the CEAC had discussed Clean Air Month, the GIS presentation, the history of Tampa Bay Water, and water issues. The primary topic was planning future discussions for CEAC for June through November 2002. In June 2002, CEAC would discuss 2002 legislation that affected the environment; July 2002, Brownfields and superfund sites; August 2002, water issues, including freshwater withdrawals, desalination, and reclaimed water; September 2002, air pollution issues; October 2002, wetland issues and mitigation banking; and November 2002, pollution recovery trust fund and Gardinier settlement trust fund.

LEGAL DEPARTMENT

Proposed Settlement, Mulberry Phosphates Incorporated - Attorney Tschantz presented the proposed settlement agreement included in agenda material and recommended EPC grant Dr. Garrity authority to sign the consent decree, which would settle EPC claims regarding the Mulberry phosphate spill and claims of other governmental agencies; and approve the memorandum of agreement between governmental entities that would regulate the use of the funds after they were received in the settlement. The document cited and assessed injuries and

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developed a plan for restoration. The following four parties were involved in the settlement: (1) EPC, (2) Florida Department of Environmental Protection (FDEP), (3) U.S. Department of Commerce through the National Oceanic and Atmospheric Administration (NOAA), and (4) the Department of the Interior through the U.S. Fish and Wildlife Services. The settlement amount agreed to by the insurance company and the trustee for Mulberry Phosphates was \$4.6 million, of which approximately \$3.65 million would be for restoration funds and \$1 million would be for assessment costs. The payout schedule from the insurance company would be five years; however, the assessment costs would be received within 30 days after court approval. Moneys would be placed into the 1997 Alafia River restoration fund and used specifically for that restoration. Interest would be added to the restoration fund. Chairman Storms suggested seeking grant moneys to do additional restoration in that area, which would provide an increase to the fund. Attorney Tschantz reviewed stipulated penalties if payment was not made timely. Also, an insurance agreement assured payments would be made if the insurance company became insolvent.

Attorney Tschantz asked the EPC to approve the agreement included in agenda material that would govern expenditures of natural resource damages recovered. He recommended EPC grant authority to Dr. Garrity to sign the consent decree on behalf of EPC, remove the EPC case from State to Federal Court for the settlement, and approve the memorandum of agreement. **Commissioner Easterling so moved, seconded by Commissioner Hart, which carried six to zero.** (Commissioner Platt was absent.)

Request Authority to Take Appropriate Legal Action Against Orange Rose, LLC, Doing Business As Starlite Mobile Home Park - Attorney Tschantz presented the request. There had been several years of noncompliance from the mobile home park. A consent order was entered in June 2000 giving the mobile home park various options to come into compliance within two years. Nothing had been done. The mobile home park did not have sufficient effluent disposal capacity, and discharges occurred during certain times of the year. The mobile home park recently hired an attorney and a team of consultants; compliance would take a while. EPC staff felt filing a lawsuit would assist in negotiations; compliance would be under court jurisdiction. **Commissioner Scott moved staff recommendation, seconded by Commissioner Easterling, and carried six to zero.** (Commissioner Platt was absent.)

AIR MANAGEMENT DIVISION

Clean Air Month - Mr. Jerry Campbell, EPC staff, said the Board of County Commissioners (BOCC) had declared May 2002 as Clean Air Month. Ms. Barbara

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Motte, EPC staff, gave an overview of Clean Air Month activities and events. Mr. Campbell acknowledged American Lung Association as a partner in Clean Air Month and played a videotape about clean air. Ms. Claudia Wald and Mr. Jerrad Suarez, Youth Environmental Associate (YEA) Club/Save What's Left members, received certificates of appreciation for contributions in educating students about clean air. Ms. Linda Allen, Chamberlain High School environmental science teacher, said the goal was to make students understand their responsibility to spread news about the environment. The summer goal was to develop a program with the American Lung Association to create coloring books for younger students. Hopefully, YEA clubs could be started in elementary and middle schools.

Ms. Motte announced the results of the photography competition for which the theme was clean air. Ms. Suzanne Crosby, professor of photography, Hillsborough High School, had judged the photographs. For honorable mention, Ms. Auburn Murray (not present), Hillsborough High School; Ms. Rachel Hammers, East Bay High School; and Ms. Marie Spicer, Alonso High School received certificates of appreciation, tickets to the Museum of Science and Industry (MOSI), and savings bonds. Blake High School students, Ms. Robyn Frank, Ms. Amy Kukuk, and Ms. Emma Chandler, received certificates, MOSI tickets, and savings bonds for third, second, and first place, respectively.

Chairman Storms recommended the students be referred to the Arts Council, because student artwork was displayed in the County Center. Mr. Campbell acknowledged Ms. Phyllis Alexandroff, supervisor, Hillsborough County School Arts Programs, who thanked teachers for encouraging student involvement and thanked the EPC for teaching future generations of the importance of air quality, water quality, and quality of life. As requested by Chairman Storms, students, teachers, and Mr. Lewis Brenson, principal, Blake High School, stood so they could be acknowledged. Commissioner Frank expressed appreciation for the student artwork displayed in BOCC corridors; the artwork was not structured and perhaps was more creative than professional artwork.

Bay Regional Atmospheric Chemistry Experiment (BRACE) - Mr. Campbell said BRACE was the most extensive air quality research project conducted in the Tampa Bay area. The study would look at nitrogen oxide in the atmosphere from fossil fuels to see how, where, and in what form that fell to Earth and the affect on air and water. Mr. Thomas Tamanini, EPC staff, outlined the BRACE program that started in 1999. Once the intensive study was completed, data would be collected, and staff would perform an atmospheric deposition model. He gave an overview of the six major sites used for the BRACE program from the western coastline of Pinellas County through Hillsborough County. Dr. Tom

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Atkinson, FDEP, said having the BRACE program in Tampa was an appropriate location to study the effects of air pollution on water quality, and the EPC infrastructure would speed the project along. Dr. Garrity said Dr. Atkinson had been the State expert on mercury contamination from air pollutants.

WASTE MANAGEMENT DIVISION

Dr. Martin Luther King Jr. (MLK) Village Update - Mr. Paul Schipfer, EPC staff, gave a brief history of the MLK project. FDEP had approved the work plan. When FDEP received signed access agreements from the residents, PSI, the FDEP site consultants, would initiate the fieldwork for the MLK Village project.

EXECUTIVE DIRECTOR'S REPORT

Dr. Garrity thanked BOCC members for approving the EPC building consolidation. The agency had been separated in two buildings for 15 years. He thanked EPC staff for providing input and guidance regarding the existing headquarters and how to improve the workplace.

NEW BUSINESS

Chairman Storms had received three letters thanking EPC staff for assistance. Two were from the Hillsborough County School District thanking Messrs. Ahmed (Tony) Alhomsy and Woodrow Batchelor; one was from the Planning and Growth Management Department thanking Ms. Mary Yeargan.

There being no further business, the meeting was adjourned at 11:31 a.m.

READ AND APPROVED: _____
CHAIRMAN

ATTEST:
RICHARD AKE, CLERK

By: _____
Deputy Clerk

SW

MONTHLY ACTIVITIES REPORT
AIR MANAGEMENT DIVISION
MAY

A.	Public Outreach/Education Assistance:	
1.	Phone Calls:	<u>201</u>
2.	Literature Distributed:	<u>2582</u>
3.	Presentations:	<u>18</u>
4.	Media Contacts:	<u>9</u>
5.	Internet:	<u>72</u>
B.	Industrial Air Pollution Permitting	
1.	Permit Applications Received (Counted by Number of Fees Received):	
a.	Operating:	<u>8</u>
b.	Construction:	<u>2</u>
c.	Amendments:	<u>0</u>
d.	Transfers/Extensions:	<u>5</u>
e.	General:	<u>1</u>
2.	Delegated Permits Issued by EPC and Non-delegated Permits Recommended to DEP for Approval (¹ Counted by Number of Fees Collected) - (² Counted by Number of Emission Units affected by the Review):	
a.	Operating ¹ :	<u>5</u>
b.	Construction ¹ :	<u>5</u>
c.	Amendments ¹ :	<u>0</u>
d.	Transfers/Extensions ¹ :	<u>4</u>
e.	Title V Operating ² :	<u>10</u>
f.	Permit Determinations ² :	<u>8</u>
g.	General:	<u>3</u>
3.	Intent to Deny Permit Issued:	<u>0</u>
C.	Administrative Enforcement	
1.	New cases received:	<u>2</u>
2.	On-going administrative cases:	
a.	Pending:	<u>3</u>
b.	Active:	<u>8</u>
c.	Legal:	<u>3</u>
d.	Tracking compliance (Administrative):	<u>13</u>
e.	Inactive/Referred cases:	<u>0</u>
	Total	<u>27</u>
3.	NOIs issued:	<u>0</u>
4.	Citations issued:	<u>0</u>
5.	Consent Orders Signed:	<u>0</u>
6.	Contributions to the Pollution Recovery Fund:	<u>\$9,600.00</u>
7.	Cases Closed:	<u>5</u>

D.	Inspections:	
1.	Industrial Facilities:	<u>1</u>
2.	Air Toxics Facilities:	
a.	Asbestos Emitters	<u>0</u>
b.	Area Sources (i.e. Drycleaners, Chrome Platers, etc...)	<u>25</u>
c.	Major Sources	<u>0</u>
3.	Asbestos Demolition/Renovation Projects:	<u>8</u>
E.	Open Burning Permits Issued:	<u>4</u>
F.	Number of Division of Forestry Permits Monitored:	<u>99</u>
G.	Total Citizen Complaints Received:	<u>96</u>
H.	Total Citizen Complaints Closed:	<u>90</u>
I.	Noise Sources Monitored:	<u>7</u>
J.	Air Program's Input to Development Regional Impacts:	<u>3</u>
K.	Test Reports Reviewed:	<u>38</u>
L.	Compliance:	
1.	Warning Notices Issued:	<u>26</u>
2.	Warning Notices Resolved:	<u>24</u>
3.	Advisory Letters Issued:	<u>11</u>
M.	AOR's Reviewed:	<u>24</u>
N.	Permits Reviewed for NESHAP Applicability:	<u>4</u>

FEES COLLECTED FOR AIR MANAGEMENT DIVISION

	Total Revenue
1. Non-delegated construction permit for an air pollution source	
(a) New Source Review or Prevention of Significant Deterioration sources	\$ -0-
(b) all others	<u>\$ -0-</u>
2. Non-delegated operation permit for an air pollution source	
(a) class B or smaller facility - 5 year permit	\$ -0-
(b) class A2 facility - 5 year permit	<u>\$ -0-</u>
(c) class A1 facility - 5 year permit	<u>\$ -0-</u>
3. (a) Delegated Construction Permit for air pollution source (20% of the amount collected is forwarded to the DEP and not included here)	<u>\$1,800.00</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>\$4,600.00</u>
(c) Delegated General Permit (20% is forwarded to DEP and not included here)	<u>\$ 80.00</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	\$1,035.00
(b) for structure greater than 50,000 sq ft	<u>\$ -0-</u>
7. Notification for asbestos abatement	
(a) renovation 160 to 1000 sq ft or 260 to 1000 linear feet of asbestos	\$ 290.00
(b) renovation greater than 1000 linear feet or 1000 sq ft	<u>\$ 800.00</u>
8. Open burning authorization	<u>\$1,700.00</u>
9. Enforcement Costs	<u>\$ -0-</u>

**ACTIVITIES REPORT
WATER MANAGEMENT DIVISION**

MAY, 2002

A. ENFORCEMENT

1. New Enforcement Cases Received:	<u>3</u>	
2. Enforcement Cases Closed:	<u>3</u>	
3. Enforcement Cases Outstanding:	<u>44</u>	
4. Enforcement Documents Issued:	<u>1</u>	
5. Warning Notices:	<u>16</u>	
a. Issued:	<u>4</u>	
b. Resolved:	<u>12</u>	
6. Recovered costs to the General Fund:	\$ <u>482</u>	
7. Contributions to the Pollution Recovery Fund:	\$ <u>4,000</u>	

<u>Case Name</u>	<u>Violation</u>	<u>Amount</u>
a. Windemere Utility WWTP	Improper Operation/Failure to Maintain; Failure to Maintain Perc Ponds	\$1,000
b. Southern Pines MHP	Expired Permit	\$1,000
c. Citrus Park Office	Construction without a Permit	\$1,000
d. Chapparal MHP	Expired Permit	\$1,000

B. PERMITTING - DOMESTIC

1. Permit Applications Received:	<u>36</u>	
a. Facility Permit:	<u>8</u>	
(i) Types I and II	<u>7</u>	
(ii) Type III	<u>7</u>	
b. Collection Systems-General:	<u>16</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>12</u>	
d. Residuals Disposal:	<u>0</u>	
2. Permit Applications Approved:	<u>26</u>	
a. Facility Permit:	<u>9</u>	
b. Collection Systems-General:	<u>8</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>9</u>	
d. Residuals Disposal:	<u>0</u>	
3. Permit Applications Recommended for Disapproval:	<u>0</u>	
a. Facility Permit:	<u>0</u>	
b. Collection Systems-General:	<u>0</u>	
c. Collection Systems-Dry Line/Wet Line:	<u>0</u>	
d. Residuals Disposal:	<u>0</u>	
4. Permit Applications (Non-Delegated) Recommended for Approval:	<u>0</u>	
5. Permits Withdrawn:	<u>0</u>	
6. Permit Applications Outstanding:	<u>43</u>	
a. Facility Permit:	<u>22</u>	

b. Collection Systems-General:	<u>18</u>
c. Collection Systems-Dry Line/Wet Line:	<u>3</u>
d. Residuals Disposal:	<u>0</u>
C. INSPECTIONS - DOMESTIC	<u>85</u>
1. Compliance Evaluation:	<u>13</u>
a. Inspection (CEI):	<u>3</u>
b. Sampling inspection (CSI):	<u>6</u>
c. Toxics Sampling Inspection (XSI):	<u>0</u>
d. Performance Audit Inspection (PAI):	<u>4</u>
2. Reconnaissance:	<u>39</u>
a. Inspection (RI):	<u>14</u>
b. Sample Inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>21</u>
d. Enforcement Inspection (ERI):	<u>4</u>
3. Special:	<u>33</u>
a. Diagnostic Inspection (DI):	<u>0</u>
b. Residual Site Inspection (RSI):	<u>0</u>
c. Preconstruction Inspection (PCI):	<u>5</u>
d. Post Construction Inspection (XCI):	<u>28</u>
D. PERMITTING - INDUSTRIAL	
1. Permit Applications Received:	<u>3</u>
a. Facility Permit:	<u>2</u>
(i) Types I and II	<u>2</u>
(ii) Type III with groundwater monitoring	<u>0</u>
(iii) Type III w/o groundwater monitoring	<u>0</u>
b. General Permit:	<u>1</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>2</u>
3. Permit Applications Outstanding:	<u>30</u>
a. Facility Permits:	<u>28</u>
b. General Permits:	<u>2</u>
E. INSPECTIONS - INDUSTRIAL	<u>27</u>
1. Compliance Evaluation:	<u>7</u>
a. Inspection (CEI):	<u>7</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>20</u>
a. Inspection (RI):	<u>9</u>
b. Sample inspection (SRI):	<u>0</u>
c. Complaint Inspection (CRI):	<u>11</u>

F. CITIZEN COMPLAINTS	
1. Domestic:	<u>13</u>
a. Received:	<u>7</u>
b. Closed:	<u>6</u>
2. Industrial:	<u>18</u>
a. Received:	<u>7</u>
b. Closed:	<u>11</u>
3. Water Pollution:	<u>15</u>
a. Received:	<u>7</u>
b. Closed:	<u>8</u>
G. RECORD REVIEWS	
1. Permitting:	<u>6</u>
2. Enforcement:	<u>2</u>
H. ENVIRONMENTAL SAMPLES ANALYSED FOR:	
1. Air Division:	<u>127</u>
2. Waste Division:	<u>1</u>
3. Water Division:	<u>132</u>
4. Wetlands Division:	<u>0</u>
I. SPECIAL PROJECT REVIEWS	
1. DRI's:	<u>2</u>
2. Permitting:	<u>0</u>
3. Enforcement:	<u>0</u>
4. Other:	<u>0</u>
J. WATER QUALITY MONITORING SPECIAL PROJECTS	
1. Data Review	<u>0</u>
2. Special Sampling	<u>0</u>
3. Biomonitoring/Toxicity Reviews (DW)	<u>3</u>
4. Biomonitoring/Toxicity Reviews (IW)	<u>0</u>
5. Other	<u>2</u>
K. TAMPA PORT AUTHORITY/DEP DREDGE & FILL	<u>25</u>

AR05.02

COMMISSION
 Stacy Easterling
 Pat Frank
 Chris Hart
 Jim Norman
 Jan Platt
 Thomas Scott
 Ronda Storms




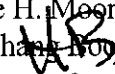
Administrative Offices,
 Legal & Water Management Division
 The Roger P. Stewart Environmental Center
 1900 - 9th Ave. • Tampa, FL 33605
 Ph. (813) 272-5960 • Fax (813) 272-5157
 Air Management Fax 272-5605
 Waste Management Fax 276-2256
 Wetlands Management Fax 272-7144
 1410 N. 21st Street • Tampa,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

Executive Director
 Richard D. Garrity, Ph.D.

MEMORANDUM

DATE: June 11, 2002

TO: Tom Koulianos, Director of Finance and Administration

FROM:  Joyce H. Moore, Executive Secretary, Waste Management Division through
 Hooshang Hoostani, Director of Waste Management

SUBJECT: **WASTE MANAGEMENT'S MAY 2002
 AGENDA INFORMATION**

A. ADMINISTRATIVE ENFORCEMENT

1. New cases received	1
2. On-going administrative cases	88
a. Pending	18
b. Active	41
c. Legal	10
d. Tracking Compliance (Administrative)	19
e. Inactive/Referred cases	0
3. NOI's issued	0
4. Citations issued	4
5. Settlement Documents Signed	1
6. Civil Contributions to the Pollution Recovery Fund	\$10,438
7. Enforcement Costs collected	\$1,615
9. Cases Closed	4

B. SOLID AND HAZARDOUS WASTE

1. Permits (received/reviewed)	56/49
2. EPC Authorization for Facilities NOT requiring DEP permit	3/3
3. Other Permits and Reports	
a. County Permits	0
b. Reports	52/45
4. Inspections (Total)	219
a. Complaints	43
b. Compliance/Reinspections	23
c. Facility Compliance	16
d. Small Quantity Generator	137
5. Enforcement	
a. Complaints Received/Closed	50/39
b. Warning Notices Issued/Closed	4/3
c. Compliance letters	7
d. Letters of Agreement	0
e. DEP Referrals	3
6. Pamphlets, Rules and Material Distributed	285

C. STORAGE TANK COMPLIANCE

1. Inspections	
a. Compliance	106
b. Installation	27
c. Closure	11
d. Compliance Re-Inspections	40
2. Installation Plans Received/Reviewed	8/6
3. Closure Plans & Reports	
a. Closure Plans Received/ Reviewed	3/2
b. Closure Reports Received/Reviewed	3/5
4. Enforcement	
a. Non-compliance Letters Issued/Closed	86/43
b. Warning Notices Issued/Closed	11/11
c. Cases referred to Enforcement	5
d. Complaints Received/Investigated	3/3
e. Complaints Referred	0
5. Discharge Reporting Forms Received	5
6. Incident Notification Forms Received	5
7. Cleanup Notification Letters Issued	3
8. Public Assistance	200+

D. STORAGE TANK CLEANUP

1. Inspections	18
2. Reports Received/Reviewed	94/87
a. Site Assessment	27/27
b. Source Removal	9/9
c. Remedial Action Plans (RAP's)	11/6
d. Site Rehabilitation Completion Order/ No Further Action Order	2/3
e. Others	45/42
3. State Cleanup	
a. Active Sites	NO LONGER ADMINISTERED
b. Funds Dispersed	

E. RECORD REVIEWS

39

F. PUBLIC INFORMATION PROJECTS

K. Boatwright, Annual SQG Workshop

Totals

A. EPC WETLANDS REVIEWS

1. Wetland Delineations	
a. Wetland Delineations (\$120.00)	31
b. Wetland Delineation Dispute	1
c. Wetland Line Survey Reviews	58
d. Additional Footage Fees	1443.68
2. Misc Activities in Wetland (\$0 or \$100 as applicable) Nuisance vegetation/other	30
3. Impact / Mitigation Proposal	16
4. Mitigation Agreements Recorded	0
5. FDOT Reviews	1

B. EPC DELEGATION / REVIEWS FROM
 STATE / REGIONAL / FEDERAL AUTHORITIES

1. Tampa Port Authority Permit Applications (\$50. Or \$150. as applicable)	41
2. Wastewater Treatment Plants (FDEP)	10
3. FDEP Wetland Resource Applications	0
4. FDEP Grandfathered Delineations	0
5. SWFWMD Wetland Resource Applications	0

- 6. Army Corps of Engineers 1
- 7. Interagency Clearinghouse Reviews 0
- 8. DRI Annual Report 4

C. HILLSBOROUGH COUNTY / MUNICIPALITY
 PERMIT APPLICATION REVIEWS

- 1. Land Alteration / Landscaping (\$100)
 - a. LAL (SFD) 0
 - b. LAL (Other) 2
- 2. Land Excavation (\$785 or \$650 as applicable) 0
- 3. Phosphate Mining
 - a. Unit Review / Reclamation (\$760) 5
 - b. Annual Review / Inspection (\$375) 0
 - c. Master Plan 0
- 4. Rezoning
 - a. Reviews (\$85) 24
 - b. Hearings 0
 - c. Hearing Preparation (hours) 0
- 5. Site Development (\$360)
 - a. Preliminary 15
 - b. Construction 31
- 6. Subdivision
 - a. Preliminary Plat (\$140) 5
 - b. Master Plan (\$550) 0
 - c. Construction Plans (\$250.00) 14
 - d. Final Plat (\$90) 25
 - e. Waiver of Regulations (\$100) 0
 - f. Platted - No-Improvements (\$100) 10
 - g. Minor - Certified Parcel (\$100) 6

7. As-Builts (\$255)	10
8. Miscellaneous Reviews (no fees)	
a. Wetland Setback Encroachment	0
b. Easement / Vacating	1
c. NRCS Review	0
9. Pre-Applications (no fees)	
a. Review Preparations (hours)	41
b. Meetings	0
10. Development Review Committee (no fees)	
a. Review Preparation (hours)	10
b. Meetings	0

D. OTHER ACTIVITIES

1. Unscheduled meetings with members of the public (walk-ins)	87
2. Other Meetings	93
3. Telephone Conferences	915
4. Presentations	0
5. Correspondence	374
6. Correspondence Review (hours)	50
7. Special Projects (hours)	45
8. On-site visits	145
9. Appeals (hours)	0

ADMINISTRATIVE ENFORCEMENT	TOTALS
A. NEW CASES RECEIVED	5
B. ACTIVITIES	
1. Ongoing Cases	
a. Active	73
b. Legal	4
c. Inactive	8
2. Number of "Notice of Intent to Initiate Enforcement"	2
3. Number of Citations Issued	1
4. Number of "Emergency Order of the Director"	0
5. Number of Consent Orders Signed	3
C. CASES CLOSED	
1. Administrative / Civil Cases Closed	7
2. Criminal Cases Closed	0
3. Cases Referred to Legal Dept.	1
D. CONTRIBUTIONS TO POLLUTION RECOVERY	\$8,355.00
E. ENFORCEMENT COSTS COLLECTED	\$942.00

INVESTIGATIONS / COMPLIANCE SECTION

A. COMPLAINTS	TOTALS
1. Received	46
2. Return Inspections	82
3. Closed	57
B. WARNING NOTICES	
1. Issued	28
2. Return Inspections	83
3. Closed	21
C. MITIGATION	
1. Compliance/Monitoring Reviews	29
2. Compliance Inspections	17
D. OTHER ACTIVITIES	
1. Case Meetings	3
2. Other Meetings	26
3. Telephone Calls	495
4. File Reviews	24
5. Cases Referred to Enforcement Coordinator	3
6. Letters	77
7. Erosion Control Inspections	80
8. MAIW Reviews	11

ADMINISTRATIVE / TECHNICAL SECTIONS TOTALS

A. ADMINISTRATIVE SUPPORT STAFF

1. File Reviews	6
2. Telephone Assistance	823
3. Letters	249
4. Incoming Projects	139
5. Additional Info / Additional Footage	11 / 13
6. Resubmittals / Revisions	33 / 16
7. Surveys / Data Entry	54 / 480

B. ENGINEERING STAFF

1. Meetings	56
2. Reviews	49
3. Field Investigations	2

EPC LEGAL DEPARTMENT MONTHLY REPORT
June 12, 2002

A. ADMINISTRATIVE CASES

NEW CASES [2]

McCann, Don [LMCN02-020]: On June 6, 2002 the EPC received an appeal of a wetland delineation on a property from an adjacent landowner. The appeal will be consolidated with the below EPC Case No.: LCUR02-021. The appeals are being reviewed for sufficiency under the rules. (AZ)

Curtis, Greg and Vickie [LCUR02-021]: On June 6, 2002 the EPC received an appeal of a wetland delineation on a property from an adjacent landowner. The appeal will be consolidated with the above EPC Case No.: LMCN02-020. The appeals are being reviewed for sufficiency under the rules. (AZ)

EXISTING CASES [7]

FIBA/Bridge Realty [LBRI95-162]: EPC issued a citation to the owner, Bridge Realty and former tenant FIBA Corp., for various unlawful waste management practices. It was ordered that a contamination assessment must be conducted, a report submitted and contaminated material appropriately handled. Bridge Realty and FIBA appealed. Bridge Realty initiated a limited assessment and staff requested additional information only a portion of which was delivered. However, an alternate remedial plan was approved and staff is reviewing the final report. (RT)

Cone Constructors, Inc. [LCONB99-006]: (*See related case under Civil Cases*). Citation for Noise Rule violations during the construction of the Suncoast Parkway was appealed. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (RT)

DOT [LDOF00-008]: DOT appealed a citation issued to them for failing to obtain a Director's Authorization prior to excavating solid waste from old landfills at two sites in Hillsborough County. Since DOT indicated that negotiations for settlement were underway, the appeal proceedings will be held in abeyance pending possible settlement. (RT)

Tampa Bay Organics [LTBOF00-007]: Tampa Bay Organics, a wood and yard waste recycling facility, filed a Notice of Appeal of EPC's citation for causing a dust nuisance and for operating an air pollution source without valid permits. The appeal is being held in abeyance pending settlement discussions. Settlement discussions have not been successful. A civil complaint was filed June 29, 2001. (*See related case under Civil Cases*). (RT)

Stone, Sam [LSTO01-020]: On June 18, 2001 the EPC entered a citation against an individual for unauthorized impacts to wetlands. The appellant has filed a request for extension of time to file a Notice of Appeal of the citation. Mr. Stone filed a Notice of Appeal and a Request for Relief to Determine Estoppel August 27, 2001. The matters have been consolidated and referred to a Hearing Officer. Limited discovery has been sent by the EPC. A Pre-hearing conference was heard on October 23, 2001 regarding the status of the case. The parties are moving forward with resolving the estoppel case. The EPC filed a motion for summary disposition to try to resolve the estoppel issue. The EPC's motion has been withdrawn and a request has been made to set the final hearing date on the estoppel case. Additional discovery will be necessary in the case. (AZ)

Sapp, Richard [LSAP01-016] & [LSAP01-033]: On July 9, 2001, an applicant for an Executive Director's Authorization for wetland impacts filed a Notice of Appeal regarding the Executive Director's denial of the application. The Appeal has been referred to a Hearing Officer for an Administrative Hearing. Limited discovery has been sent by the EPC in the case. The EPC also issued a citation and order to correct regarding alleged wetland violations currently on the property. The citation was appealed and a new case was opened and referred to the Hearing Officer. The EPC has asked the hearing officer to consolidate the two cases. The parties attended mediation on November 5, 2001 and November 27, 2001. Discovery is ongoing in the case. The final hearing in the matter is currently being rescheduled. (AZ)

Yerrid, Steven [LSAN02-002]: EPC received an appeal of a wetland delineation on a property from an adjacent landowner. The appeal was dismissed without prejudice to re-file an amended appeal because it was insufficient. An amended appeal was received on February 15, 2002. The matter has been referred to a Hearing Officer and a pre-hearing conference was scheduled for late March. The pre-hearing conference has been moved based on an offer of settlement. The parties are currently negotiating a proposed settlement. (AZ)

RESOLVED CASES | 1 |

Taylor Woodrow Communities (Waterchase) [LWAT01-012]: On May 4, 2001, an applicant for an Executive Director's Authorization for wetland impacts filed a Notice of Appeal regarding the Executive Director's denial of the application. The Appeal has been referred to a Hearing Officer for an Administrative Hearing. On May 17, 2002 the Appellant voluntarily withdrew its appeal and the matter is being closed. (AZ)

B. CIVIL CASES

NEW CASES | 2 |

Starlite Mobile Home Park / Orange Rose L.L.C. [LORA02-015]: Authority was requested and received by the EPC on May 16, 2002 to initiate judicial enforcement to obtain compliance for operations at a wastewater treatment facility serving a mobile home park. The parties are negotiating a Consent Final Judgment for compliance requirements and for payment of civil penalties and costs. (AZ)

Florida Gas Transmission v. Robert Lynch, Bishop of the Diocese of St. Petersburg, et al. [LFGT02-017] See the below description of the Florida Gas Transmission (FGT) eminent domain proceeding in a related case. The case on these specific parcels (RHB-110.000-AR and RHB-114.000-AR) involves the taking by FGT of 2 access roads to access gas pipeline easements on or near wetlands that the EPC has a mitigation agreements with Tampa Triangle Partners, Ltd. for construction of the Crescent Phase 1 project and Tampa Bay Water for the South Central Hillsborough Intertie Contract 1. (RM)

EXISTING CASES | 14 |

Mulberry Phosphate [LMULF98-166]: 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 conducted a damage assessment and evaluation of appropriate restoration and currently several mitigation projects in both Hillsborough and Polk counties are being reviewed. Mulberry filed for Chapter 11 Bankruptcy in February 2001 and was converted to Chapter 7 on August 15, 2001. It is unlikely any agency will recover civil penalties. Mulberry's insurance coverage is available for restoration and costs. The Federal Government and FDEP filed a joint complaint in Federal Court on April 6, 2001. On December 6, 2001 the EPC filed a judicial lawsuit in the matter to obtain damages and recover the costs of assessment. On December 20, 2001, the Trustee for Mulberry filed a Suggestion of Bankruptcy in the Circuit Court attempting to stay EPC's lawsuit. The Commission approved a settlement through the related Federal District Court case on May 16, 2002. EPC will file a motion to Intervene in the Federal Court action in order to participate in the Consent Decree, which results in a recovery of Restoration and Investigative costs of \$4.65 million. Once EPC is accepted into the Federal action and the Consent Decree is accepted by the Court, EPC will dismiss its State court action. (RT)

672 Recovery, Inc. and Richard L. Hain, Sr. [LREC97-155]: EPC provided authority in March 1999 to compel compliance with EPC rules requiring a Director's Authorization for operation of a wood waste processing facility. 672 Recovery, Inc. recently sold the operation and no longer operates the facility. The current owner is operating the facility in compliance with a permit issued by DEP. EPC is still seeking to recover penalties and costs from 672 Recovery, Inc. and staff is reviewing the file to determine the proper amounts. On February 22, 2001 the EPC filed suit against 672 Recovery, Inc. and Richard Hain for past violations. A summons has been issued and the Defendants were formally served with the complaint on July 9, 2001. The Defendant's attorney has filed a Notice of Appearance in the case. A Default was entered in the case in favor of the EPC for the Defendants' failure to respond to the

complaint. The Default was lifted in the case and the EPC responded to the Defendants' affirmative defenses. The case is moving forward at the litigation level. The EPC sent discovery requests to the Defendants and included another offer to settle the matter. The EPC is awaiting a response to the discovery and offer. (AZ)

FDOT & Cone Constructors, Inc. [LCONB99-007]: (See related case under Administrative Cases) Authority granted in March 1999 to take appropriate legal action to enforce the agency's nuisance prohibition and Noise Rule violated during the construction of the Suncoast Parkway. On September 14, 2000, Mr. Cone signed a Settlement Letter to resolve this case. In addition to prohibiting Mr. Cone from conducting night time operation of heavy duty rock hauling, the Settlement Letter provided for payment of \$1,074.00 as reimbursement for costs and expenses associated with the investigation and resolution of this matter. To date, Mr. Cone has not paid the agreed upon amount. Options for collection of the agreed upon amount are being investigated. (RT)

Qasem J. v. EPC, et al. [LQAS98-161]: In foreclosing a mortgage on a UST facility, Plaintiff named EPC as a Defendant because of our recorded judgment against the former owner/operator, a relative of the current Plaintiff (EPC case against Emad Qasem). EPC has asserted the priority of our judgment lien. Defendant, property owner HJEM, Inc., filed a motion for summary judgment asserting the Plaintiff's mortgage was entered into fraudulently and that it has priority over all lien holders. EPC responded by asserting the priority of its judgment over the Defendant, HJEM, Inc.'s ownership of the property as the property was sold to HJEM, Inc. subject to EPC's judgment. The attorney for the property owner HJEM, Inc. has contacted the EPC regarding purchasing the EPC's interest in the property and settling the matter. The EPC has agreed to convey its judgment lien on the property to HJEM, Inc. in consideration for payment of \$7,500.00. This should remove the EPC from the pending foreclosure case and allow the EPC to recover a reasonable portion of its judgment lien entered against the prior owner of the property. The EPC is currently waiting for resolution of the case so as to collect the remaining amounts for payment of EPC's lien. (AZ)

Georgia Maynard [LMAYZ99-003]: Authority to take appropriate action against Ms. Maynard as owner and operator of an underground storage tank facility was granted August 1999. A prior Consent Order required certain actions be taken to bring the facility into compliance including the proper closure of out-of-compliance tank systems. The requirements of the agreement have not been met. The EPC filed suit for injunctive relief and penalties and costs on March 8, 2001. The Defendant was served with a summons and copy of the complaint on May 21, 2001. The Defendant has failed to respond to the complaint and on July 9, 2001 the court entered a default against the Defendant. The Legal Department has requested that the court enter a Default Judgment against the Defendant. On August 28, 2001 the court entered a Default Final Judgment in the case. The EPC is awaiting compliance with the court's order. On March 12, 2002 the EPC obtained an amended Final Judgment that awarded the EPC \$15,000 in penalties and allows the agency to complete the work through Pollution Recovery Fund (PRF) money and to assess these costs back to the Defendant. A submittal for PRF is being prepared to do the corrective actions. On April 12, 2002 Ms. Maynard applied for state assistance for cleanup of any contamination at the site. (AZ)

Integrated Health Services [LIHSF00-005]: IHS, a Delaware corporation, filed for bankruptcy and noticed EPC as a potential creditor. IHS is a holding company that acquired a local nursing home, which operation includes a domestic wastewater treatment plant that is not in compliance. The Debtor filed a motion requesting that utility companies be required to continue service to the Debtors so that their residents can continue without relocation. (RT)

Nutmeg LLC C/O Roundhill Capital [LNUT01-021]: Authority was requested and received by the EPC on July 12, 2001 to initiate judicial enforcement to close and remove abandoned underground storage tank systems (USTs) and to obtain civil penalties and costs. A judicial complaint was filed on July 31, 2001. The EPC asked the court to enter a default in the case for failure to respond to the complaint. An Order of Default was entered in favor of the EPC on September 25, 2001. On April 30, 2002 the circuit court awarded the EPC \$43,000.00 in penalties and \$764.00 in administrative costs for the failure to properly close the abandoned USTs on the property. In addition, the court awarded the EPC injunctive relief requiring the USTs to be closed by a set deadline and provided the opportunity to the EPC to do the work and be reimbursed by an additional lien on the property, in the event the Defendant does not comply with the judgment. The EPC is currently waiting for compliance with the judgment. (AZ)

Tampa Bay Organics [LTBO01-015]: Authority was requested and received by the EPC on April 19, 2001 to initiate judicial enforcement with respect to failure to comply with a Director's Authorization and failure to obtain an air pollution source permit for the operation of a wood and yard waste recycling facility. EPC filed a civil complaint on

June 29, 2001. TBO filed a motion to dismiss on September 5, 2001, which is pending. (*See related case under Administrative Cases*). (RT)

Slusmeyer, Boyce [LSLU01-029]: Authority was requested and received by the EPC on September 20, 2001 to initiate judicial enforcement with respect to failure to comply with a Executive Director's Citation and Order to Correct Violation for the failure to initiate a cleanup of a contaminated property. The Defendant failed to appeal the Citation, which became a Final Order for the agency on September 18, 2001. The EPC is currently drafting a civil complaint to obtain corrective actions. The parties are in negotiations to resolve the violations. (AZ)

Big Red's Garage, et al. [LBRG02-012]: Authority to take appropriate action against responsible parties to obtain a Site Assessment for contamination on a property was requested and received by the EPC on March 21, 2002. The parties are currently in negotiations regarding resolving the matter. (AZ)

Durant Food Store, et al. [LDUR02-011]: Authority was requested and received by the EPC on March 21, 2002 to initiate judicial enforcement to close and remove abandoned underground storage tank systems (USTs) and to obtain civil penalties and costs. (AZ)

General Auto & Millennium Fuel of Tampa, Inc., et al. [LGEN02-006]: Authority was requested and received by the EPC on March 21, 2002 to initiate judicial enforcement for unresolved violation regarding underground storage tank systems (USTs) and to obtain civil penalties and costs. (AZ)

Florida Gas Transmission v. Hillsborough County, et al. [LFGT02-007] Florida Gas Transmission (FGT) is a public utility corporation that has the power of eminent domain pursuant to U.S. (Natural Gas Act) and State laws. FGT is exercising its power of eminent domain by filing three petitions in eminent domain against various parties, including the EPC, for various parcels of property in Hillsborough County in order to acquire land and easements to develop a natural gas pipeline called the Bayside Project. The natural gas is for public supply for domestic and industrial purposes. It is a 13.8 mile long and 26" wide pipeline between FGT's West Leg pipeline in eastern Hillsborough County to the TECO Gannon Station in Tampa. On some of the properties FGT seeks to acquire, the EPC has mitigation agreements recorded in the public record. These mitigation agreements provide for the mitigation of wetland impacts by requiring certain wetland creation or protection, on and off-site. Because the EPC has a recorded interest on some of these parcels, FGT is required to include us in the proceeding. The EPC has defended its mitigation agreements to ensure that the original lands to be protected will remain intact. The case on this specific parcel (RHB-115.000) involves pipeline easement acquisition near a wetland subject to a mitigation agreement TBW agreed to for construction of the South Central Hillsborough Intertie, Contract 1. The project does not appear to touch the wetland of concern. The parties reached a settlement and the EPC will be paid fees and costs. (RM)

Florida Gas Transmission v. Progressive Casualty Insurance et al. [LFGT02-009] See the aforementioned description of the Florida Gas Transmission (FGT) eminent domain proceeding. The case on this specific parcel (RHB-110.000) involves the taking of a pipeline easement on or near a wetland that the EPC has a mitigation agreement with Tampa Triangle Partners, Ltd. for construction of the Crescent Phase 1 project. The EPC has defended its mitigation agreements to ensure that the original lands to be protected will remain intact. The parties reached a settlement and the EPC will be paid fees and costs. (RM)

RESOLVED CASES [1]

Holley, Raymond, et al. [LHOL94-161]: Suit was filed in 1994 to compel proper closure for an abandoned underground storage tank (UST) and to obtain civil penalties and costs. On July 25, 2000 the Court entered a Default Final Judgment requiring the Defendant to properly close the USTs, pay costs of \$1,240.87, and required payment of \$22,100 in penalties if the order for injunctive relief is not complied with. The Defendants have not complied with the judgment. On April 24, 2001 the court found the Defendants in civil contempt for failure to remove the UST's on the property. The judge issued an order in November 2001 finding the Defendants financially unable to comply with the judgment and allowed the EPC site access to correct the violations. A third party interested in purchasing a separate property owned by the Defendants agreed to resolve the outstanding violations in consideration of the EPC releasing its lien on the properties. On June 7, 2002 the company completed the closure and removal of the USTs. The EPC still retains its lien for penalties on the Defendants' remaining properties but the matter has been closed. (AZ)

COMMISSION
 Stacy Easterling
 Pat Frank
 Chris Hart
 Jim Norman
 Jan Platt
 Thomas Scott
 Ronda Storms



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

Executive Director
 Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
 OF HILLSBOROUGH COUNTY
 POLLUTION RECOVERY TRUST FUND
 AS OF MAY 31, 2002

Fund Balance as of 10/01/01	\$1,337,989
Interest Accrued FY02	26,074
Deposits FY02	249,881
Disbursements FY02	111,181
Fund Balance	\$1,502,763
Encumbrances Against Fund Balance:	
Art. Reef FY02	33,732
(66) Asbestos Abatement	5,000
(73) Balm Road Scrub	300,000
(81) Oil Boom/Tampa Baywatch	9,241
(84) a Cockroach Bay Turtle Grass	22,929
(84) b Cockroach Bay Aerial Photos	16,188
(90) Upper Tampa Bay Trail	77,300
(91) Alafia River Basin	36,000
(92) Brazilian Pepper	26,717
(93) Rivercrest Park	15,000
(94) American Lung/Airwise	- 0 -
(95) COT Stormwater Improvement	37,800
(96) H. C. Parks/Riverview Civic	40,000
(97) COT Parks Dept/Cypress Point	100,000
Total Encumbrances	719,907
Minimum Balance	120,000 *
Fund Balance Available May 31, 2002	\$ 662,856

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

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Executive Director
 Richard D. Garrity, Ph.D.

ENVIRONMENTAL PROTECTION COMMISSION
 OF HILLSBOROUGH COUNTY
 ANALYSIS OF GARDINIER SETTLEMENT TRUST FUND
 AS OF MAY 31, 2002

Fund Balance as of 10/01/01	\$1,423,826
Interest Accrued FY02	24,895
Disbursements FY02	115,166
 Fund Balance	 \$1,333,555

Encumbrances Against Fund Balance:

SP462 Port Redwing	300,000
Sp464 Davis Tract	99,286
SP602 Apollo Beachhabitat Restoration	100,000
P597 Fantasy Island Restoration	1,633
SP591 Mechanical Seagrass Planting	31,304
Marsh Creek/Ruskin Inlet	47,500
SP604 Desoto Park Shoreline	150,000
H.C. Resource Mmt/Exotic Plant Removal	50,000
H.C. Resource Mmt/Apollo Beach Restoration	35,000
Fl. Marine Res. Inst/Tampa Bay Scallop Rest	127,900
COT Stormwater Improvements	21,000
H. C. Public Safety/Manatee Protection Areas	40,147
CR. Bay Users Group/Seagrass Manatee Prot.	27,200
H. C. Parks/Riverview Civic Center	120,000
 Total of Encumbrances	 1,150,970

Fund Balance Available May 31, 2002	\$ 182,585
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Executive Director
Richard D. Garrity, Ph.D.

MEMORANDUM

DATE: June 20, 2002
TO: EPC of Hillsborough County Board Members
FROM: Richard D. Garrity, Ph.D., Executive Director, EPC *Rick G.*
SUBJECT: QUARTERLY STATUS REPORT ON NATIONAL PRIORITIES LIST SITES IN HILLSBOROUGH COUNTY

This memorandum serves as the quarterly status report concerning the United States Environmental Protection Agency's (USEPA) identified National Priorities List (NPL) sites that are located in Hillsborough County. The NPL sites are also known as Superfund sites. The previous annual status memorandum was submitted to you on February 27, 2002.

ALARIC AREA GROUND WATER PLUME

The USEPA Remedial Project Manager had not responded to EPC staff e-mail by the time this memo was finalized. Last quarter's report indicated that the project manager was "working on the ROD [Record of Decision] for Alaric." The ROD outlines the selected remedy for the site.

HELENA CHEMICAL COMPANY SITE

The USEPA Remedial Project Manager had not responded to EPC staff e-mail by the time this memo was finalized. Last quarter's report indicated that "We [i.e., the USEPA] hope to resume the groundwater RD [Remedial Design] for Helena in the next month." The ROD for Alaric is delaying the RD for Helena because their plumes are co-mingled.

MRI CORPORATION SITE

The USEPA Remedial Project Manager had not responded to EPC staff's e-mail and voice mail inquiries by the time of the finalization of this memorandum as was the case for the February update. As a re-statement from the December 3, 2001 quarterly status memorandum, the USEPA Remedial Project Manager reported that a Consent Decree had been negotiated with the potential responsible parties (PRPs). She stated that the USEPA's attorney and the U.S. Department of Justice (DOJ) were hoping that the Consent Decree gets lodged before Christmas 2001. After that, there would be a 30-day public comment period. She stated that sampling for the Investigation of Extent of Contamination would not be implemented until the Consent Decree is entered.

The USEPA Remedial Project Manager also stated that the USEPA met with Tampa Bay Water, "who is planning to construct a road in a portion of land that has been

affected with off-site migration." She stated, "We [the USEPA] might be in discussions on how to enter into an agreement with them [Tampa Bay Water] to conduct further characterization of the property and Work Plan to conduct soil removal and disposal prior to the construction of the road." She further stated, "Tampa Bay Water is under [a] deadline to finish construction of the road by May 2002. which tells that time is a concern for [the] [US]EPA. Specially [sic] when, at our [the USEPA's] request, we [the USEPA] received the first Draft proposal from Tampa Bay Water on November 26, 2001." She went on to state, "Unfortunately, the proposal offers very little information regarding soil characterization or construction diagrams."

NORMANDY PARK APARTMENTS SITE

The USEPA Remedial Project Manager e-mailed EPC staff and reports: "We are continuing to sample the groundwater quarterly. Otherwise there has been no activity since the last update." The quarterly sampling will be conducted for one year and less frequently afterward until the cleanup levels are achieved.

PEAK OIL/BAY DRUMS SITE

The USEPA Remedial Project Manager e-mailed EPC staff and reports, "The latest status report can be found on the [USEPA] Region 4 webpage." The fact sheet on the USEPA webpage states the following: "The remedial action construction activities designed to address OU 1 [i.e., the Peak Oil source area] and OU 3 [i.e., the Bay Drum source area] were completed during the summer/fall of 2001. The Remedial Action Report for OU 1/OU 3 is currently under development/review. It is estimated that the remedial design for the area-wide impacted groundwater (OU 2) will begin in the Spring of 2002. As required in the ROD [Record of Decision], sampling of the Wetland (OU 4) occurred before construction activities at OU 1 and OU 3 began (i.e., pre-OU 1 and OU 3 construction sampling). Post-OU 1 and OU 3 construction sampling of the Wetland is set to occur again in 2002." This information has not changed since the last update.

REEVES SOUTHEASTERN CORPORATION SITE

The USEPA Remedial Project Manager e-mailed staff and reports: "Reeves is still having problems getting access to install the culvert. The Reeves Trust has made a nominal monetary offer to the Bank of America in order to obtain access, but are still having problems. If access is not granted by the end of June, EPA plans to take action to secure access. Other than that, we are still sampling the GW and are beginning routine sampling of the wetland, but so far not enough surface water to sample."

SOUTHERN SOLVENTS, INC. SITE

The USEPA Remedial Project Manager e-mailed EPC staff and reports that the "for the operable unit 1: Comments on the Pre-Final draft of the Remedial Design have been responded to by the EPA contractor. The final Remedial design is the next deliverable. A draft Explanation of Significant Differences (ESD) is being reviewed by the FDEP. The ESD modifies the remedy for the contaminated vadose zone soil from excavation and disposal to soil vacuum extraction (SVE). For the Operable Unit 2: Seven additional Floridan aquifer monitoring wells were added in April 2002. Data

from these wells indicate PCE at 50 ppb at a depth of 200 ft bls, onsite and 450 ppb 450 ft west of the site, at a depth of 100 ft bls."

STAUFFER CHEMICAL COMPANY SITE

The USEPA Remedial Project Manager had not responded to EPC staff by the time this memo was finalized. Last quarters report indicated, "Stauffer is still in an O&M [operation and maintenance] mode." Recent EPC inspections revealed that the bioremediation continues.

SYDNEY MINE SLUDGE POND SITE

The USEPA Remedial Project Manager e-mailed EPC staff and reports that the "site's groundwater is being monitored." The most recent sampling round was scheduled to begin on May 28, 2002.

TAYLOR ROAD LANDFILL SITE

The USEPA Remedial Project Manager e-mailed EPC staff and reports: "Nothing happening on Taylor Road except for routine sampling. The FDEP is still considering whether to take legal action against the PRP to enforce secondary standards at the site. EPA changed the remedy to remove secondary standards because we disagreed with FDEP and said they are not ARARS [applicable or relevant and appropriate requirements] in this case."

cc: Hooshang Boostani, P.E., EPC

RDG/mey

H:Superfund\Superfund Quarterly June 2002

Agenda Item Cover Sheet

Date: June 20, 2002

Agenda Item: Atrazine Update

Description/Summary:

Dean Chambers spoke regarding the issue of atrazine use and potential environmental impact during the audience comment portion of the June 5, 2002, BOCC meeting. Commissioner Storms referred the issue to EPC to include on its June agenda and provide an update.

Today, we plan to make a brief presentation to provide information to the board on this issue.

In brief, atrazine is an organic chemical used as an herbicide throughout the U.S. primarily for the control of weeds in agricultural food crop areas. 76 million pounds of atrazine is used annually. 98% of this is used in agricultural areas with corn accounting for 85% of total use.

Because of atrazine's chemical properties and widespread use as an herbicide, concerns have been raised over potential exposure risks. EPA is currently in the process of developing/revising the water quality criteria for atrazine to address concerns over exposure of aquatic organisms.

Board Action Recommended:

No action required. For information only.

**Environmental Protection Commission
Of Hillsborough County**

Agenda Item Cover Sheet

Date: June 12, 2002

To: Environmental Protection Commissioners

Through: Richard D. Garrity, Ph.D., Executive Director
Christopher A. Dunn, P.E., Director, Water Management Division
Richard Tschantz, General Counsel

From: Michael Newman, Sr. Enforcement Specialist

Subject: Abe Vaknin d/b/a Goods Car Wash

Recommendation: Grant authority to initiate appropriate legal action and settlement authority against Mr. Vaknin.

Background: The car wash (Facility) is located at 8725 West Waters Avenue, Tampa.

The EPC is delegated by the Florida Department of Environmental Protection (DEP) to administer the industrial wastewater program in Hillsborough County. An EPC Notice of Violation, Orders For Corrective Action, and Civil Penalty (NOV) issued on December 19, 2001 required that Mr. Vaknin (1) Modify the car wash system to enable it to qualify for a general permit or an exemption, or; (2) Apply for and receive an industrial wastewater permit, or; (3) Connect the Facility to a regional wastewater treatment facility, or; (4) Close the Facility; and pay the EPC appropriate penalties and administrative costs. Mr. Vaknin failed to timely file a Petition For Administrative Hearing and thus the NOV became an Order of the Director.

To date, Mr. Vaknin has temporarily closed the Facility but has failed to pay the EPC any penalties or applicable costs.

Failure to comply with an Order of the Director is a violation of Chapter 403.161, Florida Statutes, and Chapter 84-446, Laws of Florida, as amended (EPC Act). Mr. Vaknin has violated the referenced EPC and State DEP rules and regulations regarding the failure to pay penalties and costs in the NOV. The EPC staff has attempted to negotiate resolving the outstanding violations but has been unsuccessful. Since the responsible party has not responded adequately to EPC staff efforts to resolve this matter, EPC staff recommends the initiation of appropriate legal action for enforcement.

Action Taken By The Commission

Approved Disapproved Continued/deferred until _____

Other: _____

By: _____

Meeting Date: _____

AGENDA ITEM COVER SHEET

Date: June 11, 2002

Agenda Item: Voluntary Diesel Retrofit Program

Description/Summary:

Across the country, there is great concern about pollution from diesel engines. Diesel engines emit significant amounts of oxides of nitrogen, hydrocarbons and soot. The U.S. Environmental Protection Agency has a plan to significantly reduce pollution from new diesel engines. Their two-step approach first sets new emission standards for diesel engines manufactured in 2004, followed by a more stringent emission standard in 2007.

However, because these rules will not take effect right away, EPA has developed the **Voluntary Diesel Retrofit Program** to help reduce exposure to diesel fumes in the immediate future. Retrofit devices can be installed on existing engines and are effective in reducing diesel emissions. EPA's voluntary program will address emissions from heavy-duty vehicles such as construction equipment and school buses. Locally, Hillsborough County Schools has agreed to partner with the Air Division in pursuing an EPA grant to start a school bus retrofit program in Hillsborough County. It will be the only program of its kind in the State.

Commission Action Recommended:

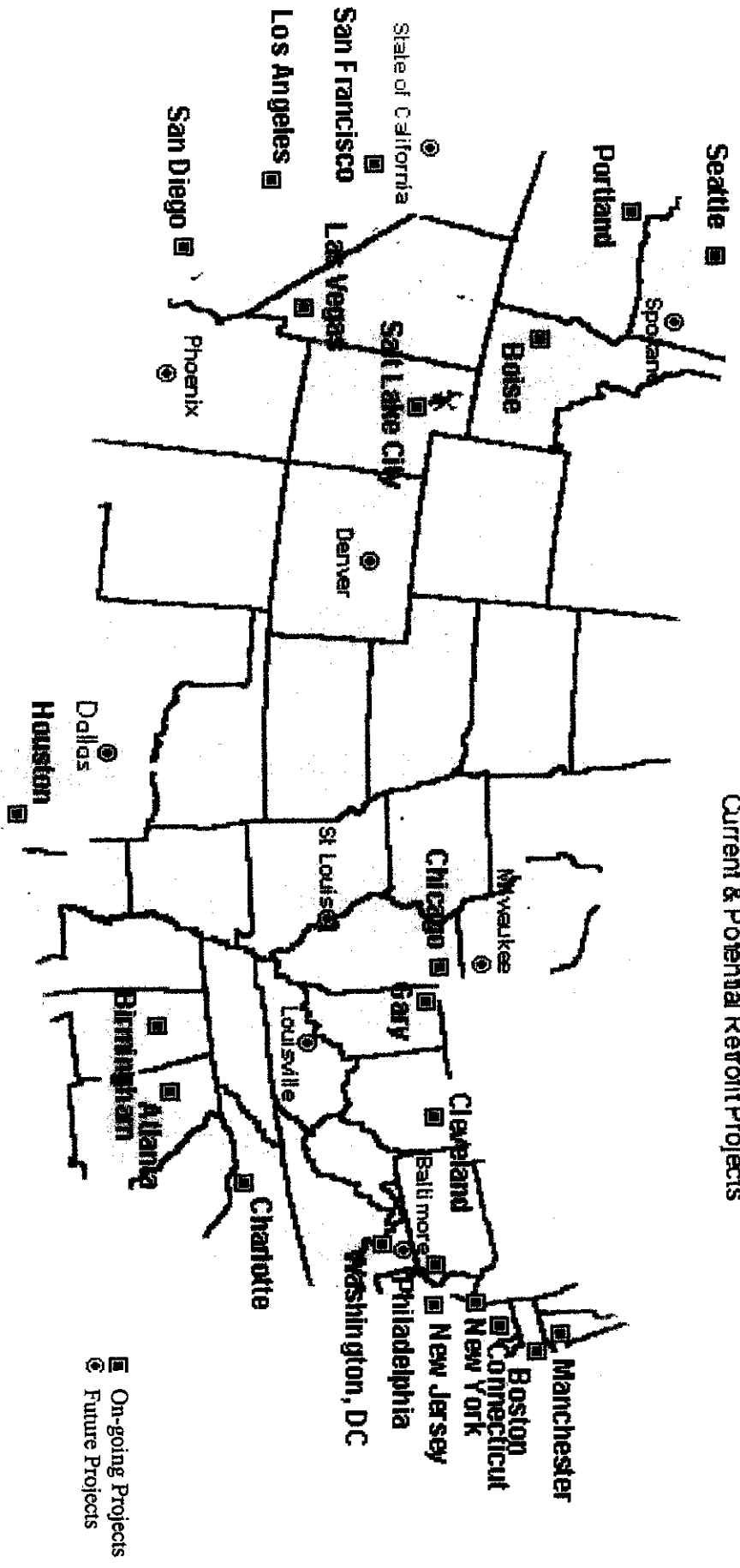
Receive the information – no action required.





Voluntary Diesel Retrofit Program

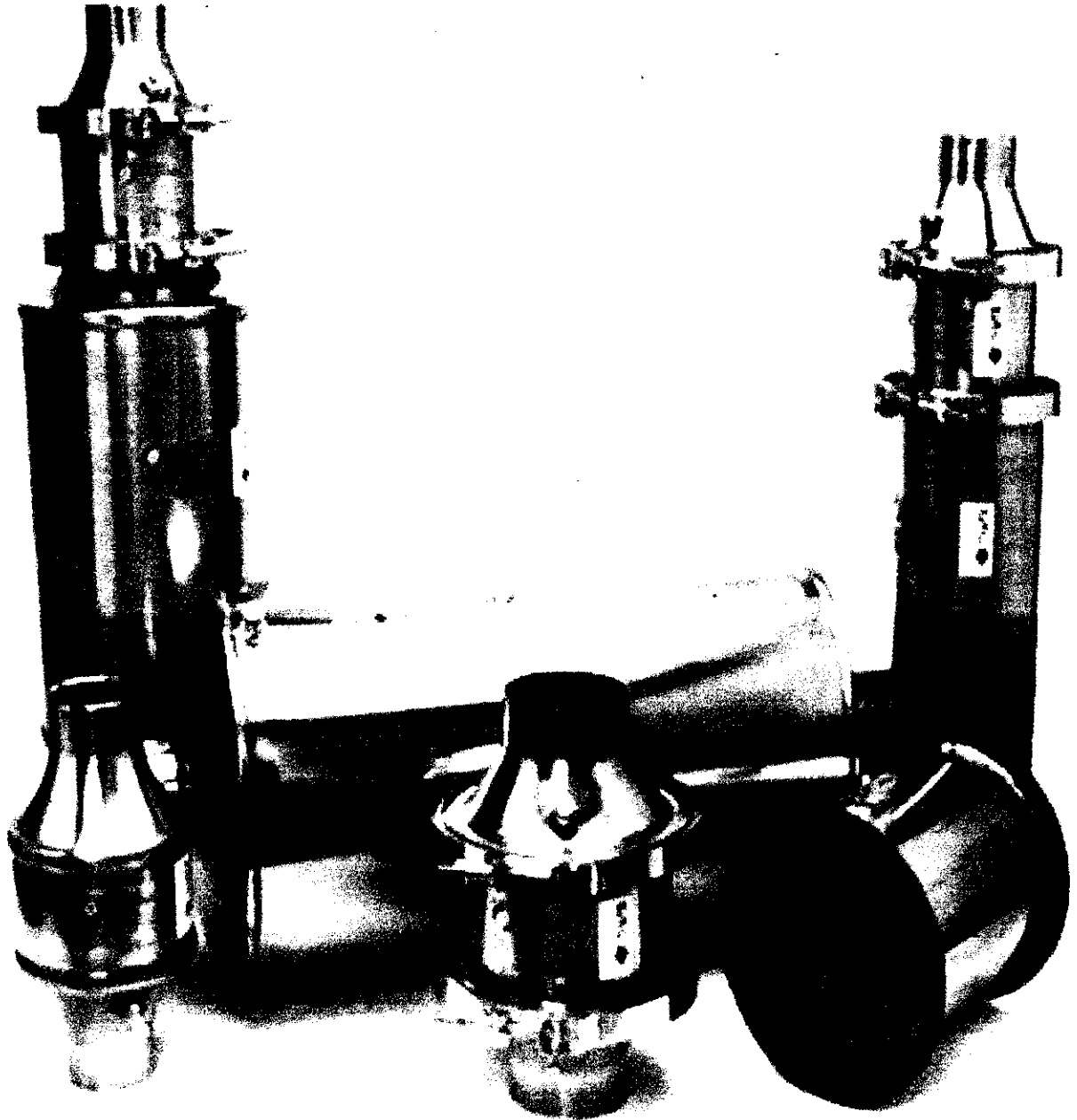
- In response to concerns about diesel engine pollution, EPA has established a 2-step plan to reduce diesel emissions and is looking for partners to join.
- EPA's **Voluntary Diesel Retrofit Program** has an immediate impact on the diesel problem. Currently, more than 25 state/local agencies are participating nationwide (over 70,000 completed retrofits) .
- EPA has grant monies and technical assistance available for diesel retrofit projects. Typical grants are for \$75,000 but because of Hillsborough County's fleet size and Superintendent Lenard's interest, we will be requesting double that or \$150,000. EPA has strongly emphasized their preference to fund school bus fleets.
- Retrofit devices are installed by the manufacturer on existing exhaust systems and paid for by the EPA grant.
- Benefits of a school bus retrofit program –
 - Reduced diesel exposure levels for student riders
 - Improved air quality
 - Positive public exposure (Hillsborough County would have the sole pilot program in the State of Florida)
- EPA grant application deadline is July 1, 2002. EPC staff will partner with Hillsborough County Schools and apply for this grant.

Current & Potential Retrofit Projects



 On-going Projects
 Future Projects

Actual Diesel Retrofit Hardware



AGENDA ITEM COVER SHEET

Date: June 12, 2002

Agenda Item: Resolution to Pursue Delegation of the Brownfields Program within Hillsborough County from the Florida Department of Environmental Protection to the Environmental Protection Commission

Description/Summary:

The Brownfields Redevelopment Act, (Chapter 97-277, Laws of Florida [L.O.F.], and as amended by Chapter 98-75, L.O.F.) was enacted to reduce public health and environmental hazards on existing commercial and industrial sites by offering incentives to encourage responsible persons to voluntarily develop and implement cleanup plans on such sites.

The EPC has conducted initial discussions with the Florida Department of Environmental Protection concerning delegation of the Brownfield Program to the EPC pursuant to Chapter 376.80(11), FS. EPC has participated as an interested party in the implementation of the Brownfields program to date and believes that authorizing the local program to conduct brownfields activities will facilitate expansion of the program within the county. EPC will be able to concentrate its efforts to a greater degree than the State, given the resources available to each agency. EPC has the expertise and resources to successfully implement this program within Hillsborough County and believes it is in the best interest of the public to pursue the delegation.

The State has requested formal authorization by the Board prior to negotiation of a Delegation Agreement to verify the Board's support of these activities. Upon completion of the negotiations, the EPC will request the Board Authorize the actual execution of the Delegation Agreement.

Commission Action Recommended:

Adopt the Resolution authorizing the Executive Director of the EPC to pursue a Brownfields Delegation Agreement with the Florida Department of Environmental Protection.

Resolution No. _____

RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OF THE ENVIRONMENTAL PROTECTION COMMISSION OF HILLSBOROUGH COUNTY TO PURSUE A BROWNFIELDS DELEGATION AGREEMENT BETWEEN THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION AND THE HILLSBOROUGH COUNTY ENVIRONMENTAL PROTECTION COMMISSION.

Upon motion by Commissioner _____, seconded by Commissioner _____, the following Resolution was adopted by a vote of _____ to _____, with Commissioner(s) _____ voting No.

WHEREAS, the Brownfields Redevelopment Act, Chapter 97-277, Laws of Florida (L.O.F.), and as amended by Chapter 98-75, L.O.F., was enacted to reduce public health and environmental hazards on existing commercial and industrial sites by offering incentives to encourage responsible persons to voluntarily develop and implement cleanup plans on such sites; and

WHEREAS, the Florida Department of Environmental Protection (FDEP) is the agency of the State of Florida with the authority and power to enforce the provisions of Chapters 376 and 403, Florida Statutes (F.S.); and

WHEREAS, the FDEP, pursuant to Chapter 376.80(11), F.S. has the authority to delegate the administration of the Brownfields Program to a local pollution control program approved under Chapter 403.182, F.S., which has the financial, technical, and administrative capabilities and the desire to administer the Brownfields Program; and

WHEREAS the Hillsborough County Environmental Protection Commission (HCEPC) is operating pursuant to a special act, Chapter 84-446 L.O.F. as amended, and has the authority to accept delegation of the Brownfields Program described herein, and which is authorized to adopt rules and criteria necessary to exercise the powers delegated by this Agreement; and

WHEREAS, the FDEP and the HCEPC desire to increase governmental efficiency and avoid duplicative regulatory efforts while maintaining levels of environmental protection;

NOW, THEREFORE, be it resolved by the Hillsborough County, Florida Environmental Protection Commission in regular meeting assembled this _____ day of June, 2002, as follows:

1. The above findings of fact are hereby incorporated within this Resolution.

2. The Executive Director of the HCEPC is hereby authorized to pursue a Brownfields Delegation Agreement with the Florida Department of Environmental Protection.

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

I, Richard Ake, Clerk of the Circuit Court and Ex Officio Clerk of the Hillsborough County Environmental Protection Commission, Hillsborough County, Florida, do hereby certify that the above and foregoing is a true and correct copy of a Resolution adopted by the Hillsborough County Environmental Protection Commission, Hillsborough County, Florida, at its meeting of June, 2002, as the same appears on record in Minute Book _____ of the Public Records of Hillsborough County, Florida.

WITNESS my hand and official seal this _____ day of June, 2002.

RICHARD AKE, Clerk

BY: _____
Deputy Clerk

Approved as to Form and Legal Sufficiency

By: _____

General Counsel, EPC

AGENDA ITEM COVER SHEET

Date: June 11, 2002

Agenda Item: Funding of Two Positions in the Wetlands Management Division from the Hillsborough County Phosphate Severance Tax

Description/Summary:

Phosphate mining in Hillsborough County is the category of land use that impacts the greatest amount of wetlands. It is a long-term extractive process, which significantly alters the landscape, and in which the assessment of wetland impacts is, at best, difficult and mitigation is oftentimes postponed for years, making it difficult to track. Given the amount of time required to conduct reviews that keep up with typical development in the County and the very nature and requirements of the phosphate mining industry, it has become imperative that EPC staff devote specific attention to this industry.

For the past number of years, the EPC's Wetlands Management Division staff has struggled to keep pace with the rapid rate of the development within the County. Within the Division, a total of five assessment staff scientists conduct all site assessment inspections, review all development plans for commercial and residential developments, review all zoning petitions, property subdivisions, land alteration applications, phosphate mining applications, dock and boat ramp construction proposals, and applications to impact wetlands within the jurisdictions of unincorporated Hillsborough County, the City of Tampa, the City of Plant City and Temple Terrace. In addition to these activities, these staff scientists are responsible for reviewing minor and standard construction projects for the Tampa Port Authority, Hillsborough County Stormwater and Capital Improvement Projects, Hillsborough County School Board, Florida Department of Transportation, S.W. F.W.M.D. Surface Water Improvement and Management (SWIM) and other government agencies, such as the U.S. Postal Service, not to mention their participation in requisite meetings and various advisory committees. It is worthy of noting that between the years of 1992 and 2000, the number of reviews showed a steady annual increase from 2347 in 1992 to 5066 in the year 2000. While the number of staff performing these reviews has remained the same, the amount of reviews increased 57%.

Traditionally, one of these staff scientists has, in addition to the activities noted above, also been tasked with the specific responsibility of reviewing all applications to conduct phosphate mining within the County. Additionally, the mitigation compliance scientist has been responsible for tracking nearly 700 acres of mitigation from typical development projects throughout the County as well as monitoring 1500 acres of mitigation related to phosphate mining.

By the addition of these requested new staff members, EPC will be better able to dedicate the time necessary to provide the County with a higher level of resource protection, reduce review delays, and allow IMC Phosphates the ability to better plan their mining operations.

Cost estimates are as listed below:

- Personnel Services \$79,345.00
(2 positions including benefits package)
- Operating Expenses \$ 7,400.00
- Capital Outlay \$22,374.00
- **TOTAL \$109,119.00**

Board Action Recommendation: Approval of staff recommendations. Authorize the EPC Executive Director to seek a budget amendment through the disbursement of \$109,119.00 from the Phosphate Severance Tax with approval from the Board of County Commissioners.

STAFF RECOMMENDATIONS:

Two new positions in the Wetlands Management Division, a Scientist II and a Clerk IV, to be funded by the Phosphate Severance Tax

Scientist II Job Duties

Project Manager for all phosphate mining activities in Hillsborough County as they relate to Chapter 1-11. To include the following:

1. Conduct mining unit field reviews, including wetland jurisdictional determinations and wetland impact assessments;
2. Coordination with PGMD staff with respect to the Hillsborough County Land Development Code, Part 8, Phosphate Mining Regulations;
3. Conduct co-reviews of phosphate mining reclamation plans with PGMD staff;
4. Prepare for and attend all phosphate hearings as required by the Phosphate Hearing Master and the Board of County Commissioners and provide testimony when appropriate;
5. Conduct all phosphate DRI reviews and analysis of all DRI annual reports;
6. Coordinate phosphate mining activities with the Wetlands Management staff including: Director, Assistant Director, Professional Engineer, Professional Geologist, Biostatistician, and in-house counsel;
7. Ensure compliance of all phosphate mitigation monitoring and annual reports in relationship to the mining permit;
8. Conduct all site assessments associated with mitigation compliance;
9. Prepare EPC's annual phosphate report; and,
10. Oversee the Clerk IV.

Clerk IV Job Duties:

Permit Facilitator for all projects associated with phosphate mining in Hillsborough County as it relates to Chapter 1-11. To include the following:

1. Track phosphate-mining reviews to ensure critical deadlines are met;
2. Track phosphate-mining reviews hearings, review agendas and prepare files for hearings;
3. Perform various secretarial and administrative duties for phosphate related areas;
4. Coordinate and schedule all phosphate related meetings between EPC/PGMD/IMC staff;
5. Coordinate phosphate mining DRI reviews and annual reports internally and externally to ensure that all EPC Divisions have responded to the request for comments and the comments have been forwarded appropriately;
6. Data entry for mitigation monitoring and tracking;
7. Assist the Scientist II with field work associated with wetland jurisdictional determinations and assessment of wetland mitigation;
8. Track Conservation Easements including correspondence generation, and processing;
9. Prepare phosphate files for mitigation compliance transfer;
10. Establish and maintain a filing system and records for phosphate mining; and,
11. Assist Scientist II in collection of data in preparation for the EPC annual phosphate report and other special reports and projects.

FY 02 AND FY 03 DECISION UNIT DESCRIPTION & COST

Office:	
Department:	EPC - Wetlands Division

SERVICE LEVEL
Enhancement

PRIORITY	
Funding Source Priority #:	
Department Priority #	

Fund:	
Subfund:	
Index Code:	

CATEGORY: E
(M1, M2, E, D)

C.I.P.#:	
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BUDGETARY DECISION UNIT: Wetlands Management Division

SERVICE: Phosphate Mining Unit Impacts Review

	Total Costs		Total Positions (Listed by Job Class) (Use separate sheet if necessary.)			
	FY 02	FY 03	Class #	Description	FY 02	FY 03
	Personnel Services		\$79,345	A1908	Environmental Scientist II	
Operating Expenses		\$7,400	A0108	Clerk IV		1
Capital Outlay		\$22,374				
TOTAL	\$0	\$109,119		TOTAL	0	2

IMPACT ON FY 02:
 These two positions will provide improved service to the community, enhanced safeguards for the environment and accelerated coordination between EPC, phosphate resource developers, and other county departments (PGMD, County Attorney's Office, and Public Works). This will be accomplished in the following manner:

1. These positions will allow the reallocation of resources within the division, giving us the ability to dedicate one scientist specifically to the review of phosphate mining unit development plans, reviews of mitigation plans, and the evaluation of compliance of wetland mitigation and wetland recreation projects ("as built") with approved plans.
2. These positions will allow the reallocation of resources within the division, giving us the ability to dedicate one clerk IV specifically to the management of historic, current, and future files and records relating to all aspects of phosphate resource management and administration within the agency. This will include the preservation of historic files as well as the transitioning of this database into digitized records compatible with the County's GIS systems.

IMPACT ON FY 03 (if different from FY 02):

REVENUE IMPACT:			
Revenue Description	FY 02	FY 03	Narrative:

(Continue on separate page, if necessary.)

**Personnel Budget Detail
Phosphate Severance Tax Positions**

New Positions:	Annual Salary:	W/Benefits (30%)
Environmental Scientist II	\$35,193.60	\$45,751.68
Clerk IV	\$23,920.00	\$31,096.00
	SUBTOTAL:	\$76,847.68
	FY 03 3.25% Adjustment:	\$79,345

DEPARTMENT NAME: EPC - Wetlands Management Division

FUND/SUBFUND

INDEX CODE:

I.T.S./FLEET APPROVAL:

FY 02/03 BUDGET CAPITAL OUTLAY DETAIL (BF105)

(1) PRIORITY NUMBER	(2) INDEX CODE	(3) SUBOBJECT CODE	(4) DESCRIPTION & JUSTIFICATION	(5) DECISION UNIT	(6) PROPERTY NUMBER	(7) # OF UNITS	(8) UNIT COST	(9) TOTAL COST
			Desktop computer, Pentium III with 650 MHz/512K, ATX. Wetlands Required for daily support of new Environmental Scientist II and Clerk IV in Phosphate Mining Unit reviews and compliance verifications .	Wetlands		2	\$1,750	\$3,500
			HP Color Laser Jet 4550N Printer . Required for daily support to Phosphate Mining Unit reviews and compliance verifications.	Wetlands		1	\$2,500	\$2,500
			Chevy Blazer, 4 x 4 utility vehicle. Required for daily support to Phosphate Mining Unit reviews and compliance verifications.	Wetlands		1	\$19,874	\$19,874
			Digital Camera, Fujifilm FinePix 6800 Zoom Required for daily support to Phosphate Mining Unit reviews and compliance verifications from field inspections project reviews, and site visits.	Wetlands		1	\$580.00	\$580

TOTAL

\$22,374

Page 1 of 1

Page revision date

**Operating Budget Detail
Phosphate Severance Tax Positions**

Subobject code	Description	Budget
5100	Office Supplies	\$500
5101	Minor Office Equipment: (2 Desks, 4 chairs, 10 filing cabinets, table, locker)	\$3,500
5200	General Operating	\$500
5212	Uniforms and Safety	\$400
5404	Training and Education	\$2,500
	TOTAL:	\$7,400

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

- JUSTIFICATION
- POSITIONS TO BE FUNDED
- BUDGET
- IMPACT

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

POSITIONS TO BE FUNDED

Scientist II - Phosphate Mining Project Manager

Clerk IV - Phosphate Mining Permit Facilitator

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

JUSTIFICATION FOR ADDITIONAL POSITIONS

- Five Assessment Scientists Completing all assessment reviews for all development within all municipalities of Hillsborough County
- One of these Scientists additionally tasked with review of phosphate mining applications

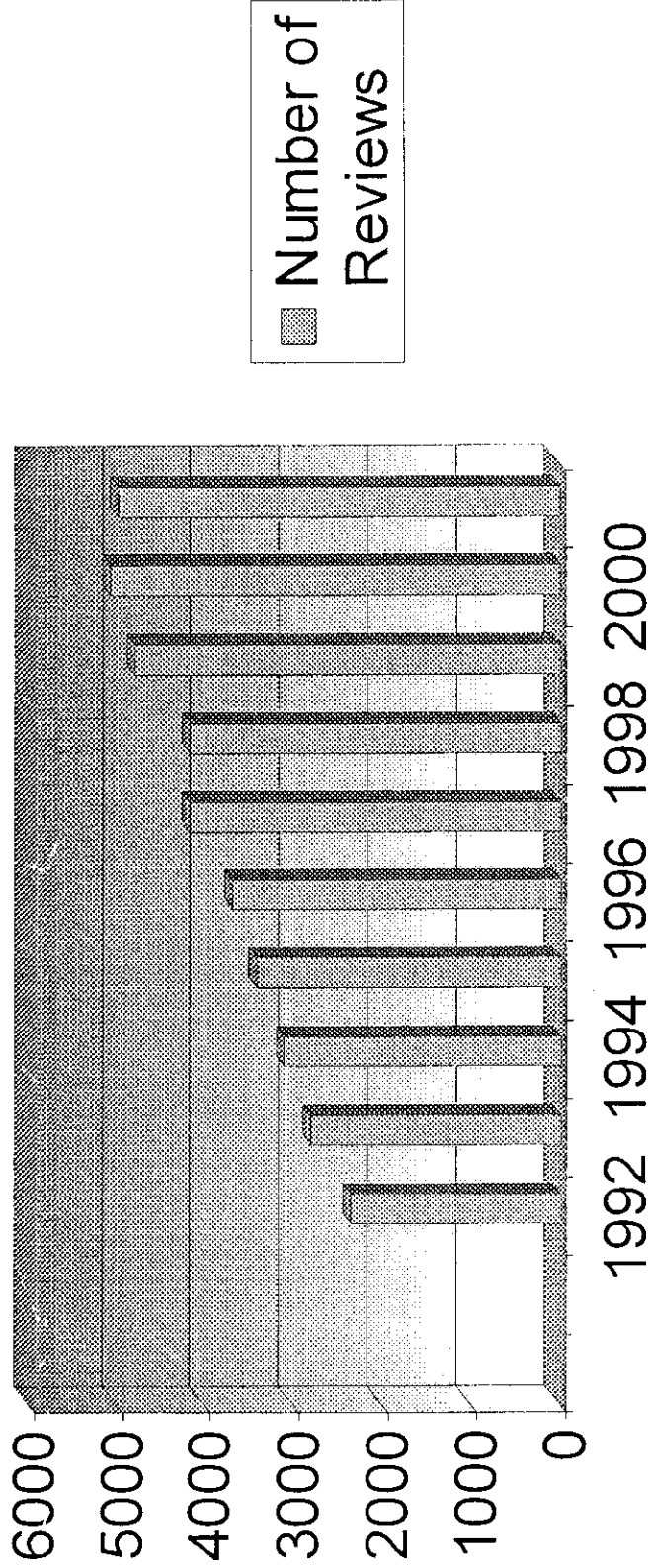
**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

JUSTIFICATION FOR ADDITIONAL POSITIONS

Reviews in 1992	2347
Reviews in 2000	5066

Net increase = 57%

Project Reviews by Wetlands Assessment Staff



**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

JUSTIFICATION FOR ADDITIONAL POSITIONS

- EPC Phosphate Mining Project Manager conducted 81 separate reviews relating to phosphate mining between 1999 and May 2002. This involved 6610 acres of phosphate land and 453 acres of wetland impacts
- EPC Phosphate Mining Project Manager conducted these 81 reviews as well as 2464 typical development reviews within the same time frame.

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

JUSTIFICATION FOR ADDITIONAL POSITIONS

- Approximately 14, 793 acres of IMC Phosphate land holdings slated for future mining prior to 2030

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

JUSTIFICATION FOR ADDITIONAL POSITIONS

- EPC Compliance Staff is currently monitoring for compliance 1500 acres of IMC wetland mitigation
- Anticipates an additional 1500 acres of mitigation constructed and ready for monitoring in the next several years.

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

JUSTIFICATION FOR ADDITIONAL POSITIONS

- EPC Compliance Staff currently monitoring 240 mitigation projects from typical development.
- Results in review of approximately 700 acres of created wetland
- Combined created wetland acreage currently being monitored for mitigation compliance is approximately 2300 acres

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

POSITIONS TO BE FUNDED

Scientist II - Phosphate Mining Project Manager

Clerk IV - Phosphate Mining Permit Facilitator

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Job Responsibilities

Scientist II

- Consolidate permit reviews and mitigation monitoring
- Attendance at all phosphate-related hearings and public meetings
- Conduct all site visits associated with assessment and compliance

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Job Responsibilities

Scientist II

- Participate in the development of the Phosphate Mining Reclamation Manual with Hillsborough County Planning and Growth Management
- Develop an EPC Phosphate Mining Annual Report

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Job Responsibilities

Clerk IV

- Track phosphate reviews, hearings, and annual reports
- Data entry for mitigation monitoring tracking
- Track Conservation Easements for phosphate mining
- Establish and maintain a separate filing system for mining activities
- Assist in preparation of EPC Phosphate Mining Annual Report

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Budget

Personnel:	\$79,345.00
Operating:	\$ 7,400.00
Capital Expenses:	\$22,374.00
Total	\$109,119.00

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Personnel Budget Detail

<u>New Positions:</u>	<u>Annual Salary</u>	<u>W/Benefits (30%)</u>
Environmental Scientist II	\$35,193.60	\$45,751.68
Clerk IV	\$23,920.00	\$31,090.00
SUBTOTAL		\$76,847.68
FY 03		
(3.25%) Adjustment		\$79,345.00

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Operating Budget Detail

<u>Item</u>	<u>Expense</u>
Office Supplies	\$ 500.00
Minor Office Equipment	\$3500.00
Safety Equipment	\$ 400.00
Training and Education	\$2500.00
General Operating	\$ 500.00
TOTAL	\$7400.00

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Capital Outlay Detail

<u>Item</u>	<u>Expense</u>	<u>Total</u>
Desktop Computer(2)	\$ 1750.00	\$ 3500.00
Color Laser Printer	\$ 2500.00	\$ 2500.00
4X4 Chevy Blazer	\$19,874.00	\$19,874.00
Digital Camera	\$ 580.00	\$ 580.00
	Total	\$22,374.00

**PHOSPHATE MINING POSITIONS
FOR THE
ENVIRONMENTAL PROTECTION COMMISSION**

Impact

1. Keener oversight of phosphate mining activities
2. More frequent site visits to monitor annual reporting
3. Better tracking of phosphate mining mitigation compliance
4. Better preparation for hearings and other public meetings
5. Better wetland resource protection
6. More timely reviews through PGMD