

Florida Specifier



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Enforcement agents continue to leave the U.S. Environmental Protection Agency's criminal enforcement program faster than they can be replaced.

Methane standards ahead? 7

The perception of methane as a gas capable of significant vapor intrusion is growing and some environmental professionals are urging that indoor air quality's standards be established for it.

Phosphate settlement 8

Mosaic Fertilizer and three environmental groups with concerns for the Peace River watershed came to an agreement in late February. The result will allow Mosaic to mine 200 acres in their South Fort Meade mine in Hardee County.

Session wrap 10

The major theme of this year's Legislative Session could best be described in one word: "Streamlining." The effect of the bills that passed, though not exclusively, has been to simplify the procedures for obtaining permits, but not to lower the permit standards themselves. Dan Thompson provides insight.

Ocean plan 16

The National Ocean Council's release of the draft National Ocean Policy Implementation Plan marks the first time in U.S. history that a comprehensive plan is proposed for the protection, restoration and maintenance of ocean, coastal and Great Lakes ecosystems and resources.

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Got a story lead?

Got an idea for a story? Like to submit a column for consideration? Fire away. And don't forget to fill us in on your organization's new people and programs, projects and technologies—anything of interest to environmental professionals in the state. Send to P.O. Box 2175, Goldenrod, FL 32733. Call us at (407) 671-7777; fax us at (407) 671-7757, or email us at info@enviro-net.com.

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Photo courtesy of U.S. Geological Survey
David Krabbenholt with U.S. Geological Survey's Wisconsin Water Sciences Center samples water during the the agency's Shark Slough study of mercury and dissolved organic matter mobilization. See story on Page 8.

DEP unveils new screening initiative, additional changes to tanks program

By MELORA GRATAN

Industry professionals working with the state Department of Environmental Protection to clean-up petroleum contamination had a lot to digest after a recent program update meeting held by the DEP's Bureau of Petroleum Storage Systems.

In addition to hearing details of a new program to assess roughly 8,000 sites in the next eight years, participants were told of regulators' push toward performance-based cleanups and natural attenuation monitoring, as well as fee changes and upcoming standard operating procedure revisions.

The changes were outlined by Bureau Chief Robert Brown, PE, and tank program staff who emphasized open communication and consistency.

"They (DEP tank program officials) have a lot of drive and ideas. It was good to get everyone together and on the same page, which hasn't happened in a long time," said Glenn MacGraw, PG, vice president of the FGS Group in Tallahassee.

The two most significant changes were the shift toward more assessments and the increased use of PBC agreements, according to MacGraw.

These 8,000 sites haven't been looked at in 15 to 20 years. The screening initiative will conduct limited assessments on them to identify any sites that pose imminent health risks as well as those that are clean and can be taken off the books, Brown said.

"This will help us know our liability and get a dollar figure for what is still out there," said Brown. "We anticipate it will take five to eight years,

which is ambitious, and it depends a lot on funding. We will put about \$15 million into it this year."

The new program will help provide state legislators with a "real" program life number as well, MacGraw said. The normal estimate provided to lawmakers has been at least 35 years to have them all cleaned or closed.

The prospect of getting more sites into closure is "exciting for the industry in general," said Liza Grudin, PE, senior project manager with Handex

The beat goes on: Still resigns from Suwannee River district

By PRAKASH GANDHI

The revolving door at the top levels of Florida's water management districts continued to swing this spring with David Still, PE, the latest to announce his departure.

Still, executive director of the Suwannee River Water Management District, is resigning effective May 1.

There was no official reason given for Still's resignation, though there had been complaints expressed in the news media by district governing board mem-

EPA grants extension for finalizing water quality standards

By PRAKASH GANDHI

Federal environmental officials have given Florida a four-month extension to allow state regulators to finalize controversial water quality standards that have opposing sides at loggerheads.

The decision came as Gov. Rick Scott signed HB 2051 in February, backing proposed state water quality rules that are intended to replace federal rules.

The U.S. Environmental Protection Agency announced that it has granted a four-month extension to Florida environmental officials to allow time for the Florida Department of Environmental Protection to finalize the state rules and coordinate with EPA.

The extension moves the effective date from March 6 to July 6 this year.

"Nitrogen and phosphorus pollution is one of the largest causes of water quality problems in Florida," said EPA spokeswoman Davina Marracini. "Limiting nutrient pollution will help protect the health of Floridians and also

NUTRIENTS
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Consulting & Remediation LLC in Tampa.

In addition to being designated as an imminent danger or as ready for closure, sites can be classified as fit for long-term natural attenuation monitoring or parked.

The agency is starting the screening initiative with a pilot program of 50 sites that should be finished around

TANKS
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bers about his recent level of commitment to the district and a perceived communications problem between him and several board members.

Some environmental activists, however, expressed concern off the record that his departure was the result more of his politics than his performance.

He becomes the fourth water district chief to quit within the past year. Only Doug Barr, the long-time execu-

STILL
Continued on Page 16

In memory of Andrea B. Novin

Andrea B. Novin, PE, passed away in late February after a long illness. She was a graduate of the U.S. Naval Academy and specialized in nuclear power and mechanical engineering. She was licensed as a pro-

fessional engineer in both New York and Florida.

During her retirement years, she worked as a non-paid adviser to several engineering firms, assisting with environmental cleanups.

Florida, others sue to block federal Cross-State Air Pollution Rule

Staff report

In February, 16 states including Florida plus numerous power companies filed for a stay of the federal Cross-State Air Pollution Rule. The stay, if granted by the U.S. Court of Appeals in Washington, DC, will continue until at least Apr. 13 but may extend much longer.

The purpose of the stay is to allow the court time to hear arguments and make a decision without petitioners being obliged to comply with the new rule.

In the recent past, court challenges to the EPA's smog rules have benefitted petitioners. In 2005, the EPA passed the Clean Air Interstate Rule, the agency's first attempt to reduce ozone and smog originating in one state but affecting others.

The federal court struck down CAIR in 2008. The current Cross-State Air Pollution Rule, which became final in the summer of 2011, based new ozone criteria on the latest health and environmental effect data.

The EPA estimated that it would cost approximately \$800 million annually (beginning in 2014) but would generate between \$120 and \$280 billion in annual health benefits.

Although 16 states have joined the suit, opposition is not universal.

The states challenging the rule are responsible for 90 percent of the total sulfur dioxide and nitrogen oxide air pollutants in the country, according to EPA data.

Tri-state update. Florida and Alabama asked the U.S. Supreme Court to intervene in a decades-long legal struggle over water rights to the flow of the Apalachicola River and its tributaries.

At issue is Atlanta's right to withdraw drinking water from Lake Lanier without any restrictions to protect downstream habitat, wildlife and jobs in Alabama and Florida that depend on riparian resources.

It appeared in 2009 that Florida and Alabama would have some claim to Lake Lanier's water to preserve river flows. U.S. District Court Judge Paul Magnuson found that Metro Atlanta had limited rights to withdraw water from Lake Lanier, but he did not specifically set limits.

His decision included a July 2012

deadline for the three states involved to negotiate a mutually acceptable agreement, in lieu of imposing one.

He attempted to ensure a negotiated settlement by suggesting that he would restrict metro Atlanta's access to Lake Lanier water to amounts typical of the 1970s.

More recently, the 11th U.S. Circuit Court of Appeals reversed Judge Magnuson's decision and found that Atlanta could take virtually all the water it desires to supply drinking water to the rapidly growing metropolitan area.

Alabama and Florida's appeal asks the court to review the decision made by the 11th Circuit Court of Appeals.

Beach grants. The EPA announced that its beach grant program will provide nearly \$10 million to support monitoring and reporting of water conditions at the nation's swimming beaches.

The money will support primarily microbiological testing and public reporting of water conditions that may make swimmers ill.

The program, now in its 12th year, supports water monitoring and reporting at 3600 beaches. During that time, EPA has offered approximately \$111 million of grant support for this effort.

When it announced the availability of grants, the EPA also announced its new BEACON website, available to the public to disseminate monitoring results. According to the EPA, BEACON has the ability to be updated as frequently as every two hours when new data is uploaded to it.

Water quality information will be presented as mapped location data that will include monitoring results for bacteria and algae, as well as public notification of beach water quality advisories.

The EPA says this is the first time that an online resource will provide both water quality data and advisories simultaneously using enhanced map navigation and report display tools.

Discharge permit for construction sites. The EPA began a new five-year permitting cycle by releasing its updated Construction General Permit. The 2012 CGP will replace the existing 2008 CGP that expired in February, 2012. These permits are issued under the authority of the Clean Water Act.

The new CGP, according to the EPA, includes a number of enhanced protections for surface waters, including provisions

to protect impaired and sensitive waters.

New provisions also provide flexibility for those under the permit. Emergency exemptions allow restoration projects to begin immediately after a disaster. While the project may begin immediately without a permit, the EPA retains full authority to ensure that any project proceeds in an environmentally responsible manner once it has begun.

The new permit also includes a provision for project flexibility that is applicable when new permit requirements are economically impractical.

The primary concern with stormwater from construction sites is that it may transport harmful pollutants and contaminants such as nutrients that can increase the likelihood of algae blooms and reduce the integrity of aquatic ecosystems.

The new provisions include methods intended to reduce and control erosion, minimize pollution and provide natural buffers around existing surface waters.

The new permit also recognizes impaired waters and includes provisions to restrict discharges to already impaired habitats.

Many of these provisions became effective in February, 2010, as additions to the 2008 CGP, and are already in use.

Perc health assessment. In its most recent iteration to scientifically characterize the health risks posed by exposure to tetrachloroethylene, the EPA characterizes it as a "likely human carcinogen."

In its press release, the EPA immediately qualified that assessment by noting that "EPA does not believe that wearing clothes drycleaned with perc will result in exposures which pose a risk of concern."

The current action by EPA will have effects that will ripple through the regulatory universe. The health assessment findings and data will be added to the EPA's Integrated Risk Information System and will be applied to future risk assessments for perc.

From there, the new findings will play a role in EPA activities that include establishing cleanup levels at Superfund sites where perc is a contaminant, revision to the EPA's maximum contaminant level for perc in drinking water, and ongoing evaluations of additional perc emissions to the atmosphere that are regulated under the Clean Air Act.

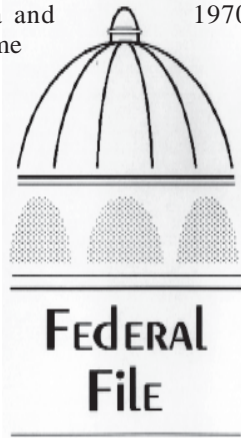
This new perc health assessment replaces the EPA's 1988 IRIS assessment for the compound. Notably, it now includes a hazard characterization for cancer effects. The study establishes a reference dose, RfD, for chronic oral perc exposure of 0.006 mg/kg-day. This dose replaces the previous RfD of 0.01 mg/kg-day provided by the IRIS database.

Prior attempts to establish a hazard characterization for cancer have been controversial. The EPA explicitly noted in its announcement that this "assessment has undergone several levels of rigorous, independent peer review including agency review, intra-agency review, inter-agency review, public comment and external peer review by the National Research Council. All major review comments have been addressed."

Accounting for carbon storage. The Center for Climate and Energy Solutions released a comprehensive framework for calculating carbon dioxide emission reductions from carbon capture and storage.

Details are provided in the report "Greenhouse Gas Accounting Framework for Carbon Capture and Storage Projects," which includes detailed calculation methodologies to track carbon dioxide reductions through each component of the capture and storage process.

Carbon capture and storage processes include three general components: carbon capture, transportation and storage. The



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DEP moves to next phase of DeLeon Springs cleanup

Staff report

The Florida Department of Environmental Protection has started the second phase of a four-part, \$8 million cleanup plan to remove gasoline-contaminated soil at the corner of U.S. 17 and Baxter Street in DeLeon Springs.

Universal Solutions of Tampa was hired as the contractor to clean up the gasoline-soaked soil. They will remove asphalt, concrete and septic tanks.

The agency has been unsuccessfully trying to clean up the contamination since 1989 when leaking tanks were changed at the gas station, now a Valero.

Lake waste. Lake County commissioners gave the go-ahead to solicit proposals from companies to haul and disposal of the county's garbage. For two decades, the county has been hauling garbage to an incinerator in Okahumpka.

Commissioners reviewed nearly two dozen recommendations from the county's solid waste alternative task force, made up of several Lake County residents. It was formed three years ago to look at garbage disposal options available after 2014.

The task force suggested the county increase its recycling collection to save taxpayer dollars. Lake serves more than 67,000 residential customers.

Currently, two companies, Waste Management and Waste Systems Inc., pick up the garbage twice a week and haul it to the incinerator.

Co-gen at UCF. The University of Central Florida's new co-generator is now pumping out a whopping 5.5 megawatts of electricity and supplying the university with one third of its power. Housed within a power plant on campus, the \$12 million project is expected to slash the school's utility bill and save \$2.5 million a year.

The engine will also create enough excess heat to power an absorption chiller that will produce 1,000 tons of chilled water for UCF's campus cooling system.

Current electricity costs for UCF amount to about \$14 million a year. Within six years, the co-generator should supply enough electricity to pay back the \$12 million startup cost.

In addition to the \$6.2 million price tag for the co-generator, the facility cost another \$6 million to construct. The co-generator derives its power from burning natural gas.

It's also beneficial to the environment as it burns 30 percent cleaner than the fossil fuels currently used, which emit greenhouse gases when burned.

The power plant is expected to run 24 hours a day throughout the year, with no interruptions except for scheduled maintenance.

Waste privatization. The city of North Miami preliminarily approved the privatization of its garbage services.

The city council gave initial go-ahead to an ordinance that would allow city manager Stephen Johnson to negotiate an agreement with WastePro of Florida that piggybacks on the firm's contract with the city of Miramar.

If the ordinance passes when it comes before the council for a final vote, WastePro would replace the city-run sanitation department by April 1.

Eventually, WastePro would replace the 22 private haulers within North Miami who are allowed to service apartment complexes and commercial establishments.

The company would eventually become the sole trash hauler in North Miami.

South Florida power. Florida Power & Light has asked the Florida Public Service Commission for permission to build a new \$1.2 billion power plant at Port Everglades to help meet electricity needs in South Florida.

The plant would replace a 1960s-era facility at the port and would start gener-

ating electricity in 2016.

The new plant, which is projected to cost \$1.185 billion, would be fueled by natural gas and be able to generate 1,277 megawatts of electricity. The old plant, which burned oil and natural gas, had a 1,187 megawatt capacity. It was taken out of service in 2010.

The proposal is opposed by the Florida Industrial Power Users Group, which is comprised of businesses that use large amounts of electricity.

The group believes that FPL could buy electricity from other sources to meet its needs. FPL said the project could help meet the future power needs of Miami-Dade and Broward counties.

The company believes the technology involved in the plant would limit air emissions and help hold down the plant's fuel costs. The company also says the project would be more than \$400 million cheaper than other alternatives.

Tire dumping arrests. Two men have been arrested in Polk County over the alleged illegal dumping of more than 8,000 tires.

Kenneth Lowman, 68, of Lakeland, has been charged with one felony count of illegal dumping. Robert Bickford, 30, of Lake Wales, was charged with several environmental crimes.

Deputies working with the Florida Department of Environmental Protection, say they found about 7,800 tires piled in a barn and semi-truck box parked nearby containing another 500 tires waiting to be unloaded.

Deputies say the waste tires found there were within 200 feet of a natural body of water and less than 500 feet from a potable well.

They say they also found evidence that the tires were being illegally burned on the property.

Landfill expansion. Broward County commissioners have voted to rezone 36 acres next to "Mount Trashmore" for use as a landfill.

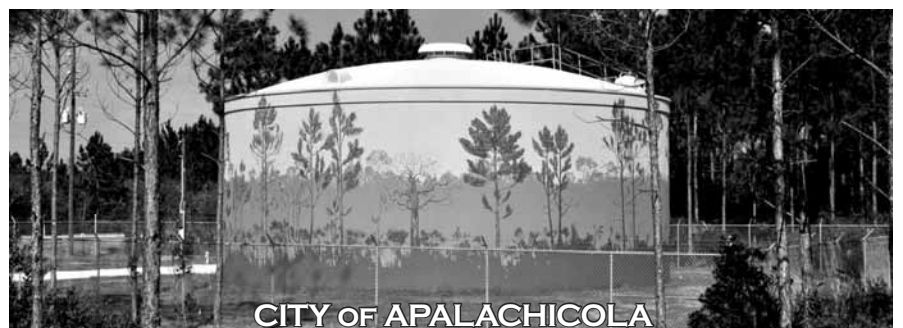
The Monarch Hill Renewable Energy Park in Coconut Creek is 200 feet tall at its peak.

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Florida Notes



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St. Johns River water withdrawal study will guide future permitting

Staff report

The comprehensive four-year study of St. Johns River water withdrawals was formally released in February.

The study, called the most comprehensive and scientifically rigorous study of the river ever conducted, will guide future decisions by the St. Johns River Water Management District on potential environmental effects of proposed water withdrawals from the St. Johns and Ocklawaha rivers.

The study includes state-of-the-art models and methodologies. They can be used for consumptive use permitting, minimum flows and levels development, and regional water project and water supply planning.

Hal Wilkening, the district's director of the Division of Water Resources, said the study will give the district tools to use in the review process while considering any future river withdrawal applications.

He said the amount of water that may be withdrawn will depend on location, design and timing of proposed withdrawals.

The study confirmed that the St. Johns can be used as an alternative water supply source without causing significant harm to the environment. It involved over 70 scientists and engineers, including staff from

the St. Johns district and outside experts.

Study participants looked at thousands of water withdrawal scenarios representing future water withdrawals.

Howey upgrade. An aging Howey-in-the-Hills water system that dates back to the 1920s will get a \$1.9 million upgrade that city officials say will bring the community's water system in line with current technology.

Florida Design Contractors of Lake Park won the contract. Work is scheduled to start in one to three months and is expected to take a year to complete.

Mayor Chris Sears said the project is the largest in town history and, when completed, should serve the community's needs for decades to come.

The town's water system now uses two wells to serve 1,098 residents. The project includes a third well and the construction of a new ground-level water storage tank.

The project will be built at the present West Central Avenue Water Treatment Plant. The town's iconic water tower on Central Avenue will no longer be used for

the water system, but will remain in place.

With only two wells, there has long been concern about meeting demand should one well go down. With three wells and a storage tank, the chance for such issues are lessened.

More airport stormwater problems.

Environmental and financial worries are still cropping up at the Northwest Florida Beaches International Airport. Another \$1.25 million will have to be spent to evaluate the performance of the facility's stormwater management system.

The airport opened in 2010 and has been under intense environmental monitoring by the Florida Department of Environmental Protection.

The agency became involved when heavy rains breached stormwater controls during construction and sent runoff into nearby wetland habitats.

Airport Executive Director John Wheat and airport consultant Richard Zipperly told Airport Authority members in February that they are conducting dis-

cussions with DEP and the U.S. Army Corps of Engineers to resolve the issues.

Since the stormwater problems arose, the airport has embarked on a sodding and seeding program, and spent \$5 million to reconstruct a stormwater filtration pond. Those projects led to a flurry of lawsuits between the airport and their construction partners.

Zipperly told the authority that major stormwater erosion areas at the 1,400-acre airport have been stabilized, but they have to make sure the grass is growing and the sod is in place to keep it under control.

Carrollwood sewer upgrade. The wastewater treatment facility that serves Carrollwood Village, one of Hillsborough County's oldest neighborhoods, will be getting a \$20 million upgrade.

The work will be completed over a period of years.

Action was spurred by a 2011 agreement between the county's public works department and the Florida Department of Environmental Protection after DEP inspections noted equipment defects requiring upgrade.

The Dale Mabry Advanced Wastewater Treatment plant processes over 6 million gallons of raw sewage daily. Richard Kirby of the Hillsborough public utilities department said much of the Dale Mabry plant's equipment is nearing the end of its useful life and needs to be replaced.

The plant is one of the county's oldest. Originally built by the developers of Carrollwood, it has since been integrated into the Hillsborough wastewater treatment system and serves much of the northwest part of the county.

Some of the work is already underway. Major projects include replacement of a large screw pump at a cost of over \$1 million; \$2 million for rehabilitation of the Bushy Creek Pump Station; and a \$3.3 million expansion of the reclaimed water system in the Northdale area that will accommodate more hookups for residential irrigation.

TBW lawsuit update. An effort to shorten the length of a federal lawsuit over cracks in a Tampa Bay Water reservoir has been blocked by one of the defendants, HDR Engineering.

The two other contractors involved in litigation over the reservoir cracks have settled with Tampa Bay Water for \$6.75 million.

U.S. District Judge James D. Whittemore had proposed the use of a summary trial to speed up the process scheduled to start March 12.

But HDR would not agree to the shorter summary trial procedure.

HDR balked on the shorter trial because they want to include testimony on construction materials and techniques used in the project.

Tampa Bay Water opened the reservoir in 2005. It covers 1,100 acres in Hillsborough County and is designed to store water taken from the Alafia and Hillsborough rivers and the Tampa Bypass Canal.

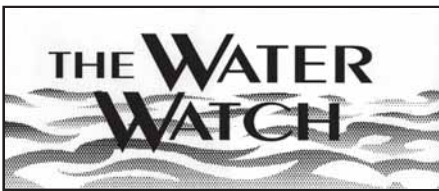
HDR says the problems at the reservoir can be solved with a maintenance program costing less than \$1 million a year.

PBC water levels. Officials with Palm Beach County and the South Florida Water Management District have absolved the new Osprey Point Golf Course of any blame for falling water levels in the nearby Mission Bay neighborhood.

The golf course recently constructed a new water well that feeds their irrigation system.

Mission Bay residents asked that the permit for the well be rescinded by the SFWMD and Palm Beach County, claiming that the well caused falling water levels in Mission Bay ponds.

The water agencies said the declining water levels are due to dry weather and not pumping from the new well.



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WATCH
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EPA losing enforcement agents

By DAN MILLOTT

The U.S. Environmental Protection Agency's criminal enforcement program is fighting a losing battle—enforcement agents are leaving the service faster than they can be replaced.

A report issued in February by Public Employees for Environmental Responsibility said that in 2011 more agents of the EPA's Criminal Investigation Division voluntarily left the division than took mandatory retirement—for the second year in a row.

The federal Pollution Prosecution Act of 1990 requires the CID to maintain a cadre of 200 agents. But for the last two years, the agent count has fallen below that. New agents have been hired, but despite that, transfers and resignations have kept the agent roster below 200.

The goal of the Obama administration was to return staffing to levels maintained before President George W. Bush took office. The justice department noted that pollution enforcement has never returned to levels attained during the Clinton years.

The CID has not confirmed if newly trained agents are leaving more quickly after initial training. There is a heavy front-end public investment required to train the new agents so early departures have raised some concerns.

WATCH

From Page 4

Mission Bay property owners contend the golf course well created another draw on groundwater supplies, lowering their ponds, creating an eyesore and destabilizing lake beds.

Marion County/Ocala hookup. A proposed move by Marion County to hook up the Silver Springs wastewater system to the city of Ocala system is in the works.

Such action could save the county millions of dollars by avoiding the need to build a new sewer plant in Silver Springs to help clean up the world-famous spring.

The county has a plan in place to upgrade the Silver Springs Regional Wastewater Treatment Facility, but is considering alternatives. The price tag for the upgrade project is about \$5 million.

Jeff Halcomb, the city's water and sewer director, said a force main could be built to connect with Silver Springs system to Ocala's plant on East Silver Springs Boulevard. The cost to the city would be \$325,000. Such a move would mean the Silver Springs plant could go off line.

Flip Mellenger, the county's water and sewer director, said the effort would benefit both parties.

While connecting to the city system will cost the county initially, there would be savings in the long term.

Both the Ocala City Council and Marion County Commission have to approve the plan.

St. Cloud plant. The city of St. Cloud's water treatment plant was demolished and will be rebuilt to conform to new water quality standards.

The city's Water Plant #1 located at 10th Street was taken off line in February.

The rebuilding of the plant will take 18 months. When completed, it will provide 2 million gallons per day to customers.

Utility award. Pensacola's Emerald Coast Utilities Authority has received a National Association of Clean Water Agencies National Achievement Award for its excellence in operations and environmental performance.

The award cited the authority's work on outstanding projects, systems and methods relating to wastewater treatment and environmental enhancement.

Completion of the new Central Water Reclamation Facility at Cantonment was specifically cited in the award. The new facility reduced ECUA's exposure to hurricane damage and eliminated direct surface water discharge into Pensacola Bay.

"CID agents are voting no-confidence with their feet on a leadership that appears utterly indifferent," said PEER Executive Director Jeff Ruch.

He warned that corporate pollution prosecutions require months—if not years—of investigations, requiring stable agent assignments. He described the current status as "a merry-go-round."

PEER claimed that the CID has been in turmoil, engulfed in "personnel abuse" and "unreasonable management behavior." High turnover has resulted from low morale within the division.

A 2010 internal review by the CID called for the suspension of all disciplinary proceedings, a review of human resources and internal affairs operations, and the adoption of new diversity and communications practices.

PEER claims that none of those recommendations have been implemented by the CID. Some agents told PEER officials that conditions are worsening.

"The pressure of these jobs is magnified by supervisory abuse," said Florida PEER Director Jerry Phillips. "These highly-trained investigators have career options beyond CID and are, unfortunately, demonstrating it."

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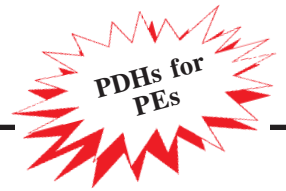
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Directions to the conference center are available on the Kovens Conference Center web page at <http://kovens.fiu.edu/>.

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Technical Agenda

- 9:00 Welcome: Mike Eastman, *Florida Specifier*
Keynote Address:
John Barkett, Partner
 Shook, Hardy & Bacon LLP, Miami
- 9:30 **ASTM E 1903-11 Phase II Environmental Site Assessments: Where, How and Why is it Relevant?**
Nick Albergo, PE, DEE, Principal
 HSA Engineers & Scientists, Tampa
- 10:00 **Risk-Based Closure and Restrictive Covenants**
Craig Hurst, Senior Project Manager
 Groundwater & Environmental Services Inc., Ft. Lauderdale
- 10:30 *Break*
- 11:00 **ADaPT Panel Discussion**
 Panelists: **Andy Tintle**, Technical Project Manager
 Advanced Environmental Labs, Tallahassee
Linda Hoffman, Senior Engineer
 HSW Engineering, Tampa
Clark Moore
 FDEP Bureau of Solid & Hazardous Waste, Tallahassee
- 12:00 **Luncheon**
- 1:00 **Regulatory Panel Discussion**
 Moderator: **Glenn MacGraw**, PG, Vice President
 The FGS Group, Tallahassee
- Panelists: **Wilbur Mayorga**, PE, Chief, Pollution Remediation Section
 Miami-Dade County Dept. of Env. Resources Mgt., Miami
David Vanlandingham, PE, Engineer IV
 Broward County PPRAQD, Ft. Lauderdale
Paul Wierzbicki, PG, Waste Cleanup Supervisor
 FDEP, Southeast District, West Palm Beach
- 2:30 *Break*
- 3:00 **Performance of Enhanced Anaerobic Dechlorination via Groundwater Recirculation at a South Florida Strip Mall**
Brian Timmins, Director
 ETEC LLC, Portland, OR
- 3:30 **Anatomy of a Pilot Study for Chemical Oxidation Coupled with Biostimulation in a Restricted Access Urban Setting**
 Timothy Harman, PE, General Manager
 Handex Consulting & Remediation - Southeast LLC, Delray Beach
- 4:00 **Copper Remediation in CERP Project Areas**
Marc Lefebvre, PE, VP/Principal Engineer and **Barry Westmark**, PE,
 Principal Engineer Environmental Consulting & Technology Inc.
 Fort Lauderdale
- 4:30 **Sustained-Release Permanganate for Passive In-Situ Remediation of Organic Contamination**
Pamela J. Dugan, PhD, PG, Technical Development Manager
 Carus Corp., Peru, IL
- 5:00 *Adjourn*

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Stricter indoor ambient air standards for methane gas on the horizon

By ROY LAUGHLIN

The occurrence of methane in soil samples will be completely familiar to any Florida environmental professional working with volatile organics in soil. It's so ubiquitous; it's either overlooked or only occasionally used for comparison with synthetic chemicals of interest because of vapor intrusion.

The perception of methane as a gas capable of significant vapor intrusion is growing, however, and some environmental professionals are urging that indoor air quality's standards be established for it.

How far along has this perception progressed? We base a tentative answer to this question on a 2011 column by Bart M. Eklund in *EM*, the Air & Waste Management Association's monthly magazine, and an e-mail interview with him. Comments from consulting professionals also provided insight into some recent Florida case studies.

Methane, CH₄, is an odorless, colorless gas that commonly occurs in soils at very low concentrations. Because it is produced by microorganisms, some people refer to it as biogas. Significant methane production by soil microorganisms is typically associated with soils' high organic content, wetland soils being a prime example. Because some organic material is almost always available in soils, low oxygen availability is the most important factor mediating methane production by microorganisms.

Methane production in soils around and under buildings occurs constantly. Methane entry into buildings through vapor intrusion has not until recently been recognized as a problem. Part of the recent recognition of vapor intrusion of methane may have to do with new energy standards for construction. Buildings are more tightly sealed now, allowing accumulation of methane in buildings that would not have developed the problem in the absence of construction practices that reduce air exchange between the inside and outside of buildings.

Existing standards for methane in indoor air are written to prevent an explosion hazard. Methane concentrations between 5 and 15 percent constitute an explosion hazard. Buildup of methane from broken gas pipelines or malfunctioning appliances is the primary risk that these regulations attempt to minimize.

In the past several years, however, more cases of methane entering buildings by vapor intrusion has generated a new inquiry into the desirability of stricter ambient air standards for this gas.

ASTM International, formerly known as the American Society for Testing and Materials, established a working subcommittee to draft proposed regulations in May of 2011. This subcommittee will assess methane vapor intrusion from all sources including gas utility pipelines, biogas from landfills and biogas from soils.

Writing standards for methane in ambient air is complicated for several reasons.

The first is the multiple sources of methane that have almost nothing in common from a regulatory standpoint. Fixing cracked or broken utility pipelines is an engineering exercise.

Methane originating from landfills may produce high volume methane sources that are easy to identify, but predicting and recognizing movement of methane from them through soils to buildings can be very challenging.

Vapor intrusion of methane produced by soils under and near structures remains poorly understood and difficult to predict. Remediation for that source depends on structural integrity of building slabs and foundations.

The second complicating characteristic is that vapor intrusion by methane is driven by advective flow—it moves from regions of high pressure towards regions of low pressure. This is in contrast to diffusion, responsible for movement of syn-

thetic organic chemicals that are the usual culprit in vapor intrusion problems. Diffusion acts on a concentration gradient, moving from high to low, even in the absence of a pressure gradient.

Methane is routinely measured in vapor intrusion studies for synthetic volatile organic substances. However, knowledge of methane concentration is only an imperfect proxy for flow rates, which is the useful risk determinant of this compound. Flow rates are more complicated to measure and prior measurements for methane flux are few and far between.

In his 2011 column, Eklund noted that when methane concentrations in soil reach 40 percent, they are capable of displacing all other gases in soil pore space, setting up the potential for significant methane vapor intrusion when advection is also occurring.

Assessing risk is a third area that complicates establishing methane standards. Synthetic chemicals familiar to vapor intrusion specialists are usually assessed on assumptions of long-term, low-level exposure. Methane risk assessment, conversely, is based on short-term, high level exposures.

Cases of vapor intrusion by methane are currently dominated by methane from broken utility lines or methane from landfills. In both cases, substantial pressure differences at the methane source caused methane to move into buildings. Stopping the flow of gas from utility pipelines or by subverting the underground flow of methane from localized high production sources in landfills is a remediation method for these two categories of methane in vapor intrusion.

In Florida, an increasing number of indoor ambient air problems associated with methane vapor intrusion are occurring. The problem may exist both in structures that were built on filled wetlands and those that were not. In either case, soil methane concentrations around the structure are sufficiently high to support methane and other biologically produced soil gas vapor intrusion. Seasonal elevations of water table levels may be responsible for producing pressure differences responsible for methane and other biogenic soil gas advection.

Eklund suggested that substantial changes in barometric pressure could be responsible for invective flow through soils when methane concentrations were extremely high. He also wrote in an e-mail that "water percolating down into the soil also can displace soil gas and result in higher transport rates." Florida has these two special circumstances that could cause vapor intrusion by methane.


Buildings on methane rich soils are not innately at risk of methane vapor intrusion. A breach in the foundation or slab of the building is the other essential requirement for the problem to have a possibility of occurrence. In-situ methane meters placed throughout a building's ground floor may show where to begin a careful search for cracks or plumbing system defects that are the entry point. Repair often ends vapor intrusion.

It may be a few more years before any government agency establishes indoor ambient air quality standards for methane vapor intrusion at levels likely to arise

from its production in soils.

"There is an ASTM standard for evaluating methane that is under development and may be forthcoming in 2013 or 2014," wrote Eklund. "That should provide regulators, land owners, consultants and others a consistent framework for evaluating methane."

At least some in the consulting community feel that where the problem exists, it is a significant one that gives building owners no legal recourse and few sources of technical support when negotiating with contractors and builders for remediation.



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Mosaic, activists reach accord on phosphate mining in South Fort Meade

By DAN MILLOTT

Since June of 2010, Mosaic Fertilizer, operator of extensive phosphate mining operations in Central Florida, and three environmental groups with deep concerns for the Peace River watershed have been trying to reach common ground to avoid costly litigation.

After months of talks, both sides came to an agreement in late February. The deal was sealed and U.S. Circuit Judge Henry Adams of Jacksonville sent the agreement to the 11th District Court of Appeals in Atlanta recommending his inclination to

accept the settlement.

There was give and take on both sides but the end result will allow Mosaic to mine 200 acres in their South Fort Meade mine in Hardee County.

The three environmental groups—the Sierra Club of Florida, People for Protecting Peace River Inc. and ManaSota 88—secured an agreement from Mosaic providing additional buffers around the Peace River and its streams, increased monitoring of water quality and the establishment of conservation easements to protect wildlife.

Mosaic also agreed to spend \$10 mil-

lion to purchase the 4,400-acre Peaceful Horse Ranch in DeSoto County at the confluence of the Peace River and Horse Creek. A wilderness park will be established there.

Long range plans had called for the ranch to be purchased by Florida Forever, the state land acquisition program. But due to the economic downturn, that program was virtually eliminated this year. With the Mosaic purchase, the wilderness park concept is alive again.

Mosaic plans to donate the land to the state and contribute \$2 million to cover the costs of establishing a state park.

The long road to the settlement started when the U.S. Army Corps of Engineers issued a 404 permit under the Clean Water Act allowing Mosaic to destroy wetlands in conjunction with operations at the South Fort Meade mine.

The permit approval prompted a quick response from the Sierra Club and the two other environmental groups who filed suit in the U.S. District Court in Jacksonville challenging the issuance of the permit.

The plaintiffs argued that the permit violated the Clean Water Act and the National Environmental Policy Act, and said the corps failed to secure an environmental impact statement for the project. The District Court immediately issued a temporary injunction staying the permit and halting any mining operations until the merits of the case could be determined.

Mosaic and the corps appealed the preliminary injunction to the 11th Circuit Court of Appeals in July, 2010. The Court

of Appeals sent the case back to the District Court for correction and extended the preliminary injunction for 90 days, continuing the mining stoppage.

The Court of Appeals directed the parties to commence mediation and on Oct. 27, 2010, a partial settlement was reached that allowed Mosaic to mine 200 acres at their Hardee County mine. In exchange, Mosaic agreed to set aside 40 acres that included a bayhead wetland.

"It turned out well for both parties to settle without going to court," said Bev Griffiths, chair of the phosphate committee of the Sierra Club. "There are a lot of protections for the Peace River and that was one of our objectives."

Russell Schweiss, manager for public affairs for Mosaic, said the agreement was reasonable. "We were able to come up with something that addressed the concerns of both parties," he said. "There is a great public benefit that comes out of it."

While Griffiths voiced satisfaction with the outcome of this skirmish, she still has concerns about the impact of phosphate mining in general.

"Mining is intrusive because you do destroy underground streams and pockets of water that are connected to rivers. It can lead to the dewatering of rivers," she said.

While mining operators have long engaged in reclamation of mined land, Griffiths noted that successful reclamation takes time so there is a long period from when mining stops until reclamation is completed.

USGS research links atmospheric mercury, bioaccumulation in Florida Bay fish

By ROY LAUGHLIN

The decay of leaf litter from mangrove trees is, according to recent research by U.S. Geological Survey researchers, the critical link between atmospheric mercury vapor and Florida Bay food chains.

The researchers, led by Dr. Brian Bergamaschi, head of the Organic Carbon Research Group at USGS' California Water Science Center, conducted a two-year research project in Shark Slough to analyze what mercury compounds were present in the Everglades and Florida Bay water, and whether those mercury compounds were associated with dissolved organic matter.

Tidal flushing is the process that moves the mercury from the mangroves into Florida Bay.

Quantitative data and modeling re-

vealed a surprisingly consistent picture of mercury dynamics in South Florida mangrove ecosystems. Tidal flushing of mangrove swamps is a consistent source of inorganic mercury associated with dissolved organic matter, and mercury that is not retained by filters.

Quantitatively, rates of mercury exported from intertidal mangrove sediments reported in this study were up to five times higher than reported for mercury release from other wetland systems.

Based on measurements and modeled data, the authors concluded that the resulting total (combined particulate and filtered) mercury exports were found to be approximately 55 kg for total mercury and 6.5 kg for methylmercury.

The research results are significant for several reasons. First, the authors noted that their findings show specifically that mangroves are the dominant contributors of mercury to the Florida Bay ecosystem and its food chains. Measurements showed that the mercury was not originating either in sawgrass, or upstream of the mangroves, and then transported by freshwater flow from more northerly Everglades areas.

The quantitative data for mercury mobilization is at least five times greater than any other reported mercury fluxes from terrestrial wetlands, further reinforcing the conclusion that mangrove ecosystems, not freshwater ecosystems, are responsible for the mercury dynamics measured.

Prior research showed that mangrove trees accumulate significant quantities of mercury from mercury vapor in the air. This was an important finding because it replaced rainfall as the primary mercury deposition mechanism for wetlands.

Rainfall had been considered the primary link between the large store of mercury vapor in the atmosphere and wetlands. Data in this study support the conclusion that mangroves take up atmospheric mercury vapor and their leaf litter moves it to sediments.

This USGS research clarifies the next step in the ecosystem mobilization of mercury sequestered by the mangrove foliage that forms mangrove leaf litter and intertidal organic sediments.

MANGROVES
Continued on Page 9



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EPA releases proposed FY 2013 budget with no major surprises

By ROY LAUGHLIN

The Obama administration released the U.S. Environmental Protection Agency's 2013 proposed budget, a blueprint for spending \$8.344 billion, with no major changes from prior budgets.

Of the five goals identified, "Protecting America's Waters" received the lion's share of funding, \$3.782 billion or 45 percent of the total spending. The second goal, "Cleaning up our Communities," received about half as much, \$1.938 billion or 23.1 percent.

"Climate Change and Improving Air Quality" got \$1.125 billion or 13.4 percent; "Ensuring the Safety of Chemicals and Preventing Pollution" received \$0.699 billion or 8.3 percent; and "Enforcing Environmental Laws" received the smallest portion, \$0.380 billion or 9.9 percent.

If one recasts the proposed budget in terms of appropriations, state and tribal assistance grants, environmental programs and management, and Superfund dominate the budget.

The proposed budget marks the third straight year of declines, albeit small ones. The first EPA budget that President Obama submitted for FY 2009 was for \$10.3 billion. In the next two years, EPA's funding dropped to \$8.7 billion and then to \$8.4 billion.

The budget is still greater than the EPA budgets proposed during the final five years of the Bush administration. Those were all between \$7.5 and \$8 billion. In spite of the budget cuts, EPA employment expressed in terms of full-time equivalent salary positions will remain near 17,100 employees.

The EPA reduced the budget for 2013 by eliminating some mature programs that have accomplished their goals. But the agency noted that some of those efforts will continue through implementation at

other federal agencies. In other cases, state or local level funding may continue for those programs that are "well-established and well-understood."

Among those losing funding are the Clean Automotive Technology Program, the beaches protection grant, environmental education, state indoor radon grants, the support of other federal agencies program within Superfund, and the Fibers Program.

Some winners are apparent in the proposed funding. Federal Vehicle and Fuel Standards and Certification will see an increase of 10 million. The Climate Protection Program and the Federal Stationary Source Regulations together will see an increase of \$15.3 million.

In the water category, wetlands, drinking water programs, surface water protection and the Chesapeake Bay program will all see substantial increases.

State revolving funds will drop \$359.3 million. Compared to this figure, other budget decreases seem trivial. This huge drop largely reflects the end of ARRA infrastructure building support.

EPA noted that aid to state revolving funds will be \$2.025 billion, split as \$1.175 billion for the Clean Water State Revolving Funds and \$0.850 billion for the Drinking Water State Revolving Funds. Even after substantial budget cuts, this category is the largest in the EPA's proposed budget.

Chemical risk review and reduction will receive a substantial increase, \$11.1 million. Other programs will see small funding declines, most notably the endocrine disruptor program, set to give up \$1 million.

EPA's Research Program has usually been the first to be cut in tough budget years. But this pattern is different under the Obama administration. In FY 2013, it is slated for \$7.6 million more.

The Superfund program will see some

on findings by the USGS team.

Bergamaschi and his coworkers cited other studies of mercury release from wetlands, but note that much more measurements and research are needed to characterize the range of mercury mobilization numbers and to make broader quantitative comparisons across different wetland systems.

Like all scientific research, this new characterization of mercury dynamics in coastal ecosystems needs to be verified and refined.

If supported, it provides a far more cogent understanding of mercury cycling in the atmosphere and aquatic food chains in Florida.

significant changes, both in funding and in program management. It will give up \$37.4 million. \$33.2 million of that downsizes the overall Superfund program to give priority to completing projects at various stages in the response process as opposed to starting new project phases.

Approximately half of EPA's total spending is given to states, tribes and local governments to support EPA programs and goals at the local level. EPA contributions to these revolving funds will be sub-

stantially less in 2013.

That 2012 is an election year is another factor that may heavily influence the EPA's final budget. After last year's financial drama, no rational prediction of the EPA's budgetary fate can be confidently made.

Congress could cut the budget more than the administration proposes, but perhaps the usual election-year rules will apply, and the EPA approved budget will largely resemble the one proposed.

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MANGROVES

From Page 8

"Mangrove swamps are particularly good settings in which to methylate mercury because of the high organic matter inputs from the mangroves and the elevated sulfate from seawater," said Bergamaschi. "The methylation chiefly occurs in the leaf litter and soils, not the plants. The tide waters then flush this out from the soils into the surrounding environment."

Through this pathway, mercury originating in mangrove leaves seems to be the primary source of mercury responsible for comparatively high tissue mercury levels in 25 Florida Bay fish species, based

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Session wrap-up:

Environmental bills in 2012 session focused on streamlining processes

BY DAN THOMPSON

In its regular session this year that ended on March 9th, the state Legislature passed several bills that may be of interest to the environmental practitioner. The major theme of this year's legislation could best be described in one word: "Streamlining."

In order to accommodate various interest groups, the streamlining was generally process-oriented rather than substantive. In other words, the effect of the bills that passed, though not exclusively, has been to simplify the procedures for obtaining permits, but not to lower the permit standards themselves.

This column was written before Gov. Rick Scott had the opportunity to decide whether or not to veto any of the bills, but no vetoes are expected at this time. In addition, the Legislature has begun a special session for re-districting purposes, but other legislation could be added to the agenda.

The most significant bill for the practitioner, at least from a permit-processing standpoint, was HB 0503, with many provisions designed to streamline the permitting process. A similar bill did not pass last year and had been controversial, in no small part because the bill was perceived by environmental groups as being designed to weaken standards and not just streamline permitting requirements.

Environmentalists finally came on board this year after the sponsor, Rep. Jimmy Patronis (R-Panama City), made changes to address their concerns. Here are some of the bill's highlights:

Counties and municipalities cannot deny permits because applicants have not obtained the necessary permits from state or federal agencies unless the agency has already issued a permit denial. Similarly, a state agency cannot deny permits based on a lack of federal or local agency permits absent specific statutory authorization to do so.

The Florida Department of Environmental Protection can issue a coastal construction permit in advance of issuance of an incidental take authorization under the Endangered Species Act, but DEP can condition the commencement of authorized activities upon obtaining take authorization.

DEP is encouraged to expand the use of Internet-based self-certification for exemptions and general permits issued by DEP or the water management districts.

Most DEP-authorized underground injection control wells cannot be required to obtain water management district consumptive use permits.

The Environmental Resource Permit processing deadline is decreased from 90 to 60 days.

Expanded authority has been granted to the DEP and water management districts to consolidate permitting with the U.S. Army Corps of Engineers and to expand the use of general permits in a variety of areas.

The amnesty provision for "innocent" purchasers of certain old, closed petroleum storage tanks is expanded somewhat to maintain the amnesty notwithstanding certain types of transfers to related people and entities.

"Existing installations" as defined in DEP rules (basically, installations authorized or allowed to discharge to groundwater prior to July 1, 1982) are granted zones of discharge to the property boundary and the base of a designated aquifer and are not liable for cleanup of primary and secondary water quality standard exceedences within the zone. What this actually means and how expansive it is remains to be seen.

A DEP permittee who does not file a required report must be given an opportunity to cure before being in violation of the permit.

Certain types of solid waste permits can be issued for 10 or 20 years rather than just five.

Stormwater management general permits can serve an area of up to 10 acres if certain requirements are met.

Some expansions to the permit coverage for DEP's regional permit action teams have been authorized. Hold-

ers of ERP and local development permits can obtain two-year extensions, without charge, on permits scheduled to expire between January 2012 and 2014, as long as a request is made by the end of 2012.

Elsewhere, another bill that started out as being very controversial but passed after differences were worked out was HB 0639, relating to reclaimed water. The original concept was to exempt it from environmental permitting requirements to encourage its use, but the legislation was clarified to limit the exemption only to reclaimed water that is not discharged to waters of the state and to ensure that water quality standards remain applicable. In addition, water management districts are required to modify their consumptive use rules to factor in the use of reclaimed water.

HB 0691, the "Dennis L. Jones Beach and Shore Preservation Act," renames Chapter 161, Parts I & II, after retiring Senator Dennis Jones, who has been a strong advocate for beach restoration over the years. The bill offers a definition of the "reasonable assurance" test, includes an incidental take permit provision similar to the version in HB 0503, and contains provisions to facilitate and streamline the beach nourishment process and to make the funding process for it more transparent.

HB 1383 transfers the Division of Law Enforcement, which enforces violations on state lands as well as environmental pollution/emergency response matters, from the DEP to the Florida Fish and Wildlife Conservation Commission, leaving behind an Office of Emergency Response in the DEP secretary's Office. This might be called bureaucratic streamlining.

SB 1986 started off as another political hot potato. Environmentalists concurred with its language to restore maximum millage rates for water management districts

that were lowered last year, but were concerned about a legislative oversight provision as being too intrusive. That issue was worked out by watering down to some degree that oversight function.

HB 4001 repeals the never-exercised ability of the state to enact a cap-and-trade regulatory program.

The ERP program is also addressed in HB 7003, which requires the DEP, by Oct. 1, 2012, to initiate rulemaking, in cooperation with the water management districts, to develop statewide ERP rules, as opposed to the current situation where each district has separate rules.

The idea is to harmonize these rules and "implement additional streamlining measures." There is also a requirement for local government to bring the rules of local programs in line with the new state rules, though they can be more stringent. Certain other exceptions to the uniformity are also allowed.

Last but not least, HB 7051 addresses the DEP efforts to establish numeric nutrient criteria for waters of the state in lieu of EPA regulations.

Editor's note: To view the text of any of the bills discussed below, go to "Online Sunshine," the official Internet site of the Florida Legislature, at www.leg.state.fl.us, then chose either the House or Senate and use the bill locator function to find the bill that passed. Look for the "Enrolled" version as the final one.

Dan Thompson is a partner in the Tallahassee office of the statewide business law firm of Berger Singerman. He is board certified by The Florida Bar in state and federal government and administrative practice, and has been practicing environmental law, both at Berger Singerman and previously with the Florida Departments of Environmental Protection and Regulation, for over 30 years.

Let's work together toward the common goal of streamlined environmental protection

By RICK TSCHANTZ, ESQ

I'm writing in response to the March 2012 column in the *Specifier* written by Jerry Wood, PE, entitled "Environmental regulatory reform: Can it really happen in Florida?" As president of the Florida Local Environmental Resource Agencies Inc., I share Mr. Wood's goal for a more streamlined process in environmental permitting and I believe the answer to his question is "yes."

FLERA is a non-profit entity composed largely of local environmental agencies but also includes members of the private sector, and we are very interested in environmental protection and efficiencies.

The local governments comprising FLERA continue to work with both the state and the private sector toward the goal of making one-stop environmental permitting a reality. In most cases it makes sense to delegate permitting authority down to the county level where the local expertise and accountability to the public often provides the best result.

For example, when a community has determined that more stringent requirements are necessary and appropriate for protection of unique local environmental resources, local permitting helps ensure that the will of that community is realized.

Further, permitting delegated to the local level eliminates the requirement to obtain multiple authorizations from different levels of government for the same activity and provides the most reasonable level of protection for the environment. Our goal is to—wherever possible—have single stop permitting with the local gov-

ernment being the focal point.

As it has been pointed out on numerous occasions, we are not there yet. There have been many successful delegations of regulatory authority, team permitting programs and collaborative efforts to reduce the burden on the regulated community, but more can be done.

Toward that end, FLERA is dedicating this year's annual fall conference toward the theme, "Protecting the Environment in Challenging Times." It will be held in Orlando in October and we expect to hear a mix of ideas from local regulators and stakeholders alike. We hope that Mr. Wood and others will join us to work together toward a common goal of environmental protection streamlined for efficiency and effectiveness.

Florida's natural beauty is a treasure and we must all work to preserve it. For local environmental agencies, that work includes authorizing thousands of applications every year that impact the air, water and soils of our great state, without spoiling one of the main reasons we all want to be Florida residents.

FLERA understands the balance needed to create a business-ready climate while protecting our resources, and we are committed to collaboratively figuring out the most efficient and effective way to accomplish both of these important goals.

Rick Tschantz is the president of the Florida Local Environmental Resource Agencies and general counsel for the Environmental Protection Commission of Hillsborough County. He has over 23 years of environmental regulatory experience both at the regional and local levels. He can be reached at tschantz@epchc.org.

Study does not support carte blanche removal of water from the St. Johns River

By LISA RINAMAN

For nearly seven years, St. Johns Riverkeeper has been a vocal opponent of withdrawing water from the St. Johns River system to meet future supply needs due to the potential ecological impacts and unforeseen consequences.

We continue to believe that every effort should be made to use our existing water supplies as efficiently and prudently as possible, before we ever consider rolling the dice with our river's health.

Unfortunately, this has not yet occurred.

In 2009, over 400 citizens attended a public hearing in Palatka to voice concerns about a proposed consumptive use permit for Seminole County to remove an average of 5.5 million gallons of water a day from the St. Johns River.

Although the permit request was unfortunately granted, the St. Johns River Water Management District Governing Board responded to the public outcry and directed staff to undertake a comprehensive analysis of the potential impacts of water withdrawal projects on the health of the St. Johns.

We commend the district for responding to the public's concerns and for recognizing the need for more research to better understand this highly complex aquatic system.

We also appreciate the district's commitment to a peer review of the study by the National Resource Council, an independent body of scientific experts with a mission to improve government decision-making and policy.

RINAMAN
Continued on Page 15

Florida Specifier

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The *Florida Specifier* welcomes columns, articles and letters to the editor on any subject or issue pertinent to the environmental, regulatory and technical areas the newspaper covers. We reserve the right to edit all submissions for newspaper style and publish submissions on a space-available basis.

Calendar

April

APR. 1—Course: Backflow Prevention Recertification Exam, Tampa, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

APR. 2-6—Course: Backflow Prevention Assembly Tester Training and Certification, Lake Buena Vista, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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APR. 3-5—Course: Activated Sludge Process Control & Troubleshooting, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

APR. 5—Course: Unidirectional Flushing Techniques, Tallahassee, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

APR. 5-6—Conference: 2012 Geotechnical and Materials Engineers Council Conference, Lake Buena Vista, FL. Presented by the Florida Engineering Society. Call (850) 224-7121 or visit www.fleng.org.

APR. 9-13—Course: 40-hour OSHA HAZWOPER Training Course, Tallahassee, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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APR. 13—Course: Lift Station Maintenance, Gainesville, FL. Presented by the University of Florida

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APR. 18-20—Conference: 43rd Annual CAPCA Spring Meeting, Grove Park Inn, Asheville, NC. Presented by the Carolinas Air Pollution Control Association. To register, visit www.capca-carolinas.org.

APR. 18-21—Course: Backflow Prevention Assembly Tester Training and Certification, Venice, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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APR. 23-24—Course: Phase I Environmental Site Assessment and All Appropriate Inquiry Training and Licensed Environmental Professional Exam, Tampa, FL. Presented by INSTEP - the International Society of Technical and Environmental Professionals. Call (850) 558-0617 or e-mail gene@instep.ws.

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Bill to expand LSSI expansion passes

By STEVE HILFIKER

House Bill 503 passed unanimously through the House of Representatives in late February. The Senate substituted SB 716 for HB 503 and also voted unanimously to approve it in early March. The bill had been sent to Gov. Rick Scott for his signature as of this writing.

It is extensive legislation that encompasses numerous environmental issues. This column focuses on the provisions of the bill that apply to the Low-Scored Site Initiative.

The bill expands LSSI funding for sites up to a score of 29 and it removes the deductible/copayment requirement associated with participating in the program.

LSSI is a voluntary program that provides up to \$30,000 to assess low-scored sites that are eligible for the Petroleum Cleanup Program. The LSSI is also available to non-program sites.

The LSSI has been available since March of 2011 for sites scored 10 or less, but deductibles and co-payments were required.

The Florida Legislature wants to get clean sites back into the economy and this initiative is designed for that purpose.

Owners with scores between 11 and 29 are the only group of sites that have not had an opportunity for funding since 1995, and many of these sites are now clean.

Site rehabilitation completion orders are issued on sites with no impact above the soil and groundwater cleanup target levels established by the Florida Department of Environmental Protection. Impacted sites can receive LSSI No Further Action letters without deed restrictions if the provisions of Florida Statute 376.3071(11)(b) are met.

The basis for the LSSI NFA is the lack of health risk. Sites scored 29 and under should not have down-gradient wells nearby. If a down-gradient well exists on any site scored 29 or less, it should be rescored

resulting in a minimum score of 30.

The LSSI NFA closure method requires no deed restriction on water use. This would not be justifiable on sites scored higher than 29.

Additional information on this program will be available upon authorization by the governor. The amendments to Florida Statute 376.3071(11) would become effective on July 1.

Steve Hilfiker is president of Environmental Risk Management Inc. in Fort Myers and can be reached at steve@ermi.net.

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Battle brewing over removal of Rodman Dam, restoration of Ocklawaha

By SUSAN TELFORD

Environmental groups fired off a warning letter to the U.S. Forest Service in February saying that they intend to sue under the Federal Endangered Species Act to require the removal of the dam at Rodman Reservoir in Putnam County.

Florida Defenders of the Environment and the Florida Wildlife Federation, represented by Earthjustice, said removing the dam would restore almost 9,000 acres of river floodplain that is needed to allow

endangered species such as the manatee and shortnose sturgeon to migrate into the Ocklawaha River from the St. Johns River.

The letter sent by Earthjustice, filed four decades after President Nixon stopped the ill-fated Cross Florida Barge Canal project that constructed the dam, provides a 60-day notice of their intent to sue while also alleging that the Florida Department of Environmental Protection is operating the dam without a valid permit.

"We have a good legal theory," said Earthjustice attorney David Guest regard-

ing the letter sent to the federal agency.

"In this day and age, why is the DEP artificially blocking a waterway and harming a rare species? The dam is still sitting there and the state needs to take some action. It's the right time. What victory looks like to us is no dam," he said.

Ownership of the Rodman Dam and Reservoir was transferred from the U.S. Army Corp of Engineers to the state of Florida in 1991 because a substantial portion of the dam is within the Ocala National Forest.

The state is required to obtain a special use permit under the National Forest Management Act to continue operating the dam on National Forest land.

The USFS issued the DEP a special use permit that authorized DEP to maintain and operate the dam on Ocala National Forest land for a period of five years. The permit provided that if the DEP failed to remove all structures within a reasonable time, the structures would become the property of the U.S.

Although the DEP's permit for the dam expired in 1999, the USFS has extended it twice to allow the state additional time to apply for a new occupancy permit describing their management intentions and providing environmental analysis to support their proposal.

That same year, the DEP and USFS began the process of developing a revised special use permit. As part of that process, DEP tentatively agreed to partially restoring Ocklawaha River, which required the development of a biological opinion under the Endangered Species Act and an environmental impact statement under the National Environmental Policy Act.

In 2002, the USFS gave the revised permit to the DEP to accept and sign. However, DEP refused to accept the permit. The state notified USFS that it could not meet the terms and conditions of the permit and DEP felt obligated to return the land along with the unsigned special use permit.

Under Forest Service regulations, DEP's refusal to sign the permit resulted in termination of the application and the denial of the requested use and occupancy of the Ocala National Forest. Since then, DEP has maintained and operated the dam and reservoir—now known as Kirkpatrick Dam and Lake Ocklawaha—without a valid permit.

The USFS presented DEP with a permit again in 2010 that would have authorized the operation and maintenance of the dam, along with partial restoration of the Ocklawaha River, and again the DEP declined to sign, resulting in no special use permit in place for operation of the dam.

The St. John's River Water Management District, one of the permitting agen-

cies that operates in coordination with DEP over the jurisdiction of the dam and reservoir, is taking a wait-and-see approach regarding the dam and impending litigation against the USFS.

The battle over the removal of the dam began close to 40 years ago. The driving forces behind the closure of the project then were Florida Defenders of the Environment and the Florida Wildlife Federation. Both groups have combined resources again to continue the fight for the removal of the dam and restoration of the Ocklawaha River area.

Dr. Dale Jackson, senior research biologist and a founding member of the Florida Natural Areas Inventory, believes that the area could be restored if the dam were to be removed.

"It will be a river and floodplain community," said Jackson. "Presumably, the springs that dried up will come back, as long as the water table hasn't been drawn too low."

Meanwhile, Save Rodman Reservoir Inc., a non-profit organization that represents local business leaders, fishing guides and fishing enthusiasts, defends the dam and reservoir that they say supplies a bountiful lake for tournament bass fishing capable of bringing national attention to the area, provides habitat to aquatic wildlife, and offers passive recreation to those who use the park.

The last recorded traffic count tallied 5,000 vehicles per month used Kenwood Landing, a road that dead-ends into the Kenwood boat launch area.

"Lake Ocklawaha is important to our community for several reasons," said Ed Taylor, Putnam County Commissioner and president of SRR. "Studies have shown that the reservoir cleans the nutrients from the water, so it reduces pollution, which can only help the St. John's River. It can be used as a future potable water resource."

"No one really knows the total cost for a Lake Ocklawaha river restoration, which is an important issue. Also, we have businesses, mainly fishing related, and at least a dozen families who are earning a living as fishing guides from it. Based on an economic study from 1995, it was estimated that Lake Ocklawaha gave the area an economic boost of \$6-7 million a year."

However, it is on the basis of violation of Section 7 of the Federal Endangered Species Act that environmental groups say the dam and reservoir must be removed. Both sides agree that the scientific studies have shown important information about the area and the environment. Both want what is best for the community and the environment, but for both so far, it is all or nothing.

"No one's figured out how to reach a compromise," said Taylor.

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Floridians in Congress get mixed grades in new LCV scorecard

By DAN MILLOTT

Since the first Earth Day in 1970, the League of Conservation Voters has released a National Environmental Scorecard every year rating U.S. House and Senate members.

The LCV looks at the most important environmental issues voted on during the year and scores the members of Congress on how they voted.

The ratings are based on the views of 20 respected environmental and conservation organizations. Each member of Congress was given a numerical score—the higher the number, the better the lawmaker was viewed on support of environmental issues.

Issues that were looked at included energy, global warming, public health, pub-

lic lands and wildlife conservation, and spending for environmental programs. The votes help distinguish those legislators who are working for environmental protection.

The study noted that the 2010 off-year election establishing a Republican majority in the House of Representatives “unleashed a truly breathtaking and unprecedented assault on the environment and public health, the breadth and depth of which have made the current House of Representatives the most anti-environmental in our nation’s history.”

On the House side, the scorecard looked at votes on 35 issues. Issues involving oil drilling showed up in questions on off-shore drilling subsidies, off-shore safety reform, drilling oversight, off-shore drilling expansion, off-shore drill-

ing pollution and another oil-related issue, the Keystone Pipeline.

Of the 35 recorded votes in the house, 28 were against positions supported by environmental organizations.

While only 35 issues were monitored, a review of the first session of the 112th Congress shows that about 200 issues involving public health and the environment were proposed in the House. On the Senate side, 11 issues were monitored and in all cases the measure’s fate conformed with positions taken by environmental and conservation organizations.

The good news for environmental activists is that the Senate and the Obama

administration were able to stand firm against the House-passed measures.

The House Continuing Resolution spending bill that funds the federal government was festooned with what the LCV Scorecard called “sweeping assaults on the air we breathe, the water we drink and the wildlife and wild places Americans hold dear.”

Also under attack were transit funding, and energy efficiency and renewable energy initiatives.

While the study only covered the first

LCV
Continued on Page 15

TANKS

From Page 1
May.

After July 1, contractors will have the opportunity to secure some of these sites and reverify ones for existing clients, Grudin said.

The initiative will be conducted in a manner similar to the LSSI where the agency waives all cost shares and doesn’t collect deductibles, unless it achieves a no further action status, Brown said.

“If it achieves no further action, we will ask for a deductible,” he said. “So, we see it as having no financial risk for the property owners themselves.”

The agency also is advocating PBC agreements where contractors get paid based on performance instead of the normal pre-approval process. “This is a departmental mission and we are trying to make it more attractive for the industry,” Brown said.

This method, MacGraw said, has both advantages and disadvantages. The agency negotiates the final number for a cleanup and gives the consultants the keys to drive the site to that number. The advantage is that the company has the ability to work on its own. The down side is that there can be unseen risks that could drive the time and cost up so that contractors end up losing money on the cleanup work.

The department is trying to deflect some of that risk for both the consultant and the agency by providing multiple end points and more flexibility, depending on the situation, Brown said. For instance, instead of taking a site to cleanup target levels, it may be permissible to use natural attenuation levels, which can be at least 10 times higher. This can make a big difference, Brown said.

Natural attenuation is a way to manage sites that pose little risk and also encourages the conservation of funding for use on higher priority sites, he added.

In order to save money, the agency would like to put more sites into NAM, decrease the parameters analyzed and the frequency of sampling, as well as recognize where and when monitoring doesn’t work, Grudin said. This will be done on a case-by-case basis.

Grudin added that it is hard to gauge the effectiveness of NAM because it is still too new.

The meeting also announced a 9 percent cost-of-living increase for consultants, while at the same time decreasing lab costs by 10 percent. Brown said the agency changed how it pays for labs from a fixed cost to a maximum compensation amount due to discrepancies between what the agency and the industry were paying.

Some consultants were securing extremely low rates for lab services and passing on the standard higher fixed costs to DEP, Brown explained. “So, we now pay what the industry pays or less,” he said.

The decrease was not seen as too much of a hardship due to existing lower prices and the advancement in technologies that are continually improving, Brown said.

Some lab industry professionals say they only have themselves to blame.

This reduction is a result of some labs undercutting pricing, sometimes to “ri-

diculously low amounts,” due to economic conditions, said Pamela Shore, president and QA officer at Palm Beach Environmental Laboratories. “This undercutting is what resulted in our industry being the only participants in the program to receive a reduction in fees.”

Shore added that lab expenses keep increasing at or above a 10 percent rate.

But even with the decrease, Walter Kronz, vice president of Advanced Environmental Laboratories Inc. in Jacksonville, sees the program changes, especially the new initiative, as a boon to the industry.

“Assessments are where the bulk of the dollars are, especially for the lab industry. The unit pricing may be down, but the volume may be up significantly,” he said.

He added that it moves most labs to price points they were already living with due to extremely tight market conditions.

Kronz said that although the decrease was not a huge surprise, he would have liked to be included in a discussion beforehand. He suggested that labs be included earlier in future discussions in the same way their engineering counterparts have been involved.

Brown said the meeting was all about trying to create a dialogue with everyone. “We built in a lot of time for that and want to take time to listen and take ideas from industry and vet them out.”

The bureau is sending out information on the screening program this spring aimed specifically at informing responsible parties and land owners of their rights.

The agency also is in the process of updating SOPs for the first time in three years. This update should be final by late April.

These changes should help iron out issues like inconsistency between local and state programs, clarify gray areas with training and provide more specifics, Grudin said.

Some SOP changes that stood out for her include one and two person options for field activities and identifying what type of kits should be allocated in certain circumstances.

“We are working on consistency on all fronts,” Brown said. “We are updating tank closure guidance with cleanup rules, and between Tallahassee and local programs, we definitely have that as a goal overall.”

Internally, the agency’s Division of Waste Management will be the only division accepting applications for innovative technology consolidations in order to have a single entry point. Once received, they will be distributed to other divisions such as water and air.

Regardless of changes such as those affecting pricing and fees, most industry participants viewed the changes outlined at the meeting as good for the program’s long-term viability.

“We came out of the session very positive,” Kronz said. “We think working to take potentially clean sites off the list is going to be good for the industry and everyone involved. It is one of the most logical things we have seen the state do in more than a decade.”

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NOTES

From Page 3

Quarry awards. The National Stone, Sand and Gravel Association has recognized 16 of Cemex's aggregate facilities for excellence in environmental stewardship and community involvement.

The Silver Award in Community Relations was awarded to the Brooksville Quarry in Brooksville, along with two

other recipients, Center Hill Quarry in Center Hill and FEC Quarry in Miami.

The awards program provides national recognition for aggregate producers that meet and exceed technical, environmental and regulatory requirements and are active in community relations activities.

Company notes. SWS Environmental Services opened an office in Wilmington,

DE, to expand its traditional Southeast U.S. reach and better serve national clients with facilities or projects in the Northeastern and Mid-Atlantic regions. SWS provides turnkey remediation services to private industry and government.

People news. Paul H. Amundsen has joined the Tallahassee office of Lewis,

Longman & Walker P.A. Amundsen represents clients before government agencies and has served as lead counsel in numerous formal administrative hearings and appeals, including complex, multi-party cases. He has handled a variety of matters including licensure, permitting, certificate of need, agency enforcement and bid protests.

NUTRIENTS

From Page 1

preserve the state's greatest asset—clean water—and the economic activity and jobs that go with it."

In 2010, the U.S. Environmental Protection Agency adopted rules placing limits on nitrogen and phosphorus in Florida's waterways. The agency said the rules were needed to clean up waterways that have become choked with weeds and algae.

EPA officials added that specific limits on nitrogen and phosphorus are needed in Florida to reduce toxic red tide along beaches.

Last December, DEP adopted rules to replace the federal rules. The agency believes the state rules will cost less to implement. But the new standards face a challenge from environmental groups.

Groups fighting the proposed rules are the Florida Wildlife Federation, the Sierra Club, the Conservancy of Southwest Florida, the Environmental Confederation of Southwest Florida and the St. Johns Riverkeeper.

These groups believe the rules are weak and unenforceable.

Environmental groups support the federal pollution limits while industry and utility groups support proposed state pollution rules that could replace them.

David Guest, an attorney for Earthjustice, said that in most cases, the state's proposed standards are identical to EPA's rules. But, he added, there are some crucial differences.

"The state's standards will not protect the public from the effects of toxic algae blooms," he said.

Guest said one of the biggest problems with the state's rules is the amount of sampling required. "The testing requirements do not require any testing when the problem is occurring," he said. "If you are looking (to reduce) night-time burglaries, you don't look during the day."

He said there needs to be strict standards in place to reduce the effects of nitrogen and phosphorus pollution. "We can't lose sight of the big picture. We have to have limits on fertilizer pollution because it's causing huge algae blooms throughout the state."

In another development, U.S. District Judge Robert L. Hinkle ruled that the EPA failed to cite scientific evidence to support its limits for nitrogen and phosphorus in streams and rivers. He ruled those limits were "arbitrary and capricious" and directed the agency to propose new limits by May 21.

Hinkle rejected arguments made by Agriculture Commissioner Adam Putnam and Attorney General Pam Bondi that the federal agency's rules were invalid.

The judge wrote that the EPA had "overwhelming" evidence that Florida water quality rules were insufficient because they did not contain specific limits on nitrogen and phosphorus.

The judge also rejected arguments by opponents that the EPA decision made between Dec. 22, 2008, and Jan. 14, 2009, was too quick. Hinkle said the decision had been in the making since 1998.

He also rejected the argument that new pollution limits are not needed because some limits for specific waterways have already been set. The number of those total maximum daily loads for specific waterways, he wrote, is evidence that Florida has many impaired waters and thus that it needs new criteria to avoid impairment in the first place.

Florida's environmental regulators, meanwhile, are standing behind their state regulations.

In a statement, Herschel Vinyard Jr., secretary of the Florida Department of Environmental Protection, said the state has advanced its efforts in setting numeric nutrient standards for its waterbodies and has presented its rules to the EPA for final review.

"A healthy environment depends on getting Florida's water right in terms of both water supply and water quality," Vinyard said. "No one knows our water better than Floridians and these rules will allow us to effectively protect water quality in our state."

He said the state rules provide a clear process for identifying waters impaired by nutrients, preventing harmful discharges and establishing necessary reductions.

"They provide a reasonable and predictable implementation strategy, and avoid unnecessary costs for Florida's households and businesses," Vinyard said.

He added that EPA has indicated that it supports the draft rules, and the state looks forward to getting these rules on the books and implemented as soon as possible.

Gov. Scott also supports the state rules. Scott said the state's standards are scientifically sound.

"Once approved by EPA, they will further enhance the state's nationally recognized nutrient control programs," he said.

Meanwhile, EPA officials say they support the Clean Water Act's provision for states to have the primary role in establishing and implementing water quality standards for their waters.

"EPA is prepared to withdraw federal rules for any waters that become covered by state law that meets the requirements of the Clean Water Act," said Marracini.

"EPA commends Florida's continued focus on reducing nitrogen and phosphorus pollution, and believes DEP's proposed rule reflects significant progress in protecting the state's unique aquatic resources."

EPA's initial assessment of the Oct. 24, 2011, version was that the rule proposed then by DEP could be implemented to provide protection for Florida's waters from nutrient pollution consistent with the Clean Water Act.

But subsequent revisions were made to the rule during the state's review and approval process.

When Florida's rule is submitted to EPA as a formal change to the state's water quality standards, EPA will review it to determine if it meets the requirements of the Clean Water Act, Marracini said.

If approved by EPA, it will withdraw its federal numeric nutrient criteria in favor of those covered by Florida's rule.

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14 April 2012 Florida Specifier

RINAMAN

From Page 10

We have gained useful information and expanded our knowledge of the St. Johns River watershed from this undertaking.

However, let's be clear. The water supply study does not provide a green light to taking millions of gallons of water a day from the river.

The study has significant shortcomings, and important questions and valid concerns remain about the potential impacts of water withdrawals on the St. Johns.

The NRC identified these limitations and recommended a variety of additional, specific analyses that must be completed before any additional water withdrawals from the St. Johns River are considered.

According to the NRC, "the WSIS operated within a range of constraints that ultimately imposed both limitations and

LCV

From Page 13

session of the 112th Congress, actions in the second session indicated that assaults would continue with GOP Majority Leader Eric Cantor serving notice that he planned to gut "job-killing regulations" with new legislation.

The scorecard reveals a striking contrast on how Florida GOP and Democratic lawmakers voted on the key environmental issues checked by the LCV.

On the Senate side, Sen. Bill Nelson had a 100 percent rating and Sen. Marco Rubio recorded nine percent.

FEDFILES

From Page 2

report's discussion includes consideration of combustion-associated capture methods, industrial facilities that produce natural gas, fertilizer manufacturing and ethanol production, all of which may play a role in carbon capture but have different efficiencies and characteristics.

The report endorses pipelines as the most efficient and effective CO2 transport process for large-scale CCS. The report endorses geological storage of CO2 in saline aquifers, depleted oil and gas fields, or enhanced oil and gas recovery sites. The report characterizes the CO2 "accounting" for each of these prospective technologies.

Currently, 15 large CCS systems are either in operation or under construction worldwide. They are expected to provide storage capacity of more than 35 million tons of CO2 per year. Three of these CCS projects are in the U.S. and one is in Canada. Fifty-nine more projects are in the planning stage globally.

The purpose of this initiative is to "equip policymakers and project developers with common methodologies for quantifying the emission impacts of CCS projects," according to C2ES.

The organization's president, Eileen Claussen, further characterized the report as providing a technical foundation that will support CCS policy and implementation in the future.

Clean air lawsuit. The American Lung Association and the National Parks Conservation Association filed suit in the U.S. District Court of the District of Columbia. Their goal is to force the EPA to complete its review of limits on soot, smoke and other airborne particulates, as required by the Clean Air Act.

That act requires the EPA to review the need for stricter air quality standards for these contaminants every five years and to update National Ambient Air Quality standards "to ensure the public is protected by the best available science."

The most recent deadline passed in October, 2011, without the EPA completing its review.

The two organizations, as plaintiffs, argue that old standards currently in place failed to protect public health. Children, seniors, people with lung disease and diabetes, and low income communities are listed by the plaintiffs as groups whose members face substantial and significant risk from outdated ambient air quality standards.

uncertainties on the study's overall conclusions."

Those limitations include:

- A lack of data "led to uncertainties about some of the WSIS conclusions."
- Important future considerations were not adequately addressed or even included in the analysis, such as future sea-level rise, increased stormwater runoff, pollutant loading due to urban growth, potential dredging and back-to-back extreme drought events.
- A rainfall record of only ten years was used for the hydraulic and hydrodynamic modeling.
- Effects from withdrawals on the river's most significant tributary, the Ocklawaha River, were not addressed.
- Speculative assumptions were used that water removed would be partially replaced by stormwater runoff from future growth, and the water quality impacts from

In the House, Congressman Debbie Wasserman Schultz (D, Weston) was the only member of the Florida House delegation with a 100 percent score, but the other five Democrats were not too far behind.

On the Republican side, Rep. C.W. Bill Young of Indian Rocks Beach, the dean of the Florida delegation, had a 23 percent rating on the scorecard with Vern Buchanan of Sarasota and Ileana Ros-Lehtinen of Miami coming in next at 20 percent.

that runoff were not even included.

St. Johns Riverkeeper acknowledges the benefits of the Water Supply Impact Study as a tool for future planning, but we also recognize its limitations and the need for further analysis.

This study does not provide carte blanche to remove water from the St. Johns River.

The study has enhanced our knowledge but has not mitigated the risks to the river's health from withdrawals.

We strongly believe that water conservation as an alternative to water withdraw-

als is the most responsible and cost-effective strategy for meeting our long-term water supply needs and protecting our water resources.

We must not let this study or the debate regarding water withdrawals divert our attention away from what should be our main focus and first priority—the more efficient use of water.

Lisa Rinaman was named as the St. Johns Riverkeeper in January. She can be reached by phone at (904) 509-3260 or e-mailed at lisa@stjohnsriverkeeper.org.

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All participants will have a chance to learn about emerging treatment technologies and support services available for effective cleanup projects, and how they're being put to the task in the field.

We are now identifying sessions topics for presentation and are asking for abstracts on "green" and sustainable remediation, risk assessment/RBCA, bioremediation, natural attenuation, emerging technologies, mixed waste challenges, site assessment technologies and methods, field sampling, site stabilization, combined strategies, vapor intrusion, regulatory policy and initiatives and cleanup of sites and surface water contaminated with petroleum, PCBs, chlorinated solvents, arsenic and heavy metals, pesticides and other contaminants.

We are again looking for talks on proven technologies with real-world applicability to Florida and appreciate data-heavy presentations and "roll-up-the-sleeve" approaches.

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We will soon start reviewing subject matter to be included on the 2012 FRC agenda. If you are interested in being a part of this year's conference, submit an abstract of approximately 250 words **by June 1, 2012**. FRC presentations are strictly limited to 25 minutes in length. Mail, fax or e-mail abstracts to:

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National council releases plan for protection of ocean ecosystems, resources

Staff report

The National Ocean Council's recent release of the draft National Ocean Policy Implementation Plan marks the first time in U.S. history that an all inclusive comprehensive plan is proposed for the protection, restoration and maintenance of ocean, coastal and Great Lakes ecosystems and resources.

The plan is part of the National Policy

for the Stewardship of the Ocean, Our Coasts, and the Great Lakes established by executive order of President Obama in 2010.

Floridians and the nation's coastal governments were represented during the plan's development by Broward County Vice Mayor Kristin Jacobs, chair of the National Ocean Council's Governance Coordination Committee.

Jacobs was one of three local govern-

ment representatives appointed to the committee tasked with addressing inter-jurisdictional ocean policy issues.

"With 2,276 miles of tidal shoreline across the state, we have a community and economy closely tied to the diversity and health of our coastal resources," said Jacobs.

"The National Ocean Policy Implementation Plan represents a monumental step towards improving the health of our oceans," she said.

STILL

From Page 1

tive director of the Northwest Florida Water Management District, remains at his post.

Still joined the Suwannee River district in 1994 and has been its executive director since 2008.

Before his appointment as executive director, Still served as the district's legislative liaison. He reviewed legislation and helped in the development of state water policy.

Before joining the Suwannee district, he worked at the St. Johns River district as a professional engineer in the department of resource management.

Still earned his BS and Masters of Engineering degrees from the University of Florida in 1982 and 1984, respectively.

The plan has four basic goals: to adopt ecosystem-based management; to obtain, use and share the best science and data; to promote efficiency and collaboration; and to strengthen regional efforts.

The plan requires management of ecosystems as a whole rather than as individual components. It also gives consideration to the systems' human-based functions taking into account economic and social benefit along with environmental protection.

Pressures have been mounting on the water management districts over the past year as funding has been slashed by Florida's legislative leaders.

Last year, Gov. Rick Scott directed the Florida Department of Environmental Protection to oversee the districts more closely to make sure they focus on their core missions of water supply, flood protection and resource protection.

The Suwannee River Water Management District is facing serious challenges. District officials have said the Alapaha River basin, the upper Suwannee River region and the upper and lower Santa Fe River basins may run short of groundwater within 20 years.

Some studies have pointed to groundwater pumping in Jacksonville as a primary contributor to water shortages in the Suwannee River region.

DEP and the Suwannee River WMD supported HB 157, which requires water management districts to identify water bodies that could be affected by water use in neighboring districts.

The districts are working closely together on regulatory programs in North Florida. Recently, the North Florida Regional Water Supply Partnership was formed. The Suwannee and St. Johns River water management districts held a kick-off meeting for the partnership in March.

Meanwhile, the Suwannee district is searching for new leadership. The selection process will take a minimum of three months to complete, said Charlie Houser, acting executive director of the district.

"The district will continue to consult with the governor's office and the Department of Environmental Protection during this process," Houser said.

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Florida Specifier

Environmental & Geotechnical Drillers Directory

If your firm provides environmental/geotechnical drilling or direct push services, you're invited to complete the form below, providing details about your firm and its capabilities. The directory will appear in our May 2012 issue. **There is a fee of \$100 to list your firm.** (The fee is waived for current Florida Specifier display and business card advertisers.)

Please type or LEGIBLY print the information requested and return as soon as possible to Mike Eastman via fax at (407) 671-7757, e-mail mreast@enviro-net.com or mail to P.O. Box 2175, Goldenrod, FL 32733. You can reach us by phone at (407) 671-7777.

The deadline for submitting listings is Wednesday, Apr. 11, 2012. ACT NOW.

Company name: _____

Primary Florida address: _____

City, State, Zip: _____

Phone: _____ Fax: _____

E-Mail: _____ Web: _____

Additional FL locations: _____

Contact person: _____ Title: _____

EMR rate: _____ Speciality business designations: _____

Services/capabilities: _____

Areas served: South FL Central FL Northeast FL Northwest FL

Equipment/tools: Hollow stem auger Air/mud rotary Dual rotary
 Sonic Direct push Diamond coring
 Cone penetration testing Other: _____

Other services: _____

Number of years in business: _____ years Total staff number: _____ In Florida: _____
 Operators: _____ Technicians: _____

What's your firm's speciality? _____

Are you a current *Specifier* advertiser? _____ Yes _____ No (fee required)

Contact us about: _____ Advertising in the *Specifier*
 _____ Submitting a column to the *Specifier*

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