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July 2013

Volume 35, Number 7

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Gov. Scott recently signed two bills into law that do away with "perceived contamination" as an effective justification for tax considerations for brown-field property owners. Industry practitioners react.

Oil spill monitoring ends 9

As of May 31, the U.S. Coast Guard ended its three-times-per-week oil and tar ball monitoring effort on Florida's Gulf beaches, instituted shortly after the Deepwater Horizon oil spill.

Miami-Dade upgrades 13

The Miami-Dade County Commission signed an agreement to begin a \$1.6 billion upgrade of the county's sewer system to comply with a settlement agreement reached with the feds. Over the next 15 years, \$12.6 billion in both water and sewer projects will be completed.

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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 mreast@enviro-net.com.

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DEP debuts newly proposed petroleum cleanup rules

By **ROY LAUGHLIN**

Officials with the Florida Department of Environmental Protection's Bureau of Petroleum Storage Systems rolled out proposed draft rules for Chapters 62-771 and 62-772 at a rule development workshop in Orlando in mid-June.

Taken together, the draft rules give insight into the brave new world of state-funded soil and groundwater cleanup of leaking underground storage tanks in Florida.

Chapter 62-771 characterizes a major change in site ranking criteria. The state outlined a new scoring system based heavily on an analysis of risk/benefit.

The first criterion addresses how effectively additional cleanup efforts, and therefore costs, will further reduce contaminant levels.

In the risk/benefit criterion, a site that has low contamination levels, contamination confined to the property, and contamination not affecting a drinking water well or surface waters would end up low in the priority rankings.

With its amended scoring system, DEP will reevaluate and possibly re-rank thousands of sites that are either currently being cleaned up or are eligible for remediation but waiting for funding.

Priority re-ranking of a number of sites is expected to be the outcome of the exercise.

Jorge Caspary, director of the DEP's Division of Waste Management, said that the bureau has always had the authority to reevaluate a site.

By implementing the new ranking criteria, Caspary made it clear that the bureau intends to increase the number of no further action site closures in the program.

Site owners and their representatives weighed in on the proposal to move away from contaminant level criteria for cleanups and into the realm of risk-based standards.

Sandy Clardy, owner of Clardy Oil Co. in Ocala, sees the proposed draft rules as major game changers.

"If something happens in the future and the plume migrates off the property, the property owner has to clean it up (to 62-780 standards), not to risk-based standards," he said. "This appears to be a way for them (DEP) to unilaterally issue closure orders but not cleanup sites."

"The program was not designed to abandon sites with significant contamination. It's not what we bargained for when we received an eligibility letter from the state and joined the program," he said.

Along with the new site-ranking system, DEP proposed to institute a new selection system for matching cleanup contractors to program sites.

The new rule, Chapter 62-772, proposed the creation of a pool of "term contractors," sometimes referred to as "umbrella contractors," who will be named to five-year terms, as long as they maintain their eligibility with respect to insurance and good standing under Florida's criteria administered by the DEP.

In the simplest case, bureau staff may select and assign cleanup work

from this list and may negotiate with several contractors with the highest rankings for cleanup assignments.

Bureau staff noted that their intention was to spread work around, while also ensuring that contractors were not "stretched too thin" with too many projects at the same time.

They also said that the state may be

divided into three geographical zones from north to south. Contractors could specify the regional zones in which they were available to work.

A firm could also opt for state-wide contracting selection.

DRAFT
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Photo by Robert Wyland

U.S. Geological Survey Technician Jenny White checks instruments on the research vessel Pelican during a cruise that imaged the Gulf of Mexico sea floor in areas with abundant gas hydrates. See story on Page 6.

Conflict of interest charges against DEP officials dismissed

By **PRAKASH GANDHI**

Two environmental advocacy groups suffered a major setback in their efforts to show that two top officials with the Florida Department of Environmental Protection had conflicts of interest before being appointed to their current regulatory positions.

The U.S. Environmental Protection Agency dismissed petitions from Public Employees for Environmental Responsibility and the Clean Water Network who filed a petition in February 2011.

Federal environmental officials said there was not enough information to determine whether DEP Secretary Herschel T. Vinyard Jr. was disqualified from serving.

The agency also said the two-year

period for a review had expired.

The decision triggered a strong reaction from Florida PEER director Jerry Phillips, a former DEP enforcement attorney.

"It's outrageous. It really is fairly shocking," he said, slamming the way EPA handled the issue. "EPA did not conduct any real investigation. They waited until two years had passed and then said, the issue is moot now because two years have passed."

"The decision they recently made, could have made in 2012. We constantly asked for a status report and they said the matter was 'under review.' They were not doing anything. It is that kind of performance that gives people a bad feeling about how their government is

CONFLICT
Continued on Page 16

Huegel named petroleum program chief

Staff report

U.S. Navy Rear Admiral Valerie Huegel was formally named as bureau chief and program administrator of the Florida Department of Environmental Protection's Petroleum Cleanup Program in June.

Huegel had previously served as a program administrator in DEP's Northwest District office where she oversaw all administrative and budget functions.

Her new role tasks her with leading a team to identify and implement changes to DEP's Petroleum Cleanup Program, including establishing fiscal controls to eliminate waste.

She has more than 25 years of expe-

rience related to conflict resolution, change management, strategic planning, human resources and budget issues.

Rear Admiral Huegel is also currently serving in the U.S. Navy Reserves as the deputy commander for the Navy Supply Systems Command Global Logistics Support.



Huegel

Gulf Coast restoration council releases draft comprehensive plan

Staff report

On May 23, the Gulf Coast Ecosystem Restoration Council released the initial draft of its comprehensive plan, "Restoring the Gulf Coast's Ecosystem and Economy."

The draft plan is a framework for a comprehensive Gulf Coast-wide series of restoration projects. The projects' goals, broadly characterized, will be to revitalize and restore the Gulf region following the Deep-

water Horizon oil spill and to provide future protection, especially from oil spills. The funding for these efforts will be provided by fines and penalties to be paid by BP.

The plan explains how the council will solicit, evaluate and fund projects that meet its goals and how it expects to develop, review and approve state expenditure plans.

The plan was open for public comment

for one month, May 24 - June 24. The council held meetings in each of the five Gulf states as part of the public comment process. They expect to release a final plan later this summer.

Along with the release of the draft plan, the council announced the selection of Justin Ehrenwerth as executive director of the council.

Ehrenwerth has been serving as the council's chief of staff.

released by the U.S. Energy Information Administration.

The report shows a substantial difference in gross energy-related carbon dioxide emissions by state. Not surprisingly, Texas dominated carbon dioxide releases, but overall, emission trends were downward substantially.

Texas scored a 9.3 percent reduction during the decade. Florida's emissions peaked in 2005-2007 near 260 million metric tons, and have fallen since then

to 246 million metric tons. The EIA scores Florida a 2.6 percent increase for the decade. In these rankings, Florida is behind Texas, California, Pennsylvania and Ohio.

The EIA report is a statistically enriched characterization of CO2 emissions in energy-related sectors. It does not consider CO2 released from landfills or grazing animals.

It further characterizes emissions by energy intensity, fuel, economic sector and general economy for each of the 50 states over the decade reviewed.

Diesel emission reduction grants. The EPA announced the availability of \$9 million for 2013 National Clean Diesel Funding Assistance Program grants.

States, local governments, nonprofits and tribes are eligible for these grants to support efforts that reduce air pollution from diesel engines.

Applicants from areas with poor air quality are particularly encouraged to apply for grants that will reduce diesel emissions from older school and transit busses, heavy-duty diesel trucks, marine engines, locomotives and other diesel exhaust sources.

The EPA has awarded more than 500 such grants nationwide since the program's inception.

Urban waterway revitalization. Urban waterway projects in 18 communities have joined the Urban Waters Federal Partnership, a program with a goal to "revitalize urban waterways and communities that surround them, transforming overlooked assets and driving urban renewal."

No new urban waterway projects were started in Florida this year. The closest are the Martin Peña Canal in San Juan, PR, and the Proctor Creek Watershed in Atlanta. The remaining nine projects are outside the South. Nationally, 18 communities are part of this program.

This year, two more federal departments—the U.S. Department of Education and the U.S. Department of Energy—joined 11 other federal agencies already sponsoring the partnership.

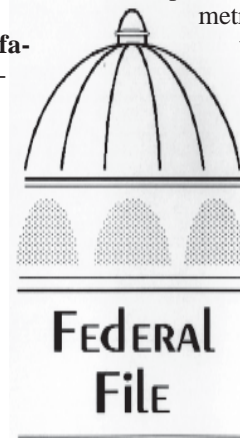
EPA conflict of interest provisions. In May, the EPA initiated a new oversight process to ensure that agency contractors follow "all existing conflict of interest guidance and requirements."

For the first time, the public may also have an opportunity to review and comment on a peer review panel's composition for panels reviewing influential scientific documents.

The rule applies to all future Influential Scientific Information or Highly Influential Scientific Assessments "where independent peer reviews will be conducted by panels selected and managed by independent contractors." The new rules include publication of names, principal affiliations and resumes of candidates being considered for panels.

After contractors select members of a review panel, they will consult with the EPA to ensure that the review process was conducted according to rules in order to resolve any issues of potential conflict of interest that may remain after selection.

The names of panel members will be



Survey of drinking water facilities. The U.S. Environmental Protection Agency conducts a quadrennial survey of U.S. drinking water facilities, one part of which queries the expected needs for infrastructure maintenance and upgrades.

The recent state of the economy has not benefitted drinking water utilities if the results of the EPA's fifth survey are any indication.

Respondents said that \$384 billion is needed between now and 2030 to maintain safe drinking water supplies across the country.

Distribution and transmission pipelines will require about two thirds of the total, almost \$248 billion. Treatment plants will require \$72.5 billion. Storage and source development (wells and spring collectors) will require \$39.5 and \$20.5 billion, respectively.

"The Fifth Drinking Water Infrastructure Needs Survey and Assessment" is an essential part of the EPA's allocation of Drinking Water State Revolving Fund grants. These grants provide low cost funding for infrastructure improvements to drinking water systems.

They are instrumental in helping drinking water plant owners and operators complete infrastructure improvements and meet evolving drinking water regulations aimed at improving water quality.

Since 1997, the fund has provided close to \$15 billion in grants. Nearly a third of that has gone to disadvantaged communities. In this and other EPA programs, the agency has made a special effort to fund drinking water systems serving small communities defined as those with fewer than 10,000 users.

Florida fourth in marine conservation. Florida sets aside 1.12 percent of its state waters for marine conservation, ranking it fourth in the country behind Hawaii, 22.9 percent; California, 8.7 percent; and the U.S. Virgin Islands, 5.7 percent. The closest southern competitor is North Carolina at 0.04 percent but no other southern state sets aside any state waters for marine conservation.

This is according to a recent report co-authored by two environmental groups, the Marine Conservation Institute of Seattle and Mission Blue of San Francisco, in "SeaStates: How Well Does Your State Protect Your Coastal Waters?"

These organizations define a conservation area as a fisheries "no-take" area. The concept of the report is based on scientific experts' assertions that sustainable fisheries and conservation of marine ecosystems that support other species dependent on fishery stocks requires a 20 percent minimum no-take area globally.

Only Hawaii meets their conservation goal. California is considering additional conservation areas that would raise its numbers substantially.

EIA characterizes carbon dioxide emissions. Summed up over the first decade of the 21st century, carbon dioxide emissions fell in 32 states and rose in 18. That trend may be changing as the economy changes, however.

In the final year of the first decade, only 14 states saw a decrease in carbon dioxide emissions.

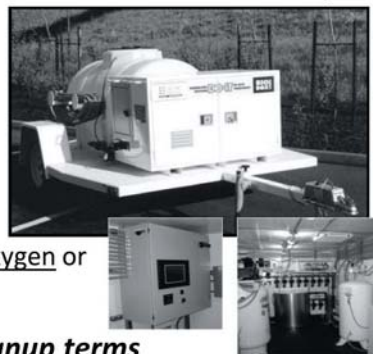
That is the conclusion of "State-Level Energy-Related Carbon Dioxide Emissions, 2000-2010," a report and analysis

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The *Florida Specifier* (ISSN 0740-1973), founded in 1979, is published each month for \$24.95 per year (\$49.95 for three years) by National Technical Communications Co., Inc., P.O. Box 2175, Goldenrod, FL 32733. Subscription refunds are not provided.

Standard postage paid at Orlando, FL 32862. **POSTMASTER:** Send address changes to the FLORIDA SPECIFIER, P.O. Box 2175, Goldenrod, FL 32733.

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Scott signs bill to fund Everglades improvements

Staff report

Gov. Rick Scott signed a bill into law that will help pay for cleanup of the Florida Everglades. Backers of the legislation say it shows a renewed effort to overcome years of delays and setbacks over Florida's failure to meet federal water quality standards in the Everglades.

The legislation helps pay for part of Scott's plan for Everglades water pollution cleanup by extending a \$25-an-acre tax on sugar cane and other agricultural operations south of Lake Okeechobee.

The tax goes toward cleaning up pollutants that flow off farmland and into the Everglades. Under the legislation, the state must also pay \$32 million a year for water quality improvements.

Scott's proposal calls for building nearly 7,000 acres of additional stormwater treatment areas to go along with the more than 50,000 acres of man-made filter marshes already in use to absorb phosphorus from stormwater headed to the 'Glades.

In addition, reservoirs would be built nearby to retain water for the treatment areas.

This spring, lawmakers approved changes to the Everglades Forever Act that extend taxes on agriculture. The \$25-per-acre tax on growers in the Everglades Agricultural Area would remain in place until 2026.

That revenue supplements the money coming from property tax payers to fund the water quality improvements.

Class action settlement. A circuit court judge has given initial approval to the settlement of a class action lawsuit alleging that pollutants from the former Agrico Chemical Co. filtered into groundwater and migrated toward Bayou Texar and Pensacola Bay.

The \$9.5 million settlement—given preliminary approval by Circuit Court Judge Joel Boles in May—could bring thousands of dollars to property owners to compensate for pollution impacts.

There are about 5,000 property owners in the affected area. The settlement is expected to be finalized in September.

The Agrico plant site was added to the U.S. Environmental Protection Agency's Superfund list in 1989.

In 2004, a \$70 million settlement was reached to compensate about 3,000 property owners closer to the plant.

Panhandle waste battle. A private company would take over trash disposal duties in Escambia County under a 15-year agreement approved by the Emerald Coast Utility Authority.

The Escambia County Commission opposed the agreement because it believes it would undermine the county-owned Perdido Landfill and ultimately cost taxpayers millions each year.

There have been months of delays and failed compromises between the ECUA board and the county commission over plans for handling the waste.

ECUA has been pursuing an agreement with Southern Waste Recovery, a Delaware corporation, to take residential and commercial trash from unincorporated Escambia to a facility yet to be built in Baldwin County, AL, rather than the county's landfill.

The proposed facility would convert trash into a shredded product called refuse-derived fuel, which can be sold to companies that use the substance as feedstock for waste-to-energy processes.

ECUA said the plan is a good alternative to burying garbage at the Perdido Landfill and would provide at least \$1 million in yearly cost savings since the company would charge a \$35 per ton fee rather than the Perdido landfill's \$42 tipping fee. But county officials said that taking the trash away from unincorporated Escambia would put the future financial viability of the landfill in doubt.

Closing the landfill could cost as much as \$15 million.

Putnam passes on study effort.

Florida Department of Agriculture Commissioner Adam Putnam ruled against his department moving forward with a study of the proposed Levy County nuclear plant.

Putnam said he doesn't think his office has the appropriate level of resources necessary to perform the study. Such a review would be better conducted by the state Public Service Commission, he said.

Rep. Mike Fasano, R-New Port Richey, called for the study. A report in the *Tampa Bay Times* found that the nuclear plant would cost billions more than an equivalent natural gas facility over a 60-year period.

The Florida Legislature considered a measure this year that would have required the PSC to conduct a feasibility study of the project. But that was withdrawn. The Legislature did pass a bill requiring utilities to show that any project is economically feasible.

Putnam said that increasing the diversity of Florida's energy sources is vital to securing a reliable supply of energy for Florida consumers.

Fasano was disappointed by Putnam's

response. He said state government has nobody in leadership that will put consumers ahead of corporate interests.

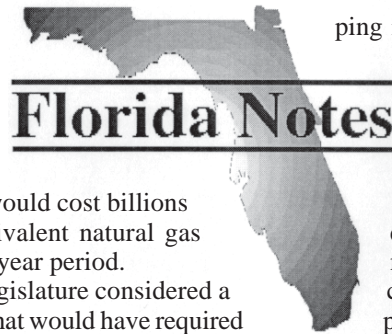
Geological survey grant. The U.S. Geological Survey awarded the Florida Department of Environmental Protection's Florida Geological Survey a \$193,183 grant to produce a detailed geologic map of a part of Northeast Florida.

The benefits of the mapping include a more comprehensive understanding of the distribution of rock, mineral and groundwater resources, including the vulnerability of aquifers to contamination.

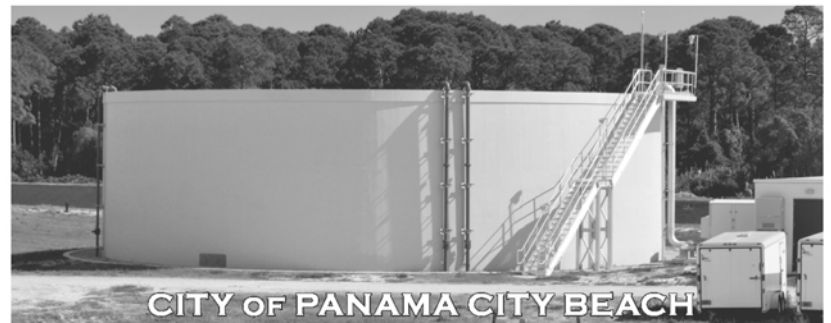
The mapping effort involves extensive field work over 12 months, including visits to accessible rock and sediment exposures in mines and other excavated areas, and natural exposures in rivers, streams, sinkholes and springs.

The approximately 2,000-square-mile area was approved due to its location near current project mapping underway in the Daytona Beach area, and an additional

NOTES
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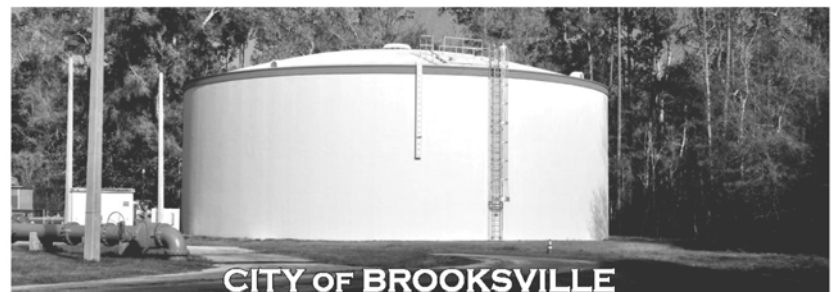
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Palm Beach County to sell Mecca Farms to South Florida water district

Staff report

In late May, the Palm Beach County Board of County Commissioners voted unanimously to sell the Mecca Farms property to the South Florida Water Management District for \$26 million.

Located just north of The Acreage, the 1,920-acre parcel sits between the western community and the J.W. Corbett Wildlife Management Area.

The county paid \$60 million for the land in 2004, presuming it could be flipped dur-

ing the real estate boom and turned into a development for the Scripps Research Institute.

Scripps ultimately built its facility in Jupiter near Florida Atlantic University and I-95, leaving the county holding the large parcel. Property maintenance has cost the county \$250,000 a year since then.

SFWM District officials approached the county last May about purchasing the land, but it has taken time for both sides to agree on a sale price due to differing property appraisals.

The district plans to use the property to help restore flow to the Loxahatchee River and to better manage floodwaters in The Acreage.

County administrator Robert Weisman said that the proceeds from the sale would be used to balance their budget and pay down county debt.

RO in Punta Gorda. Punta Gorda City Council members approved plans for a \$28 million reverse osmosis water treatment plant last month and directed staff to start applying for grants to cover the cost of the project.

The project will improve the quality of city drinking water and help meet federal standards for total dissolved solids in the water. The RO plant is expected to be a permanent solution to Punta Gorda's water quality issues.

Early estimates show an average monthly water rate increase from \$3 to \$15, based on the amount of grant funding supplementing the project. The anticipated completion date of the plant is 2017.

Hawthorne wastewater expansion. Officials with the city of Hawthorne and private industry representatives recently gathered at a ribbon-cutting ceremony to celebrate completion of the city's wastewater system expansion.

The cost of the project—totaling more than \$1.15 million—was covered by a Florida Department of Environmental Protection grant of \$500,000 and a Florida Department of Economic Opportunity grant of \$650,000.

A key addition to the wastewater treatment system is a sludge dewatering box that allows the city to dry its sludge and transport it to a recycler, helping to reduce operating costs.

Skyview Utilities repair. Florida House Appropriations Chairman Seth McKeel, R-Lakeland, and Senator Joe Negron, R-Stuart, recently reached a financial agreement that would fund the repairs of the ailing Skyview Utilities plant located just east of Lakeland.

Representatives from both the House and Senate worked together to ensure funding for the abandoned utility so that it could be modernized, and then connected to the city of Lakeland's sewer system.

Located in an unincorporated area of the county, Skyview is considered to be a disadvantaged neighborhood that has few

resources including a defunct wastewater treatment system.

Developed during the early 1970s, the sewage treatment plant was built without any permits. Residents and officials have faced continued frustrations retrofitting the once-abandoned system.

The projected cost to renovate the system is \$7 million.

Tampa Bay Watch receives gift. The Mosaic Company Foundation recently gave the non-profit Tampa Bay Watch a \$225,000 gift.

The funds will be used to create an oyster bar near Green Key that will help clean the water and increase bird habitat for species like great blue heron and white ibis.

Best tasting water. Judges from the Florida Section of the American Water Works Association recently recognized the Peace River Manasota Regional Water Supply Authority for having the best tasting drinking water in Florida. The group rated the water tops in the state for appearance, aroma and taste.

The honor marks the first time that a water supplier from the region has been named best in state.

The Peace River authority provides 25 million gallons a day to residents of Sarasota, Charlotte and DeSoto counties and the city of North Port.

New hire at NW district. The Northwest Florida Water Management District hired Katie Kelly as intergovernmental affairs coordinator. Kelly will serve as a liaison between the district and local governments, other state agencies, and state and federal legislators.

Prior to joining the district, Kelly worked as deputy director of governmental affairs for the Florida Department of Environmental Protection.

Nutrient pollution in Lake Jesup targeted

By PRAKASH GANDHI

A major effort is underway to reverse years of environmental damage to Lake Jesup, one of Central Florida's largest lakes.

State environmental officials, working closely with other organizations, are taking a series of steps that they hope will reduce the level of pollution in the lake.

The efforts are already paying off.

Two years into phase one of the plan, officials have reduced the flow of phosphorus into the Lake Jesup watershed by 9,082.5 pounds per year, exceeding the targeted reduction in the plan's first phase by 45 percent.

Florida Department of Environmental Protection Deputy Secretary Mimi Drew said the plan represents important commitments by stakeholders to address nutrient pollution.

"This unique effort addresses all the potential sources of excess nutrients and recognizes the efforts of the organizations who are managing those sources," she said.

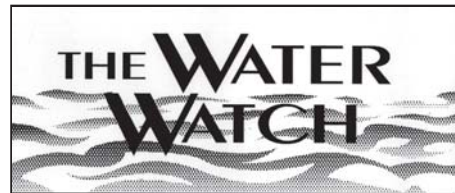
Located in the heart of Seminole County, Lake Jesup encompasses an area of about 16,000 acres.


Urban and agricultural stormwater runoff, wastewater discharges and the heavy use of septic tanks have triggered a myriad of environmental issues for the lake, including algae growth, lowered oxygen levels and frequent fish kills.

During the 1960s, wastewater and stormwater were discharged directly into the lake from surrounding communities, which took a toll on the lake's ecosystem.

About 65,000 pounds of pollution enters the lake every year. Because of high

JESUP
Continued on Page 5



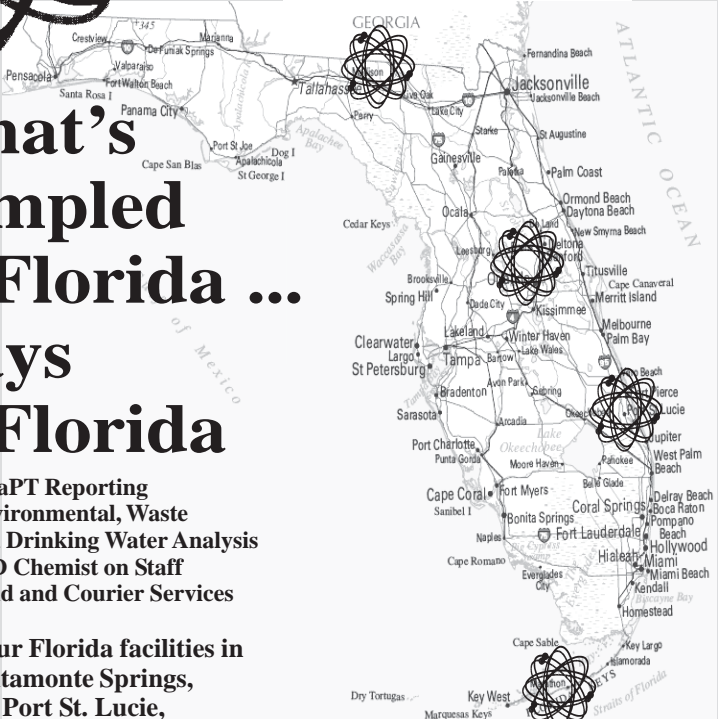


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Palm Beach County approves C-51 project to capture, store water

By SUSAN TELFORD

The Palm Beach County Commission agreed to move forward last month with the C-51 Reservoir Project. Located north of 20-mile bend, the project will mostly benefit Broward County to the south by capturing water that would have otherwise flowed to tide.

"It's a good thing," said Patrick Painter, sustainability manager for the city of West Palm Beach. "It's kind of trans-boundary. The Everglades used to flow south at one point and we need to get the water flowing that way again."

The C-51 Reservoir Project will make use of Palm Beach Aggregates' rock pits for storage, using the same waters shared with the L-8 Canal Project. Water from the L-8 Canal Project is not potable due to its high levels of salinity.

"They need the water in Broward. They are going to have to work with the L-8 (water)," said Painter.

"(The salinity) is gradually decreasing as the reservoir is recharged," said Palm Beach County Water Resources Manager Ken Todd. "We know from past studies that when the path is exercised and fresh water is brought in, it is diluted and not a problem."

"When it sits for a long period of time, because the pit is not totally impervious, there is some inflow, although it is very minimal," he said. "It is not that it is supersalty, it just doesn't meet the criteria for water supply."

Feasibility studies began in October 2008 on the C-51 as the first phase of the project. The second phase was completed in February 2010, with the Palm Beach County Water Resources Task Force endorsing the reservoir that fall.

In October 2011, the county commission signed a memorandum of understanding to continue to work on developing the project.

Last summer staff began work on a preliminary design report, which was completed in February, with the task force approving the draft resolution in April 2013.

Palm Beach County Water Utilities Director Bevin Beaudet asked the commissioners to approve that resolution.

"The project has changed in that it is now phased to meet the immediate needs of Broward County and other utilities," said Beaudet. "This is a big change in the project. Rather than have one huge reservoir, which would be very expensive and

won't be needed by many people for 20 or 30 years, a decision was made in this final report to phase the project."

According to Beaudet, Palm Beach Aggregates has been mining the rock pit and will make the first phase of the final product available in approximately two and a half years.

Pending approval of its governing board, the South Florida Water Management District will operate the reservoir, providing approximately 10,000 acre-feet of water storage.

"The resolution does not commit Palm Beach County to any specific course of action. Again, we do not need the water for phase one, and I'm not recommending that the board provide any kind of expenditure whatsoever," said Beaudet.

The board approved the motion 6-1, with commissioner Paulette Burdick dissenting. She asked for a workshop to get better information regarding the \$755 million expenditure that has already been made toward the anticipated billion-dollar project.

She also believes that water from the L-8 Canal project is still not usable due to its high level of salinity.



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Florida Specifier

August Special Focus:

Enviro-Labs 2013

List your lab in our annual Florida Specifier Environmental Laboratory Directory and on-line at Enviro-Net.com

Each August, we turn our attention to the environmental laboratory business in Florida. As part of this special issue of the *Florida Specifier*, we include a directory of environmental labs providing services in the state.

You're invited to complete the form below, providing details about your lab and your analytical capabilities. **There is a fee of \$200 to list your lab this year.** (*Fee waived for advertisers and 2013 FRC exhibitors.*) In addition to your listing in the directory, **your lab will also be included in a special lab section of our Enviro-Net Web site.**

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 at (407) 671-7777. The deadline for submissions to the August Lab Directory is **Friday, July 12, 2013.** Note: **If you were listed last year, we will be in touch. Do not complete this form.**

Please include only Florida-based lab operations' capabilities and personnel

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JESUP

From Page 4

nitrogen and phosphorus levels, DEP determined that Lake Jesup does not meet Florida's water quality standards and established restoration targets for the lake.

In May 2010, the department adopted a basin management action plan, developed alongside 20 local and regional partners, to identify projects to restore the lake's water quality.

The local stakeholders committed to monitoring the lake to ensure that restoration is occurring and to identify additional nutrient sources.

The action plan sets a 15-year timeline organized into three five-year phases targeting a total phosphorus reduction of 19,621 pounds per year.

The BMAP identifies specific actions to decrease nutrient concentrations. Total maximum daily loads were developed that established the amount of nutrient reduction needed to restore beneficial uses to the waterbody.

Actions include stormwater system management, regulations, ordinances and guidelines; conservation and land acquisition; best management practices for agricultural lands; public education and outreach; wastewater infrastructure; and on-going water quality monitoring.

DEP officials said the stakeholders have already implemented many of these actions and the remaining projects will be in place within the next five years.

Corps releases draft study of Jacksonville Harbor channel deepening

By **BLANCHE HARDY, PG**

The Jacksonville District of the U.S. Army Corps of Engineers released the draft Jacksonville Harbor Navigation Study on May 30. The study provides details of the proposed channel deepening along the St. Johns River's federal shipping channel.

The report's release kicked off the National Environmental Policy Act comment period on the increase of the channel's depth from 40 feet to 47 feet from the mouth of the river to approximately River Mile 13 of the 21-mile channel.

The comment period was recently extended by the corps and will remain open until July 31, 2013.

JAXPORT, owner and manager of Jacksonville's public ship terminals, considers the estimated \$773 million deep harbor improvements essential to maintaining a competitive port by allowing the port to accommodate the draft requirements of the fully-loaded cargo vessels transiting the Suez Canal and soon to transit the Panama Canal expansion.

Currently, the largest deep-draft container vessels can only enter JAXPORT's harbor terminals at high tide.

The study evaluates navigational concerns and provides recommendations for

investigating navigation improvements.

It also includes detailed information regarding environmental considerations such as salinity effects, mitigation, shoreline erosion and sea level rise, and contains a draft supplemental environmental impact statement updating the EIS prepared for Jacksonville harbor in 1998.

The corps' October 2012 project cost estimates that over \$80 million in environmental mitigation may be required to achieve a channel deepening of 47 feet that would accommodate 45-foot-draft container vessels.

During a recently held corps-sponsored public comment conference call, St. Johns Riverkeeper Lisa Rinaman suggested the corps consider restoration of the Ocklawaha River's flow into the St. Johns River through removal of Rodman Dam as a means of mitigating the environmental impact of the channel deepening.

Corps Spokesperson Amanda Ellison said the removal of Rodman Dam is "not a consideration at this point in time."

Rodman Dam was created in 1968 as part of the long abandoned Cross Florida Barge Canal project. Removing the dam would restore the Ocklawaha River's original path through permanent discharge of the waters impounded in the sixteen-mile-long Rodman Reservoir.

The dam's existence has generated a de-

cadec-long battle between recreational boaters and bass fisherman who want to keep the reservoir and environmental advocates and agencies that want the dam removed due to its adverse impact on the ecosystem.

The corps transferred ownership of the dam to Florida in 1991. As a portion of the dam and reservoir lies within the Ocala National Forest, the state was subsequently required to obtain a special use permit to operate the dam on National Forest land.

The U.S. Forest Service's twice extended five-year permit issued in 1994 called for removal of the dam to restore the river. Because operation of the dam impacts endangered species, both state and federal agencies completed assessments for additional permitting under the Endangered Species Act. As part of subsequent permit negotiations, DEP agreed to partially restore the Ocklawaha River.

The Forest Service presented special

use permits to DEP in 2002 and 2010. On both occasions DEP returned the permits unsigned indicating their inability to meet the permit terms and conditions. Funding for permit execution has never been allocated to DEP.

Corps Spokesman Ellison noted that Rodman dam is "not within the project's footprint" and the proposed St Johns channel deepening and the dam's removal are "two completely separate issues."

The environmental impact of the channel deepening diminishes with the ability of saltwater to travel upriver over the proposed project's thirteen-mile span, which terminates roughly eighty miles from Rodman Dam.

The channel deepening will allow saltwater to intrude further inland, but according to the corps, the biggest impacts of the projected salinity changes within freshwater systems will occur miles downriver from the termination of dredging.

U.S. Geological Survey maps, characterizes gas hydrates in Gulf

By **ROY LAUGHLIN**

In May, U.S. Geological Survey scientists completed a two-week research cruise in the Gulf of Mexico that provided the best high resolution seismic data and imagery ever obtained of sediments with high gas hydrate saturations.

Gas hydrates occur when ice forms at cold temperatures and high pressures in sediments containing methane. The ice crystals trap methane as they form, and that, in turn, yields sediments high in natural gas.

In a drilling expedition in 2009, the USGS team, in partnership with the Bureau of Ocean Energy Management and the Department of Energy, found that 50-90 percent of sandy sediment pore space in this region of the Gulf of Mexico was filled by gas hydrates.

The current expedition built on that earlier work to optimize the use of low energy seismic sources to image shallow sediments, and to characterize gas hydrate reservoirs and geologic features of sediments between the reservoirs in the sea floor.

Offshore continental shelf gas hydrate reserves are considered by some experts

to be among the country's most extensive retrievable natural gas reserves. The BOEM estimates that there are 6,700 trillion cubic feet of methane in sandy sediment gas hydrates in the northern Gulf of Mexico.

The current seismic mapping was focused on the shallower gas hydrate deposits and is far more detailed than information available from industry-conducted deep seismic mapping.

The USGS said that the recent mapping provides information about how much gas hydrate exists in a much broader area than can be determined from using standard industry seismic data.

Florida is not likely to have a share of the gas hydrate bonanza, if and when commercial development occurs.

"The Gulf of Mexico areas west of the Florida peninsula are too shallow to host gas hydrates, whose existence is controlled by specific

pressure and temperature conditions," wrote Dr. Carolyn Ruppel, chief, USGS Gas Hydrates Project, in an e-mail in response to questions about her project's research.

Interest in the abundance and behavior of gas hydrates extends well beyond their possible commercial exploitation. Some scientists warn that global warming may lead to substantial methane release from deep sea and permafrost gas hydrates, potentially initiating a dangerous positive feedback loop. Methane from hydrates increases warming, which causes additional methane release, enhancing greater atmospheric warming.

Ruppel said that the current research should be able to better calibrate a specific seismic signature to a specific amount of gas hydrate.

The potential of gas hydrates, in general, to influence climate change is the central question motivating other research she leads.

Cruises scheduled for 2014 will specifically study the climate change influences of methane from gas hydrates.

Ruppel noted that commercial exploitation of gas hydrates has not advanced very far.

"At this time on the R&D trajectory in methane hydrates, the community is still at the stage of planning research-scale production tests as proof of concept, not scaling up to the point of determining commercial viability of production," she said.


Those studies will be done by private sector participants who at this time seem to have lower hanging fruit to pick fracking deep shales.



Photo by Seth Haines

USGS technician Pete Dal Ferro prepares a generator-injector seismic source aboard the ship.

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Site cleanup scheduled to begin on Acree Oil site in DeLand

By PRAKASH GANDHI

State environmental officials are spearheading a big cleanup effort aimed at removing contamination at the former Acree Oil distribution facility in DeLand and at the former gas station and tire store next door.

"We are trying to clean it up as quickly as possible," said Mara Burger, an information specialist with the Florida Department of Environmental Protection, which is leading the \$587,000 cleanup effort.

"The plume has migrated from the original source. Because it has moved, there is concern that it might keep moving and affect other areas," she said.

Acree Oil operated as a bulk fuel facility from 1959 until 1988 when its tanks were removed. The site is currently a wholesale merchandise distribution center.

Taylor Tire was a service station from 1959 to 1992 when all underground storage tanks were removed. The site is currently an auto repair facility.

Burger said officials found three plumes of fuel contamination in the soil and groundwater on the property. In addition, an estimated 477,000 gallons of groundwater was found to be contaminated.

The two sites are adjacent and both are owned by Acree Oil Co.

Site assessment was approved in June 2004. The remedial action plan was approved the next year but was not implemented due its low ranking on the site's priority scoring system that determines the order of site cleanup.

The remedial action plan modification was approved in March 2012. Treatment system construction work orders were issued in December last year and the system is currently under construction, Burger said.

The treatment technology to be used on the site is air sparging/soil vapor extraction, with 50 air sparge wells and 23 soil vapor extraction wells over both properties.

SRWMD seeks adoption of MFLs by DEP

Staff report

The Suwannee River Water Management District's Governing Board passed a resolution in June requesting the state Department of Environmental Protection to adopt minimum flows and levels for the Lower Santa Fe and Ichetucknee rivers and priority springs.

The district passed the resolution based on Senate Bill 244 requiring adjoining water management districts to apply MFLs that are adopted by DEP. The Lower Santa Fe and Ichetucknee rivers and priority springs MFL would be applied in both the Suwannee River and St. Johns River water management districts.

Water management district boundaries are established along surface water hydrologic divides. However, groundwater withdrawals have the potential to affect water resources in adjacent districts. SB 244 addresses possible cross-boundary impacts by requiring water management districts to apply the MFLs of adjoining districts that are adopted by DEP.

The district is developing the MFL and has committed to a voluntarily peer review of the science and all related technical documents in establishing the MFL. The peer review will be conducted by a panel of experts from the University of Florida Water Institute.

Prior to the legislation, districts could work together to address cross-boundary impacts. However, for one water management district to apply an adjacent district's MFL, that district would have to go through duplicative rulemaking process.

Upon Senate Bill 244 becoming law, DEP's adoption of cross-boundary MFLs will reduce costs and avoid duplicative efforts of two or more adjoining water management districts.

Estimated cleanup time is three years to be followed by a minimum of one year of post-remediation monitoring.

So far, about \$480,000 has been spent on cleaning up the site, Burger said.

State officials said the cleanup effort will extend to a neighboring church because the contaminant plume has migrated to the adjacent property.

Universal Solutions Inc. is performing the site cleanup. The total cost is estimated to be \$587,298, which will be mostly covered by state funding.

The Acree Family Partnership will partially share the cost for cleaning up the former gas station and tire shop under the terms of the settlement agreement.

Burger said the site is being remediated now primarily because contamination has migrated next door.

"The plume is now under the church," she said. "There are three contaminant plumes at the site. The plumes combined total about 10,630 square feet. The estimated volume of contaminated groundwater is about 477,000 gallons."

Universal Solutions is now waiting for the necessary permit approval to throw the switch on the system.

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This fall, the Annual Florida Remediation Conference, now in its 19th year, will again focus on the issue of soil and groundwater contamination cleanup in Florida's unique physical and regulatory environment.

Engineers, scientists, hydrogeologists, project managers, regulators, compliance managers, consultants, equipment vendors, lab representatives and other environmental professionals will benefit from the opportunity to exchange information, discuss case studies and analyze field operations in what has become the Southeast's top annual remediation meeting.

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We are now identifying sessions topics for presentation and are asking for abstracts a variety of topics: green 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.

Submission Instructions

We have started reviewing subject matter to be included on the 2013 FRC agenda. If you are interested in being a part of this year's conference, submit an abstract of approximately 250 words by July 15, 2013. FRC presentations are strictly limited to 25 minutes in length. Mail, fax or e-mail abstracts to:

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Questions?

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What worked—what didn't?

New state brownfield law draws mixed reviews from local governments, industry pros

By ROY LAUGHLIN

In late May, Gov. Rick Scott signed two bills into law that require property owners to cleanup contamination through a Brownfield Site Rehabilitation Agreement. Under the new legislation, no BRSA, no state subsidies.

This change does away with "perceived contamination" as an effective justification for tax considerations for property owners.

HB 7007 and SB 406 contained virtually identical language now requiring BSRA to qualify for public subsidies.

This language does not change the defi-

inition of a brownfield area, but does require those receiving tax benefits to be doing something about contamination.

Owners of adjacent impacted parcels now must depend on the owners of contaminated property to establish BSRA necessary to qualify for subsidies.

The financial incentive reductions to developers will be substantial.

Statewide, 231,537 acres are included in brownfield areas. Cleanup agreements, BSRA with DEP, affect only 3,926 acres that have active remediation efforts asso-

ciated with them.

As of June, DEP listed 336 brownfield areas in 45 counties and approximately 119 communities that have or have had DEP BSRA. Statewide, incentive payments to developers for job creation credits and construction material sales tax rebates were about \$11 million.

The peak year for BSRA numbers was 2008, with 59. Since then, the annual total has been about a dozen.

So far in 2013, six BSRA have been added to the list. These numbers make a strong case that brownfield designations and environmental cleanup have not gone hand in hand, and state financial incentives for brownfield development is not spent on activities that would meet those of a formal BSRA.

It remains to be seen if the number of BSRA will increase now that the bills passed by the legislature are law following the governor's signature.

In addition to the state's \$2500 subsidy per job for job creation and exemptions from sales tax on building materials used in construction on the site, local governments offer a variety of other incentives.

In some cases, financial benefits can be immense. An article in the *Orlando Senti-*

nel said that owners of one office tower in downtown Orlando received \$150,000, while another received \$250,000 in tax incentives.

The legislature's new requirements for BSRA have taken local governments by surprise with the implication that inappropriate behavior had been occurring that required the new legislation.

Integrity Florida's website highlighting SB 406 included the following: "This law restores accountability to the brownfield program, aligning it more closely with its original intent." But does it?

Section 376.80, Florida Statutes, defining the administrative process for brownfield designation provides four criteria for local governments to use in evaluating property designation as a brownfield.

Kim Walker, administrator for the Brownfields and Federal Facilities Restoration Section in the Division of Waste Management at the state Department of Environmental Protection, said that, in this section of Florida Statutes, "economic potential is defined, contamination is not mentioned."

Brownfield site owners have to satisfy several conditions regarding the economic and social benefits to get the designation. Chemical contamination is not a necessary condition to meet any of those requirements.

But if the site is contaminated, the law's language is distinctly more specific. The law outlines nine procedures that must be followed. A BSRA is a required component.

It should come as no surprise that brownfield developers typically avoid a BSRA where possible and chose the path of least resistance and delay to conduct contaminant removal.

Michael Goldstein, managing partner of The Goldstein Environmental Law Firm PA in Miami, characterized the new laws' influence differently from Integrity Florida's focus on accountability.

Because environmental contamination is only one, often small, part of a site's limitations for redevelopment, "It limits the program to a statistically insignificant universe of opportunity," he said bluntly. But he does not advocate a return to the status quo ante. "Previous language was too permissive. It rewarded non-meritorious sites."

During the 2013 legislative session, Goldstein lobbied the legislature to broaden the language of the brownfield law they were tinkering with. He suggested that an executed cleanup agreement, consent agreement, consent order, voluntary cleanup agreement with DEP or local government pollution control program be added to the BSRA as remediation efforts that qualify for state subsidies to developers. However, his broader language was not implemented.

SB 406's provision that only properties contiguous to a BSRA site qualify was particularly onerous. Goldstein proposed language that included any real property parcel within a brownfield area within two-tenths of one-mile of any parcels that has any documented discharge of any contaminant or hazardous substance; is subject to state restoration funding under chapters 376.3071 or 376.3078, FS; is being or has at any time in the past been used for the disposal of solid waste, whether such disposal occurred with or without a permit; or contains—or at any time contained—a cattle dipping vat.

The suggestions above relate specifically to, in Goldstein's opinion, appropriately expanding the range of qualifying efforts that developers may use to reduce actual contamination on a site, or its human and environmental exposure risk.

Teresa Brydon, economic development manager for the city of Largo, provided additional characterizations of detrimental influences on urban brownfield projects that the new legal requirements are likely to cause.

BROWNFIELDS
Continued on Page 9

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Florida Specifier

Regular Deepwater Horizon oil spill beach monitoring effort officially ends

By ROY LAUGHLIN

Since the Deepwater Horizon well blowout was capped in 2010, the U.S. Coast Guard and BP have conducted a joint oil and tar ball monitoring effort on Florida's Gulf beaches.

As of May 31, the Coast Guard ended its three-times-per-week beach surveillance. Prior monitoring and cleanup often involved driving utility vehicles on the beach.

The Coast Guard concluded that the risk of environmental damage to people and vehicles on the beach exceeded the benefits of continued monitoring, as the amount of oil recovered has steadily declined since the spill.

The Coast Guard will maintain personnel, billeted in Gulf Shores, AL, to investigate tar balls and oil reported on northern Gulf of Mexico beaches.

This investigator may remove small amounts of oil and tar balls, and arrange, if necessary, for the cleanup of larger amounts of petroleum material if discovered.

Some local authorities in Escambia and Santa Rosa counties are not happy with the end of routine patrols.

BROWNFIELDS From Page 8

Where low cost housing is a component of redevelopment, "the five percent sales tax for building materials is a big thing," she said, referring to the rebate of state sales tax for construction materials.

The tax rebates help put the "affordable" in affordable housing. Without it, developers may step away from housing as components of redevelopment projects.

Brydon further explained that some sites go through cycles of redevelopment. If a site was cleaned up in the past, redevelopment projects initiated today may be subject to contemporary standards different from those in effect during the first cleanup, or new uses may require remediation in addition to what was done decades ago.

Finally, she noted from her perspective in Pinellas County, that with just four percent of the county area vacant land, redevelopment most commonly involves rehabilitating buildings. Asbestos removal and sometimes lead abatement are costly, time-consuming requirements that, absent state subsidies, will lead developers to sites allowing new construction.

Neither asbestos removal or lead abatement require a BSRA. The cost of the cleanup can be significant because certified workers do the remediation and the effort requires notification and verification. Developers remediating these contaminants on their property would not qualify for subsidies under the new laws.

Broadening the areal halo around a contaminated site eligible for financial incentives is often cited as major loophole for program abuse, fostered by the fact that less than two percent of designated brownfield areas are subject to a BSRA.

With respect to restricting eligibility of adjacent sites, Goldstein characterized the law's flaw as "going to far by not going far enough."

"We want environmentally impacted property to be reused," he said. "Some conditions cannot be addressed by site remediation. The new law may be too restrictive."

His opinion is based on the premise that the brownfield law aims to foster much broader goals of economic development, to "offset market disjunctions that end up with unfavorable land use patterns."

The purpose of public subsidies, in the larger sense Goldstein portrays, is not just to achieve contaminant removal, but to influence real estate developers' behavior so they accept more risk developing properties perceived to be less desirable or more costly to develop.

The controversy SB 406 and HB 7007 create seems to go back to "perception," which rarely works to increase positive public opinion of the brownfield legisla-

They say that tar balls continue to wash up on the shore and that ending the oil patrols violates the 2011 agreement to maintain monitoring and cleanup crews until washed up oil is no longer an issue.

There is some reason for concern about lingering tar. According to a local newspaper article, a 450-pound tar mat was removed from a Pensacola beach on April 15. Then in May, another 12 pounds of tar and oily materials was removed from the Pensacola Beach tourist area.

Buck Lee, executive director of the Santa Rosa Island Authority, said that the new procedure is too involved and expects slower response times.

He said people who observe oil on the beach are instructed call an 800 number to reach a call center in Washington, DC, and from there, information will be forwarded to the Coast Guard in Gulf Shores. An investigator will then be dispatched to the site.

Lee noted that BP is still paying for the response team, but because it is now waiting for calls, rather than patrolling, oil and tar has less chance of being removed.

He also confirmed that the recent tar and oily material that washed up had the fingerprint of the Deepwater Horizon

tion outside the circle of brownfield property owners and local governments.

The specific role for remediation activities in brownfield development seems implicit because the EPA at the federal level and the DEP at the state level are the lead brownfield agencies.

In Florida's brownfield legislation, the most direct statement about cleanup occurs in the legislative intent of Florida's 1997 brownfield's legislation: "Cooperation among federal, state, and local agencies, local community development organizations, and current owners and prospective purchasers of brownfield sites is required to accomplish timely cleanup activities and the redevelopment or reuse of brownfield sites."

After the statement of intent, language requiring environmental cleanup as part of the brownfield qualification is typically vague or absent.

Current practice is a subtle and, some would say, selective parsing of the law's more general provisions to provide financial incentives for a broad range of economic redevelopment activities.

Brownfield proponents interviewed for this article believe that changes they propose will achieve cost savings and, at the same time, more efficiently encourage the entire range of contaminant remediation that occurs either with a BRSRA but more often under other remediation options no longer endorsed by financial subsidies.

spill's oil, and that BP is still obligated to the terms of its cleanup agreement.

The Florida Department of Environmental Protection agreed to assume some of the beach monitoring activities over the next year.

DEP will provide two staff members to continue the three-time-weekly beach monitoring efforts. Those staffers will remove tar balls when they find them and report larger amounts to the National Reporting Center.

BP will not pay for DEP's monitoring and the Coast Guard will still be responsible for cleanup beyond a few tar balls.

Local authorities fear that the delay, with only a single responsible person at the Coast Guard in Gulf Shores, will allow tar balls to be washed into the sediments or spread to other locations where they might evade cleanup.

In the meantime, the Santa Rosa Island Authority is establishing a local volunteer network to routinely monitor beaches, both on the island and in the sound and Pensacola Bay.

If volunteers find oil, they are asked to call the Coast Guard's 800 number and also to report it to the authority, which plans to follow up on the response outcome.



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Geologic mapping by FGS a solid investment in future of state

By **SUSAN BEASON**

For more than 100 years, the Florida Geological Survey has conducted geologic mapping to benefit Florida's residents, businesses and environment. The work identifies water, mineral, rock and energy resources that help guide governmental and commercial decision-making.

Just as importantly, geologic mapping helps safeguard Florida's vital water resources by identifying areas where aquifers and springs are vulnerable to contamination.

The Florida Geological Survey, an office within the Florida Department of Environmental Protection, was established in 1907 with the goal of mapping soils and near-surface geology to assist with wetlands drainage and land development.

Later, the emphasis shifted to mapping and locating mineral resources to support infrastructure construction and economic development.

In recent decades, there has been a focus on environmental and ecosystem understanding as well as natural resource conservation.

One of the department's top priorities is safeguarding surface water and groundwater quality and quantity. FGS staff research is focused on understanding ground-

water interaction with surface water in Florida's predominantly karstic geologic setting.

Understanding this interaction is critical to the department's overall objective of water resource conservation and protection. Related activities include springs and springhed mapping, water quality trend analysis, and swallet (stream-to-sink direct recharge to the aquifer) mapping, most of which are cooperative projects with other department programs.

FGS staff also provides scientific support for the development of alternative water resources, such as aquifer storage and recovery.

One ongoing FGS project is an investigation of natural and anthropogenic sources of arsenic and other trace metals in the Floridan Aquifer system. The study is taking place at two sites, one in Jackson County, and the other in Hillsborough County. Both are known to have arsenic concentration variability.

Among other areas, the research is focused on mechanisms of arsenic release during ASR, managed aquifer recharge and reclaim/reuse projects. The use of reclaim/reuse water for recharge is more common than ever and this research provides insight into water-rock interactions, which could lead to improvements in ASR and water quality.

Last year, FGS published an important study that tracked links between a wastewater spray field and a first-magnitude spring in a karstic watershed.

FGS collaborated with other department programs, local, state and federal agencies as well as the private sector on hydrogeological characterization and groundwater tracing studies to find the direction and rate of groundwater flow passing beneath a city of Tallahassee wastewater spray field and to identify springs in which that wastewater discharged in the Wakulla Springs system.

The study concluded that groundwater from the spray field primarily flows southwest to Wakulla Springs at a rate of between 671 and 977 feet per day. Results of the study informed the city's decision to upgrade its wastewater treatment facility.

The city's investment of \$227 million will help minimize contaminant inputs to the system and will contribute to restoration of the spring's ecological health. The study also showed the successful use of dye tracing over long distances in the Floridan Aquifer system.

Another important part of FGS work is the agency's participation in STATEMAP, a component of the National Cooperative Geologic Mapping Program by the U.S. Geological Survey.

STATEMAP provides funding through

an annual competitive grant process available to all state geological surveys. The Florida Geological Survey STATEMAP program was established in 1994 with an initial award of \$30,000.

FGS has received awards for new geologic mapping every year since then, totaling \$4.6 million in combined state and federal support.

The maps provide a more thorough understanding of the distribution of rock, mineral and groundwater resources, including aquifer vulnerability to contamination. They also provide shallow subsurface geological information that can be useful in understanding sinkholes and other geologic hazards.

The maps are an important tool for local planners and environmental scientists when making decisions about land use, groundwater protection, economic development, public policy and other issues.

FGS maintains the only state-wide geoscience sample repository, which includes 19,000 sets of stratigraphic core samples and well cuttings. Geophysical logs and lithologic descriptions of many of these samples are stored in an associated database.

FGS also maintains a geoscience research library and related services that are an invaluable resource to the department and the public.

Most government programs are intended to provide a service to the public by using appropriated dollars efficiently. State geological surveys provide economic benefits to the state and taxpayers.

Geologic information is used for many purposes by state and local planners, such as avoiding development over an important mineral deposit or by avoiding costly waste cleanup by properly locating landfills or disposal wells.

It has been estimated by economists that geologic map data provided by state geological surveys provides a payback of up to 55 times the initial investment. That's a good investment in any economic climate.

Susan Beason is a public information specialist with the Florida Department of Environmental Protection in Tallahassee. The Florida Geological Survey, an office of DEP, is located at Gunter Building MS #720, 903 W. Tennessee St., Tallahassee, FL 32304. For more information, call (850) 617-0300.

Florida cities tops in air quality

Staff report

According to a recent report by the American Lung Association, Florida has two cities that rank at the top among cities with the cleanest air in the country.

Residents of Palm Beach and Fort Myers can breathe easier knowing that their cities were listed as the cities with the lowest air pollution levels.

The report stated that neither of these cities had a single day of unhealthy levels of ozone or particle pollution—in sharp contrast with the rest of the country.

"The long term trend is positive and headed to much cleaner air," said report author Janice Nolen, assistant vice president of national policy and advocacy for the ALA. "However, there is an uptick in some areas and (others) where the problem remains very, very serious."

The ALA measured levels of ozone and soot particles in the air in close to 1,000 U.S. cities and counties between 2009-2011. The study revealed that about half of the 25 most polluted cities have improved since the data was last recorded in 2000, but air quality in the other half of the 25 most polluted cities has worsened.

The report also noted that there were 254 counties with unhealthy levels of ozone or particle pollution, and that about 132 million people (42 percent of the population) live in these areas. So, although many people are now breathing cleaner air, others are living in cities that are more polluted than they were a decade ago.



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Calendar

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JULY 6 – Course: Backflow Prevention Recertification Review, Bradenton, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 8-12 – Course: Backflow Prevention Assembly Tester Training & Certification, Altamonte Springs, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 9-12 – Course: Wastewater Class C Certification Review, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 9-11 – Course: Respiratory Protection, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 11-13 – Conference: Annual Conference of the Florida Section of the American Society of Civil Engineers, Sarasota, FL. Call (561) 215-4311 or visit www.fla-asce.org.

JULY 12-13 – Course: Backflow Prevention Assembly Repair & Maintenance Training & Certification, Venice, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 14-17 – Meeting: Managing & Financing the Resilient Clean Water Utility Summer Conference and 43rd Annual Meeting of the National Association of Clean Water Agencies, Cincinnati, OH. Call (202) 833-2672 or visit www.nacwa.org.

JULY 15-19 – Course: Backflow Prevention Assembly Tester Training & Certification, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 19-27 – Course: Backflow Prevention Assembly Tester Training and Certification, Fort Myers, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 20 – Course: Backflow Prevention Recertification Exam, Bradenton, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 20-23 – Conference: 2013 Sunshine Food & Fuel Expo, Orlando. Presented by the Florida Petroleum Marketers & Convenience Store Association. Call (850) 887-5178 or visit <http://sunshinefoodandfuelexpo.com>.

JULY 20-28 – Course: Backflow Prevention Assembly Tester Training and Certification, Tampa, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 22-24 – Course: Backflow Prevention Assembly Repair and Maintenance Training & Certification, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 23-26 – Course: Water Distribution Systems Operator Level 2&3 Training and Certification, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 23 – Course: Lift Station Maintenance, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 24-26 – Course: Initial Training Course for Landfill Operators & C&D Sites – 24 Hour, Winter Haven, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 24 – Course: 4 Hour Refresher Course for Spotters at Landfills, C&D Sites and Transfer Stations, Winter Haven, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 24 – Course: 8 Hour Training Course for Spotters at Landfills, C&D Sites and Transfer Stations,

Winter Haven, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 25 – Course: Understanding Hazardous Waste Regulations in Solid Waste Operations and Recycling, Lakeland, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 26 – Course: Basic Water & Wastewater Pump Maintenance, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 27-28 – Conference: Annual Meeting of the Florida Section of the American Water Resources Association, Cocoa Beach, FL. Visit www.awraflorida.org.

JULY 28-30 – Conference: Summer Conference of the Florida Sunshine Chapter of the Solid Waste Association of North America, Sarasota, FL. Call (727) 797-4234 or visit www.swanfl.org.

JULY 29 – Course: Backflow Prevention Recertification Review, Altamonte Springs, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 30 – Course: Backflow Prevention Recertification Exam, Altamonte Springs, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 30-AUG 2 – Course: Water Class C Certification Review, Port Charlotte, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

JULY 31-AUG 3 – Conference: FES/FICE 97th Annual Summer Conference and Exposition, Palm Beach, FL. Presented by the Florida Engineering Society and the Florida Institute of Consulting Engineers. Call (850) 224-7121 or visit www.fleng.org.

August

AUG 1-2 – Conference: 16th Annual Land Use Conference, Tampa, FL. Presented by the Florida Chapter of the American Planning Association. Call 1-800-873-7130 or visit www.floridaplanning.org.

AUG 2-10 – Backflow Prevention Assembly Tester Training & Certification, Venice, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 3 – Course: Backflow Prevention Recertification Review, Bradenton, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 6 – Course: Asbestos Refresher: Inspector, Ft. Walton Beach, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

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AUG 6-8 – Symposium: 2013 ISA Water/Wastewater and Automation Controls Symposium, Orlando. Presented by the International Society of Automation. Call (919) 990-9418 or visit www.asaww-symposium.com.

AUG 8-17 – Course: Backflow Prevention Assembly Tester Training & Certification, West Palm Beach, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

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AUG 8-9 – Course: Green Building Fundamentals for the LEED Green Associate, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

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AUG 12-16 – Course: Backflow Prevention Assembly Tester Training & Certification, Destin, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 17-25 – Course: Backflow Prevention Assembly Tester Training & Certification, Jacksonville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 19-23 – Course: Water Class A Certification Review, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 20-22 – Course: Asbestos: Project Design, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 20-23 – Course: Water Class B Certification Review, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570.

AUG 23 – Course: Backflow Prevention Recertification Review, Fort Myers, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 24 – Course: Backflow Prevention Recertification Exam, Fort Myers, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 26-30 – Course: Backflow Prevention Assembly Tester Training & Certification, Lake Buena Vista, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570.

AUG 27-29 – Course: Process Control of Advanced Waste Treatment Plants, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

AUG 30 – Course: Backflow Prevention Recertification Review, Venice, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeco.ufl.edu.

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Florida Specifier

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Goldenrod, FL 32733

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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.

Naples seeks alternative option to current stormwater ocean outfall pipes

By DAN MILLOTT

For years, the city of Naples has used 10 drainage pipes that traverse its white, sandy beaches to dump stormwater into the Gulf of Mexico.

The pipes, located along an area from the Naples Fishing Pier to the Naples Beach Hotel and Golf Club, drain stormwater from 400 acres of city streets, parking lots and lawns.

In 2009, the Florida Department of Environmental Protection told the city they had to reduce their flow of stormwater into

the Gulf.

That meant they had to find another way to dispose of between 83 and 139 million gallons of stormwater annually.

Andy Holland, engineering manager for the city's Streets & Stormwater Department, said Naples was contacted by the department because the stormwater disposal issue was in the way of a long-planned city project of beach renourishment set to begin in September.

"At first, the DEP said they wouldn't let beach renourishment start until we solved the stormwater problem," he said.

"But we have since been able to decouple the two issues."

Naples officials told the DEP that they would look into the beach outflow issue and come up with a solution. Holland said they started looking into solutions in 2012. "We hired a consultant and the came up with four possible solutions," he said.

The first option was to do nothing—an option rejected offhand. The second was a deep ocean outfall that would consolidate the existing outfall pipes now in use into one 54-inch pipe or two 42-inch pipes and extend it out into the Gulf up to 750 feet.

A third option was building a pump station and redirecting the stormwater underground to an aquifer storage and recovery well. The fourth was pumping the stormwater into Naples Bay or Mooring Bay.

Extending the pipes out into the Gulf is a method that has been used in Sarasota

and Venice.

The costs of the three viable options range from \$4 million to \$12 million.

The city council asked the Streets & Stormwater Department to work with DEP to determine which of three options was both feasible and permitable.

Naples Mayor John Sorey has expressed a preference for the ASR option, the most expensive of the three on the table.

Holland said that the beauty of underground storage is that the water can be re-used, mainly for irrigation.

"The disadvantage is that we must pump the water into the ground at a very slow rate. But we have to be able to pump it a very high rate on certain days," he said.

Naples already has multiple ASR wells used for irrigating parks, medians and individual homes. That program has been operating for 10 years.

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Seaweed composting avoids disposal costs

Staff report

Seaweed is being turned into something useful in Ft. Lauderdale. Each day, city crews haul away an average of five to six tons of seaweed, ship it to Snyder Park, and add it to a huge compost pile, which is harvested for use in city projects.

"In the past, the seaweed was transported to a dump," said Matt Little, city spokesman. "Now, composting the seaweed saves the city about \$180,000 per year."

"There is also cost savings associated with using the compost dirt instead of purchasing top soil for planting projects."

Little said that the city has 27 staff

members servicing the barrier island. Their responsibilities include trash pick up and seaweed removal, among other things. The city removes an average of six tons of seaweed from the beach each day.

"The seaweed is composted for about 90 days and the dirt is then recycled for use in special planting projects," Little said. "Every three months, about 100 yards of dirt is removed and used for planting projects."

Little said the city places a high priority on seaweed removal and beach maintenance. "Our quality of life and our economic viability are directly linked to our beautiful coastline," he said.

FEDFILE

From Page 2

publicly posted before any peer-review meetings occur.

The EPA's existing standards for determining conflict of interests have not changed as a result of this ruling.

Fast-track sustainability credentials.

Nine engineering firms have enrolled at least 100 of their infrastructure professionals in the Institute for Sustainable Infrastructure's Envision Sustainability Professional credentialing program.

This training program familiarizes engineers with ISI's sustainable infrastructure rating system, ENVISION.

It allows credentialed professionals to

evaluate and rate social, environmental and economic benefits of infrastructure components including water, power and transportation.

The training will help these professionals "address triple bottom line sustainability dimensions in the design, construction, and operation of an infrastructure project."

The engineering firms that have announced participation to credential their staff members in the program are ARCADIS, Arup, Black & Veatch, Burns & McDonnell, Gannett Fleming, HDR, Psomas, Stantec and VHB.

The Institute for Sustainable Infrastructure was founded by three national engineering associations, ASCE, ACEC and APWA.

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Miami-Dade officials approve \$12.6 billion in water, wastewater work

By DAN MILLOTT

In early June, the Miami-Dade County Commission signed off an agreement to begin a \$1.6 billion upgrade of the county's sewer system to comply with a settlement agreement reached with the U.S. Department of Justice and the U.S. Environmental Protection Agency under provisions of the Clean Water Act.

The decree requires the county to upgrade three wastewater treatment plants and their wastewater collection system.

NOTES

From Page 3

project being conducted in the northeast corner of Florida funded by the National Park Service and the Florida Geological Survey.

This will allow the Florida Geological Survey to maximize its resources and expand on existing data.

Sand mine conversion approved. A developer was given the go-ahead to convert a sand mine operation into a temporary lime rock mine in Pasco County.

Outlaw Ridge Inc. was granted a sand mining permit in 2007 to create a lake on a parcel just off U.S. 41 in Spring Hill.

But due to pumping at Tampa Bay Water's nearby Crossbar Ranch wellfield, the groundwater level had dropped to at least 60 feet below the surface. The only way to create the lake will be to blast limestone, a plan that was strongly opposed by nearby residents.

Now, Pasco County Commissioners have approved a mediated settlement that officials said will allow the county to avoid a lawsuit from Outlaw Ridge. The developer agreed to numerous conditions to protect nearby homeowners.

State-wide brownfield update. The U.S. Environmental Protection Agency awarded a \$600,000 grant to the cities of Edgewater, New Smyrna Beach and Oak Hill.

The grant allows the cities to assess properties that have environmental issues and determine if the land can be cleaned up and redeveloped.

Edgewater is establishing a joint advisory committee to gather community input, select brownfield sites and ensure the money is used effectively.

The cities hope to receive the funds by Oct. 1. They will have three years to complete their assessments. The owners of the sites will not be required to match any funds to participate.

The state has designated several brownfield areas in Volusia County, some of which are in New Smyrna Beach and Edgewater. The grant money gives the cities the chance to determine if other areas qualify to be added to the state's list of brownfields.

Once paperwork is complete, a public meeting will be conducted to gather community input on the brownfield sites. The cities can then move forward with their assessments.

Flagler County officials received word that a similar \$600,000 grant application made in partnership with the cities of Palm Coast and Bunnell was approved.

Flagler created a brownfield redevelopment program in 2010 designating areas eligible for federal funding called the Flagler Economic Enhancement District.

County officials, along with Palm Coast and Bunnell staff members, applied for a \$1 million brownfield grant in 2010 but the proposal was not approved. The county applied again in 2012 for \$600,000.

In Bunnell, officials have made brownfield redevelopment a priority. The city designated the downtown core as a brownfield area and has been working to improve the area and attract new business development.

In other brownfield news, Pensacola received a \$400,000 grant to conduct waste assessments on former industrial and commercial sites.

The sites in West Pensacola include

In addition, Miami-Dade is required to take steps to ensure that maintenance programs are in place so the sewer systems continue to operate properly.

The work mandated by the consent order is just part of a much bigger picture. Over the next 15 years, \$12.6 billion in projects will be completed—\$8.5 billion in wastewater projects including the \$1.6 billion required by the consent decree, as well as \$4.1 billion in water projects.

Jennifer Messemer, public information officer for the Miami-Dade County Water

and Sewer Department, noted that the utility is the largest in the Southeast U.S.

“We treat 300 million gallons of water a day and dispose of 300 million gallons of sewage a day,” she said. “We have 7,739 miles of water pipe in the system. If you linked those pipes end to end, they’d stretch from Miami International Airport to Beijing, China.”

She said the \$8.5 billion in sewer work will involve increasing capacity, and replacing or improving pipelines and pump stations for wastewater operations.

County water and sewer pipes average about 40 years in age, but some in the system are 80 years old and still function well.

To determine where repair work needs former industrial plants, gas stations, dry cleaners, automotive repair shops and Superfund sites.

Officials hope to use the \$400,000 for about 18 environmental site assessments, and community outreach and cleanup planning.

Clearwater contracts. The city of Clearwater awarded two contracts totaling more than \$13 million to bring safe drinking water to the city and treat its wastewater.

Melbourne-based Young's Communications Co. Inc. received a \$6,920,083 contract to build a pipeline serving the city's new reverse osmosis Water Treatment Plant 2.

The Southwest Florida Water Management District will pick up half the tab.

The project will bring raw water from the southern and eastern parts of Clearwater to the plant. It includes about 15,400 linear feet of 16-inch piping, and about 33,000 linear feet of 6-inch to 14-inch well transmission mains.

In addition, Miami-based Metro Equipment Services was awarded a \$6,530,378 contract to provide sewer piping to the area.

Conservation effort. The Florida Department of Environmental Protection, the Trust for Public Land and private landowner M.C. Davis are partnering to conserve 20,850 acres of critical habitat east of Eglin Air Force Base after being awarded \$1.75 million from the U.S. Department of Defense as part of the 2013 Readiness and Environmental Protection Integration Program challenge.

The purchase requires approval by the board of trustees of the Internal Improvement Trust Fund.

REPI funds cost-sharing partnerships for the military with state and local governments and private conservation organizations to address the need for compatible land use and conserved natural landscapes in support of military readiness.

Company news. Terracon Consultants Inc. acquired Dunkelberger Engineering and Testing Inc., a provider of geotechnical engineering, construction materials and inspection, environmental assessment and building inspection services to the South Florida marketplace.

Dunkelberger, with offices in West Palm Beach, Port St. Lucie and Sarasota, serves a variety of industries including the aviation, solid waste, infrastructure, government, commercial real estate and power sectors.

People news. Russell Morgan was appointed state conservationist in Florida for the U.S. Department of Agriculture's Natural Resources Conservation Service. Since 2007, Morgan has been serving as the NRC's Delaware state conservationist.

Scott Carraro, EI, has been promoted to staff engineer in PSI's Orlando office. Carraro is a graduate of the University of Central Florida with degrees in civil engineering and construction engineering.

Joseph Brown, PE, was appointed as a principal consultant for the firm's remediation design/construction service line. Brown has been with PSI since 2011.

In addition, Darek Brandt, PE, was appointed as a principal consultant for PSI's facilities engineering service line. He is based in Orlando where he serves a dual role as a staff engineer. Brandt has been with PSI since 2005.

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Broward Partnership program making strides in water conservation

By DAN MILLOTT

For years, counties in South Florida have faced the problem of a growing population and ever-increasing demand for water. Several ideas for addressing the issue have emerged, most of them dealing with identifying new source

supply, from seawater desalination and building new reservoirs to recycling highly treated wastewater.

After years of seeking answers, officials in Broward County stumbled on to perhaps the simplest of solutions. They have embarked on a program to save water through an intense educational effort and incentives

including rebates to homeowners who install new water conserving devices.

The effort did not come easy, but after forming a task force to seek answers, the Broward Water Partnership was born.

"We had to figure out ways to become more effective regionally," said Dr. Jennifer Jurado, director of Broward County's Natural Resources Planning and Management Division. Before the partnership was created, each water provider was working independently.

The task force worked for 18 months to come up with possible solutions. The net result was a partnership which brought together the county's water utility with 16 municipal water providers and the South Florida Water Management District.

The task force got a kick-start after a 2008 study showed that Broward was facing a 106-million-gallon-per-day deficit in water supply. Jurado said that news, plus the looming restrictions on water use to be imposed by the South Florida district, made it easier to bring the parties together.

The task force recommendations were released in the fall of 2012 with a very simple message: The lowest cost for water in the future is water we save today.

The plan for the Broward Water Partnership is threefold: a media element dedicated to water conservation; a campaign to protect water for the future; and a centrally organized rebate incentive program.

Jurado said 70 percent of the county's geographic area is covered by the 18 par-

ticipating partners in the program.

The rebate funding will come from the water providers. Jurado estimates they will issue 2,000 toilet rebates per year. The rebate per toilet is \$100 if older toilets that use more than 1.6 gallons per flush are replaced. The partners also distribute free high efficiency shower heads.

Since the start of the partnership, 1,700 toilet rebates have been issued. So far in the partnership's second year, 1,400 have been issued in a six-month period.

Jurado said that early efforts to conserve water focused some attention on amending building codes, but recent plumbing advances have made that effort less of a priority.

In recent years, the plumbing industry has made great strides in developing products that conserve water.

Efforts are also being made to improve the efficiency of commercial building cooling towers since they are the largest users of water in these structures.

While the partnership is a five-year program, Jurado points out that the present level of success should help it continue after five years.

She said the per-capita use of water has declined. In the period from 2000 to 2004, average daily water use was 160 gallons per person. Now, it's down to 134 gallons per person. "That translates to 50 million gallons per day," she said.

Miami-Dade County officials have also noted similar declines in average daily use.

DRAFT

From Page 1

Casparly advised contractors to look for a notification of selection for term contractors expected out in July.

Contractor qualifications now include an important new section on disqualification, 62-772.300 (5), which includes two paragraphs stipulating that site owners may not directly or indirectly receive remuneration from a contractor, nor can contractors work on sites in which they have financial or ownership interest.

These two stipulations address an insinuation by state legislators and others that such abuses were regularly occurring within the program, an opinion that cleanup contractors take serious issue with.

A substantial number of the more than 160 participants at the rule development workshop own small businesses—businesses that may be hit hard by the new direction that DEP is taking.

"My sense is that it will be hard for a small business to get qualified as a term contractor," said Greg Bonn, PG, president of Bonn Environmental Services and Technologies Inc. in Ponte Vedra Beach.

Several other small contractors shared this fear off the record.

But Casparly has said in prior interviews with the *Florida Specifier* that decreasing the pool of contractors is not an intended goal of the new rules.

The details of contractor-ranking procedures remain a source of concern to petroleum program professionals, especially among small businesses.

The concern from small business is not knowing what's in the invitation to be negotiated when a small contractor is selected for a job, said Gordon Dean, PE, principal with Restoration Assistance Inc. of Monticello.

DEP officials said that getting on the term contractor list will be a straightforward process. But the devil is always in the details.

Dean wanted to know if the size of a company mattered. For example, will large firms with a broad range of expertise under their roof routinely get higher job selection scores? This remains to be seen.

The establishment of multi-firm alliances for bidding on jobs could be an effective strategy for small businesses to combine expertise in order to compete for contracts.

But Gwenn Godfrey, chief of the DEP's Bureau of General Services, said that the MyFloridaMarketplace system does not now have the capability to handle ad hoc

partnerships.

DEP officials, however, said that they wanted to find a way to recognize such business alliances to continue to be able to award petroleum cleanup work to small businesses.

Representatives from many cleanup contractors with substantial client lists had questions about how the new regulations will allow them to retain their clients when the bureau will be making the contractor selection in the future.

In response, DEP officials said that property owners who contribute "the lion's share" to financing cleanups will see no change. They may continue to choose their contractors as they see fit.

Cleanup contractors are concerned that the proposal for DEP to assign work will drive a wedge between them and their clients, severing working relationships that have served both parties well for decades.

Contractors, at least many of them, could learn to live with whatever new rules are put in place. The uncertainty bears directly on the continuity of funding for the remainder of the year or until the new rules are in place.

Casparly said that over the past few days, he had obligated \$10 million in cleanup funding and that there might be one more round of fund obligations in July if DEP accountants find more available money after reviewing spending.

This implies that the contractor community as a whole should not experience a cash flow drought between now and the end of 2013.

Persistent comments about state funding levels do, nevertheless, leave a tangible impression that some, perhaps many, companies are still looking for adequate work during the rule transition period with the fear that this program will not provide it.

The issue of liability has always been a factor affecting contaminated site cleanup both positively and negatively. If DEP chooses a contractor and contaminated wastes are removed from a site, liability for the waste may follow, even after its disposal.

"Under the provisions, will there be a change of who 'owns' the waste generated from the remediation activities?" asked Steve Belin, region manager for remediation management with Phillips 66.

If a property owner does not pick the contractor and that contractor mishandles the materials, then what? Will DEP, by

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Continued on Page 15

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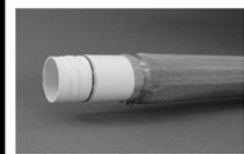
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Big dollars for Lower St. Johns BMAP

By **BLANCHE HARDY, PG**

The Florida Department of Environmental Protection announced that \$6.5 million has been allocated in their 2013/2014 budget to enhance water quality improvements of the St. Johns River within Putnam, St. Johns and Flagler counties' 389,500-acre Tri-County Agricultural Area.

The budget allocation is intended to further the goals of reducing total nitrogen and phosphorus loading as stated in the October 2008 Lower St. Johns River basin management action plan.

Included is \$3.5 million for the development of a hybrid wetland treatment technology demonstration project in Deep Creek—a major tributary of the St. Johns River near Hastings—which will reduce phosphorus and nitrogen discharge into the river.

Richard Budell, director of the Office of Agricultural Water Policy at the Florida Department of Agriculture and Consumer Services, has participated in the implementation of hybrid wetland projects in the Everglades for six years. He said that the first step in such a project is usually contracting with a vendor to begin design and construction of a facility.

The state's existing hybrid wetland treatment systems north of Lake Okechobee have proven to be both cost effective and efficient in removing phosphorus and nitrogen from stormwater, achieving greater than 90 percent reductions in total phosphorus in some instances.

The systems use chemical coagulants as the first stage in the treatment train to

capture flocculent material in one or more deep zones. The floc resulting from coagulant use is anticipated to remain active allowing for additional phosphorus sorption. The material is then passively and actively reused in contact with untreated aliquots of water to remove additional nutrients.

"An environmental resource permit from the water management district is typically required to pump water from a collection point into the treatment facility where it will be chemically pre-treated to remove phosphorus, then pumped into a two-stage wetland facility for finishing," said Budell.

The preliminary project cut sheet circulated by the North Florida Growers Exchange and the Putnam-St. Johns County Farm Bureau estimated a hybrid wetland treatment facility could be constructed that would be capable of treating approximately 75 percent of peak flows at full build-out.

They estimate that "such a facility can treat drainage waters from a 1,400- to 2,100-acre sub-basin, which exports an estimated 6,200 to 9,400 pounds per year.

The majority of land use in the area of Deep Creek is agricultural.

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From Page 14

choosing the contractor, become a waste producer? This is another undetermined aspect of rule development that could create significant unintended consequences for property owners.

Chapter 62-780, the third section that pertains to petroleum cleanup, deals predominantly with target criteria for cleanup, how samples are taken and analyzed, and how data should be reported. Changes in this section have been characterized as "limited."

Some changes have been designed to maintain consistency with changes in the prior two sections.

Bob Fingar, a shareholder with the Tallahassee law firm of Guilday, Schwartz, Simpson, West, Hatch and Lowe PA, questioned DEP's strategy of defining risk-based criteria in Chapter 62-771 rather than proposing to change criteria in Chapter 62-780. He noted that this may be grounds for a legal challenge.

This account is a broad brush of details discussed during the workshop. The final rule language, based on comments, queries and replies remains a work very much in progress.

In contemporary parlance, DEP staff is in a crowd-sourcing mode. More than once, staff on the podium asked speakers to write down their comments and suggest rule wording for changes and additions.

Behind the proposed rule changes lurks the fact that although the \$1 per barrel excise tax on petroleum imports to Florida generates about \$200 million annually, the Legislature has, for the past few years, appropriated a consistent \$125 million. And that's what the bureau likely has to spend in the foreseeable future.

With funding steady and the list of candidate and eligible sites still huge, the legislation and the newly proposed rules now put DEP directly in control of petroleum cleanup projects funded on the state's dime.

The proposed approach is to remove sites from the eligibility list at an "effective and appropriate" cost within the program's level of \$125 million annual funding.

Dangerous contamination with imminent threat will be addressed expeditiously, but site closure based on risk—rather than returning properties to pristine conditions—seems to be the primary focus of this new direction.

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SJRWMD requests additional input from Adena Springs Ranch

By SUSAN TELFORD

The St. Johns River Water Management District sent representatives of Adena Springs Ranch a third request for additional information regarding the cattle operations' consumptive water use permit application to withdraw 5.3 million gallons daily.

Adena Springs Ranch, located in Marion County between Ocala and the Ocala National Forest, has 120 days to respond and provide the water management district with the information requested, or ask for more time to answer.

Environmental activists aggressively oppose the project. They believe that such large water withdrawals so close to Solver Springs would cause irreparable damage to an already suffering natural resource.

CONFLICT

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performing."

According to the federal Clean Water Act, a person cannot work with a regulatory agency that issues water pollution permits within two years of receiving a substantial portion of their income directly or indirectly from a permit holder or applicant.

More than two years ago, PEER and the Clean Water Network formally petitioned EPA to declare Vinyard ineligible to rule on clean water matters due to his prior employment by BAE Systems Southeast Shipyards in Jacksonville, whose subsidiaries and related companies have water pollution permits.

Vinyard provided counsel to BAE Systems in their recent efforts to remove a treated wastewater outfall from the St. Johns River.

In April, EPA Regional Administrator Gwendolyn Keyes said the information provided by the groups and by DEP's August 2012 response were insufficient to determine whether Vinyard received 10 percent of his income from permit holders or applicants.

Fleming also said the period for evaluating a conflict of interest ended in January, two years after Vinyard was appointed DEP secretary.

Phillips said he was not entirely surprised by EPA's decision. "They did not conduct an investigation beyond asking him to respond," he said. "They did not demand he provide W2s, check stubs or other documents. He denied ten years worth of employment. So where was he working when he was not working there?"

EPA also dismissed a similar complaint filed by the two groups against one of Vinyard's top aides, Jeff Littlejohn, DEP's deputy secretary for regulatory programs.

PEER said that Littlejohn specialized in permitting for an engineering firm where he was vice president for ten years prior to his time at DEP.

Fleming denied that request in a separate April 26 letter, saying there was not sufficient information to warrant further proceedings.

Phillips said that if EPA had conducted a thorough investigation and ruled against the environmental groups, he would have accepted the decision.

"We could have accepted not winning this case if we were given a fair shot," he said. "But the fact that they did not do an investigation is disturbing. You get the impression the decision was made within a few weeks of us filing a complaint."

Phillips said his group is evaluating what other steps that can be taken, but said things "don't look very promising right now."

EPA officials could not be reached for comment. But DEP officials supported the decision.

"DEP's leadership has been instrumental in helping Florida develop the most comprehensive water quality criteria in the nation and moving forward with Everglades restoration rather than keeping Florida mired in litigation," said agency spokesman Patrick Gillespie.

Meanwhile, Adena officials continue to insist that the ranch's water withdrawals for grass-fed cattle operations would not have a big impact on local water levels.

According to a hydrogeologic impact analysis performed by Andreyev Engineering Inc. for Adena Springs in November of 2011, the model results, for the originally requested 13.3 million gallons per day, showed that "due to the minimum predicted drawdown potential (0.2 feet or 2.4 inches), it is not anticipated that the requested withdrawals would have an adverse impact on area wetlands, adopted minimum level sites, or other surface water bodies."

The analysis also stated that a mitigation or harm avoidance plan for the site is not deemed necessary, and noted that the regional model conceptualizes the surficial aquifer as absent in the area west of this property, hence the reason for the open-ended surficial drawdown contours in that area of the model results.

WMD staff is evaluating the requested withdrawals using groundwater flow models. The evaluation process will allow district staff to simulate site-specific impacts of withdrawals on the Floridan Aquifer and surficial aquifer, the environment, water bodies with minimum flows and levels, as well as the impacts on other permitted water users.

Meanwhile, Adena Springs is working with the state Department of Agriculture and Consumer Services to meet best management practices for agricultural operations and state water quality standards.

Much of the scientific study for establishing local minimum flows and levels for closeby Silver Springs has been completed—though not adopted—and is available for use by district staff as they review the ranch's permit application.

But waiting until the MFLs for Silver Springs are adopted to make a determination on the Adena Springs permit application may not be an option. Florida law directs the district to take action on an application within 90 days of its completion, and make a determination to issue or to deny the permit.

According to the Adena Springs Ranch consumptive use permit application on the district's website, "District staff is reviewing the Adena Springs Ranch application to ensure that it is for a reasonable-beneficial use, that it does not interfere with other existing legal water uses, and is consistent with the public interest."

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