# Specific fier



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### August 2013

Volume 35, Number 8

#### 1,6,7,13 **Environmental Labs**

Our annual focus on environmental laboratories includes the cover story on the state of the biz, a check-in with the Biology Section of DEP's Tallahassee lab bureau on Page 7, and a guest column from Kelly Bergdoll on an emerging technology for assessing sites on Page 13. Plus, our annual directory of laboratories doing business in the state appears on Pages 6-7.

#### Paynes Prairie stormwater

A stormwater project underway in Alachua County aims to reduce nutrient pollution working its way into Paynes Prairie Preserve State Park. The project is a joint effort between the city of Gainesville's stormwater and wastewater utilities.

#### Norriego Point project

The city of Destin is moving forward with plans to stabilize the Norriego Point peninsula at the eastern tip of Santa Rosa Island, which has gradually eroded over time. The point is both a popular recreation area and a protective barrier for the city's

#### Property rights ruling

The U.S. Supreme Court overturned a Florida Supreme Court ruling, siding in favor of the late Coy A. Koontz Sr. who tried to build on three of his 15 acres in east Orange County two decades ago. Koontz's supporters are hailing the ruling as a major victory for property rights.

#### **Departments**

Calendar	1.1
Classified Advertising	15
Federal File	2
Florida Notes	3
Water Watch	4

#### 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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#### **ERC approves NNC** for additional waters, raising ire of enviros

By PRAKASH GANDHI

n environmental group has attacked new water quality standards approved by the state **Environmental Regulation Commission** for estuaries and other coastal waters throughout Florida.

Earthjustice says the changes will do little to fight water pollution.

'This rule will not be very effective,' said David Guest, head of the group's Florida office. "It is simply rubberstamping the status quo and sweeping under the carpet the catastrophe of water pollution."

The water quality standards approved by the ERC are part of a recent agreement between the Florida Department of Environmental Protection and federal officials.

In June, the commission unanimously approved numeric nutrient criteria for an additional 18 estuaries and 448 miles of open coastal waters, building on the extensive standards set beginning in late 2011.

DEP said the action means the department has now set rigorous nutrient criteria for more than 3,900 of the state's estimated 4,290 coastal miles of estu-



Field staff from Lewis Environmental Services conducts baseline fish sampling along a south Alafia River tidal creek in Hillsborough County. See story on Page 9.

aries, or 91 percent coverage statewide.

Specifically, in this most recent ERC action, total nitrogen, total phosphorus and chlorophyll a criteria were approved for the following estuaries: Suwannee River, Waccasassa River, Withlacoochee River, Springs Coast (Crystal River south to Anclote River), Lake Worth Lagoon, Loxahatchee River, Halifax River and Nassau River.

The action follows the addition of numeric nutrient criteria for Panhandle and South Florida estuaries late last year and the prior year, well before the deadline set by the U.S. Environmental Protection Agency for proposing the standards.

ERC = **Continued on Page 13** 

# Challenging business climate for labs requires sharpened market focus, operational efficiency

By SUSAN TELFORD

s has been the case for the past few years, environmental laboratories continue to face the challenge of a commodity pricing structure and an overall economy that's rebounding slowly at best.

Add to that the requirements for maintaining certifications, adding new capabilities, tracking the reform of the state petroleum pre-approval program and changing technology, and lab officials find themselves scrambling more than ever this year.

'We are working on our DOD projects," said Glynda Russell, president of Jupiter Environmental Laboratories Inc. in Jupiter. "We recently received our certification. We also received ISO 17025 certification for FDA registration for food testing, ultra mercury, nutraceutical testing, personal care products and endocrine disrupter analysis by EPA 1694."

"In addition, we are involved in some exciting research projects sponsored by the World Wildlife Fund and the Global Coral Repository, as well as method development for various projects and clients," she said.

Adding new certifications, modifying sampling methods and branching out into other areas has helped many labs grow revenues.

"The reduced volume sampling that we introduced to the market seems to be catching on," said Brad Moravec, Gulf Region Manager of ESC Lab Sciences based in Tennessee.

"Air testing seems to be growing nationally, too," he said, regarding adjustments ESC made to foster growth in a slow moving economy.

Although the weak economy has affected the manner in which many labs conduct their business, it hasn't had a significant impact on labs that concentrate primarily on analyses mandated by

"A lot of our lab work is CMT-based, so any slow down in environmental and water testing hasn't really affected us," said Chris Burrows, CMT lab manager of AMEC Environment & Infrastructure Inc. in West Palm Beach.

"Our lab in Gainesville stays fairly busy because their work is based on regulatory work like NPDES permits and cleanups," he said.

And while some labs remained busy throughout the year, others were affected by cutbacks in government Continued on Page 14

spending at the local level.

"Water and wastewater are our standby niches," said June Flowers, QA Manager of Flowers Chemical Laboratories Inc. headquartered in Altamonte Springs. "The beaches program has been cut back substantially this year, so bacteria counts are not being checked liked they used to be."

Kelly Bergdoll, president of KB Labs in Gainesville, said that among her strategies to stay competitive in the mobile laboratory business include utilizing the latest technology and providing quality service.

"Bear in mind that KB Labs is

# **DEP bonuses spark controversy**

By SUSAN TELFORD

he state's Joint Legislative Budget Commission approved a plan last month that allowed the Florida Department of Environmental Protection to disperse close to \$600,000 to 269 innovative employees.

Noting that it has reduced operating expenses for regulatory programs by \$8.8 million, DEP officials said they wanted to use some of that savings to provide bonuses to employees that came up with new ideas to improve how the agency does business.

Some of the ideas included more efficient permit processing and delivering environmental education through public awareness.

"I want to reward our high performing staff," said Jeff Littlejohn, PE,

DEP's deputy secretary for regulatory programs, in a statement. "We are singling out our top performers based on their success on measured performance dealing with complex environmental is-

According to the department, the 269 employees will receive bonuses ranging from \$722 to \$6,000, with the average bonus being \$2,125, through their shared savings plan.

DEP officials said that in addition to innovative employee ideas, it saved money by reducing staffing levels and layers of management; limiting travel costs, the number of vehicles in its fleet and leased office space; and by going paperless.

**BONUSES** =

**Continued on Page 15** 

### EPA drinking water infrastructure report points out significant needs

**Federal** 

File

Staff report

Last month, the U.S. Environmental Protection Agency released its Quadrennial Drinking Water Infrastructure Needs Survey and Assessment. In this state-by-state assessment, the report placed Florida near the top 20 percent of the list for infrastructure investment needs.

The state should expect to spend, according to the EPA, about \$16.5 billion between now and 2030 to maintain drinking water supplies.

The needs break down as follows: transmission and distribution, \$10.1 billion; source development, \$3.56 billion; storage, \$1.35 billion; treatment, 1.06 billion; and other, 0.35 billion.

The prior quadrennial study, based on 2007 data, predicted Florida needed \$14.5 billion for the next two decades for drinking water infrastructure. In four years, the estimate increased 14 percent to its current

In this report, the EPA noted that Florida was among a minority of states whose officials estimated that climate change would contribute one percent or less in the next 20 years to the cost of providing water.

**EPA development report.** Real estate development across the U.S. has taken a five-year hiatus during the recession but may now be restarting to rebound.

The EPA analyzed real estate development during the period and recently released a comprehensive review of how the built environment directly affects environmental and public health.

The report focused on the status, trends and environmental implications of land use, development and transportation; the relationship between the current

built environment and the quality of air, water, land resources, habitat and human health: and the presentation and analysis of evidence that "certain kinds of land use and transportation strategies can reduce the environmental and human health impacts of development."

This is the second time the agency has studied development from this perspective.

In its report, the agency noted that the primary change between current and

past development is the dramatic expansion of virtually every major metropolitan area with more and larger homes dispersed across a landscape increasingly covered by asphalt.

This type of development—the growth rate of which appears as if it will continue into the future—adversely influences the environment, including degrading water and air quality, perhaps promoting global climate change, and in the end adversely affecting public health.

The report outlined remedies that typically involve changing where and how we build. The report concluded that

> "although findings may differ on the magnitude of the effects of different practices, the evidence is overwhelming that some types of development yield better environmental results than others."

> > Florida's standing among U.S. urban areas is featured in a table characterizing population growth and land area growth for urbanized areas from 1950 until 2010.

Four Florida metropolitan areas—Jacksonville, Tampa/ St. Petersburg, Orlando and

Miami—are on the list of 39 metro areas nationwide.

If ranked by percentage population increase, Orlando is number one nationally with 1965 percent population growth and 2300 percent land area growth; Tampa/St. Petersburg is number four with 1262 percent population growth and 2246 percent land area growth; and Miami is number five with 1100 percent population growth and 963 percent land area growth.

Jacksonville, with a relatively small 339 percent population growth and a 944 percent land area growth, was far lower in the rankings.

The number two and three slots were held respectively by Riverside/San Bernardino, CA, and Phoenix/Mesa, AZ. Only California, with six cities in the rankings, had more cities in the report than Florida.

The report encourages safeguarding sensitive ecological areas such as riparian buffers, wetlands and critical habitat, as well as more compact development.

The report said that more compact urban environments promote walking and biking. This new development strategy could take advantage of development infill, and brownfield and grayfield sites.

Jacksonville school receives EPA grant. Florida State College at Jacksonville will receive \$200,000 from the EPA through an Environmental Workforce Development and Job Training Grant.

The funding, available over three years, will be available to 60 students, with the expectation of placing 45 in environmental jobs. The trainees predominantly will be low-income and minority, unemployed and underemployed people, living in areas affected by solid and hazardous waste.

This is the third time Florida State College at Jacksonville has received the grant. Its placement record is 80-90 percent, ranking it among the top schools receiving the grant, according to Mike Norman, regional brownfield coordinator for EPA Region IV.

Florida State College was one of 16 schools nationwide—and the only one in Florida and the Southeast—to share a total of \$3.2 million provided by EPA.

The goal of the training program is to provide graduates with a wide range of skills and certifications to qualify them for long term, full-time careers in the environmental industry.

Clean air standards for landfills. The EPA is forming a small business advocacy review panel to assist its review of new source performance standards for municipal solid waste landfills. Emissions from municipal solid waste landfills occur from decomposition and are primarily carbon dioxide and methane.

The EPA invited individuals associated with small businesses, governments and not-for-profit organizations to participate as small entity representatives. The agency invited self nominations directly "from the small entities that may be subject to the rule requirements."

Representatives may be from other organizations associated with regulated small entities that will be exclusively or primarily affected. Trade associations are an ex-

Under the Clean Air Act, EPA is required to review new source standards every eight years, revising them if necessary.

The agency is under court order to complete its review and propose how to address the results of that review by Feb. 4, 2014. A new rule is expected by Dec. 17, 2014.

Court rejects review of gasohol rule. Last year, EPA approved the use a 15 percent ethanol-gasoline mixture for automobile fuel. Sale of the higher ratio ethanol mixture reportedly occurs in less than two dozen filling stations in the Midwest.

Predictably, the EPA approval was quickly challenged in the Circuit Court of Appeals of the District of Columbia, by a group of trade organizations led by the American Petroleum Institute.

The district court swiftly dismissed the court challenge. The Supreme Court, at the end of June, declined to hear the case, leaving the DC circuit court's dismissal to

The dismissal has two potential effects. The first is short-term. The EPA will continue to increase the amount of ethanol blended into transportation fuels under authority granted by the Renewable Fuel

By 2022, 30.4 billion gallons of ethanol in blended fuels are expected to be man-

A second effect is that by upholding the lower court's dismissal, widespread adoption of fuels containing 15 percent ethanol, rather than the current 10 percent blend, could occur. The new rule does not require widespread availability of 15 percent fuels—it allows it.

The EPA approved the new higher ethanol mixture after extensive testing determined that ethanol does not cause premature failure of engine components or excess corrosion, nor does it significantly degrade engine performance.

Plaintiffs argued that the EPA's data did not accurately characterize risks and damages of widespread E-15 use. It now seems that approval will stand.

NRC requires safety upgrades. The Nuclear Regulatory Commission issued new safety regulations that will affect 31 U.S. nuclear plants similar in design to Japan's

FEDFILE = **Continued on Page 15** 

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# **DEP denies Highlands Ranch mitigation bank permit**

Staff report

State environmental officials denied a permit for the controversial Highlands Ranch mitigation bank in Clay County.

The mitigation bank project was proposed on a 1,575-acre site near Jennings State Forest.

In 2011, the St. Johns River Water Management District initially approved the project for 193 credits.

A year later, the Florida Department of Environmental Protection approved a permit for 424 credits at the same site, a decision that had been rejected by the department's own staff.

DEP's top wetlands expert, Connie Bersok, was suspended, then later reinstated, over the issue. She said Highlands Ranch was seeking credits for areas that were not wetlands.

The Florida Wildlife Federation later filed an administrative complaint, voicing their concern about the increased number of credits allowed by a performance-based pilot project scheme developed by DEP.

Landfill: Denied. Angelo's Aggregate Materials has lost its latest court battle in its effort to develop a landfill on the edge of the Green Swamp in Pasco County.

In his final ruling, Administrative Law Judge Bram Canter wrote that DEP and Nestle Waters North America presented "overwhelming evidence that the proposed landfill site is an unstable area.'

Nestle Waters NA, parent company of Zephyrhills Spring Water, had claimed that if the landfill failed because of a sinkhole or other cause, leachate would contaminate drinking water systems for hundreds of thousands of people.

The court ruling is just a recommendation. A final order from DEP is expected within a couple of months.

Coyote cleanup. Cleanup is underway at the Coyote waste disposal site in Florida's Panhandle. Nearly 19,000 cubic yards of waste had been dumped at the site in Bay County.

Bay County-based Phoenix Construction has started the cleanup process, at no charge, to offset environmental violations at the Northwest Florida Beaches International Airport. Bay County and the city of Panama City are splitting the remaining

DEP says the site was never supposed to have so much debris piled on it. It was licensed to be a transfer station, not a land-

Port expansion considered. Officials with Port Canaveral are considering a major expansion project that would increase the port's size by about 25 percent.

The additional land could be used for cruise and cargo terminals, a fishing harbor or an expansion of the U.S. Coast Guard station at the port.

The proposed project would fill in a portion of 250 acres of submerged land in the Banana River. It could cost hundreds of millions of dollars over the long term, said port officials.

As part of the preliminary study of the proposal, the port and its consultants will examine how to improve seagrass beds in the area.

Officials said it will take at least a year to complete the environmental studies, and probably another year before port commissioners are asked to decide on the fate of the expansion.

The port plans to solicit input from federal and state agencies, and the commercial fishing industry.

In the meantime, Canaveral Port Authority commissioners approved an \$89,785 contract with Atkins North America to perform the initial environmen-

Tracking All Aboard Florida. A tentative agreement was reached to lay tracks near the Beachline Expressway as part of a plan to build a passenger train line linking South Florida with Orlando International Airport.

All Aboard Florida wants to build a privately financed \$1.5 billion rail system. Catering to business people and tourists, the high-speed train would travel from Orlando to Miami in three hours.

Under the agreement, the expressway authority would lease space in the 300-foot wide Beachline corridor to AAF for at least 50 years at a nominal fee.

Tampa area development battle.

Hillsborough County environmental officials have filed two legal briefs to uphold their decision to deny a

developer's request to destroy a wetland and replace it with a gas station and convenience store.

In 2003, when the property was rezoned for the construction of an office park, county officials believed that wetlands on the site would be preserved.

The developer, however, said the property's history shows that the county was prepared to allow destruction of the wetland so the land could be developed.

Initially, the county's Environmental Protection Commission denied a request to destroy several acres of wetland for construction of a gas station. The developer appealed that denial.

The county commission approved the rezoning but residents in the area later sued.

A hearing was scheduled in Tampa for mid-July.

Brownfield news. Commissioners in the city of Lake Alfred have approved designating more than 800 acres for brownfield redevelopment.

The designation allows landowners to apply for grants from the

Florida Department of Environmental Protection and the U.S. Environmental Protection Agency to help them clean up and redevelop po-

tentially contaminated property. The brownfield designation allows the owners to qualify for grants to test for hazardous materials.

The Lake Alfred City Commission approved areas along Highway 17/ 92 for inclusion in the program.

Meanwhile, Osceola County leaders voted to designate parts of west U.S. 192

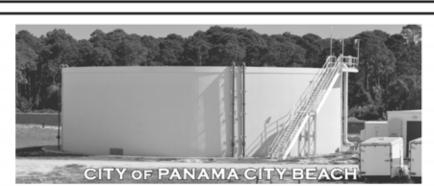
**NOTES** 

Florida Notes

**Continued on Page 12** 



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# CARES recognizes farmers for environmental stewardship activities

Staff report

The County Alliance for Responsible Environmental Stewardship recognized nineteen agricultural producers for their environmental stewardship at its 13th annual meeting in June.

Farmers who implemented best management practices designed to protect and reduce water consumption in the Suwannee and Santa Fe river basins saved an estimated one billion gallons of water a year, and achieved an annual nitrogen reduction of approximately 3,250 tons.

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BMPs included retrofitting center pivot irrigation systems with low-pressure, low-volume nozzles for increased efficiency; implementing guided irrigation scheduling and soil moisture testing; using fertigation systems to reduce the amount of fertilizer applied during a single application; fitting tractors with GPS mapping technology that targets fertilizer and chemicals to crops; and establishing nutrient management plans for fertilizer and animal waste disposal.

The Florida Farm Bureau and the Suwannee River Partnership created CARES

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to help agricultural associations, public agencies, institutions and farmers increase public awareness of outstanding natural resources management.

This year's Suwannee River area Florida farm families and county honorees are: Roger West Farm (Alachua), Ashby Green Farm (Alachua), Smith Brothers Farm (Alachua), Allison Farms (Columbia), Sloan Walker Farm (Jefferson), Anderson Farms (Jefferson), Billy

and Corliss Smith
Farm (Gilchrist),
Mervin Hines
Farm (Gilchrist),
Taylor Farms
(Gilchrist), Lane
Farms (Levy),
RBT Farms
(Levy), Usher

Farm & Timber (Levy), Young Green Acres (Madison), Joseph Family Farm (Madison), George Ross Farm (Suwannee), Weaver Farms (Suwannee), James Reaves Farm (Suwannee), K&S Farms (Suwannee), and Cooper Farms (Suwannee).

Biscayne Bay water reservation. The South Florida Water Management District adopted a water reservation for the Biscayne Bay Coastal Wetlands Project to secure the long-term availability of water to protect the near shore ecosystem.

A water reservation is a mechanism that sets aside water for the protection of fish and wildlife, or public health and safety.

Once completed, Phase 1 of the Biscayne Bay Coastal Wetlands Project will divert a portion of the fresh water through flow-ways and culverts, redistributing the flow across critical wetlands.

Improving water flow will help to achieve healthier salinity levels benefiting marine life, especially rare, threatened or endangered species like oysters, blue crab and spotted sea trout.

The life cycle of several species, such as pink shrimp, American crocodiles and numerous fisheries, depends on lower salinity levels within near-shore habitats.

Biscayne Bay is comprised of 275 square miles of marine ecosystem and a watershed of approximately 850 square miles along the coast of Miami-Dade and northeastern Monroe counties.

Hollywood sewer. The city of Hollywood is starting a \$4 million improvement project to convert from septic to sewer systems along its Dixie Highway corridor and 21st Avenue between Sheridan Street and Pembroke Road.

The project, scheduled for construction this summer, features 11,000 feet of new

sanitary pipe, 41 manholes and three new lift stations.

EAC Consulting provided the design, permitting, bidding and some engineering services for the three lift stations, while the city's public utilities department completed the design and permitting of the pipeline, manholes and other details of the gravity sanitary sewer system.

#### Brooksville stormwater project. Last

month representatives from the Southwest Florida Water Management District, Hernando County and the city of Brooksville participated in a groundbreaking

ceremony for a stormwater detention pond located on the Dauson property site along East Dr. Martin Luther King Boulevard in south Brooksville.

The detention pond will improve neighborhood infrastructure by reducing area flooding and will help to enhance water quality. Officials commended the city and county for working together, and asked residents to keep elected officials accountable

Other improvements undertaken include repaved roads, new fire hydrants, and fencing and landscaping of at least 40 shade trees around the pond to add curb appeal.

**Delray reclaim.** The city of Delray Beach is quickly becoming a sustainability leader in Palm Beach County, recently striving to achieve this goal by expanding its reclaimed water system for landscape irrigation.

The city's reclaimed water system provides irrigation for golf courses, roadway medians, parks and residents throughout the city, and has helped reduce demands on the aquifer and the potable water system by encouraging reuse.

**TBW** shifts to surface. Increased rainfall and flows above permitted threshold limits in the Alafia River and Tampa Bypass Canal enabled Tampa Bay Water to lower its water shortage status from a Phase 4 to a Phase 3, and get its surface water treatment plant back online.

Phase designations reflect supply availability, with Phase 4 being the highest alert. TBW changed to a Phase 4 status April 17, while asking residents to conserve as much as possible.

Improved conditions from recent summer rainfall mean more of the area's water supply can come from surface water sources, allowing TBW to temporarily shut down its costlier seawater desal plant for the rest of the summer and relax its water shortage status.

Officials expect conditions to continue to improve throughout the summer allowing the agency to transition to a Phase 1 drought alert, the lowest alert in the system.

**Underwater drilling in Keys.** Directional drilling will begin this summer on the wastewater pipeline 40 feet beneath Tavernier Creek in the Florida Keys.

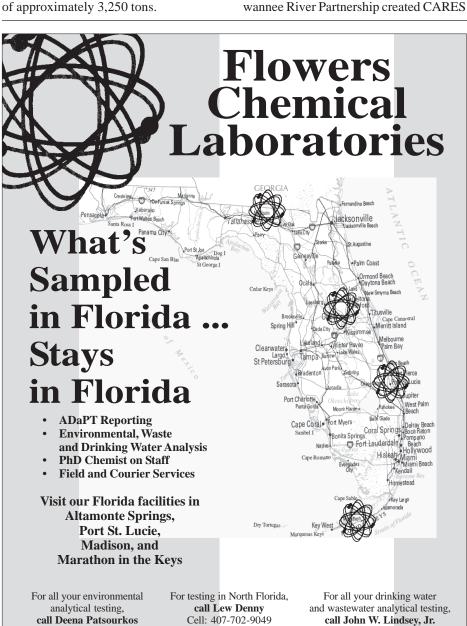
The pipeline will link Islamorada's wastewater treatment system to a pipeline carrying effluent to the Key Largo Wastewater Treatment District's plant located at mile marker 101.5.

The first of its kind in the Keys, the 30-inch pipeline installation must run through coral rock below channel waters, and is expected to be less prone to failure than pipelines running through or beneath bridges.

Similar to drilling oil wells horizontally rather than vertically, a hole will be drilled from one island under the channel to the adjacent island.

The pipeline will then be pulled through the hole.

According to project engineers, extensive contingency plans have been put in place to maintain water quality and address any temporary turbidity problems that may arise during the project.



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"Standing firm on any ground."

# Gainesville utilities combine efforts to restore water quality in Paynes Prairie

By DAN MILLOTT

stormwater project is underway in Alachua County that will reduce nutrient pollution working its way into the Paynes Prairie Preserve State Park.

The \$26 million project, a joint effort between the city of Gainesville stormwater and wastewater utilities, is about a third of the way complete and should be wrapped up by the summer of 2014.

Alice Rankeillor, PE, a project engineer with Gainesville Regional Utilities, said the work was initiated by the Florida Department of Environmental Protection, which cited conditions at Alachua Sink and the need to reduce the nutrient loadings.

Activities and operations of both Gainesville Regional Utilities and the city of Gainesville's stormwater utility were identified as the principal sources of the excess nutrient conditions.

Rankeillor said the two groups sat down and worked out an agreement to complete the project.

She has been involved with the design phase of the project since 2007. Construction started last year.

As the design phase developed, planners had to enlist the Florida Park Service as a partner because of easement requirements.

"To get the park service to be a partner, we had to go a little further than the permits required, so we are removing phosphorus also," said Rankeillor.

A major part of the project involves removing sand, sediment and floating trash from Sweetwater Branch, an urban creek that transports large quantities of these materials during storm events.

The filtering of these unwanted materials from Sweetwater Branch will be accomplished by a 125-acre wetland being constructed near the preserve.

Concrete has been poured in what some have described as a giant swimming pool. The basin, 550 feet long and 180 feet wide, will serve as a filter for the sediment, nutrients and trash from Sweetwater Branch.

Rankeillor said the concrete basin will be divided into three cells that will remove

"This was most cost efficient way to go," she said. "It would have cost \$40 million to upgrade the sewer plant to get the same results."

The project's \$26 million cost includes design, land acquisition and construction.

# St. Pete officials await word on brownfield designation

Staff report

City officials in St. Petersburg are hoping to breathe new life into a decaying parcel of land in the center of the city. The city has applied to the Florida Department of Environmental Protection to designate a contaminated industrial site as a brownfield, an important step in the effort to redevelop the land.

The designation offers financial incentives to developers to clean up the site, allowing them to recoup half of the cleanup costs through tax credits. There are also incentives for each job created in a brownfield area.

The 22nd Avenue North site used to be a chemical plant, but was demolished years ago. Traces of chlorinated solvent remain in the soil and groundwater beneath the 2.5-acre site that is the last undeveloped property in a key commercial corridor, said Sophia Sorolis, St. Pete's economic development manager.

"We are hoping this site can be cleaned up and put back into productive use," said Sorolis

The pollution at the site includes tetrachloroethene, a chemical widely used in

 She said that just more that 20 percent of the cost is covered by grants from multiple sources. \$5.6 million of the funding came from the Florida Legislature, the St. Johns River Water Management District, the Florida Department of Transportation, the U.S. Environmental Protection Agency, the Florida Fish and Wildlife Conservation Commission and the city's Recreational Trails program. The balance of the funding will be provided by wastewater and stormwater utility revenues.

Rankeillor said the city is developing the enhanced wetland project as a public recreation facility.

She said similar projects are underway around the state, the most prominent being Everglades restoration.

"The Gainesville project is unique because the stormwater and wastewater utilities are combining on a common goal," she said. "We are achieving environmental restoration in Paynes Prairie and rehydrating 1,300 acres that were drained by agricultural interests years ago."

Part of the project involves filling in a canal built in the 1930s that helped drain the area.



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#### For More Information Please Contact:

ZEBRA Environmental Corp.

Mike Early, Southeast Regional Mgr. Phone: (813) 626-1717 Email: mikee@zebraenv.com Web: www.teamzebra.com TRIAD Environmental Solutions William M. Davis, Ph.D., President

Phone: (404) 378-3326
Email: wmdavis@triad-env.com
Web: www.triad-env.com



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		T-shirt size			
Player 1 (contact):					
Company:					
Address:					
City, St, Zip:					
E-mail:					
Phone:					
Additional players in foursome:					
		T-shirt sizes			
Name	Company				
Name	Company				
Name	Company				

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	CC #:				
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	Sponsorships  Regular Holes: \$200 Contest Holes: \$250 + minimum \$50 prize Closest to Pin Longest Drive/Men Putting Contest Driving Range				
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Conference at (407) 671-7777 or 1-800-881-6822.

Florida Specifier August 2013 5



# Environmental Laboratories Serving Florida - 2013

Technicians: 30

Lab name and contact information

1) Capabilities/specialties, 2) Sample types, 3) Personnel info, 4) State of incorporation

1) Certs., 2) Add. capabilities, 3) Years in bus., 4) Other locations

1) NELAC, DoD/ISO 17025 and multiple state certifications

2) SELECT AEL software enabling you to compare lab results

summary forms and benzo(a)pyrene conversion tables

to FDEP 62-777 limits, generates FDEP analytical

4) Altamonte Springs, Gainesville, Miramar, Tallahassee,

2) Project review and validation, data reviews, method

2) Ecological and lake management studies, stream

delineation, mitigation) and T&E studies

condition index assessment, wetlands (restoration,

1) FDOH, Bureau of Laboratories; non-potable water -

volatile organics, solid and chemical materials

2) Groundwater field services provided in Southeast

2) Courier, field sampling, DIEL studies, project

management, custom spreadsheet reporting, ADaPT

including Puerto Rico. EDD formats.

development, information (data) management consulting

ERPIMS; and state forms. LC-QQQ and reduced sample

2) Electronic data deliverables including ADaPT, EQUIS,

volume via LVI

4) Tampa service center

1) NELAP, GA, DoD ELAP

1) NELAC, DoD ELAP, most SE states

1) NELAC, SC DHEC for taxonomy

2) Mobile laboratories (multiple)

3) 18 years

3) 19 years

Tampa

4) NA

3) 47 years

3) 21 years

3) 34 years

3) 21 years

4) Northport

4) Greenville, SC

1) NELAP accredited

1) NELAP, MBE, DBE, SBE

4) NA

4) NA

Accutest Laboratories SE Inc. 4405 Vineland Rd., Suite C-15 Orlando, FL 32811 (407) 425-6700 • Fax: (407) 425-0707 Dr. Harry Behzadi, Laboratory Director www.accutest.com

Advanced Environmental Laboratories Inc.

Jacksonville, FL 32216 (904) 363-9350 • Fax: (904) 363-9354 Walter Kronz, Vice President wkronz@aellab.com www.aellab.com

#### **ALS Environmental**

6681 Southpoint Parkway

9143 Philips Hwy., Suite 200 Jacksonville, FL 32256 (904) 739-2277 • Fax: (904) 739-2011 Scott Martin, BD Mgr., (904) 562-9962 scott.martin@alsglobal.com www.alsglobal.com

AMEC Environment & Infrastructure Inc. **Biology-Toxicology Laboratory** 

(Formerly MACTEC E&C Inc.) 404 S.W. 140th Terrace Newberry, FL 32669 (352) 332-3318 • Fax: (352) 333-6622 Pamela Bellotti, Laboratory Director pamela.bellotti@amec.com www.amec.com

Analytical Laboratories of Florida

PO Box 349 Cape Canaveral, FL 32920 (321) 258-1355 Dale Schamp, Chemist info@alf1992.info www.alf1992.info

Analytical Services Inc.

110 Technology Parkway Norcross, GA 30092 (770) 734-4200 Greg Jones, Laboratory Director greg.jones@asi-lab.com www.asi-lab.com

Benchmark EnviroAnalytical Inc.

1711 12th St. East Palmetto, FL 34221 (941) 723-9986 • Fax: (941) 723-6061 Dr. Dale Dixon, Laboratory Director dale.dixon@benchmarkea.net www.benchmarkea.com

**ESC Lab Sciences** 

12065 Lebanon Road Mt. Juliet, TN 37122 1-800-767-5859 • Fax (615) 758-5859 Brad Moravec, Gulf Region Manager bmoravec@esclabsciences.com www.esclabsciences.com

Florida-Spectrum Env. Services Inc.

1460 W. McNab Rd. Ft. Lauderdale, FL 33309 (954) 978-6400 • Fax: (954) 978-2233 Katherine Kutil, Director of Sales & Marketing kkutil@flenviro.com www.flenviro.com

Flowers Chemical Laboratories Inc.

PO Box 150597 Altamonte Springs, FL 32701-0597 (407) 339-5984 • Fax (407) 260-6110 John W. Lindsey, Jr., water/www analytical Deena Patsourakos, environmental analytical Lew Denny, North Florida and Georgia www.flowerslabs.com

Jupiter Environmental Laboratories Inc.

150 Old Dixie Highway Jupiter, FL 33458 (561) 575-0030 • Fax (561) 575-4118 Kacia Baldwin, Client Services www.jupiterlabs.com

KB Labs Inc.

6821 SW Archer Rd. Gainesville, FL 32608 (352) 367-0073 • Fax (352) 378-6491 Kelly Bergdoll, President www.kbmobilelabs.com

1) Organics and inorganic analyses of SW-846 methodology including explosives and perchlorate

2) Water, soil, air and wipes

3) Total: 95 Engineers/Scientists: NA Technicians: NA

1) Six labs providing a full range of inorganic and organic testing, EQUIS and ADaPT EDDs, and courier services throughout Florida

2) Drinking water, groundwater, wastewater, surface water, soil, sediment, industrial waste, hazardous waste and air Engineers/Scientists: 46

3) Total: 94 4) FL

1) Environmental testing, NPDES, RCRA, CERCLA, process control, product certification, field sampling, customized electronic data deliverables, CLP like deliverables

2) All matrixes

3) Total: 31 (Jacksonville)Engineers/Scientists: 14 Technicians: 17

1) NPDES effluent toxicity testing (chronic and acute); hazardous site sample testing; dredged materials testing; bioaccumulation studies; long term biological oxygen demand (LTBOD) tests; TIEs/TREs; nutrient limitation; macroinvertebrate, ichthyoplankton and algal taxonomy; statistical analyses

2) Salt and fresh water, sediments, soils, biota, polymers

Engineers/Scientists: NA (Laboratory technicians, taxonomists, lab QA officer, scientists/engineers)

1) EPA 8260/8021/8010/601/602

2) Soil gas, groundwater, soil and sediment

3) Total: 2 Engineers/Scientists: 1

Technicians: 1

4) FL

1) Comprehensive inoragnic and organic analyses of SW-846 methodology; effluent toxicity - chronic and acute

2) Groundwater, surface water, wastewater, soil and sediment, leachate 3) Total: 47 Engineers/Scientists: NA Technicians: NA

4) GA

1) Full analytical and sampling services are provided for government agencies,

2) Surface water, marine water, groundwater, drinking water, wastewater,

sediment and soil 3) Total: 31

4) FL

Engineers/Scientists: 8 Technicians: 14

1) 100,000 sq. ft. facility. On-line web reporting and custom reporting tool allowing one to compare results to regulatory levels. Only Florida lab approved for 3511 (reduced volume sampling)

2) GW, SS, DW, RCRA, UST, air, micro, IH

3) Total: 250

Engineers/Scientists: 130 4) TN

industrial operations and engineering firms

Technicians: 75

1) Florida's premier full service testing lab for environmental contamination including analysis of groundwater, surface water, drinking water, wastewater, soil and hazardous wastes using EPA-approved procedures

2) Groundwater, surface water, drinking water, wastewater, soil and wastes

3) Total: 44 Engineers/Scientists: NA Technicians: NA

4) FL

1) Full service laboratory analyzing environmental and drinking water parameters. Providing defendable data in organics, inorganics, metals, microbiology and nutrients. ADaPT reporting, field and courier services. PhD chemist on staff.

2) All water matrices, soil, sediment, oil and waste

3) Total: 49 Engineers/Scientists: 24 Technicians: 25

4) FL

1) Full-service lab specializing in fast TAT for organics, trace PAHs by SIM, low level pesticides, metals and trace mercury (method 1631), pharmaceuticals in water and sediment, and explosives. ADaPT and custon EDD specialists, lab audits and QC reviews, specialized method development. Forensic analysis, fuel fingerprinting, melamine, food and flavor analysis

2) Drinking water, wastewater, soil and sediment, marina dredge, hazardous waste, food products

3) Total: 25 4) FL

Engineers/Scientists: 19

Technicians: 4

1) Certified mobile laboratories specializing in GC/MS 8260 volatiles, 8021 volatiles, BTEX, gas and diesel screening, dissolved methane, naphthalene, pesticides/

3) Total: 8

Technicians: 2

4) FL

PCBs, PAHs, FLPRO, UVF TPH, XFR, field screening 2) Soil, water, soil gas

Engineers/Scientists: 6

1) DoD-ELAP, NELAP, ISO 2) ESC will reprint COCs and labels, and deliver the kits to your office or site

3) 43 years

4) Orlando, Tampa

1) NELAP certified, SFWMD SBE certificate

2) NA 3) 39 years

4) NA

1) Florida DOH NELAC for over 1,000 analytes

2) EDDs, microbiologicals for routine water and wastewater, managers chair committess for The NELAC Institute (TNI)

3) 56 years; in business since 1957

4) Port St. Lucie, Madison, Marathon in the Keys

1) NELAP, DoD, ISO 17025, W/MBE, State of Florida, SFWMD, Palm Beach County, SFWMD

2) Full field capabilities SW, GW, marina and lake sampling, 3-day TAT on most sampling, field training for MW & soil sampling per DEP protocols, custom EDDs

3) 18 years

4) NA

1) NELAP certified, W/MBE certified, plus NC, SC, LA, VA

2) Membrane interface probe (MIP), cone penetrometer (CPT), hydraulic profiling tool (HPT), MiHPT, EC

3) 15 years

4) Raleigh, NC

6 August 2013 Florida Specifier

# Biology section of DEP Tallahassee lab brings analyses in-house

By DAN MILLOTT

t was Christmas in July for scientists in the Biology Section of the Bureau of Laboratories at the Florida Department of Environmental Protection in Tallahassee.

DEP Biology Program Administrator David Whiting and his staff recently began bringing their analytical methods online in the department's state-of-the-art molecular biology laboratory.

Before the section had their own inhouse molecular biology capability, they depended on academic lab facilities to perform DNA analyses for them.

"With the lab here, we can be more closely involved in the sampling and how the sampling plan is set up," said Whiting. For the taxpaying public, this results in the avoidance of unnecessary tests, saving money.

Whiting described their work in four areas. The first is microbiology where they seek out culture-based bacteria indicators used for ambient water and wastewater monitoring to compare to fecal indicator

thresholds.

Within the Biology Section is a taxonomic work group that identifies and enumerates benthic invertebrates and algae to try to get a sense of the health of those communities in surface waters around the state. There is also an aquatic toxicology group that performs toxicity testing.

With the construction and instrumentation of the new molecular biology lab complete, Whiting said they will be able to perform molecular source tracking stud-

Whiting noted that in 2012, the U.S. Environmental Protection Agency released some new criteria for recreational waters. The previous criteria were published in

"There is no great leap ahead in the new criteria," he said. "We are still relying on fecal bacteria, the bacteria that humans and animals have in their guts, as indicators that pathogens may be present."

The new lab will make it easier for the biologists to identify the types of bacteria they are seeing. The EPA now recognizes that human sewage creates a greater risk factor than wildlife fecal matter.

Whiting said almost all the EPA bathing beach epidemiological studies were performed on beaches impacted by wastewater. "They all had POTW discharges. They never really developed a risk analysis for water other than those," he said.

The new lab will also be able to perform quantitative PCR analysis. In a nut-

shell, they can look for DNA markers to differentiate between the bacteria that came from humans versus wildlife.

With new lab, state biologists will be able prioritize Florida's impaired waters and determine those at the highest risk.

"We will be able to differentiate between bacteria that originate from human and animal sources," Whiting said.





# **Environmental Laboratories Serving Florida - 2013**

Lab name and contact information

1) Capabilities/specialties, 2) Sample types, 3) Personnel info, 4) State of incorporation

1) Certs., 2) Add. capabilities, 3) Years in bus., 4) Other locations

#### Lakeland Laboratories, LLC

1910 Harden Blvd., Suite 101 Lakeland, FL 33803 (863) 686-4271 • Fax (863) 686-4389 James Crawford, President/QA Officer jim@lakelandlabs.com www.lakelandlabs.com

#### Marinco Bioassay Laboratory Inc.

4569 Samuel St. Sarasota, FL 34233 1-800-889-0384 • Fax (941) 922-3874 Jason Weeks, President weeks@biologylab.com www.toxtest.com

#### **Microbial Insights**

2340 Stock Creek Blvd. Rockford, TN 37853 (865) 573-8188 • Fax (865) 573-8133 Dora Ogles, President dogles@microbe.com www.microbe.com

#### Pace Analytical Services Inc.

8 East Tower Circle Ormond Beach, FL 32174 (386) 672-5668 • Fax (386) 673-4001 David Chaffman, Sales Manager david.chaffman@pacelabs.com www.pacelabs.com

#### Palm Beach Environmental Laboratories Inc.

1550 Latham Rd., Suite 2 West Palm Beach, FL 33409 (561) 689-6701 • Fax (561) 689-6702 Diana Magierowski, Marketing/Owner dianam@palmbeaclabs.com www.palmbeachlabs.com

#### Sanders Laboratories Inc. 1050 Endeavor Ct.

Nokomis, FL 34275 (941) 234-1000 • Fax (941) 484-6774 Henry Mason, President henry@sanderslabs.net www.sanderslabs.net

#### Short Environmental Laboratories Inc.

10405 U.S. Hwy. 27 South Sebring, FL 33876 (863) 655-4022 • Fax (863) 655-5820 David Murto, Laboratory Director shortlab@strato.net

#### SunLabs Inc.

5460 Beaumont Center Blvd., Suite 520 Tampa, FL 33634@ (813) 881-9401 • Fax: (813) 354-4661 Lori Palmer, President

George Morrison, Business Development Mgr. www.sunlabsinc.com

#### XENCO Laboratories

5675 New Tampa Hwy, Suite 1 Lakeland, FL 33815 (863) 646-8526 Michelle Williams, Account Executive michelle.williams@xenco.com www.xenco.com

1) Analysis of broad spectrum soil, groundwater and air samples for general environmental issues, UST assessments, hazardous waste, industrial hygiene and other applications. Specializing in rapid development of customized analytical methodologies and solutions, including analysis of ambient air and bulk samples in support of Chinese drywall investigations

2) Groundwater, soil, drinking water, surface water, wastewater, haz and non-haz waste, air, wipe and other bulk samples

3) Total: 10 4) FL

Engineers/Scientists: 4

Technicians: 6

1) Acute and chronic NPDES toxicity testing, toxicity identification and reduction evaluations, ion imbalance toxicity studies (MSIIT)

Domestic and industrial treated effluents, remediation site discharges, stormwater discharges, reverse osmosis reject, product testing

3) Total: 10

Engineers/Scientists: 5

Technicians: 5

1) Environmental microbiology/biotechnology laboratory specializing in molecular biological tools (DNA & PLFA) such as qPCR quantification of Dehalococcoides

2) Almost any matrix (soil, groundwater, sediment, biofilms, bio-trap samplers, filters) 3) Total: 15 Engineers/Scientists: 4 Technicians: 7

4) TN

1) Full drinking water and environmental testing services. Monitoring for CERCLA,

RCRA, NPDES, SDWA, UCMR, RCRA/UST, CWA and UCMR3 Drinking water, environmental water, groundwater, surface water, soil, sediment, air, biota

3) Total: 66

Engineers/Scientists: 33

Technicians: 16

1) Volatiles, fuel oxygenates, semi-volatiles, pesticides, FL PRO, metals and TCLP/SPLP on both water and soil samples 2) Water, soil and air

3) Total: 8 4) FL

Engineers/Scientists: 4

Tech/Admin: 4

1) Surface water and groundwater monitoring, facility compliance and process control monitoring, ASR, injection well analysis and food microbiology

Drinking water, wastewater, groundwater, surface waters, soils and sediments; meat, juice/beverages, seafood, citrus, produce; materials testing; textiles

3) Total: 21 4) FL

Engineers/Scientists: NA

Technicians: NA

1) Inorganics, metals, nutrients

2) Drinking water, wastewater, surface water, ground water, soils sediments

4) FL

3) Total: 17 Engineers/Scientists: 4

Technicians: 10

1) Pesticides and herbicides (organochlorine, organophosphates, carbamates, triazines, phenoxy acids), low-level PAHs, PCBs, volatile and semi-volatiles organics, metals, inorganics and explosives, pro speciation, TPH working group

2) Air, tissue, water, soil, waste

3) Total: 24

4) FL

Engineers/Scientists: 10

Technicians: 7

1) All environmental analysis for water, drinking water, soil, hazardous waste,

air and radio-chemistry

Water, soil, drinking water, waste and air Engineers/Scientists: 30

3) Total: 90

4) FL

Technicians: 30

1) NELAC accreditation, professional liability insurance 2) Competent individual attention to your projects, webbased project status and data access, experienced environmental PE on staff, custom analytical reports and EDDs, free courier and shipping services, ADaPT

3) 25 years

4) NA

1) NELAP accredited

2) Toxicity consulting, supply high quality bioassay organisms for testing

3) 24 years

4) NA

2) Innovative bio-trap samplers, consulting services and molecular biological analyses

3) 21 years

4) NA

1) NELAC, NAICS 541380

2) Field sampling, courier services

3) 38 years (four years under same ownership)

4) Tampa, Jacksonville, Pompano Beach, Miami Lakes

1) NELAC certified, CSHA certified, W/MBE for SFWMD, small business for Palm Beach County, WPB, school boards and the state of Florida Office of Supplier Diversity

2) Field sampling

3) 8 years

4) NA

1) NELAP: Drinking water, non-potable water, solid and chemical, ISO 17025 (pending)

Full field capabilities;

3) 22 years

4) Two locations: Sarasota and Fort Myers

1) NELAC

2) Sampling 3) 24 years

4) NA

1) NELAC, Florida; FL M/WBE; Tampa Port Authority SBE, City of Tampa SLBE/MBE

2) Electronic reporting, method development, non-standard analyses, ADaPT

3) 16 years

4) NA

1) NELAP, FL DOH, ELAP, MWBE. DOT MWBE

7

2) Mobile on-site lab services, rad-chem

3) 22 years

4) Tampa, Orlando and Jacksonville

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### Officials poised to pull trigger on **Norriego Point restoration**

By BLANCHE HARDY, PG

he city of Destin plans to begin its long anticipated stabilization of Norriego Point in the near future. The spit of land, also known as Holiday Isle Park, has gradually eroded over time. It was donated to the city in 1958 and encompasses the eastern tip of Santa Rosa Island.

Norriego Point is a popular recreation area for residents and visiting tourists, and serves as a protective barrier for the city's harbor.

'Restoration of the point provides benefits to the community on many levels," said Doug Rainer, Destin's public information manager. "It provides storm and wave protection for Destin's harbor, which boasts the largest commercial charter fishing fleet in the state. It improves boater access and safety at the entrance to the harbor.

"(The restoration) will reduce the nearly continuous cost of dredging of the Old Pass Lagoon Channel entrance to the Destin harbor and the East Pass channel, which provides access to Choctawhatchee Bay and surrounding communities. And it will provide significantly expanded opportunities for recreation and area for reestablishment of indigenous flora and fauna."

The project proposes to add approximately eight acres of land to Norriego Point and includes building a permanent jetty to protect the point from potential future ero-

The Florida Department of Environmental Protection has approved the restoration permit at the state level.

However, city officials are still waiting for federal Approval from the U.S. Army Corps of Engineers.

"We were informed that U.S. Fish & Wildlife will provide their biological opinion within the next two weeks, which is the remaining hurdle to the federal permit," he

The next step after permit approval will be securing funding and preparing bid documents for the project.

"A contractor has not been selected," he said. "After all permits are secured and funding becomes available, the city will coordinate and solicit bids for the proposed work from professionally qualified contrac-

The city anticipates contributing between \$8 and \$9 million to the project that is expected to generate additional revenue by boosting tourism, as well as providing cost-saving protection from damaging waves during severe weather events.

Once the permit is finalized, the most likely initial phase of action will be the infilling of a breach in the western most t-

Approximately 8,000 cubic yards of sand will be moved from an existing stockpile located at Galic Pointe.

Sheet pile walls may also be installed during this phase for added stability and immediate relief from erosion.

"Part of the project includes dune restoration, and native sea oat and vegetative planting that can provide natural habitat for nesting sea birds and other indigenous beach fauna," noted Rainer.

Depending on funding availability, the city hopes to provide public amenities at Norriego Point, which is fully encumbered by a state recreation easement with DEP.

The Norriego Point Land Management Plan, approved by the city in December of 2012, contains details of proposed park improvements.

The plan includes recreational features such as a picnic pavilion, an interpretive trail with educational signage promoting protection of the dunes, embayments for water-related activities and boating and kayaking, bike racks and additional supporting infrastructure and equipment.

Execution of the recreation plan is estimated to cost approximately \$690,000.

The city plans to begin as soon as permit approval arrives.

"Depending on funding, the project could take as little as six months, or could potentially be constructed in phases over several years," said Rainer.

### Researchers study source of methane in drinking water around frack wells

By ROY LAUGHLIN

n the most recent installment in a series of studies of drinking water aquifer contamination following hydraulic fracturing, a group of researchers reported that 82 percent of drinking water wells within a kilometer of fracked gas-production wells in Pennsylvania contain elevated levels of methane and other hydrocarbon gases.

The methane in most of the wells has the carbon isotope signature of hydrocarbons from the Marcellus Shale.

In a recent interview, Robert Jackson, professor of biology at Duke University, noted that most wells showed evidence of some thermogenic methane that has been migrating over millions of years from the

"But if you're within a kilometer of a (fracked gas) well, you're likely to have very high levels of methane in your water," he said.

In the research group's paper recently published in the Proceedings of the National Academy of Sciences, scientists suggested that poorly joined well casing pipe and the failure of cement grouting allowed methane from the fracked shale formation to escape into shallow water

The plausibility of leaking casings rests on methane, ethane and propane escaping the casing, then migrating upward in the bore hole around the well casing to the shallower aquifers.

The paper also discussed other possible pathways between the deep shale hydrocarbon reservoirs and drinking water reservoirs, such as abandoned gas and oil wells.

For more than a century, tens of thousands of oil wells have been drilled in many places across Pennsylvania. According to researchers, Pennsylvania Department of Environmental Protection officials estimate that more than 325,000 oil and gas wells have been drilled. Specific location information is available for less than half of

The report also discussed how the tectonically folded and fractured geology of the area may also form upward pathways for hydrocarbon gas migration released during fracking.

The authors approach this question by comparing results of a similar study done in collaboration with U.S. Geological Survey researchers. They found no similar hydrocarbon contamination from wells in another gas producing area, the Fayetteville

The Favetteville Shale formation has a substantial upper and lower confining layer that apparently will prevent gas migration through bore holes even if it does escape

The study's conclusions have been criticized by some who said the only reliable evidence would come from before-and-af-

This study is but one example in a flood of data that Duke researchers have collected in an attempt to determine if fracking deep shale formations causes contamination of shallow drinking water

In the larger perspective, the work portrays fracking as a source of hydrocarbon gases in some drinking water wells adjacent to fracking wells, but not all, and not in all formations.

### Mitigation projects along Alafia aim to restore mangroves, fish populations

By DAN MILLOTT

n 2004 after heavy rains from Hurricane Frances opened up a breach in a gypsum-stack berm owned by phosphate giant Mosaic Fertilizer LLC, millions of gallons of acidic wastewater was released from the Riverview plant into Archie Creek and Tampa Bay.

The immediate impact of the polluted surge was a substantial fish kill and harm to vegetation along the waterways.

Environmental charges were soon lodged against Mosaic for the ecological damage.

"Anytime something like that happens, you have a natural resource damage assessment obligation to go in and develop an environmental project that will be compensatory mitigation for damages associated with that environmental event," said Mosaic spokesman David Townsend.

Townsend noted that the fish population recovered quickly from the spill, but the company was still committed to completing a mitigation project.

Now, years later, \$5 million from Mosaic has been directed to two restoration projects along the Alafia River.

The sites are about two miles from the original breach at Mosaic's plant, but regulatory authorities recognized that there had been rapid recovery at the originally impacted areas.

Mosaic retained veteran ecologist Robin Lewis, president of Lewis Environmental Services Inc. in Salt Springs, to work up a plan to restore mangroves and wetlands

Lewis has completed many such successful restoration projects in the state including Clam Bay in Naples and the 1,250-acre Anne Kolb Nature Center in Hollywood

To put the plan in motion, Mosaic began working with the Florida Department of Environmental Protection, the National Oceanic and Atmospheric Administration and the Hillsborough County Environmental Protection Commission to develop a plan for the improvements.

Townsend said the two sites—one at Giant's Camp, the other at Barrow Pit—were selected because ecosystem improvements were needed at the two locations.

Restoration at the Giant's Camp site started in July while work at the Barrow Pit will begin in October.

At the Giant's Camp site, a seawall was installed five decades ago that altered the natural flow of the tidal creek. That action cut off several thousand acres of mangrove forests to the south from adequate water flow.

Lewis said he had been working at the site for four years and noted that aerial photography taken over the last 30-40 years showed a clear loss of mangroves due to poor water circulation.

Lewis suggested the Giant's Camp site to Mosaic for the project. The Barrow Pit was added at the suggestion of federal and state environmental officials.

The design, permitting and consent order negotiations required to get the project started took eight long years, but Lewis and Townsend said the equipment has now been mobilized and restoration work is set to begin.

"The primary aim of the restoration effort is to offset the temporary fish impact that occurred during the discharge of 2004," said Lewis. "Natural fish populations restore themselves rather quickly but all the agencies were concerned about the loss of fish."

"We overlaid the historical flows over the last 20 years," said Lewis. "As a result we were able to design a project that is a genuine restoration. We are going back to historically pristine conditions when the water would flow down the Alafia, then turn south and flow into mangroves now in distress."

Townsend said the project enlisted University of South Florida Oceanography Professor Dr. Mark Luther to help with design of the Giant's Camp restoration. Luther believes the completed restoration

will keep the channels open for a hundred years into the future.

Lewis said that project success will be based on quantifiable increases in fish populations in the creek system and an improvement in the health of the mangroves.

To that end, Lewis and his associates conduct extensive fish samplings to gauge the level of aquatic life. Monitoring in both Giant's Camp and Barrow Pit will be ongoing for the next five to seven years.

Lewis said these are both hydrologic projects. "We will do some planting, but by and large we are depending on Mother Nature to put most of the vegetation back," he said.

Lewis insists that in estuarine areas of Florida like this, volunteer plants have the capability to make a comeback on their own.

He also noted that in some compensatory projects, mangroves are planted areas that cannot support them.

At Giant's Camp, the plan calls for construction of a 1,500-foot strip, 50-feet wide. "We will be removing mangroves there that have grown in and are actually committing suicide," he said.

The Giant's Camp project also calls for enhancing and creating oyster habitat

through the placement of about 5,650 feet of rip-rap for oyster recruitment.

Dredging a portion of the old boat basin at the site is also part of the plan.

The Barrow Pit Wetland Restoration and Tidal Creek Creation project calls for excavating a tidal creek connecting to the Delaney Creek Pop-Off Canal, creating a

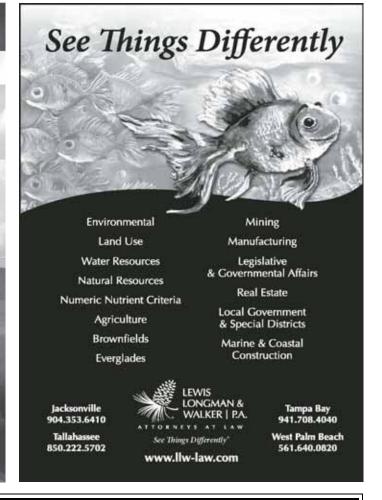
one-acre shallow tidal pond, removing exotic vegetation, grading a wetland area to support natural mangrove colonization and applying a conservation easement over the project area.

The construction timetable for both projects is estimated to be at least six months











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# Drilling apps on the rise in South Florida

By SUSAN TELFORD

s interest spikes in exploring South Florida for oil, questions arise regarding the techniques that may be used to tap into resources around the Big Cypress National Preserve.

Most experts agree that there is no need for hydraulic fracking—using pressurized injection of water, sand and chemicals to extract dense shale oil—because Florida's porous limestone is naturally fracked.

"Florida doesn't currently have specific fracking policies," said Dee Ann Miller, a spokesperson for the Florida Department of Environmental Protection. "But the agency would review any request to assess environmental or public safety risks."

Environmental groups have lobbied for legislation that requires any company proposing to use fracking in Florida to disclose any chemicals used in their process.

"No one currently drilling a well has inquired about fracking," said Ed Garrett, administrator of the DEP's Oil and Gas Program.

Driven by high fuel prices and new technology, at least six companies have invested from \$10 million to \$20 million over the last few years to buy the mineral rights for large tracts of land in Collier, Lee and Hendry counties for exploration.

Drilling in southwest Florida is nothing new. In 1943, Humble Oil discovered the Sunniland Trend, a 20 mile-wide formation, 11,000 feet below the surface that traverses the lower peninsula of Fort Myers through Big Cypress across the Everglades toward Miami.

Drilling continued for the next four decades, pumping up to 17,000 barrels a day by the 1970s. Then, prices plummeted and the cost to pump and process the thick crude forced many operations to shut down.

According to oil industry representatives, the current price of oil has encouraged investors to come back and take another look at Florida.

Small and mid-sized companies are doing their due diligence and pulling the drilling permits for areas outside of large wilderness tracts and close to the Florida Panther National Wildlife Refuge.

Past proposals to expand drilling operations in the Big Cypress Preserve have been met with strong public and political resistance over the years.

The state has issued 24 permits over the last three years, bringing the total number of active wells in Southwest Florida up to 46 with 10 or more drilling requests being processed now.

Based on advanced geologic surveys, oil companies are banking on deeper zones—up to 500 feet deeper than previous wells were sunk—to tap possible reservoirs.

Armed with seismic surveys and positive results from similar underground formations in other states as well as knowledge of ancient reefs and swamps, the geologic science indicates possible pockets of accessible fossil fuels.

Eric Draper, executive director of Audubon Florida, which owns Corkscrew Swamp Sanctuary, a pristine 14,000-acre preserve near Immokalee, is keeping close watch on the action.

"We're going to pay attention to what Hughes and Collier Resources are doing," said Draper.

A partnership between Dan A. Hughes Company and Collier Resources Company has drilled one well in a tomato field outside of Immokalee and applied for state permits to drill two more wells in agriculture areas bordering Golden Gates Estates, located just outside of Naples.

A representative of Hughes said that the company's idea is to develop areas that are not environmentally sensitive, such as agricultural lands.

Although the number of permit applications for drilling in Florida is on the rise, oil fields in other states like North Dakota and Texas currently pump more than a million barrels daily and, within four short months, well exceeded Florida's oil production for the past 70 years.

# Calendar

#### **August**

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.isawwsymposium.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. treeo.ufl.edu.

AUG. 8 – Course: Backflow Prevention Recertification Review, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

AUG. 8 – Course: Backflow Prevention Recertification Review, Destin, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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.treeo.ufl.edu.

AUG. 8-10 – Conference: 2013 Annual Update of the Florida Bar's Environmental and Land Use Section, Ponte Vedra Beach, FL. Contact Jackie Werndli at (850)561-5623 or visit eluls.org.

AUG. 9 – Course: Backflow Prevention Recertification Exam, Destin, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

AUG. 9 – Course: Backflow Prevention Recertification Exam, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

AUG. 10 – Course: Backflow Prevention Recertification Review, Tampa, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

AUG. 10 – Course: Backflow Prevention Recertification Exam, Bradenton, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

AUG. 11 – Course: Backflow Prevention Recertification Exam, Tampa, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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.treeo.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.treeo.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.treeo.ufl.edu.

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

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

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.treeo.ufl.edu.

AUG. 23 – Symposium: 2013 EPB/UNF Environmental Symposium, Jacksonville, FL. Presented by the City of Jacksonville Environmental Protection Board and the University of North Florida. Call (904) 255-7100.

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.treeo.ufl.edu.



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.

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 or visit www.treeo.ufl.edu.

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.treeo.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.treeo.ufl.edu.

#### September

SEPT. 6-7 – Course: Backflow Prevention Assembly Repair and Maintenance Training and Certification, Venice, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

SEPT. 7-15 – Course: Backflow Prevention Assembly Tester Training & Certification, Tampa, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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ment Processes, Gainesville, FL. Presented by the University of Florida TREEO Center. Call (352) 392-9570 or visit www.treeo.ufl.edu.

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### OUC upgrades coal combustion products handling at Stanton Energy Center

By ROY LAUGHLIN

he Orlando Utilities Commission recently completed work on an additional coal combustion products handling facility, successfully integrating it with its stormwater treatment facility.

The upgrade gives OUC the flexibility and capacity to safely control the fate of CCP produced at its Curtis H. Stanton Energy Center well into the future.

Chip Merriam, vice president for legislative and regulatory compliance at OUC, said that the stormwater management sys-

tem at the plant collects stormwater, treats it in lime ponds and uses it for hydric scrubbing of flue gases. The scrubbing effluent, containing fly ash and combustion solids, then flows into settling ponds. Once the solids are separated from the water, it is recycled for stack scrubbing.

The recently completed facility construction, said Merriam, upgraded a vertical CCP collection cell and established the first 30-acre cell for horizontal CCP collection. The new horizontal collection cells are more efficient than vertical cells.

"Height, time of contact and concen-

tration of contaminants are all lower in the horizontal cells," said Merriam.

He characterized the plant as a zero water discharge facility. Across the plant, all stormwater is collected, treated and recycled for hydric scrubbing. The CCP system is part of that water collection system.

The new collection cells are not permanent repositories for the fly ash. Solids from the slurry are dried, caked and embedded in a cement like material at a solid waste facility

'We can be as resource protective as we possibly can be with the business we're in," said Merriam, explaining that the new construction is part of a long term water management and reuse plan at the plant.

The new facility was planned in 1985, decades before the Kingston Plant ash impoundment failure in Tennessee sparked new regulations for handling CCP.

In spite of the long lead time between planning and the decision to build, permitting and construction occurred quickly.

The extraordinary component of this project was working beside OUC personnel in a team integration effort. We had it permitted in just seven months," said Sean

The area is economically depressed

The designation, approved by the Os-

and, like most established commercial

strips, could have environmentally sensi-

ceola County Commission, paves the way

for state dollars to be used for any poten-

tial environmental cleanup, and also for any

neighboring businesses that sit stagnant as

Orlando cleanup. The U.S. Environ-

The proposal would tackle coal tar pol-

The proposed cleanup in the Callahan

EPA officials have labeled the area as a

The Orlando plant operated from 1887

lution from the manufacture of a synthetic

neighborhood would cost nearly \$19 mil-

form of Superfund site in which entities

other than the federal environmental

agency have agreed to pay for the cleanup.

lion and take 20 years to complete.

mental Protection Agency is asking for

public input on a plan to tackle the source of groundwater aquifer pollution in down-

a result of the depressed area.

NOTES

tive areas.

town Orlando.

version of natural gas.

From Page 3

as a brownfield.

Rome, vice president at Tetra Tech, OUC's design/build contractor on the project. That included five months of design and planning followed by two months of review by officials with the Florida Department of Environmental Protection.

With its new facility now operational, OUC has at least a decade of CCP handling capacity. As with many utilities, the Stanton plant features fuel flexibility. The current low price of natural gas favors its use over coal to power the plant.

Currently, only about 20 percent of the plant's generation capacity depends on coal as fuel. Resulting CCP production has declined commensurately.

The original plan envisioned a 90-acre facility consisting of three 30-acre horizontal collection cells. Merriam said that the schedule for completing the remaining two horizontal cells remains undetermined.

It may be a while before the entire 90acre site is turned into horizontal collection cells.

When coal is needed again to fuel its generator units, the plant is ready to handle CCP in a most technologically sophisticated way.

to 1958, dumping its waste on or near plant property, a practice that contaminated the soil and shallow-aquifer water in several blocks along Robinson Street between Interstate 4 and Parramore Avenue.

Investigators think that refinery operators also poured coal tar down a drainage well that extends into the Florida Aquifer.

The potentially responsible parties for the contamination are Duke Energy, Peoples Gas System Inc., Atlanta Gas Light Co., Continental Holdings Inc. and Blaine Pierce, a property owner.

The city of Orlando is footing a small part of the bill because it is responsible for drainage wells.

People news. Michelle Diffenderfer, a shareholder with Lewis, Longman & Walker, was selected to serve as a member of the South Florida Coral Reef Initiative for a two-year term.

The organization was formed ten years ago to develop local action strategies targeting coral reefs and associated reef resources in South Florida counties.

The team is made up of marine resource professionals, scientists and stakeholders from government agencies and other organizations.

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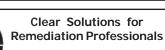
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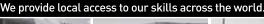
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# UVF analyzers offer a new level of on-site data gathering, save on petroleum assessment costs

By KELLY BERGDOLL

ith changes coming to the petroleum program emphasizing cost savings, the use of field screening technologies is moving to the forefront of assessments and remedial design applications.

The ability to gather a greater density of data in fewer mobilizations and apply it to develop a more accurate conceptual site model translates into a better remedial system—and long term cost reduction.

A quick review at the current toolbox of field assessment technologies for petroleum contamination reveals a number of useful tools. However, many of these tools have limitations.

There are direct sensing probes— UVOST, TarGOST, MIP and FFD—that can give you a continuous reading of subsurface contamination and some soil conductivity information. But these probes have high detection limits and do not provide results in concentrations. You must select the correct probe for the type of contamination.

Mobile laboratories can supply certified GC and GC/MS analysis in the field, but primarily for only the volatile components, BTEX and MtBE, with naphthalene being the heaviest compound analyzed onsite.

In addition, there are some other rapid mass spectrometer technologies available including some with very low detection limits, but again the problem is getting one analyzer on site that can do both volatile and semivolatile components-and provide TPH.

Test kits can do a quick screen for petroleum but the kits have limitations and some issues with interferences.

There is even a handheld infrared-based point-and-shoot direct reader, but it also has high detection limits, requires dry soil conditions and only delivers values in TPH.

Enter the portable ultraviolet fluorescence analyzer. It can deliver it all—a full spectrum petroleum carbon range, quantitative analysis and lower detection limits.

Onsite analysis by UVF bridges the gap between color-based test kits and full blown GC extractions, providing a reliable, highly portable, cost-effective and rapid field methodology for assessment of petroleum contamination.

UVF analyzers can also be used where direct sensing methods such as laser induced fluorescence (UVOST, FFD) or membrane interface probe would not be appropriate for the site being characterized due to detection limitations, and cover the

#### ERC =

#### From Page 1

DEP officials said that data collection and analysis continues for the remaining nine percent of the estuaries, mostly in the Big Bend area of the state.

The changes failed to impress Guest, who said he is concerned about the effect that water pollution is having on wildlife and the environment.

'Their measure of compliance is meeting standards two out of every three years," he said. "That means that if you have lethal toxic algae outbreaks once every three years, you are still in compliance.

"You could have manatee deaths happen once every three years and still be in compliance. These massive wildlife kills will continue. The system is failing."

Environmental groups filed a legal challenge to the state rules and lost in 2012. The groups have been battling agencies and industry groups in federal court over allowable limits for nitrogen and phospho-

Many groups claim that state rules have too many loopholes. They prefer the federal rules.

But DEP officials said the recent action taken will improve the environment. They said the agreement reached in March with EPA on establishing comprehensive numeric nutrient criteria will protect Florida's waterways from excessive levels of nitrogen and phosphorus.

entire range from BTEX on up to heavy fuels, even bunker 6, tars and creosotes. These analyzers cover the entire spectrum.

UVF analysis can be performed on waters or soils and, unlike UVOST, can also be used for assessment of dissolvedphase contamination.

Individual contaminants cannot be distinguished, but the petroleum groups are differentiated: the available instruments can be calibrated and used to report diesel range organics, gasoline range organics, total petroleum hydrocarbons and total polyaromatic hydrocarbons.

Detection limits are well below the range detectable by MIP or UVOST. Instead of tens and hundreds of parts per million, UVF analyzers can detect in the tens and hundreds of parts per billion, offering a full order of magnitude improvement in detection levels.

UVF analyzers feature optical detectors and as such offer instantaneous results with no carryover issues with highly contaminated or source area samples, although dilutions may be necessary to bring sample extracts into the calibrated analytical linear range and care must be taken to avoid turbidity in the sample extracts.

UVF results generally correlate well with fixed base laboratory methods such as FL-PRO or EPA 8270 for PAHs. In addition, there are forensic applications that can be employed to facilitate the identification of separate sources of contamina-

UVF has been approved by the Florida Department of Environmental Protection for field screening analysis of petroleum and the New Jersey DEP as a certified field

In North Carolina, UVF using a calibrated instrument capable of distinguishing hydrocarbon groups is fully accepted as a method for field analysis and is encouraged due to the cost savings versus traditional laboratory methods.

The approach taken in North Carolina for petroleum-based site assessments by the state Department of Transportation is shifting rapidly towards the use of UVF analysis for the majority of samples with a small amount of confirmatory analysis by GC and

"The North Carolina Department of Transportation has started using the QED ultraviolet fluorescence analyzer on sites suspected of petroleum contamination," noted Cyrus Parker, LG, PE, geoenvironmental supervisor for the North Carolina Department of Transportation. "Most of

Drew Bartlett, director of the DEP's Division of Environmental Assessment and Restoration, said in a statement that agency staff worked long hours to derive criteria based on the best science available.

'What they have accomplished furthers Florida's position as a national leader in the adoption of these important criteria," Bartlett wrote. "We are gratified by the ERC's action."

The agreement reached between state and federal officials builds on momentum from late last year when EPA approved Florida's numeric nutrient criteria for lakes, rivers, streams and springs, and estuaries from Clearwater Harbor to Biscayne Bay and the Florida Keys.

The department said the job of setting numeric nutrient criteria in Florida will be completed thanks to legislation passed this year by state lawmakers and additional department rulemaking.

Recently signed legislation requires the department to complete its numeric nutrient criteria rulemaking for remaining estuaries and coastal waters by Dec. 1, 2014.

The legislation also established interim nutrient standards for the remaining waters until then and ensures that state criteria will go into full effect when EPA withdraws all federal nutrient criteria rulemaking in

The other item approved by the ERC was a revised site specific alternative criteria for transparency in Apalachee Bay.

our environmental contractors have been trained to use the technology and we look forward to seeing the benefits of both cost and time savings that this technology of-

UVF analyzers are highly portable and quite rugged and can be easily operated from the back of a truck. Power requirements are minimal and generally the use of a 400-watt inverter plugged into any vehicle power accessory port is sufficient.

For soils, extraction with methanol is necessary but requires only a few minutes of preparation and manual shaking per sample. Additional time may be required to either filter or centrifuge the extract to remove particulates prior to sample introduction.

The analysis itself is almost instantaneous. An experienced operator can analyze 40-60 samples in a ten-hour field day, including setup, calibration, dilutions and

The QED analyzer, manufactured by QROS, has the unique property of providing not only quantified results for GRO, DRO, TPH and total PAH simultaneously but also a spectrographical fingerprint or snapshot of each sample.

UVF **Continued on Page 16** 

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Florida Specifier August 2013 13

#### LABS

#### From Page 1

strictly a mobile lab company, so our viewpoint is slightly different than the traditional fixed base labs," said Bergdoll. "The trend we see in the mobile testing area is the emphasis on cost savings and high resolution screening.

"We are doing less of the NELAC-certified laboratory work that has been our bread and butter in the past and more rapid field screening and direct sensing work such as UVF hydrocarbons, nitrates, XRF metals, and MIP/HPT. We have adapted by adding new capabilities to address these needs and upgrading some existing equipment."

New lab equipment with added capabilities as well as changes in methodology have opened new opportunities in the lab industry.

"We are always trying to stay ahead technically, as we have a strong belief that investing in technology improves productivity and data quality," said Russell. "Our recent purchases include upgrading our metals department with two new Agilent 7700 ICP-MSs, a new TOC instrument and new volatile autosamplers.'

Labs must continue to adapt to the challenges of the economy by changing their approach to environmental testing.

'We were the first to bring reduced volumes to the nation—40 mL VOA for PAH and DRO, and 100ml for SVOC, pesticides and PCBs," said ESC's Moravec. "For example, instead of 1,000 mL of a substance, the methods may require only 40 mL. For substances such as semi-volatiles, there is a 90 percent reduction."

Reducing volumes has transformed operations at many labs because it reduces costs, freeing up funds for the purchase of additional equipment and enabling continued training in new technology. Plus, it has allowed many labs to expand existing service offerings.

"With the acquisition of the Venice Florida division of Microbac Laboratories, Sanders Labs is now offering microbiology analyses in food and beverage manufacturing and packaging industries, as well as providing microbial resistance analyses for the textile and plastics material industries," said Jeff Walsh, operations manager for Nokomis-based Sanders Laboratories Inc. "Sanders Labs is in the process of ISO 17025 certification...certification pending," added Walsh.

Like most businesses that have been tested by tough economic times, labs continue to streamline operations and hire highly qualified staff capable of multi-tasking.

To get and keep a job at a lab these days, candidates need to develop a broad range of skills through on-going training and be prepared to wear many hats for tasks ranging from generating reports to logging samples.

In today's competitive market, PhDlevel professionals are applying for entrylevel jobs. According to the lab managers doing the hiring, both cross-training and on-going training are imperative to stay on top of the game if you're looking for a job in the lab industry.

Labs have had to survive in the low bid world for years—tough to manage in a field where sometimes jobs are bought for the sake of winning the work, rather than the quality of workmanship that will be put into the final product.

A long-standing issue with most lab officials is trying to remain competitive, while other labs offer unrealistically low prices.

"Price pressures on the environmental side are an ongoing problem and will remain so as long as there are companies out there whose business model is get all the work no matter the cost (or profit)," said Russell. "It's an old, tired model that has been proven unworkable many times over.

'I think most reputable labs feel DOH or DEP should step up their monitoring of the quality of the data being produced and take a harder stance with labs that are continually losing and reapplying for certifications, have poor audit and PT results, and are generally not performing at a minimum standard," she said. "Governmental clients would be better served if their bid process concentrated a little more on data quality and service, rather than going strictly on price."

Simply following the market and conducting cost analyses makes it tough for laboratories to keep prices in the middle when others are pricing themselves out of business.

"Laboratory prices have remained almost the same for over a dozen years, but with rising costs in supplies, gases, fuel, insurance, disposal and certification, they will have to increase," said Bergdoll.

"Some labs combat the low prices with turnover, hiring less experienced personnel. But this is not an option for mobile laboratories that need to provide highly qualified personnel on site that are capable of operating independently and in challenging conditions," she said.

Testing for pharmaceuticals and personal care products, an increasing concern of environmental agencies, is an area that continues to grow.

Since the U.S. Environmental Protection Agency concluded that PPCPs are persistent in the environment, there has been an increased need for water quality testing for such contaminants.

With the EPA and Florida Department of Environmental Protection setting the nutrient criteria levels for most of the bodies of waters in the state, there's promise for the need for expanded water quality sampling and testing within the state.

But speculation that work will pick up as a result of the new numeric nutrient criteria is still just speculation at this point until the funding for testing is approved and programs are put into place by the regulatory agencies.

In addition to water quality testing, two other issues at the forefront for all labs is the current state certification process and the regulatory changes afoot.

"The governor's push to privatize the certification process for labs will definitely be a game changer," said Russell. "More expensive no doubt, but on the flip side, hopefully, the certification body will be more responsive to labs' needs, and the whole certification and auditing process will be more even-handed, much like DOD.

'We found that although the audit was very vigorous, it was fair and played into the strengths of labs that are producing good quality data and adhere to a solid OA plan," she said.

Bergdoll agreed with Russell when it comes to lab certifications and is closely watching for any new changes to the regulatory process.

"The regulatory change that has affected us is the advent of the DOD ELAP certification program. We are currently in the approval process for this certification and we feel it will be an important addition to our existing NELAC and multiple state certifications," said Bergdoll.

In addition to keeping close tabs on changes to certifications and accreditation, most lab officials are closely watching the changes being proposed by DEP to the state petroleum preapproval program.

"In other states, most notably North Carolina, there has been a move to utilize less costly analytical screening methods to enable site characterizations to move forward or to be more extensive than would be possible using GC and GC/MS testing," said Bergdoll regarding recent program changes."

"The DEP has already advocated this approach for handling some chlorinated solvent sites with the use of colorimetric tests in place of GC/MS 8260 analysis for the initial characterization, coupled with relatively few confirmatory GC/MS samples," she said. "We see the possibility of this happening in the petroleum venue as well, with technologies such as the UVF analyzer being used to save on laboratory costs."

"(Changes to the) petroleum preapproval program may affect our business in that it will slow down as the program adjusts," added Moravec. "But I think that it will be beneficial to ESC in the long run, as consultants look for the best value from their lab choices."

Overall, the lab industry still reflects the economic conditions that have affected many businesses in the environmental and construction industries.

But there is some good news, too. Growth upticks in the overall economy, capabilities expansion, adapting to new methodologies and hiring are all positive signs that many businesses in the environmental industries haven't experienced for quite awhile.

### **DEP proposes draft** tank operator rules

Staff report

The Florida Department of Environmental Protection's Bureau of Petroleum Storage Systems recently posted a notice of development of rulemaking that included preliminary language for two new draft rules, Chapter 62-761.350, "Operator Training and Certification," and Chapter 62-761.400, "Registration and Financial Responsibility.'

The first, "Operator Training and Certification," requires owners of underground storage tanks to receive training and obtain certification.

The second, "Registration and Financial Responsibility," already includes parts (1) through (3) and those will not change. Proposed rulemaking adds Part (4) Revocation of Registration Placard.

The rule's preamble explains that these new provisions are proposed to meet the requirements of the federal Energy Policy

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#### **FEDFILE**

#### From Page 2

Fukushima nuclear power plant.

The ruling requires improvements so that reactor vessels can vent hydrogen gas to release accumulated pressure in the containment vessel under the high temperature and high radiation conditions that might occur in an emergency.

Portions of the new rule are also intended to ensure that venting can continue even if the reactor core melts down.

The new rules require venting improvements by 2014, but additional time could be granted if deemed necessary. This particular rule affects nuclear plants characterized as the "older, boiling water reactors."

This is the second round of rulemaking incorporating the Fukushima experience. The EPA is considering a third round of rules aimed at improving the filtering and trapping of radioactive materials from vented gases, and operational procedures to preserve the integrity of containment structures during an emergency.

Cost of nuclear power plant upgrades as a result of lessons learned at Fukushima may total \$3.6 billion over the next 3-5 years, and could affect to some extent, all of the U.S.' 102 nuclear facilities.

Judicial procedures for NPDES. The EPA has asked the Supreme Court to clarify the procedures that define how EPA rules on water transfers can be challenged in

The EPA believes that legal challenges should be heard immediately by federal cir-

### **BONUSES**

From Page 1

The agency plans to cut costs even more by reducing enforcement expenses through improved compliance with environmental

But not everyone agrees that taxpayers are getting a bargain if the ultimate result is less enforcement action and fewer fines.

"We have not had an environmental agency that enforces the law for about 10 years," said Jerry Phillips, former DEP attorney and director of the Florida Chapter of Public Employees for Environmental Responsibility.

'They are pro business, not environmental regulation. Employees are basically told that if you want to keep your job, follow the rules. Just when you think it can't get worse for the environment, it does," he

Over the past few years the department has shrunk from 3,450 employees to 3,118, with the sharpest decline occurring under current Gov. Rick Scott. Florida PEER questions the cost savings of employee layoffs claiming that the agency has been "cutting muscle and bone," and that "any fat was long gone."

According to DEP, the agency's compliance rate for regulated entities in 2012 was at a five-year high with its emphasis on community outreach and making sure Florida's businesses are in compliance with environmental rules, regulations and statutes in order to avoid harm to ecosystems.

Not all agree that a kinder, gentler approach to businesses is what Florida's environment really needs.

"It was described to me like this by a former 20-year DEP employee who handled restoration issues," said Phillips. "Businesses are a stakeholder and they are partners with the agency. It's a mindset. They can't be business partners on Monday and then be slapped with a violation and fine on Tuesday.

"It used to be that the rules were the rules and there was no question. You punish the violators and they adhere to their permits. Enforcement entails telling (permit holders) what they are doing wrong and then teaching them the correct way. That's

"Employees were told that nothing's changed," he said. "But everything changed when they tried to do their jobs. It became known: if you want to keep your job, follow the rules. Nothing stimulates like the fear of losing your job. That's their senior management style. It makes you wonder what kind of people still work there if you get fired for doing your job," said Phillips. cuit appeals courts. This is the usual path for challenging Clean Water Act rules, so that court decisions can be obtained expeditiously, reducing uncertainty and long waits for those affected by the rules.

The EPA is asking the Supreme Court to review a specific case. In 2008, the agency issued its Water Transfer Rule, which exempts the transfer of water from one canal to another from NPDES permits. This routinely occurs in South Florida Water Management District canals and flood control systems.

Environmental groups including Friends of the Everglades challenged the rule in the 11th Circuit Court because the EPA cited the Clean Water Act, which allows "direct appellate review."

The appeals court judge ruled that the judicial review section of the Clean Water Act does not apply to the transfer rule and sent the case back to district court.

District court rules allow up to six years to bring a case. Appeals courts hear a case much more quickly. Multiple district courts may rule, and rule differently, on the same issue, while appeals courts have a broader purview, another factor decreasing uncer-

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## Supreme Court ruling clarifies protections afforded property owners

By PRAKASH GANDHI

n Orange County landowner has won a major battle in a long-running fight with state regulators over his efforts to build on his property.

The U.S. Supreme Court overturned a Florida Supreme Court ruling and sided in favor of the late Coy A. Koontz Sr. who tried to build on three of his 15 acres in east Orange County.

Koontz's supporters are hailing the ruling as a major victory for property rights.

Attorney Paul Beard of the Pacific Legal Foundation said in a statement that the

ruling says the Fifth Amendment "protects landowners from government extortion, whether the extortion is for money or any other form of property."

In 1994, the St. Johns River Water Management District told Koontz that he could build on his property only if he reduced the size of his development or paid for work restoring wetlands on agency property seven miles away.

Koontz refused and sued the district. A circuit court awarded him \$376,154 for a temporary taking of his property by a state agency. The water management district tried to overturn that decision, but the 5th

District Court of Appeal denied the request. Then, two years ago, the Florida Supreme Court reversed the decision.

However, in June, the U.S. Supreme Court said previous legal tests of whether a constitutionally prohibited taking occurs apply even when government denies a permit or demands money. The case will now go back to the Florida Supreme Court for a rehearing.

Beard, a principal attorney at Pacific Legal Foundation who represented Koontz and his son, Coy Koontz Jr., said in a statement that the Koontz family was challenging permit demands that were "wildly excessive and had no connection to their land use proposal."

The foundation said the district's efforts amounted to extortion as it tried to force Koontz to mitigate the impacts of his proposed project.

"We are extremely ecstatic that the court has decided to extend full protection to landowners," Beard said in an interview with the *Florida Specifier*.

Beard said the decision will force agencies to demonstrate a clear connection between the proposed impacts to a piece of property and the compensation or mitigation that is being required.

He said the decision will allow Koontz to go back to court to recover payment of monetary damages.

Clay Henderson, an attorney with Holland & Knight in Orlando, said the court's ruling is significant. "It supports private property interests," he said. "I think this

# ST. PETE From Page 5

legreasers.

According to the U.S. Department of Health and Human Services, exposure to high concentrations of the contaminant can cause headaches and nausea, and can sometimes be fatal.

Sorolis said a consultant hired by the prospective property owner is monitoring the site and determining what the cleanup will entail.

"We feel that getting this brownfield designation is important because it will ensure that the cleanup is conducted according to state guidelines. It will also provide incentives to clean up the site," she

Sorolis said the prospective developer of the site is looking at using the property for retail businesses.

The property is located close to Interstate 275 in the central area of the city and is the only undeveloped parcel in the corridor around it. The property is surrounded by gas stations, big box stores, and other retail and commercial sites.

case is about limits on how far government can go. The only concern I have is the impact of this ruling on mitigation banking. I'm in favor of the whole concept of mitigation banking.

"It will be interesting to see how the water management districts handle this issue. A strict reading of this ruling may give them some cold feet about that," he said.

Henderson pointed out that districts are less aggressive on permit conditions these days than they were five or ten years ago.

DEP spokeswoman Catalina Quintana released a joint statement from the agency and the water management district that said that the court's ruling clarified the constitutional protections that must be afforded to landowners when government entities issue permits affecting protected property interests.

"While the case is remanded for further proceedings in the Florida Supreme Court, the DEP and the St. Johns River Water Management District will be working to ensure that the legal principles in the decision are being addressed throughout the agencies."

#### 

This fingerprint is compared to a stored library and is used to identify the major component of contamination and can be used to distinguish between sources. A diesel signature, for example, is quite different from a gasoline or a coal tar signature.

In addition, the fingerprinting can be used to identify locations where naturally occurring organics are present, such as background organics, that may be included in laboratory TPH analysis but are not from petroleum contamination.

Having an immediate snapshot of each sample can be valuable in figuring out what is going on with a site. This is useful not only for identifying different source areas but can be utilized for excavations and evaluations of dewatering and other treatments during the actual process.

The UVF analyzers offer a new level of ability to gather rapid information on site and save costs for sites affected by petroleum contamination.

Kelly Bergdoll is president of KB Labs in Gainesville. She can be reached at kellyb@kbmobilelabs.com.



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