



Department of Environmental Protection

Lawton Chiles
Governor

41193

4029030075
5029-256427

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

DEC 02 1994

Mr. Daryl Smith, Director
Hillsborough County Department of Solid Waste
Post Office Box 1110
Tampa, Florida 33601-1110

Re: Southeast County Landfill - DSW October 17, 1994 Letter

Dear Mr. Smith:

The Department is in receipt of your October 17, 1994 letter of response to the Department's September 27, 1994 letter. The purpose of the Department's letter was to place the County on notice of conditions existing at the landfill which constituted violation of rule and the facility permit, and to give the County the opportunity to resolve these deficiencies without enforcement action by the Department. In the letter, the Department requested that the County either "provide assurance to the Department that compliance with these issues will be accomplished within a specified and reasonable period of time using the County's existing plan of action" or "propose an alternate plan of action." The County was also requested to propose time frames for bringing each deficiency into compliance. In regard to the issues of leachate management at the landfill, the County's response was inadequate.

In response to the issue of an approximate depth of 5 to 6 feet of leachate over the liner, the County referred to its permit proposal to define the footprint of the landfill as a sump which would maintain a maximum depth of 3.6 feet of leachate. The Department has already indicated to the County, through its permit application review, that it has serious concerns regarding the sump proposal. Therefore, reliance on approval of the sump proposal as a partial solution to the facility's leachate impoundment problems is not definitive.

In the event that the sump proposal is approved, there still remains the additional impounded leachate above 3.6 feet which must be removed. In its response, the County referred to increased hauling of leachate to County wastewater treatment plants and the construction of the leachate treatment plant. However, no specific timeframes were given as to when the County proposed to reduce the quantity of leachate impounded in the landfill to 3.6 feet, when the County expected to have the

treatment plant fully operational, what quantity of leachate will be treated on-site, and what quantity of leachate will be hauled off-site for treatment, in order to meet the County's proposed timeframes to bring the facility into compliance. In addition, the County has made no provisions for compliance with a maximum depth of 1 foot of leachate over the liner, which is the existing standard of compliance. These are the items that the Department expected to be addressed in the County's response to the Department's September 27, 1994 letter.

In the County's response, you indicated that the County has been responsive and committed to operating and maintaining the landfill in compliance and proactive in recognizing the leachate management problem and implementing a program to manage leachate properly. While it is true that the County notified the Department of the leachate management problems on March 16, 1994, the County has been independently monitoring leachate levels in the landfill in excess of 1 foot at least since 1990, and the March 16, 1994 submittal was not a voluntary, independent notification to the Department of a problem, but was a response to a request for leachate management information, sent to the County by Department letter dated March 2, 1994.

The Department recognizes that the County is taking steps toward implementing a long-term solution to the leachate management problem by construction of the leachate treatment plant. We are also sympathetic to constraints which can occur in the bid process for a County project. However, in light of the potential environmental impacts of improper leachate management, and the fact that apparently the conditions have existed at the landfill for some time, the Department is not aware of any extraordinary effort on the County's part to expedite the process of constructing the leachate treatment plant. In addition the County has not made any substantive effort toward implementing short term actions to mitigate the leachate impoundment problem. Rather than instituting an aggressive effort to reduce the amount of leachate impounded in the landfill, off-site hauling of leachate has occurred at the convenience of the County. Increases in off-site hauling of leachate in 1994, at best, have only had the effect of slowing the increase of leachate impounded in the landfill.

The Department does recognize that, in comparison with other facilities that this district is responsible for regulating, Southeast Landfill is a well operated and maintained facility, and that the County is usually responsive in dealing with potential problems at the landfill. For this reason, the Department gave the County the opportunity to address and propose remedial actions and reasonable timeframes to mitigate and eventually correct the leachate impoundment problems, without initiating enforcement action against the County. In similar circumstances of dealing with leachate management problems at other county and private facilities in this district, the Department has typically taken a tougher stance, has initiated

enforcement actions, and has assessed and collected significant penalties for non-compliance.

The Department feels that the leachate impoundment problem at Southeast landfill is significant and warrants a much more aggressive effort in mitigating the problem than has been taken to date. The Department recognizes that implementation of a more aggressive effort means an increased manpower and monetary investment by the County. Therefore, the Department is still willing to allow the County to propose and implement a plan of action to mitigate and ultimately correct the leachate impoundment problems at the landfill, without assessing potentially significant penalties, provided a comprehensive plan is presented in a timely manner to the Department, that plan is implemented immediately, and the plan proposes reasonable and effective timeframes for significant mitigation and compliance.

It is anticipated that the timeframes for compliance will be such that will result in the facility remaining out of compliance for some period of time. Therefore the County's comprehensive plan and proposed timeframes for compliance will need to be incorporated into a formal agreement with the Department, which would include provisions for stipulated penalties for non-compliance with the terms of the agreement. Until such time as an alternative level of compliance is established by the Department, the compliance level is a maximum of 1 foot depth of leachate over the liner.

The County is requested to provide a comprehensive plan of action for leachate removal and disposal, with specific anticipated timeframes for reduction of the amount of leachate impounded in the landfill to a maximum of one foot, to the Department by December 15, 1994. Please contact the Department immediately if the County anticipates not meeting this deadline. In the absence of a timely and adequate response, the Department will assume that the County does not wish to resolve these issues amicably, and will pursue other avenues available in an effort to achieve compliance.

Sincerely,

Stephanie Hinson

for Steven G. Morgan
Section Supervisor
Solid Waste Compliance/Enforcement
Southwest District

cc: William Kutash, Waste Management Administrator
Robert Butera, Solid Waste Manager
Kim Ford, SW
Paul Schipfer, HCEPC
Patricia Berry, HCDSW



Florida Department of Environmental Protection

Lawton Chiles
Governor

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

Virginia B. Wetherell
Secretary

DATE: 1/31/95

TIME: 2:15

SUBJECT: SE Landfill

A T T E N D E E S

Name	Affiliation	Telephone
<u>Ken Ford</u>	<u>FDEP</u>	<u>744 6100 X 382</u>
<u>Paul Schipfer</u>	<u>EPC</u>	<u>272 5288</u>
<u>Mary Jean Van</u>	<u>DEP - Tallahassee</u>	<u>904 / 488-0300</u>
<u>Steve Hamilton</u>	<u>SCS ENRINORS</u>	<u>621-0080</u>
<u>Bob Gardner</u>	<u>SCS</u>	<u>621-0080</u>
<u>Patricia Bony</u>	<u>H.C. Dept. of Solid Waste</u>	<u>276-2908</u>
<u>Daryl H Smith</u>	<u>H.C. Dept of Solid Waste</u>	<u>276-2900</u>
<u>Larry Ruiz</u>	<u>SCS</u>	<u>621-0080</u>
<u>Richard B. Tedder</u>	<u>DEP - Tallahassee</u>	<u>(904) 488-0300</u>

Day	Sump 3	Phase III	Phase IV	500,000Gal feet	Tnk Phase VI gal	Rain Stormwater	Fall	Leachate Hauled Contr.	County	Init.
1	4.3			Holiday			0.0	Holiday		711
2	5.6			Tank Full			0.0	-	63,000	711
3	5.9			12	360,000		0.0	68,582	57,086	711
4	6.3			10.6	315,000		0.3	68,599	57,178	711
5	5.8			10	300,000		0.0	68,291	56,808	711
6	5.4			9	270,000		0.0	68,537	66,999	711
7	5.4			-	-		1.7	86,522	57,007	711
8	5.4			-	-		0.0	-	-	711
9	5.5			10	300,000		0.0	68,386	57,387	711
10	5.2			9	270,000		0.0	68,546	57,244	711
11	5.4			9	270,000		0.0	68,428	56,975	711
12	5.3			8	240,000		0.0	68,528	50,632	711
13	5.0	4.0	5.5	12	360,000		0.4	68,514	56,868	711
14	5.0	4.0	5.0	13	390,000		1.1	68,466	58,957	711
15	4.9			-	-		0.2	-	-	711

Comments: 1/12 County tanker down, lost 1 load Subtotal County - 684,111
 Subtotal Contractor - 771,399

Day	Sump 3	Phase III	Phase IV	500,000Gal Tnk feet	Phase VI Stormwater gal	Rain Fall	Leachate Hauled Contr.	County	Init.	
16	5.6	Holiday		11.6	375,000	Holiday	0.0	63,800	56,928	7/77
17	5.7	4.4	6.0	11	330,000	4.3	0.0	64,490	56,919	7/77
18	5.3	3.4	5.8	10	300,000	4.2	0.0	64,675	50,546	7/77
19	5.3	3.1	5.6	9.6	288,000	4.2	0.0	64,818	57,073	7/77
20	4.9	3.7	5.3	11	330,000	4.0	0.0	65,504	56,327	7/77
21	4.8	3.5	5.2	12.5	375,000	4.0	0.0	67,492	56,622	7/77
22	5.3	-	-	-	-	-	0.0	-	-	7/77
23	5.8	4.3	6	9	270,000	4.1	0.0	53,061	56,134	7/77
24	4.9	3.7	4.8	9	270,000	4.0	0.0	80,150	42,250	7/77
25	4.9	3.5	5	10.5	315,000	4.0	0.0	68,018	56,186	7/77
26	4.7	3.4	4.9	11.8	354,000	4.0	0.0	67,774	56,145	7/77
27	4.7	3.3	4.11	12	360,000	3.11	0.0	67,975	56,608	7/77
28	4.6	3.3	4.11	12	360,000	3.11	0.0	67,555	55,900	7/77
29	4.8	-	-	-	-	-	0.0	-	-	
30	4.5	3.1	3.7	15	480,000	4.6	0.1	68,589	56,592	7/77
31	4.5	3.3	5.0	12	360,000	4.2	0.8			7/77

Comments: 1/18 County truck down 4 1/2 hrs, 1/24 Regen using Public Utilities tanker.

Sub Total Contractor - 863,901
 Sub Total County - 714,224
 Contractor Total 1,635,300
 County Total 1,398,335
 Total 3,033,635