

From: [Hardman, Henry J](#)
To: [Patino, Jorge R](#)
Cc: [Lape, Pamela K](#)
Subject: RE: FLA013738 - Reviewing Groundwater Results
Date: Tuesday, December 5, 2023 12:00:43 PM
Attachments: [image002.png](#)
[image003.png](#)
[image004.png](#)

Sounds good

Jay Hardman, P.E.
Plan Review Manager
FDOH-PBC
800 Clematis Street
West Palm Beach, FL 33402
(561) 837-5958

From: Patino, Jorge R <Jorge.Patino@flhealth.gov>
Sent: Tuesday, December 5, 2023 11:34 AM
To: Hardman, Henry J <Henry.Hardman@flhealth.gov>
Cc: Lape, Pamela K <Pamela.Lape@flhealth.gov>
Subject: RE: FLA013738 - Reviewing Groundwater Results

Jay,

Based on the email sent by Pam, DEP leaves it up to us to determine if the elevated levels are due to the discharges or background. In my opinion, the TDS exceedances of the permit limit (500 mg/l) are due to background levels, as the average background level in the last 11 months is 1,069 mg/l. The exceedances of the last two quarters (1,220 and 1,260 mg/l) are very close to background levels, are highly influenced by background levels, and it would be difficult to attribute them to the plant discharges at this time. I am recommending proceeding as follows:

- Continue to monitor quarterly values for any meaningful changes.
- Add an entry in COMET (email regarding background levels of TDS).
- Add this email to Oculus.
- During the next permitting cycle (permit expires September 2024), answer the question of whether or not groundwater monitoring is a requirement at all for this plant based on the regulations and revise the permit accordingly.

Let me know if you concur.

Regards,

Jorge Patino, P.E.
Operations Consultant

Environmental Public Health
Florida Department of Health Palm Beach County
800 Clematis Street, 4th Floor
West Palm Beach, FL 33401
Cell: (561) 629-2520
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From: Lape, Pamela K Pamela.Lape@flhealth.gov
Sent: Tuesday, December 5, 2023 11:09 AM
To: Patino, Jorge R Jorge.Patino@flhealth.gov
Cc: Hardman, Henry J Henry.Hardman@flhealth.gov
Subject: FW: Monitoring wells- enforcement action

"From: Watts, Denise <Denise.Watts@FloridaDEP.gov>
Sent: Wednesday, August 5, 2020 2:29 PM
To: Olejniczak, Daria A <Daria.Olejniczak@flhealth.gov>
Subject: RE: Monitoring wells- enforcement action

DEP expects DOH to follow the same guidance : that is, look at the GW data for whether background levels are high, whether they look like exceedances were related to the effluent or not, whether trends are apparent, etc. If groundwater exceedances are not explained by anything else and appear to be due to effluent application, enforcement is an option, although proving the impact is due to effluent is hard if the effluent itself is within limits.

We do not know of any written agreement previously written by a former Program Administrator. If you find a copy, please provide it to DEP.

Thank You.



Denise K. Watts
Environmental Specialist II
Florida Department of Environmental Protection
Southeast District - West Palm Beach
3301 Gun Club Road, MSC 7210-1
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Denise.Watts@floridadep.gov
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From: Olejniczak, Daria A <Daria.Olejniczak@flhealth.gov>

Sent: Wednesday, August 5, 2020 12:53 PM

To: Watts, Denise <Denise.Watts@FloridaDEP.gov>

Subject: Monitoring wells- enforcement action

Good morning Denise,

I need to confirm some information regarding exceedances in monitoring well reports – Part D (submitted by systems quarterly, semi-annually or annually). I have been told enforcement actions for these exceedances is not required. Is that true? Please advise.

All that I know is that this kind of correspondence/agreement was between a prior DOH program administrator and DEP. I have tried to find this agreement and have been unsuccessful. I just want to make sure we are following the correct protocols.

Thank you,

Daria

Daria Olejniczak

Engineer Specialist II

Water Operations Section, Division of Environmental Public Health,
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Regards,

Jorge Patino, P.E.

Operations Consultant

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From: Hardman, Henry J <Henry.Hardman@flhealth.gov>
Sent: Tuesday, December 5, 2023 10:10 AM
To: Patino, Jorge R <Jorge.Patino@flhealth.gov>
Cc: Lape, Pamela K <Pamela.Lape@flhealth.gov>
Subject: RE: FLA013738 - Reviewing Groundwater Results

Here is the rule requirement we can note it but I don't think there is any compliance assistance we can do unless we see a continual pattern of the exceedances.

The natural background quality of the ground water is greater than the stated maximum, or in the case of pH is also less than the minimum, the representative background quality shall be the prevailing standard. [62-520.420(2)]

Jay Hardman, P.E.
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From: Patino, Jorge R <Jorge.Patino@flhealth.gov>
Sent: Tuesday, December 5, 2023 9:58 AM
To: Hardman, Henry J <Henry.Hardman@flhealth.gov>
Cc: Lape, Pamela K <Pamela.Lape@flhealth.gov>
Subject: RE: FLA013738 - Reviewing Groundwater Results

Jay, Any thoughts on how to proceed with this? Have you received any feedback from DEP?

Regards,

Jorge Patino, P.E.
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From: Patino, Jorge R

Sent: Tuesday, November 28, 2023 3:33 PM

To: Hardman, Henry J <Henry.Hardman@flhealth.gov>

Subject: FLA013738 - Reviewing Groundwater Results

Jay,

Per our earlier conversation, following are the background and questions related to the DMRs for Osceola, which may apply to other facilities with groundwater monitoring.

- The table below has some historical TDS results. The permit limit (500 mg/L) has been exceeded in the last seven quarters, and the background well concentration has been exceeded in three of the last seven quarters. All other plant effluent and monitoring parameters are in compliance.
- My understanding from our discussion is that FDEP's guidance, including during the last program audit/evaluation, has been to use the background well (MWB-1) level as the compliance limit for the compliance well (MWC-1) when reviewing DMRs. Can you confirm, or should we ask FDEP to confirm?
- I plan to send a non-compliance letter with a request provide, within 30 days, an explanation for the exceedances and a request for a plan of action (including evaluation of the integrity of the monitoring wells) to avoid/limit future ones. Is there anything else we should request? It may be a good idea to ask FDEP if they have any written guidance for dealing with?
- Lastly, it would be nice to find out from FDEP why this facility is required to monitor groundwater given its size, 0.020 MGD. Can this requirement be removed from the permit?

TDS Concentrations (mg/L)

Sample Date	Quarter	Permit Limit	MWB-1 (background)	MWC-1 (compliance)	MWI-1 (intermediate)
8/8/2023	3	500	1000	1260	490
4/25/2023	2	500	1180	1220	726
1/24/2023	1	500	1120	1100	706
10/25/2022	4	500	1020	876	512
8/8/2022	3	500	1070	848	702
4/26/2022	2	500	1040	964	856
1/27/2022	1	500	1060	1020	578
11/16/2021	4	500	1020	828	390
9/23/2021	3	500	1240	642	484
6/7/2021	2	500	992	1020	620
1/12/2021	1	500	1020	1020	532

Regards,

Jorge Patino, P.E.
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