



**Springstead  
Engineering, Inc.**

Consulting Engineers – Architects – Planners – Surveyors

276029

EB - 0001723  
AA - 0002820  
LB - 0001723

blue  
copy

727 South 14th Street  
Leesburg, Florida 34748

Lake (352) 787-1414  
Sumter (352) 793-3639  
Fax (352) 787-7221

TO: *Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619*

Date: August 3, 2004

Job No.: 921100.020

Attention: *Mr. Steven Morgan*

RE: *Sumter County Solid Waste*

GENTLEMEN:

WE ARE SENDING YOU

☒ Enclosed

☐ under separate cover via \_\_\_\_\_ the following items:

☐ Shop Drawings

☐ Prints

☐ Plans

☐ Samples

☐ Specifications

☐ Facsimile

☐ Copy of Letter

☐ Change Order

☐ \_\_\_\_\_

Copies	Date	No.	Description
1			<i>Certification of Construction Completion of a Solid Waste Management Facility</i>
2			<i>Record Drawing (Signed &amp; Sealed) Sheet 1 of 1 - Drop-off Area Loading Ramp Floor Plan (revised 5/19/04) Sheet 1 of 3 - Materials Recovery Facility Building Foundation Plan (revised 5/19/04)</i>

THESE ARE TRANSMITTED as checked below:

☐ For Approval

☐ Approved as submitted

☐ Approved for payment

☒ For your use

☐ Approved as noted

☐ Resubmit \_\_\_\_ copies for approval

☐ As Requested

☐ Returned for corrections

☐ For Review and Comment

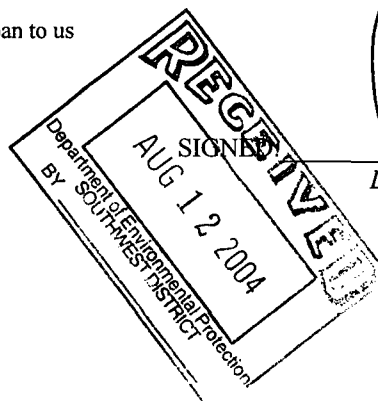
☐ \_\_\_\_\_

☐ Material and/or prints returned after loan to us

REMARKS:

COPY TO:

Bernard Dew, SCBCC  
Chuck Jett, SC Solid Waste  
Mitch Kessler, Kessler Consulting



*David W. Springstead, P.E.*



Florida Department of Environmental Protection  
Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, FL 32399-2400

DEP Form # 62-701.900(2)  
Form Title: Certification of Construction Completion  
Effective Date May 19, 1994  
DEP Application No. \_\_\_\_\_  
(Filled by DEP)

## Certification of Construction Completion of a Solid Waste Management Facility

DEP Construction Permit No: 126940-008-SC County: Sumter

Name of Project: Materials Recovery Facility

Name of Owner: Sumter County Public Works

Name of Engineer: Springstead Engineering, Inc.

Type of Project: Construction of loading ramp and building addition for the Materials Recovery Facility

Cost: Estimate: \$ 25,000 Actual \$ 25,000

Site Design: Quantity: 210 ton/day Site Acreage: 120 Acres

Deviations from Plans and Application Approved by DEP: None

Please see attached drawings for constructed elevations.

Address and Telephone No. of Site: 835 CR 529, Sumterville, Florida 33538 (352) 793-3368

Name(s) of Site Supervisor: Chuck Jett

Date Site inspection is requested: As soon as possible.

This is to certify that, with the exception of any deviation noted above, the construction of the project has been completed in substantial accordance with the plans authorized by Construction

Permit No. 126941-003-SO Dated: April 4, 2004

Date: 8/11/04

Signature of Professional Engineer

Page 1 of 1

Northwest District  
160 Governmental Center  
Pensacola, FL 32501-5794  
850-595-8360

Northeast District  
7825 Baymeadows Way, Ste. B200  
Jacksonville, FL 32256-7590  
904-448-4300

Central District  
3319 Maguire Blvd., Ste. 232  
Orlando, FL 32803-3767  
407-894-7555

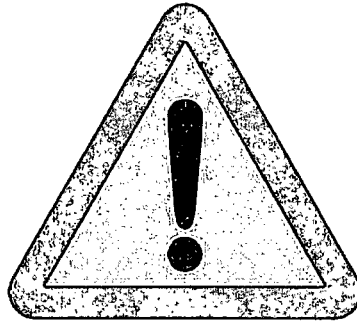
Southwest District  
3804 Coconut Palm Dr.  
Tampa, FL 33619  
813-744-6100

South District  
2295 Victoria Ave., Ste. 364  
Fort Myers, FL 33901-3881  
941-332-6975

Southeast District  
400 North Congress Ave.  
West Palm Beach, FL 33401  
561-681-6600



# ATTENTION

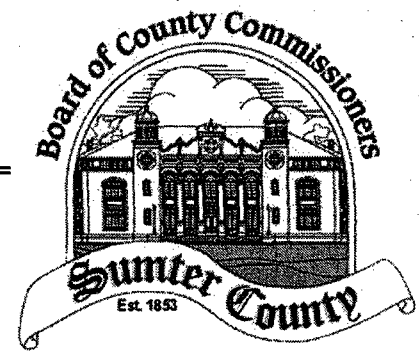


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inserted separately.**

# Board of County Commissioners

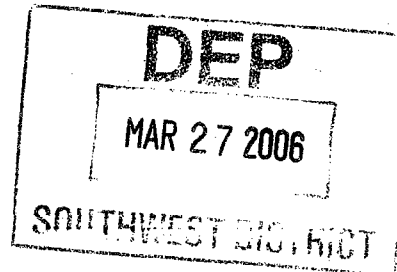
## Sumter County, Florida

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX: (352) 793-0207  
SunCom: 665-0200 • Website <http://sumtercountyfl.gov>



March 15, 2006

Susan Pelz *3/28/06*  
Solid Waste Manager  
Southwest District  
Florida Department of Environmental Protection  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926



Re: Current status of solid waste operations at Sumter County Solid Waste Facility

Dear Ms. Pelz:

I am taking this opportunity to introduce myself and give you an update on solid waste operations at Sumter County's solid waste facility (Facility).

In January 2006 I was appointed as the new County Administrator. I take over this position after the retirement of Mr. Bernard Dew who served as the County Administrator for some 23 years. Prior to coming to Sumter County I served as County Administrator for Whitfield County, Georgia.

During the past year, my predecessor sent letters to your office regarding permit and operational status of the Facility. As you know, the Board of County Commissioners (Board) considered a number of options for realigning activities at the Facility due the explosive growth of the County's population in recent years.

In response to serious financial and budget issues, the Board directed County staff to conduct an operational and economic analysis of the Facility. In order to bring the facility operations in line financially, the Board took several actions in the past year. First, the County negotiated a new waste hauling and disposal contract at a much lower rate than the previous contract. Second, the Facility staff was reduced by approximately 60%. Third, a new supervisor was placed in charge of the Facility to ensure cost-effective and environmentally-sound operations. Fourth and most recently, operation of

Richard "Dick" Hoffman, Dist 1  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Joey A. Chandler, Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Michael E. Francis, Dist 3  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Jim Roberts, Vice Chairman  
Dist 4, (352) 793-4776  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Randy Mask, Dist 5  
Office: (352) 793-0200  
Home: (352) 793-3930  
209 North Florida Street  
Bushnell, FL 33513

Bradley S. Arnold, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

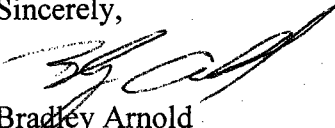
the Materials Recovery Facility (MRF) and Composting Facility were ceased, with the exception of activities undertaken by the Florida Organics Research Center for Excellence (FORCE). Other assets at the Facility (i.e. community recycling center, tire recycling, household hazardous waste collection, C&D transfer and disposal) continue to operate.

Looking to the future, the County is assessing our long term waste management options. The initial term of the County's current waste hauling and disposal contract expires in July 2009. To prepare for future needs, the Board directed staff to issue a Request For Proposals for a private transfer station to be developed either at the Facility or elsewhere in the County. This would allow for the comparative option to the existing and projected county operation. Future operation of the MRF and Composting Facility is uncertain at this time. It is envisioned that a private transfer station would be the central component of the County's waste processing system, supported by the existing community recycling, tire recycling, household hazardous waste, and C&D operations.

As the County moves forward with its plans, we will keep your office informed. We stand ready to enter dialog with your office regarding the status and modifications of the Facility permits.

If you have any questions or require additional information, please contact me directly.

Sincerely,



Bradley Arnold  
County Administrator

BA/pe

xc: Charles Goddard, DEP Tallahassee  
Richard Tedder, DEP Tallahassee  
Jan Rae Clark, DEP Tallahassee  
Francine Joyal, DEP Tallahassee  
Sandra Howell, Sumter County Administration  
Tommy Hurst, Sumter County Public Works  
Jackey Jackson, FORCE, Sumter County  
Randall Thornton, County Attorney  
Mitch Kessler/Miriam Zimms, Kessler Consulting, Inc.

Is your RETURN ADDRESS completed on the reverse side?

Sumter County SWMF - OBC Case No 04-0131

**SENDER:** Status Update: Compliance with Model CD

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

4a. Article Number

7004 0750 0003 0516 1935

4b. Service Type

- |  |   |
|--|---|
| <input type="checkbox"/> Registered                                | <input checked="" type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                              | <input type="checkbox"/> Insured              |
| <input checked="" type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

7. Date of Delivery

3/24/00

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

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*Chapala*

PS Form **3811**, December 1994

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13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926

**DEP**

**MAR 28 2006**

*Stephanie Watson*  
*Solid Waste Section*

**SOUTHWEST DISTRICT**

R073



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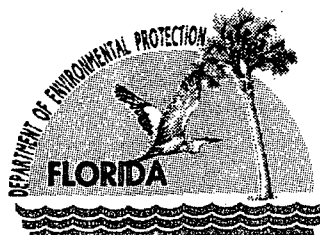
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Street, Apt. No.,  
or PO Box No.

City, State, ZIP+

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

7004 0750 0003 9150 1935



# Department of Environmental Protection

Jeb Bush  
Governor

Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926  
Telephone: 813-632-7600

Colleen M. Castille  
Secretary

March 23, 2006

**CERTIFIED MAIL 7004 0750 0003 0516 1935  
RETURN RECEIPT REQUESTED**

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Status Update: Compliance with Model Consent Order

Dear Mr. Dew:

This letter has been prepared in response to Sumter County Board of County Commissioner's December 18, 2005 letter (received December 22, 2005), which requested an update on the status of compliance with the Consent Order requirements. The Department apologizes for its delayed response. The Department's understanding of the Sumter County Board of County Commissioner's (the County's) compliance with the Model Consent Order (MCO) No. 04-0131, executed on March 17, 2004, is summarized below.

Paragraph 6 requires the implementation of the Temporary Corrective Action Plan (TCAP), which includes immediate corrective actions to cease loading waste outside of the MRF building, and the submittal of TCAP Phase II. TCAP Phase II was to be submitted to the Department within 90 days of approval of the TCAP and was to provide plans for construction. The TCAP was approved on March 17, 2004 (the same date as the execution of the Consent Order), so the TCAP Phase II was due to the Department on June 15, 2004.

*Information Received:*

- According to an inspection by Department staff on February 5, 2004, the facility operator moved the ramp inside the MRF building and ceased loading outside of the building.

*Department Action:*

- The Department sent a "Status of Compliance with Model Consent Order" letter to the County on October 11, 2004, indicating that TCAP Phase II had not been submitted in accordance with the Order, and requested its submittal within a 30-day timeframe.

*Information Received:*

- "Proposed Temporary Corrective Action Plan Phase II for the Sumter County Solid Waste, Recycling, and Composting Facility" dated August 17, 2004, received on August 23, 2004, from Sumter County Board of County Commissioners (BOCC).

*Department Action:*

- Although the Department did not send a separate letter to the County regarding the TCAP Phase II, TCAP Phase II is acceptable to the Department.

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order paragraph and **this Consent Order paragraph has been satisfied.**

Paragraph 7 states that "Upon review of the submittals required by the TCAP, the Department may request additional information. All additional information shall be submitted to the Department within 30 days of receipt of the Department's written request."

*Department Action:*

- On July 14, 2005, the Department sent a request to the County for additional information regarding the Certification of Construction Completion and Survey Record Drawing and the presence of depressions in the Closed Class I Landfill asphalt cover, which were observed during the Department's compliance inspection on June 23, 2005.

*Information Received:*

- The County's July 11, 2005 response (to the Department's June 23, 2005 inspection report), received July 11, 2005, indicated that the scheduled repairs to the asphalt cover would occur in July. The County's February 21, 2006 response (to Department's January 17, 2006 inspection), received February 27, 2006, indicated that the depressions in the asphalt cover, which were observed by Department staff, were small and that any ponded stormwater evaporated quickly.

*Department Action:*

- Based on the Department's June 23, 2005 and January 17, 2006 inspections, the repairs to the asphalt cover, which were completed under the Consent Order, are satisfactory. Continued maintenance of the asphalt cover should be performed as per the facility's Long-Term Care Permit No. 22926-003-SF.

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order requirement.

Paragraph 8 states that "Upon approval, the TCAP Phase II shall be incorporated herein and made a part of this Consent Order. Respondent shall implement the corrective actions proposed in the TCAP Phase I and Phase II pursuant to the approved schedule and deadlines." TCAP Phase II included details of and a schedule for completion of the following: 1) submittal of As-Built Drawings for the Certification of Construction Completion for repair of the biosolids storage area; 2) submittal of the plans/drawings for the repair of the Closed Class I landfill asphalt cover; 3) construction plans for new groundwater monitoring wells proposed in the PCAP to evaluate exceedances; 4) submittal of the Preliminary Contamination Assessment Report (PCAR); and 5) submission of documents certifying that the laboratory performing the sampling and analysis has Department Approved Comprehensive Quality Assurance Plan.

*Information Received:*

- Record Drawings of the Drop-off Area Loading Ramp Floor Plan and the Materials Recovery Facility Building Foundation Plan (including repairs of the biosolids storage area), dated August 3, 2004, received August 12, 2004 from Springstead Engineering, Inc.;
- Certification of Construction Completion and Survey Record Drawing of the Repair Plan for the Closed Class I Landfill Asphalt Cover, dated May 19, 2005, received May 20, 2005 from PBS&J;
- The Addendum to the revised Preliminary Contamination Assessment Plan (PCAP), dated August 18, 2004, received on August 20, 2004 from The Colinas Group, Inc. (TCG) (Paragraph 6 includes construction plans for the new groundwater monitoring wells proposed in PCAP to evaluate exceedances).



- "Preliminary Contamination Assessment Report (PCAR), Sumter County Closed Landfill," dated January 2005, received on January 24, 2005 from The Colinas Group, Inc. (TCG);
- Responses to FDEP Request for Additional Information (RAI), Proposed Preliminary Contamination Assessment Plan, dated July 27, 2004, received August 2, 2004 from The Colinas Group, Inc. (TCG) (Section 1.3 includes verification that the laboratory, which has been used to perform analysis, is certified by the Department of Health's Environmental Laboratory Certification Program);

*Department Action:*

- The Department requested additional information regarding the Certification of Construction Completion and Survey Record Drawing and the presence of depressions in the Closed Class I Landfill asphalt cover (see "Paragraph 7" comments above).

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order paragraph and **this Consent Order paragraph has been satisfied**.

Paragraph 9 requires the implementation of the Department document "Preliminary Contamination Assessment Actions" (PCAA) within the manner and time frames specified therein.

*Information Received:*

- "Proposed Preliminary Contamination Assessment Plan (PCAP), Sumter County Closed Class I Landfill," dated April 13, 2004, received on April 15, 2004 from The Colinas Group, Inc. (TCG);
- "Responses to FDEP Request for Additional Information (RAI), Proposed Preliminary Contamination Assessment Plan," dated July 27, 2004, received on August 2, 2004 from The Colinas Group, Inc. (TCG);
- The Addendum to the revised Preliminary Contamination Assessment Plan (PCAP), dated August 18, 2004, received on August 20, 2004 from The Colinas Group, Inc. (TCG);
- "Preliminary Contamination Assessment Report (PCAR), Sumter County Closed Landfill," dated January 2005, received on January 24, 2005 from The Colinas Group, Inc. (TCG);

*Department Action:*

- The Department sent a "Conditional Approval of the Preliminary Contamination Assessment Plan (PCAP)" letter to the County on October 11, 2004.
- The Department will provide comments on the PCAR under separate cover.

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order requirement.

Paragraph 10 states that "In the event the Preliminary Contamination Assessment described in Exhibit B reveals the presence of contaminants in the soil, sediment, surface water and/or ground water in violation of the Department's water quality standards or minimum criteria, or reveals presence of contaminants which may reasonably be expected to cause pollution of the surface and/or ground water of the state in excess of such standards or criteria, Respondent shall implement the corrective actions in the manner and within the time frames set forth in the document entitled "Corrective Actions for Contamination Site Cases," incorporated herein as Exhibit C. Such time frames shall begin upon notification by the Department that the presence of contaminants has been confirmed and that such corrective actions are necessary."

*Information Received:*

- The Department has not yet made a determination whether corrective actions will be required. The Department's comments on the PCAR are pending. The County can expect the Department's comments by April 21, 2006.

*Compliance Status:*

- This **Consent Order requirement is pending at this time**.

Paragraph 11 requires the payment of \$2,900 penalty, including \$500 in costs and expenses incurred by the Department during investigation of this matter, within 30 days of the effective date of the Consent Order.

*Information Received:*

- The payment of the penalty was due to the Department on April 16, 2004. The Department received a check in the amount of \$2,900 from the Sumter County Board of County Commissioners on March 29, 2004.

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order paragraph and **this Consent Order paragraph has been satisfied.**

Paragraph 12 states that the Respondent agrees to pay the Department stipulated penalties in the amount of \$500.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 6 through 11 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order..."

*Department Action:*

- No stipulated penalties have been assessed/collected to date.

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order paragraph.

If you have questions about this letter, please contact either me at (813) 632-7600, extension 451, or John Morris, P.G. at (813) 632-7600, extension 336.

Sincerely,

*Stephanie Watson*

Stephanie Watson  
Environmental Coordinator  
Southwest District

cc:

*JS* Susan Pelz, P.E., FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Lisa London, OGC Tallahassee  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613  
Richard L. Potts, Jr., P.G., The Colinas Group, 515 N. Virginia Ave., Winter Park, FL, 32789

**Watson, Stephanie M.**

---

**From:** Morris, John R.  
**Sent:** Thursday, March 02, 2006 8:06 AM  
**To:** Watson, Stephanie M.  
**Subject:** RE: Status of Sumter PCAR

Yes.

-----Original Message-----

**From:** Watson, Stephanie M.  
**Sent:** Thursday, March 02, 2006 8:01 AM  
**To:** Morris, John R.  
**Subject:** RE: Status of Sumter PCAR

Thanks, John. I will probably need to give them a timeframe in my letter of when they can expect comments from DEP on the PCAR. I will draft my response, let Susan look at it, then check with you for a timeframe. Does that sound OK?

Thanks, Stephanie

Stephanie (Petro) Watson, FDEP SW District Office, Solid Waste Section  
Telephone: 813-632-7600, ext. 451 (SunCom 514-9155, ext. 451)  
Facsimile: 813-632-7664 (SunCom fax 514-9219); E-mail: [stephanie.m.watson@dep.state.fl.us](mailto:stephanie.m.watson@dep.state.fl.us)

-----Original Message-----

**From:** Morris, John R.  
**Sent:** Thursday, March 02, 2006 7:59 AM  
**To:** Watson, Stephanie M.  
**Subject:** RE: Status of Sumter PCAR

It is sitting on the corner of my desk, I haven't gone through the PCAR in detail to compare it to the objectives of the "Corrective Actions" document or the C.O. requirements. I need to do that before I can prepare written comments.

-----Original Message-----

**From:** Watson, Stephanie M.  
**Sent:** Wednesday, March 01, 2006 5:41 PM  
**To:** Morris, John R.  
**Subject:** Status of Sumter PCAR

Hi John,

Can you please give me a status update of your review of the Sumter PCAR? I need to draft a response to Sumter County letting them know where we stand with the conditions in the Consent Order.

Thanks, Stephanie

Stephanie (Petro) Watson, FDEP SW District Office, Solid Waste Section  
Telephone: 813-632-7600, ext. 451 (SunCom 514-9155, ext. 451)  
Facsimile: 813-632-7664 (SunCom fax 514-9219); E-mail: [stephanie.m.watson@dep.state.fl.us](mailto:stephanie.m.watson@dep.state.fl.us)

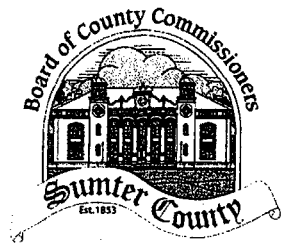




# SUMTER COUNTY SOLID WASTE

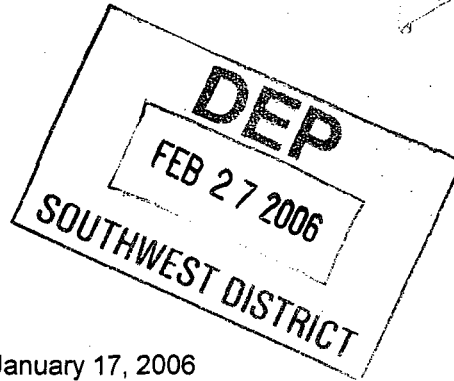
SUMTER COUNTY, FLORIDA

PO Box 1066 • Bushnell, FL 33513 • Phone (352) 793-3368 • Fax (352) 568-0166 • www.scpw.org



February 21, 2006

Bret Galbraith  
Florida Dept. of Environmental Protection  
Southwest District  
13051 North Telecom Parkway  
Temple Terrace, FL 33637-0926



RE: Sumter County Solid Waste Facility Inspection January 17, 2006

Dear Mr. Galbraith:

The purpose of this letter is in response your inspection report of January 17, 2006 received by Sumter County on February 13, 2006.

II C.55: Repairs to asphalt surface over a portion of the closed class I landfill are ongoing to provide drainage for rain runoff. Several low areas had been patched, but several additional areas had been identified ("bird baths") that needed additional repairs.

The whole area is impervious by being capped with asphalt. The Bird Bath is small and evaporates within 24 hours of a rain.

III A.2., 5, 24, V.2: Litter Control. Department staff observed mesh fencing around the MRF area, but litter was still abundant outside the mesh fencing around the facility. It was also observed that the overhead doors to the MRF had been removed. Mr. Jackson (operator) told DEP staff that the overhead doors had been removed due to repetitive damage during operation, and that this probably was the cause for the observed litter. This action contradicts Section 1.0 General Operations Section 1-1 Litter Control of Sumter County's Operation Manual which states that litter is controlled at the facility by daily clean up of the processing areas and regular pick up of litter. We have litter control fencing around the tipping floor, also around the finishing building.

*We have a county employee picking up paper at least one time every day; we also have additional help from SCI Prison labor once a week, or as needed. As you can see by the attached wind speed charts, we had several days of severe winds, causing more than average litter problems. The day after the inspection SCI was called, and litter was taken care of.*

III.A.10, 24, V.2: Department staff observed that a leachate drain within the MRF tipping floor was pretty full, upon further inspection of the sorting area found leachate drains which were inundated with liquid, the leachate sump was also full and the sump pump was not operable. Mr. Jackson indicated that the leachate pump system was broken and that a new pump had been ordered that day. The operator was also informed that if such occurrences should happen in the future, Department staff should be notified immediately. This contradicts S.C.16.b(2) of the facility's permit regarding that failure of any portion of the facility's associated systems should prompt the permittee/operator to immediately notify the Department explaining such occurrence and remedial measures to be taken and time needed for repairs. This also entails S.C.12.a. that states that all floors shall be free of standing liquids.

*The pump for leachate collection has been replaced and is working properly. Leachate in the floor was removed and properly disposed of. The drains are cleaned out once a week in accordance with specific condition 12.B of the facility MRF permit.*

II.C.57: Department staff observed the storage of materials in the storm water pond on the north side of the closed landfill. This contradicts Rule 62-701.300(2)(e), F.A.C. that states that no solid waste shall be stored in any natural or artificial body of water.

*Solid Waste has contacted Road & Bridge to help with the clean up. All materials will be removed and properly disposed of by March 31, 2006.*


III.A.5: Is an Operation and Maintenance Manual available at the facility and is it being followed?

*As per permit at the Solid Waste facility, the operation and maintenance manuals are on hand, and are available upon the department's request. All efforts are made to ensure all regulations and operating procedures are followed and kept current.*

The inspection report was not signed by County staff due to the lateness of the day. Department staff stated a copy will be forwarded in a week to ten (10) days.

If you have further concerns or questions, please contact us. We look forward to full compliance with the Department of Environmental Protection.

Regards,

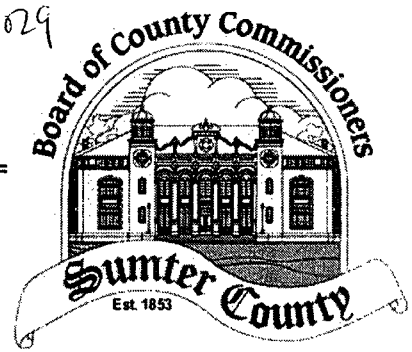
  
Jackey Jackson  
Assistant Public Works Director

276029

# Board of County Commissioners

## Sumter County, Florida

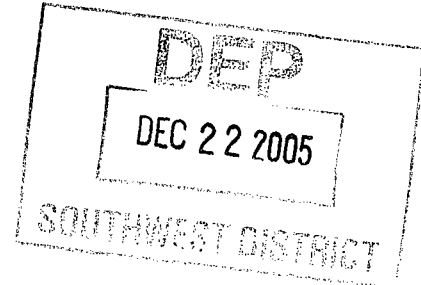
209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX: (352) 793-0207  
SunCom: 665-0200 • Website <http://sumtercountyfl.gov>



December 18, 2005

### CERTIFIED MAIL

Ms. Susan Pelz, Environmental Engineer  
SW District Office  
Florida DEP  
13051 N. Telecom Pkwy.  
Temple Terrace, FL 33637-0926



**Re:** Sumter County MCO and FCA Follow-up

Dear Ms. Pelz:

I am writing to follow-up with the DEP SW District office on Sumter County's Model Consent Order requirements and the 2005 Financial Closure Assurance submittal. I wanted to request an update on the status of these items. The Board of County Commissioners has asked me to provide them an update and I need your feedback in order to do this.

The County has previously submitted to the District the Preliminary Contamination Assessment Report (PCAR) and completed the closed landfill cap repair both requirements of the MCO. In addition, we have also submitted our FCA documents for 2005. Since we have not yet heard back as to whether the required documents meet with your approval, I wanted to make sure staff has received everything needed from the County. I would like to bring closure to these items through the District's response.

Richard "Dick" Hoffman, Dist 1  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Randy Mask, Dist 5  
Office: (352) 793-0200  
Home: (352) 793-3930  
209 North Florida Street  
Bushnell, FL 33513

Joey A. Chandler, Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Bernard Dew, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Michael E. Francis, Dist 3  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Jim Roberts, Vice Chairman  
Dist 4, (352) 793-4776  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

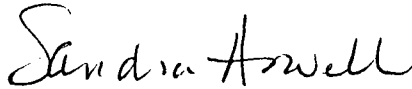
Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

Letter to Susan Pelz  
December 19, 2004

Page 2

Please contact me if you have any questions or comments. I look forward to hearing back from you so that I know what to tell the Board.

Sincerely,



Sandra Howell  
Assistant County Administrator

xc: Steve Morgan, Southwest DEP District, Enforcement Coordinator  
John Morris, Southwest DEP District, Enforcement Coordinator  
Stephanie Petro, Southwest DEP District, Enforcement Coordinator  
Bernard Dew, County Administrator, Sumter County  
Tommy Hurst, Public Works Director, Sumter County  
Gary Reynolds, Finance Director, Sumter County  
Jackey Jackson, Assistant Public Works Director  
Rick Potts, The Colinas Group  
Joe Miller, PBS&J  
Mitch Kessler/Miriam Zimms, Kessler Consulting, Inc.



**Watson, Stephanie M.**

---

**From:** Howell, Sandee [Sandra.Howell@sumtercountyfl.gov]  
**Sent:** Monday, December 19, 2005 2:30 PM  
**To:** Howell, Sandee  
**Cc:** Dew, Bernard; Hurst, Tommy; Jackson, Jackey; County Clerk - Finance; mzimms@kesconsult.com; Morris, John R.; Morgan, Steve; Watson, Stephanie M.; jlmiller@pbsj.com; Richard L. Potts (Business Fax); Mitch Kessler  
**Subject:** Copy of Letter request Status of MCO

***Please change your records to reflect my new e-mail address shown below.***

***Sandra Howell***

Assistant County Administrator  
(352) 793-0200 - voice  
(352) 793-0259 - fax

209 North Florida Street  
Bushnell, Florida 33513

Sandra.Howell@sumtercountyfl.gov

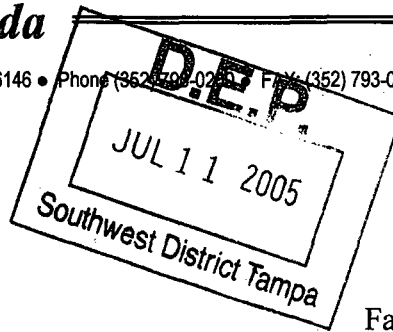
**\*\*\*\*\* Important Notice \*\*\*\*\***

**The Board of Sumter County Commissioners is a public agency subject to Chapter 119 of Florida Statutes concerning public records.**

# Board of County Commissioners

## Sumter County, Florida

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • Fax (352) 793-0207  
SunCom: 665-0200 • Website <http://sumtercountyfl.gov>



July 7, 2005

Faxed to (813-744-6125)

Ms. Lora Ross  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619-8318

RE: Sumter County Solid Waste Facility Inspection June 23, 2005

Dear Ms. Ross:

The purpose of this letter is to respond to your inspection report of June 23, 2005, of our facility.

Section II, C. items 55, 60, and 62: The county repaved the asphalt pad, however, a few depressions with standing water was still observed.

*We are aware of small depressions in the asphalt cover have scheduled additional asphalt fill with our contractor. We expect this item to be resolved in July pending weather conditions.*

Section III, A. items 5, 6, 14, and 24: Department personnel observed the following materials in the Class III waste: filter, toy, MSW, fly's, tire, gas can, and a drum. In addition, the facility is crushing large materials such as boats, fiberglass tanks.

*Items sited have been removed from Class III waste.*

Section III, A. item 13: Two loads of material at the CDA CL3 and C&D were observed being unloaded without a spotter.

*Because of the reduction in force at the facility occurring June 10, 2005, some positions having spotter certifications were eliminated. Additional staff will attend training in July 2005. Employee Lonnie Cash, who was with your inspection team, is an accredited spotter.*

Richard "Dick" Hoffman, Dist 1  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Joey A. Chandler, Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Michael E. Francis, Dist 3  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Jim Roberts, Vice Chairman  
Dist 4, (352) 793-4776  
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Bushnell, FL 33513-6146

Randy Mask, Dist 5  
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209 North Florida Street  
Bushnell, FL 33513

Bernard Dew, County Administrator  
(352) 793-0200  
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Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

Section III, A. item 24: The MSW roll-offs doors were open and tarps are not available during inclement weather.

*Tarps are available and will be used in inclement weather.*

Section V, item 2: The following deviations were observed: a) Ponding water was observed at the sludge storage area, b) A break in the concrete pad on west side of building.

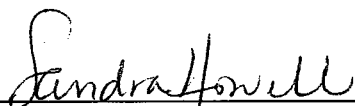
*Ponding of water does occur during inclement weather. We are currently working on a redesign of the facility and will review solutions to this problem. The break in the concrete pad has been repaired.*

SC F-K – The temperature is not being maintained in the digester.

*Sumter County has written several letters to the DEP requesting a meeting to review this problem. A permit modification is being drafted to address this concern.*

If you have further concerns or questions, please contact us. We look forward to full compliance with the Department of Environmental Protection.

Very truly yours,

By   
Sandra Howell  
Assistant County Administrator

cc: Tommy Hurst, Director of Public Works  
Chuck Jett, Solid Waste Superintendent  
Mitch Kessler, Kessler Consulting Inc.

## SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

2. Article  
(Transf

PS Form

## COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Jessica Clark*☐ Agent☐ Addressee

B. Received by (Printed Name)

*Jessica Clark*

C. Date of Delivery

*7-15-05*

D. Is delivery address different from item 1?

☐ Yes

If YES, enter delivery address below:

☐ No

3. Service Type

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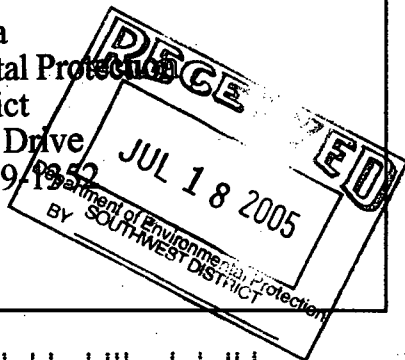


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Department of Environmental Protection  
Southwest District  
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Stephanie Petro/Solid Waste



0083



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Sumter County BCC  
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Bushnell, FL 33513

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0002 3150 0003 8464 0122



Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

July 14, 2005

CERTIFIED MAIL 7002 3150 0003 8464 0122  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Repair Plan for the Closed Class I Landfill Asphalt Cover  
Certification of Construction Completion and Survey Record Drawing

Dear Mr. Dew:

The Department has reviewed the "Certification of Construction Completion" (Certification) and "Survey Record Drawing" for the Repair Plan for the Closed Class I Landfill Cover dated May 19, 2005, received on May 20, 2005, which was submitted by PBS&J. The Certification requests a Department site inspection "during the next scheduled FDEP Facility inspection." Department staff inspected the Sumter County Solid Waste Management Facility on June 23, 2005. During the inspection, staff observed that the Closed Class I Landfill had been repaved with asphalt. However, staff observed several depressions in the asphalt cover, that the depressions were filled with ponded water, and that the depressions had been outlined with a white marker. It was the Department's expectation that the depressions would be repaired when the repair to the Closed Class I Landfill asphalt cover was completed. Please provide an explanation, in writing, of the steps that the County is taking to repair the depressions, including a timeframe/schedule for repair.

In accordance with paragraph 7 of the above-referenced Model Consent Order, "all additional information shall be submitted to the Department within 30 days of receipt of the Department's written request." This letter constitutes the Department's written request for additional information.

If you have questions about this letter, please contact either me at (813) 744-6100, extension 451.

Sincerely,

*Stephanie Petro*  
Stephanie Petro  
Environmental Coordinator  
Southwest District

cc: Susan Pelz, P.E., FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Lora Ross, FDEP Tampa  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613  
Joe Miller, P.E., PBS&J, 482 South Keller Road, Orlando, FL 32810  
Chuck Jett, Sumter County Solid Waste Superintendent, P.O. Box 1066, Bushnell FL 33513

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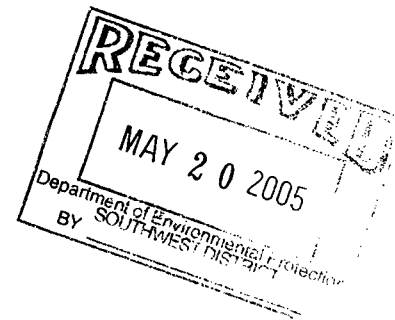


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file copy  
276029

May 19, 2005

Stephanie Petro, Environmental Coordinator  
Southwest District  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619



RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131 Compliance with Model Consent Order  
Repair Plan for the Closed Class I Landfill Asphalt Cover  
Certification of Construction Completion and  
Survey Record Drawing

Dear Ms. Petro:

PBS&J is submitting two copies the Certification of Construction Completion for the repair and repaving of the asphalt cover on the Sumter County Closed Class I Landfill as per the Model Consent Order OGC Case No. 04-0131 executed March 17, 2004. Also enclosed are two signed and sealed record survey drawings showing the asphalt repaving limits, and the final asphalt surface elevations.

Sumter County has been advised that they must maintain the asphalt cover by sealing any cracks that develop, and filling depressions that retain water with asphalt.

If you have any questions, please call me at 407-647-7275 Ext. 4153.

Sincerely,

Joe Miller, P.E. #39177  
Project Engineer

Cc: Tommy Hurst, Sumter County Public Works Director  
Chuck Jett, Sumter County Solid Waste Superintendent  
Miriam Zimms, Kessler Consulting Inc.  
File 071475.01-0001

U:\OldG\WASTEMAN\SUMTER\Repair Plan\May 19, 2005 ltr to FDEP.doc

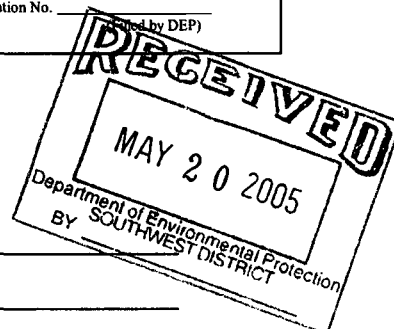




Florida Department of Environmental Protection  
Twin Towers Office Bldg. • 2600 Blair Stone Road • Tallahassee, FL 32399-2400

DEP Form # 62-701.900(2)  
Form Title Certification of Construction Completion  
Effective Date May 19, 1994

DEP Application No. \_\_\_\_\_  
Signed by DEP) \_\_\_\_\_



### Certification of Construction Completion of a Solid Waste Management Facility

DEP Construction Permit No: OGC Case No. 04-0131 County: Sumter

Name of Project: Sumter County Solid Waste Management Facility

Name of Owner: Sumter County Board of County Commissioners

Name of Engineer: Joe Miller, PBS&J, 482 S. Keller Rd., Orlando, FL. 32810

Type of Project: Repair and repaving of closed Class I Landfill asphalt cover as required by the  
Model Consent Order(MCO) No. 04-0131 executed on March 17, 2004.

Cost: Estimate \$ 200,000 Actual \$ \$150,000

Site Design: Quantity: NA ton/day Site Acreage: Cap Repaved 5.8 +/- Acres

Deviations from Plans and Application Approved by DEP: None

Address and Telephone No. of Site: 835 CR 529, Lake Panasoffkee, FL 33538

Telephone # 352-793-3368

Name(s) of Site Supervisor: Chuck Jett, Solid Waste Superintendent

Date Site inspection is requested: During next scheduled FDEP Facility inspection.

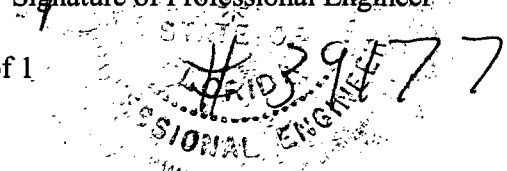
This is to certify that, with the exception of any deviation noted above, the construction of the project has been completed in substantial accordance with the plans authorized by Construction

Permit No. OGC Case # 04-0131 / 22926-003-SF :Dated: Model Consent Order dated 03/17/04

Date: May 19, 2005

*Joseph J. Miller*  
Signature of Professional Engineer

Page 1 of 1



Northwest District  
160 Governmental Center  
Pensacola, FL 32501-5794  
850-595-8360

Northeast District  
7825 Baymeadows Way, Ste. B200  
Jacksonville, FL 32256-7590  
904-448-4300

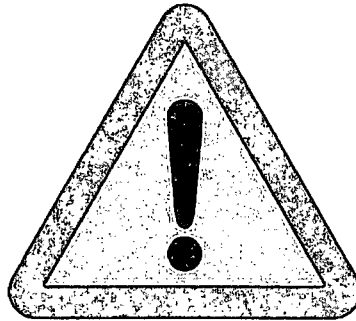
Central District  
3319 Maguire Blvd., Ste. 232  
Orlando, FL 32803-3767  
407-894-7555

Southwest District  
3804 Coconut Palm Dr.  
Tampa, FL 33619  
813-744-6100

South District  
2295 Victoria Ave., Ste. 364  
Fort Myers, FL 33901-3881  
941-332-6975

Southeast District  
400 North Congress Ave.  
West Palm Beach, FL 33401  
561-681-6600

# ATTENTION



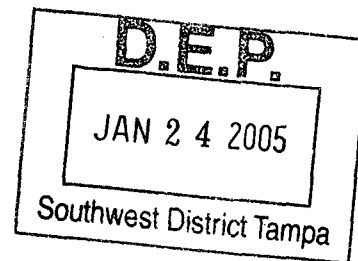
**Blueprints were  
removed from this  
location in the file and  
inserted separately.**

---

**THE COLINAS GROUP, INC.**  
HYDROGEOLOGISTS & ENGINEERS

---

January 20, 2005



Florida Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, FL 33619

Attn: Deborah A. Getzoff, District Director

Subj: Submission of Preliminary Contamination Assessment Report  
Sumter County Closed Class I Landfill  
Consent Order/OGC File No. 04-0131  
Board of County Commissioners  
Sumter County, Florida

Dear Ms. Getzoff:

On behalf of the Sumter County Board of County Commissioners The Colinas Group, Inc. herewith submits two (2) signed and sealed original copies of the report entitled:


**Preliminary Contamination Assessment Report (PCAR), Sumter County Closed Class I Landfill, Sumter County, Florida.**

The report is submitted in satisfaction of Item 9 and Item 10 of the Consent Order between the Department and the Sumter County Board of County Commissioners and the requirements of the Preliminary Contamination Assessment Plan approved by the Department.

The PCAR was prepared by The Colinas Group, Inc. for Kessler Consulting, Inc. on behalf of Sumter County. The report is signed and sealed by the professional geologist responsible for its preparation.

If you have any questions concerning this submittal, please do not hesitate to contact Sumter County ( Bernard Dew (352) 793-0200 or Chuck Jett (352) 793-3368) or myself at your convenience.

Very truly yours,  
**THE COLINAS GROUP, INC.**

1/2/05   
Richard L. Potts, Jr., P.G.  
Principal Consultant  
FL P.G. Reg. No.1113

cc: Susan Pelz, P.E., FDEP  
Stephanie Petro, FDEP ✓  
Bernard Dew, Sumter county  
Chuck Jett, Sumter County  
Miriam Zimms, Kessler Consulting, Inc.

**Petro, Stephanie**

**From:** Petro, Stephanie  
**Sent:** Tuesday, January 04, 2005 2:25 PM  
**To:** 'Miriam Zimms'  
**Cc:** Morris, John R.; cjett@scpw.org; bdew@bocc.co.sumter.fl.us; Mitch Kessler; rickpotts@cfl.rr.com; Jose Rivera; Pelz, Susan; Morgan, Steve  
**Subject:** RE: PCAR Extension Requested

Miriam,

The Department does not object to your request for an extension of two weeks from January 9th to January 24, 2005 to submit the PCAR. The Department looks forward to the submittal of the PCAR on January 24, 2005.

Stephanie

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Monday, January 03, 2005 3:57 PM  
**To:** Petro, Stephanie  
**Cc:** Morris, John R.; cjett@scpw.org; bdew@bocc.co.sumter.fl.us; Mitch Kessler; rickpotts@cfl.rr.com; Jose Rivera  
**Subject:** PCAR Extension Requested

Dear Stephanie-

Happy New Year and I hope you enjoyed the holidays.

I wanted to touch base with you regarding the upcoming PCAR deadline.

PCAR Extension Request:

On behalf of Sumter County and the project team (The Colinas Group), we are requesting an extension of two weeks FROM January 9th TO January 24, 2005 to submit the PCAR.

Request Justification:

We had new well MW-4B that was accidentally damaged by a forklift in mid December. We attempted to have the drilling contractor repair the well over Christmas/New Year to perform the necessary sampling/testing required by the PCAR at this pivotal location, but were unsuccessful. As the nitrate issue and the potential for septic tank impacts is probably one of the most important aspects of the PCAR, we believe it prudent to repair the wellhead, retake water level measurements at each of the three wells (MW-4, MW-4A and MW-4B), and survey top of casing elevation at the repaired MW-4B. When the well is repaired we propose to install 4 bumper posts around the well to prevent future damage. The well is located in an open area used by vehicles associated with the animal control facility.

Well Repair and PCAR Submittal:

We have scheduled repair of well MW-4B with the drilling subcontractor for next Monday (January 10, 2005). Once completed the survey for elevation at the well and measurements of groundwater elevations will be completed within one week (by January 17, 2005). The PCAR (report) can then be completed and delivered to the FDEP by January 24, 2005.

Next Steps:

I look forward to hearing back from you regarding this extension request.

Thanks,

Miriam Zimms  
Kessler Consulting, Inc.  
[www.kesconsult.com](http://www.kesconsult.com)  
813-971-8333, x 22

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1/4/2005

**Petro, Stephanie**

**From:** Morris, John R.  
**Sent:** Monday, January 03, 2005 5:46 PM  
**To:** Petro, Stephanie  
**Cc:** Pelz, Susan  
**Subject:** FW: PCAR Extension Requested

Steph:

I got a call from Rick Potts first thing this morning about this issue after he tried to contact you. I indicated that you were the correct person to direct any time extension request, but that in your absence I'd try to address his questions. After hearing the details of what had gone on, I indicated that from a technical perspective, I thought the time extension was a reasonable request as it was for a relatively short duration and the water level/direction of ground water flow in the vicinity of the "off-site" septic tanks was a key sticking point in the long-term care permit renewal. I also indicated that I could not guarantee that the extension would be granted or that penalties might not be involved (although I did add that it was not our intention to assess penalties to the County regardless of the circumstances).

I recommended that Rick include a schedule for implementation of repairs to the well and getting the surveyor out to the facility in the time extension request as a means to give us a level of comfort that we would likely get the submittal by the proposed new deadline. I told him that the County and Kessler were very concerned about deadlines and penalties associated with the Consent Order and that they should be involved in the discussion (so it did not come down to just between Rick and me talking about the extension). I guess he took my comments to heart based on this message coming from Miriam.

Seems like a reasonable request to me, so I recommend we grant their time extension.

John

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Monday, January 03, 2005 3:57 PM  
**To:** Petro, Stephanie  
**Cc:** Morris, John R.; cjett@scpw.org; bdew@bocc.co.sumter.fl.us; Mitch Kessler; rickpotts@cfl.rr.com; Jose Rivera  
**Subject:** PCAR Extension Requested

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**PCAR Extension Request:**

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**Request Justification:**

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**Well Repair and PCAR Submittal:**

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1/4/2005

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COUNTY COMMISSIONERS  
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BUSHNELL, FL 33513

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4a. Article Number

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MR. BERNARD DEW, COUNTY ADM  
SUMTER COUNTY BOARD OF  
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209 NORTH FLORIDA STREET  
BUSHNELL, FL 33513

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| <input checked="" type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD                  |

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5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X

*Bernard Dew*

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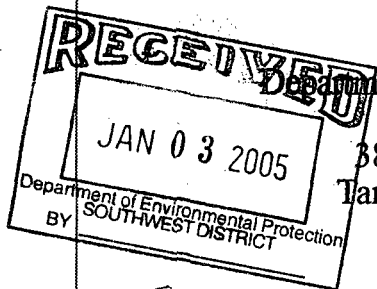


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Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-1352

*Stephanie Peters*

63 *Walter M. Peters*



Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

December 28, 2004

CERTIFIED MAIL 7002 3150 0003 8459 6665  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Approval of Plan to Repair Closed Class I Asphalt Cover

Dear Mr. Dew:

The Department has reviewed the submittal entitled "Repair Plan for the Closed Class I Landfill Asphalt Cover," dated October 29, 2004, received on November 1, 2004 from PBS&J, which includes a one-page plan to repair the Closed Class I Landfill asphalt cover and a Drawing entitled "Repair Plan for Closed Class I Landfill Asphalt Cover" (Repair Plan Drawing). This letter constitutes the Department's **approval** of the proposed repair activities.

It is the Department's understanding that the County will implement the repair activities in accordance with the revised schedule submitted to the Department on December 20, 2004 (attached) and that the County will submit an as-built drawing to the Department on May 20, 2005. If you have questions, please contact me at (813) 744-6100, extension 451.

Sincerely,

Stephanie Petro  
Environmental Coordinator  
Southwest District

Attachment: Revised Timeline for the Repair of Closed Landfill Asphalt Cover

cc: Susan Pelz, P.E., FDEP Tampa  
Stephanie Petro, FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Tommy Hurst, Public Works Director, same address as above  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613  
Joe Miller, P.E., PBS&J, 482 South Keller Road, Orlando, FL 32810

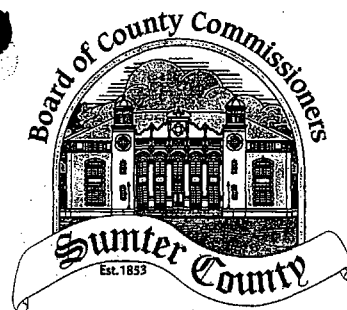
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# Board of County Commissioners

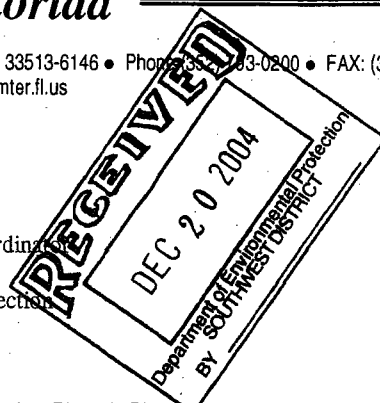
## Sumter County, Florida

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SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



December 17, 2004

Stephanie Petro, Enforcement Coordinator  
Southwest District  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619



RE: Revised Repair Plan for the Closed Class I Landfill Asphalt Cover for the Sumter County Solid Waste, Recycling, and Composting Facility, (SWRCF), Sumter County, Florida

Dear Ms. Petro:

Please find below Sumter County's revised Repair Timeline for the Closed Class I Landfill asphalt cover as a response to the request in your email dated December 8, 2004 to Miriam Zimms.

### Revised Timeline for the Repair of Closed Landfill Asphalt Cover

Tasks	Deadlines
Remove equipment from cover and spray vegetation with herbicide	January 15, 2005
Place and compact limerock according to revised drawing; place a tack coat on the asphalt or limerock base surface; place a minimum 1" layer of Type S-III asphalt over existing cover	April 29, 2005
Resurvey the asphalt cover	May 13, 2005
Submit as-built drawing to the DEP	May 20, 2005

The tasks for this revised timeline were obtained from the plan description on the last submittal by PBS&J to DEP on November 1, 2004 in response to an RAI. After this submittal, approval of the repair plan was received on December 8, 2004 in an email addressed to Miriam Zimms. In the same email, a revised schedule was requested. Please disregard the Repair Plan timeline submitted in the TCAP Phase II, as the County intends to follow the schedule presented here.

Please review this schedule and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

*Tommy Hurst*  
Tommy Hurst  
Public Works Director

xc: Bernard Dew, County Administrator  
Chuck Jett, SWRCF Superintendent  
David Deans, PBS&J  
Joe Miller, PBS&J  
Miriam Zimms, Kessler Consulting, Inc.

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Bushnell, FL 33513

Joey A. Chandler, Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
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Jim Roberts, Vice Chairman  
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209 North Florida Street  
Bushnell, FL 33513

Bernard Dew, County Administrator  
(352) 793-0200  
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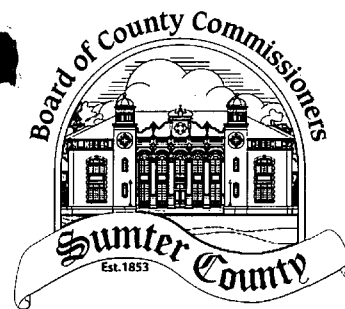
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County Attorney  
(352) 793-4040 P.O. Box 58  
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# Board of County Commissioners

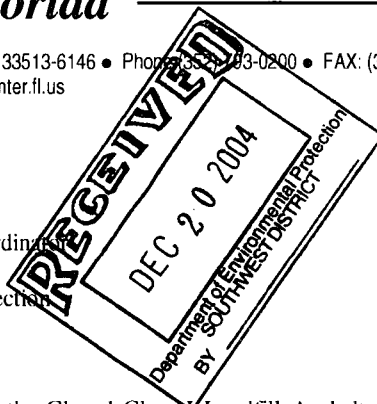
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December 17, 2004

Stephanie Petro, Enforcement Coordinator  
Southwest District  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619



RE: Revised Repair Plan for the Closed Class I Landfill Asphalt Cover for the Sumter County Solid Waste, Recycling, and Composting Facility, (SWRCF), Sumter County, Florida

Dear Ms. Petro:

Please find below Sumter County's revised Repair Timeline for the Closed Class I Landfill asphalt cover as a response to the request in your email dated December 8, 2004 to Miriam Zimms.

### Revised Timeline for the Repair of Closed Landfill Asphalt Cover

Tasks	Deadlines
Remove equipment from cover and spray vegetation with herbicide	January 15, 2005
Place and compact limerock according to revised drawing; place a tack coat on the asphalt or limerock base surface; place a minimum 1" layer of Type S-III asphalt over existing cover	April 29, 2005
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Submit as-built drawing to the DEP	May 20, 2005

The tasks for this revised timeline were obtained from the plan description on the last submittal by PBS&J to DEP on November 1, 2004 in response to an RAI. After this submittal, approval of the repair plan was received on December 8, 2004 in an email addressed to Miriam Zimms. In the same email, a revised schedule was requested. Please disregard the Repair Plan timeline submitted in the TCAP Phase II, as the County intends to follow the schedule presented here.

Please review this schedule and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

Tommy Hurst  
Public Works Director

cc: Bernard Dew, County Administrator  
Chuck Jett, SWRCF Superintendent  
David Deans, PBS&J  
Joe Miller, PBS&J  
Miriam Zimms, Kessler Consulting, Inc.

Richard "Dick" Hoffman, Dist 1  
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209 North Florida Street  
Bushnell, FL 33513

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Bushnell, FL 33513

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(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

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 SunCom: 685-0200 • Website <http://bocc.co.sumter.fl.us>



December 17, 2004

Stephanie Petro, Enforcement Coordinator  
 Southwest District  
 Department of Environmental Protection  
 3804 Coconut Palm Drive  
 Tampa, Florida 33619

RE: Revised Repair Plan for the Closed Class I Landfill Asphalt Cover for the Sumter County Solid Waste, Recycling, and Composting Facility, (SWRCF), Sumter County, Florida

Dear Ms. Petro:

Please find below Sumter County's revised Repair Timeline for the Closed Class I Landfill asphalt cover as a response to the request in your email dated December 8, 2004 to Miriam Zimms.

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Please review this schedule and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

*Tommy Hurst*  
 Tommy Hurst  
 Public Works Director

cc: Bernard Dew, County Administrator  
 Chuck Jeff, SWRCF Superintendent  
 David Deans, PBS&J  
 Joe Miller, PBS&J  
 Miriam Zimms, Kessler Consulting, Inc.

Richard "Dick" Hoffman, Dist 1  
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 County Attorney  
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 Lake Panasoffkee, FL 33538

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## **Sumter County, Florida**

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### **F A X M E M O R A N D U M**

**To:** Stephanie Petro, DEP  
**Fax #:** 813-744-6125  
**From:** Tommy Hurst  
**Date:** December 17, 2004  
**RE:** Revised Timeline for the Repair of Closed Landfill  
Asphalt Cover.  
**Number of Pages (including this cover sheet):** 2

Richard "Dick" Hoffman, Dist 1  
(352) 753-1592 or 793-0200  
209 North Florida Street  
Bushnell, FL 33513

Randy Mask, Dist 5  
(352) 793-0200  
209 North Florida Street  
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Bushnell, FL 33513-6146

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538



**Petro, Stephanie**

**From:** Miriam Zimms [mzimms@kesconsult.com]  
**Sent:** Monday, December 13, 2004 10:34 AM  
**To:** Petro, Stephanie  
**Cc:** Morgan, Steve; Morris, John R.; bdew@bocc.co.sumter.fl.us; Pelz, Susan; Jose Rivera; Chuck Jett (E-mail); Joe Miller (E-mail)  
**Subject:** RE: TCAP Phase II - Asphalt Repair Cover Inquiry

Hi Stephanie-

The county will be sending you a letter with a revised timeline.

Happy Holidays,  
Miriam Zimms  
[www.kesconsult.com](http://www.kesconsult.com)  
sum permit 0607

-----Original Message-----

**From:** Petro, Stephanie [mailto:Stephanie.Petro@dep.state.fl.us]  
**Sent:** Wednesday, December 08, 2004 12:44 PM  
**To:** Miriam Zimms  
**Cc:** Morgan, Steve; Morris, John R.; bdew@bocc.co.sumter.fl.us; Pelz, Susan  
**Subject:** RE: TCAP Phase II - Asphalt Repair Cover Inquiry

Miriam,

I just tried to call you, but you were at lunch. I have been handling some of the documents directly related to the Consent Order, which is why the Department's RAI response letter of October 11, 2004 was signed by me.

The District has reviewed the PBS&J submittal (received November 1, 2004) regarding the plan to repair the asphalt cover of the Closed Class I Landfill and does not have any technical objections.

The schedule for implementation of these repair activities is included in TCAP Phase II, dated August 17, 2004. Please review this schedule and let me know if the County still plans to meet these deadlines, specifically the December 17, 2004 deadline (which is soon approaching). If this schedule requires revision, please submit a revised schedule to the Department, to my attention. Once I receive this information from you regarding the schedule, I will send an approval letter to the County.

Please forward this email to Joe Miller as I don't have his email address.

Thanks,  
Stephanie Petro  
Environmental Specialist III  
Solid Waste Compliance/Enforcement  
Southwest District  
(813) 744-6100, ext. 451 or SunCom 512-1042  
[stephanie.petro@dep.state.fl.us](mailto:stephanie.petro@dep.state.fl.us)

-----Original Message-----

**From:** Morgan, Steve  
**Sent:** Wednesday, December 08, 2004 7:25 AM  
**To:** Petro, Stephanie  
**Subject:** FW: TCAP Phase II - Asphalt Repair Cover Inquiry

Stephanie:

FYI and response.

-----Original Message-----

12/14/2004

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]

**Sent:** Tuesday, December 07, 2004 5:46 PM

**To:** Morgan, Steve

**Cc:** Chuck Jett (E-mail); Bernard Dew (E-mail); Bernard Dew (E-mail 2); Mitch Kessler; Pelz, Susan; Jose Rivera; Joe Miller (E-mail)

**Subject:** TCAP Phase II - Asphalt Repair Cover Inquiry

Hi Steve:

Happy Holidays.

Just checking in on the status of the Asphalt Repair Cover item in TCAP Phase II/MCO. Here's what I have regarding the status of this Sumter County TCAP Phase II item.

- 1) The County did get an RAI in relation to the asphalt cover repair plan that was submitted by PBS&J on October 11th.
- 2) PBS&J submitted a response on October 29th.
- 3) County/Engineer have not heard back from the DEP on this item.
- 4) Can you tell me the status of this response and if you foresee this being approved soon so the engineer and the County can begin planning preparation?

Also, there was a new DEP staff person's name that I noticed on the RAI response. Is this the person that I should be directing my inquiries to know or is it still you?

Additionally, still waiting to hear back from the DEP staff about setting up a meeting to discuss the Biosolids item in the County's Compost Permit. We'd like to try and set-up a meeting with DEP staff in January.

I look forward to hearing back from you.

Regards,  
Miriam Zimms  
Kessler Consulting, Inc.  
www.kesconsult.com  
813-971-8333, x 22

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**Petro, Stephanie**

**From:** Morris, John R.  
**Sent:** Tuesday, November 23, 2004 6:52 PM  
**To:** 'rick potts'; Petro, Stephanie  
**Cc:** Chuck Jett; Miriam Zimms; Jose Rivera; Pelz, Susan  
**Subject:** RE: Sumter County Closed Landfill - PCA Wells

Rick:

I'm responding to your e-mail on behalf of Stephanie due to her absence from the office. The Department does not object to the reduced notice period regarding the sampling event at the new wells associated with the PCAP that is planned for November 29, 2004.

John

---

John R. Morris, P.G.  
Solid Waste Section, Southwest District Office  
Telephone: 813-744-6100, ext. 336 (suncom 512-1042, ext. 336)  
Facsimile: 813-744-6125  
E-mail: john.r.morris@dep.state.fl.us

-----Original Message-----

**From:** rick potts [mailto:rickpotts@cfl.rr.com]  
**Sent:** Friday, November 19, 2004 3:22 PM  
**To:** Petro, Stephanie  
**Cc:** Morris, John R.; Chuck Jett; Miriam Zimms; Jose Rivera  
**Subject:** Sumter County Closed Landfill - PCA Wells

Stephanie,

We have completed installation of the three (3) new monitoring wells called for in the PCAP. The wells were installed and successfully developed on November 15 - 17, 2004. We are preparing to sample groundwater at the new wells and have scheduled the sampling date for November 29, 2004.

Accoding to the Sumter County Model Consent Order, we are required to give the Department 20 days advance notice of scheduled field events, including groundwater sampling. Obviously, our proposed schedule is a little short of 20 days.

Considering the PCAP deadline, the upcoming holiday season and everyones' recent recovery from the hurricanes, we ask that the Department consider our proposed sampling date and, perhaps accept a shorter notice period.

Thank you for your help in this matter.

Richard L. Potts, Jr. P.G.  
THE COLINAS GROUP, INC.  
509 N. Virginia Avenue  
Winter Park, Florida 32789  
Voice: (407) 622-8176  
Fax: (407) 622-8196  
Cell: (407) 620-5779

11/30/2004

**Petro, Stephanie**

---

**From:** rick potts [rickpotts@cfl.rr.com]  
**Sent:** Thursday, November 18, 2004 2:26 PM  
**To:** Morris, John R.  
**Cc:** Petro, Stephanie; Chuck Jett; Miriam Zimms; Jose Rivera  
**Subject:** Sumter County Landfill

John,

This email is a correction to my earlier email today:

I referred to wells MW-4, MW-4A and MW-4B as being near the facility biosolids handling pad. In fact, the pad in question is the compost handling pad and not the biosolids handling pad.

Please excuse my mistake.

Richard L. Potts, Jr. P.G.  
THE COLINAS GROUP, INC.  
509 N. Virginia Avenue  
Winter Park, Florida 32789  
Voice: (407) 622-8176  
Fax: (407) 622-8196  
Cell: (407) 620-5779

11/18/2004

**Petro, Stephanie**

**From:** rick potts [rickpotts@cfl.rr.com]  
**Sent:** Thursday, November 18, 2004 2:00 PM  
**To:** Morris, John R.  
**Cc:** Petro, Stephanie; Chuck Jett; Miriam Zimms; Jose Rivera  
**Subject:** Sumter County Landfill

John:

Confirming our telephone conversation of November 15, 2004, we have installed the three (3) new monitoring wells at the Sumter County Closed Landfill called for in the PCAP.

Well MW-2A was installed in the vicinity of existing MW-2, although the location was altered somewhat in response to review of historical groundwater flow mapping and other site conditions. We reviewed twenty (20) groundwater contour maps prepared for routine quarterly reporting dating back to July 1998. From that review we notice that apparent groundwater flow at the site and near MW-2 was predominantly to the north/northwest (16 of 20 maps or 80%), to the west/southwest on 3 maps (15%) and to the west on 1 map (5%).

Of note is an active Sumter County 16" non-potable water well fitted with an electric 60 hp vertical turbine pump and situated about 1400 feet due south of MW-2. Use of this well may affect water level readings at MW-2 if readings are taken during or immediately after pump operation. Water level maps of the landfill are drawn at contour intervals of 0.1 feet.

Considering available groundwater contour maps and apparent flow directions, new well MW-2A was located to the west of the closed landfill cell, about 280 feet north of MW-2 and immediately north of the lined stormwater holding pond along the southwest margin of the closed cell.

New well MW-4A was located 75 feet northwest and along the south edge of the biosolids holding pad from existing MW-4. We determined that MW-4 is located 100 feet from the edge of waste to the southeast. New well MW-4B was located due north of MW-4 on the north side of the biosolids handling pad.

Please let me know if you have any questions.

Richard L. Potts, Jr. P.G.  
THE COLINAS GROUP, INC.  
509 N. Virginia Avenue  
Winter Park, Florida 32789  
Voice: (407) 622-8176  
Fax: (407) 622-8196  
Cell: (407) 620-5779

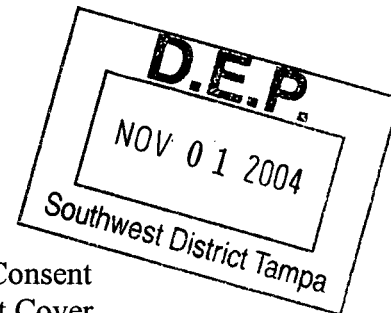
11/18/2004



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October 29, 2004

Stephanie Petro, Environmental Coordinator  
Southwest District  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619



RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131 Compliance with Model Consent  
Repair Plan for the Closed Class I Landfill Asphalt Cover.

Dear Ms. Petro:

PBS&J is submitting this response to your letter of October 11, 2004, and four copies of the revised plan to repair the Closed Class I Landfill asphalt cover.

The following are our responses to the numbered items in your letter:

- 1) There will be no milling of existing asphalt in the revised plan. Limerock will be placed in depressions on the asphalt cover prior to the final paving.
- 2) The repair plan was revised and limerock will be used to fill depressions.
- 3) The direction of the north arrow was corrected.
- 4) Limerock will be placed in depressions to level the surface.
- 5) The repair plan was revised to indicate the depressions on the asphalt cover that will be filled with limerock.

The revised repair plan is attached, and is as follows:

- Remove all the equipment, piles, etc. from the asphalt cover.
- Spray any vegetation growing in cracks with herbicide.
- Sweep the asphalt surface.
- Place and compact limerock base material in depressions in the areas indicated on the revised drawing.
- Place a tack coat on the asphalt or limerock base surface.
- Place a minimum 1" thick layer of Type S-III asphalt over the existing asphalt or limerock base. The final surface will have a minimum grade of 0.5%.
- Resurvey the asphalt cover, and submit an as-built drawing to FDEP.

Sincerely,

Joe Miller, P.E. #39127  
Project Engineer

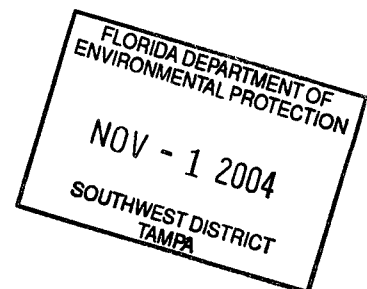
Ms. Stephanie Petro, ●EP

October 29, 2004

Page 2 of 2

Cc: Bernard Drew, Sumter County Administrator  
Chuck Jett, Sumter County  
Miriam Zimms, Kessler Consulting Inc.

U:\OldG\WASTEMAN\SUMTER\Repair Plan\October 29, 2004 ltr to FDEP.doc



**Petro, Stephanie**

---

**From:** Miriam Zimms [mzimms@kesconsult.com]  
**Sent:** Tuesday, October 26, 2004 1:22 PM  
**To:** Pelz, Susan  
**Cc:** Jose Rivera; Petro, Stephanie; Rick Potts (E-mail); Bernard Dew (E-mail); Chuck Jett (E-mail); john.morris@dep.state.fl.us; Mitch Kessler  
**Subject:** NOTICE: Sumter County Closed Landfill - New well construction

Hi Susan:

Please see the notification from The Colinas Group below regarding the test drilling and well installation for Sumter County. [Miriam Zimms] Kessler Consulting, Inc. (KCI) would like to notify you that the installation of the three new wells included in the PCAP will take place on November 15-17, 2004. We are complying with Exhibit B, item 9 on the Model Consent Order. Please let me know if you need further details.

Regards,

Miriam Zimms  
Kessler Consulting, Inc.  
[www.kesconsult.com](http://www.kesconsult.com)  
(813) 971-8333

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EPA WasteWise Small Business Program Champion*

*Sum Gen 0607 Permits*

-----Original Message-----

**From:** rick potts [mailto:rickpotts@cfl.rr.com]  
**Sent:** Monday, October 25, 2004 3:28 PM  
**To:** Miriam Zimms  
**Cc:** Jose Rivera; Chuck Jett  
**Subject:** Sumter County Landfill - New well construction

Pre-construction test drilling and installation of the three (3) new wells called for in the PCAP is scheduled for November 15 -17, 2004 at the Sumter County Landfill. We will be onsite at 0900 hrs. on Monday, November 15 to begin.

If you have any questions, please let me know.

Richard L. Potts, Jr. P.G.  
THE COLINAS GROUP, INC.  
509 N. Virginia Avenue  
Winter Park, Florida 32789  
Voice: (407) 622-8176  
Fax: (407) 622-8196  
Cell: (407) 620-5779

**FAX**

Date: 10/18/04

Number of pages including cover sheet: 3

TO: <u>Miriam Zimms</u>		FROM: <u>Stephanie Petro</u>	
PHONE:		PHONE: (813) 744-6100,	
FAX #: <u>813 971-8582</u>		FAX #: (813) 744-6125	
CC:			
REMARKS:	<u>Urgent</u>	<u>For your review</u>	<u>Reply ASAP</u> <u>Please comment</u>
<u>Miriam, here's 2 copy of DEP's RAI re: Closed Class 1</u>			
<u>asphalt cover at your request.</u>			
<u>Stephanie Petro</u>			

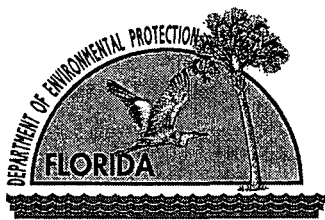
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Note					

Oct 18 2004 13:11

P.1

**\*\* Transmit Conf. Report \*\***

WASTE MGT TAMPA SUD Fax:8137446125



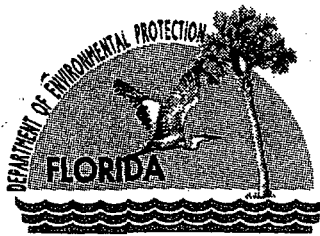
**FLORIDA DEPARTMENT OF  
ENVIRONMENTAL PROTECTION  
3804 COCONUT PALM DRIVE  
TAMPA, FL 33619-1352**

**FAX**

Date: 10/18/04  
Number of pages including cover sheet: 3

TO:	Miriam Zimms	FROM:	Stephanie Petro
PHONE:		PHONE:	(813) 744-6100,
FAX #:	813 971-8582	FAX #:	(813) 744-6125
CC:			
REMARKS:	<input type="checkbox"/> Urgent	<input type="checkbox"/> For your review	<input type="checkbox"/> Reply ASAP
	<input type="checkbox"/> Please comment		
Miriam, here's a copy of DEP's RAI Re: Closed Class 1 asphalt cover at your request.			
Stephanie Petro			





Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

276029

October 11, 2004

CERTIFIED MAIL 7002 3150 0003 8459 6313  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Request for Additional Information Regarding Plan to Repair Closed Class I Asphalt Cover

Dear Mr. Dew:

The Department has reviewed the submittals "Proposed Temporary Corrective Action Plan Phase II for the Sumter County Solid Waste, Recycling, and Composting Facility" dated August 17, 2004, received on August 23, 2004, from Sumter County Board of County Commissioners (BOCC) and "Compliance with Model Consent Order and FDEP Letter Dated July 21, 2004," dated August 18, 2004, received on August 20, 2004 from PBS&J, which includes a one-page plan to repair the Closed Class I Landfill asphalt cover and a Drawing entitled "Repair Plan for Closed Class I Landfill Asphalt Cover" (Repair Plan Drawing).

The Department requests the following additional information regarding the plan to repair the Closed Class I Landfill asphalt cover in order to evaluate your proposed project:

- 1) The plan indicates that asphalt will be milled or removed "from high points at locations shown on the drawing". However, the thickness of the existing asphalt and the depth of the milling are not indicated. Please provide assurance that when high points are milled or removed, the original asphalt pavement will remain intact, so that re-leveling will provide a continuous asphalt seal of the Closed Class I Landfill. This matter is of particular concern at the eastern high point (loading ramp area).
- 2) The central high point shown on the Repair Plan Drawing does not appear to be located at a significantly higher elevation than surrounding areas based on the contour lines. The western high point shown on the Repair Plan Drawing does not clearly depict the existing topography. Please provide a revised Repair Plan Drawing that addresses inconsistencies between high points and contour lines in these areas.
- 3) The northerly orientation on site maps of the Sumter County Closed Class I Landfill that are currently in the Department's files are inconsistent with the northerly orientation on the Repair Plan Drawing. Please review the northerly orientation depicted on the Repair Plan Drawing and submit revisions, as appropriate.

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- 4) The Temporary Corrective Action Plan Phase I that was submitted by the Sumter County Board of County Commissioners on January 28, 2004 indicates, "the closed Class I landfill covered with asphalt will be releveled with limerock..." The Repair Plan Drawing indicates that the area will be releveled with "asphalt leveling course". In order for the Department to determine if the material will withstand compaction, please clarify what this material is.
- 5) Although a typical detail is provided for the depressions greater than 1" deep, the areal extent of the intended repairs to the depressions are not shown on the Repair Plan Drawing. Please provide a revised Repair Plan Drawing that shows the locations of depressions greater than 1" deep, so that the establishment of the indicated 0.5 % grade is apparent and a determination can be made whether stormwater will drain to the permitted stormwater system.

In accordance with paragraph 7 of the above-referenced Model Consent Order, "all additional information shall be submitted to the Department within 30 days of receipt of the Department's written request." This letter constitutes the Department's written request for additional information.

If you have questions about this letter, please contact either me at (813) 744-6100, extension 451, or Mr. John Morris, P.G. at (813) 744-6100, extension 336.

Sincerely,

*Stephanie Petro*

Stephanie Petro  
Environmental Coordinator  
Southwest District

jrm/msp  
cc:

Susan Pelz, P.E., FDEP Tampa  
Stephanie Petro, FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Lora Ross, FDEP Tampa  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613  
Joe Miller, P.E., PBS&J, 482 South Keller Road, Orlando, FL 32810  
Richard L. Potts, Jr., P.G., The Colinas Group, 515 N. Virginia Ave., Winter Park, FL, 32789

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Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

7002 3150 0003 8459 6320

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## 3. Article Addressed to:

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

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7002 3150 0003 8459 632

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X *Jessica Clark*

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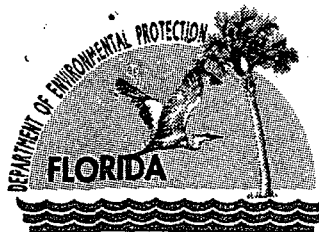
State of Florida  
Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-1352

OCT 14 2004

Southwest District Tampa

Bill Kutash / Susan Pelz





Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

October 11, 2004

CERTIFIED MAIL 7002 3150 0003 8459 6320  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Conditional Approval of the Preliminary Contamination Assessment Plan (PCAP)

Dear Mr. Dew:

The Department has received the following information pursuant to Paragraph 9 of the Model Consent Order OGC No. 04-0131 which requires the implementation of the Department document "Preliminary Contamination Assessment Actions" (PCAA), Exhibit B of the Consent Order:

- Letter prepared by The Colinas Group, Inc. (TCG), "Responses to FDEP Request for Additional Information (RAI), Proposed Preliminary Contamination Assessment Plan", dated July 27, 2004, received August 2, 2004;
- Document entitled "Proposed (Revised) Preliminary Contamination Assessment Plan, Sumter County Closed Class I Landfill, Sumter County, Florida" (Revised PCAP), prepared by TCG, revised July 27, 2004, received August 2, 2004; and,
- Letter prepared by TCG, "Addendum to the Revised PCAP", dated August 18, 2004, received August 20, 2004.

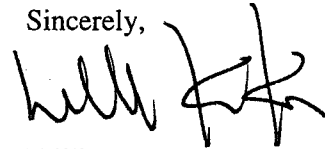
Based upon review of the above-referenced documents, the Department **approves** implementation of the proposed activities that are presented in the Revised PCAP (referenced above), subject to the following condition:

- 1) The PCAP shall be implemented to address the Department's expectations outlined in the attached memorandum.

As stated in Paragraph 2 of the PCAA, the Preliminary Contamination Assessment Report (PCAR) shall be submitted within ninety (90) days of approval of the PCAP by the Department.

If you have questions about this letter, please contact John Morris at (813) 744-6100, extension 336.

Sincerely,



William Kutash  
Waste Program Administrator  
Southwest District

Attachment: JRM September 9, 2004 Memorandum

WK/jrm/msp

cc: Susan Pelz, P.E., FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Stephanie Petro, FDEP Tampa  
Steve Morgan, FDEP Tampa  
Lora Ross, FDEP Tampa  
Chuck Jett, Superintendent, SCSWRCF, Sumter County  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613  
Richard L. Potts, Jr., P.G., The Colinas Group, 515 N. Virginia Ave., Winter Park, FL, 32789

## Memorandum

# Florida Department of Environmental Protection

**TO:** Stephanie Petro *mpg 9/14/04*  
**FROM:** John R. Morris, P.G. *JRM*  
**DATE:** September 9, 2004  
**SUBJECT:** Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Review Comments Regarding "Revised Preliminary Contamination Assessment Plan"  
**cc:** Susan Pelz, P.E. *[Signature]*

This memorandum has been prepared to provide review comments regarding the following submittals that were received regarding the referenced facility:

- Letter prepared by The Colinas Group, Inc. (TCG), "Responses to FDEP Request for Additional Information (RAI), Proposed Preliminary Contamination Assessment Plan", dated July 27, 2004, received August 2, 2004;
- Document entitled "Proposed (Revised) Preliminary Contamination Assessment Plan, Sumter County Closed Class I Landfill, Sumter County, Florida" (Revised PCAP), prepared by TCG, revised July 27, 2004, received August 2, 2004; and,
- Letter prepared by TCG, "Addendum to the Revised PCAP", dated August 18, 2004, received August 20, 2004.

The TCG letter dated July 27, 2004 indicated that the Revised PCAP was intended to wholly replace the PCAP prepared by TCG that was received April 15, 2004. The TCG letter dated August 18, 2004 indicated that supplemental information it transmitted was considered to be an addendum to the Revised PCAP. The purpose of this memorandum is to clarify the Department's expectation of the proposed activities to be conducted at the referenced facility to address the requirements of the document entitled "Preliminary Contamination Assessment Actions" (PCAA), Exhibit B of the Consent Order.

The review comment numbers are consistent with my memorandum dated June 15, 2004 and reference sections of the Revised PCAP, as follow:

### Section 1.3 – Project QA/QC

1. TCG Letter Dated July 27, 2004: reiterated that TCG will conduct field sampling in accordance with the Department's Standard Operating Procedures (SOPs) and verified that U.S. Biosystems has maintained certification No. E86240 with the Florida Department of Health;

Revised PCAP: inserted text that referenced an attached certification page from the Florida Department of Health that indicated the certification for U.S. Biosystems is effective through June 30, 2005;

TCG Letter Dated August 18, 2004: indicated that monitor well sampling will be conducted by TCG personnel or U.S. Biosystems personnel under the direct supervision of TCG personnel. Included a reference to approved CompQAP No. 980090 that is on file with the Department's Tallahassee office; and,

Department's Expectation: sample collection shall be conducted in accordance with the Department's SOPs and laboratory analysis shall be conducted by a laboratory that currently holds certification from the Florida Department of Health.



Review Comments Regarding “Revised Preliminary Contamination Assessment Plan”

**Section 2.3.1 – Zone of Discharge Confirmation**

2. TCG Letter Dated July 27, 2004: indicated that information from the files maintained by Sumter County Solid Waste and the Department’s Southwest District Office will be reviewed to assist in the determination of the edge of waste and locate the zone of discharge limits in the field;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and,

Department’s Expectation: TCG will determine the edge of waste and physically locate the zone of discharge (ZOD) in the vicinity of wells MW-2 and MW-4. The Preliminary Contamination Assessment Report (PCAR) will evaluate the potential for ground water standard exceedances to occur at or beyond the edge of the ZOD.

**Section 2.4.1 – New Monitoring Well Installation**

3. TCG Letter Dated July 27, 2004: indicated that the actual locations of the proposed monitor wells in the vicinity of existing wells MW-2 and MW-4 will depend on the determination of where the edge of the zone occurs and that TCG will present proposed well locations to the Department in writing for review and approval prior to installation;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: provided a physical description of the locations of proposed wells MW-2A, MW-4A and MW-4B relative to existing wells MW-2 and MW-4; and,

Department’s Expectation: TCG will install proposed wells MW-2A, MW-4A and MW-4B at locations that are consistent with the TCG letter dated August 18, 2004.

4. TCG Letter Dated July 27, 2004: indicated that septic tank locations, ground water flow and ground water nitrate concentrations reported at well MW-4 will be reviewed to determine the need to install additional monitor wells in the vicinity of the septic tanks;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004, and indicated that TCG will present the number and location of any proposed wells in writing to the Department for review and approval prior to installation;

TCG Letter Dated August 18, 2004: not addressed; and,

Department’s Expectation: TCG will evaluate the need to install well(s) in addition to proposed wells MW-4A and MW-4B to characterize the nitrate concentrations reported for the ground water samples collected from well MW-4.

5. TCG Letter Dated July 27, 2004: indicated that the proposed wells will be constructed with 5 feet of well screen, that any wells completed below the confining unit will be appropriately constructed to maintain its integrity, and that the occurrence of saturated sediments above the confining unit will be investigated when the soil borings are completed;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: indicated that proposed wells MW-2A, MW-4A and MW-4B will be constructed with 10 feet of well screen located directly below the top of rock encountered at each well site; and,

Department’s Expectation: wells MW-2A, MW-4A and MW-4B will likely be installed below the confining unit in the upper Floridan aquifer unless saturated sediments overlying the confining unit are encountered during completion of the boring logs at each well site.

Review Comments Regarding “Revised Preliminary Contamination Assessment Plan”

**Section 2.4.2 – Soil/Sediment Sampling and Analysis**

6. TCG Letter Dated July 27, 2004: indicated that sediment sample collection for analysis of selected metals (aluminum, iron and manganese) will be limited to instances where proposed wells MW-2A, MW-4A and MW-4B are completed in unconsolidated sediments;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and,

Department's Expectation: sediment analysis of the selected metals will only be conducted if any of the proposed wells (including but not limited to MW-2A, MW-4A or MW-4B) are completed in the unconsolidated sediments that are present above the confining unit.

**Section 2.4.3 – Ground Water Measurements, Sampling and Analysis**

7. TCG Letter Dated July 27, 2004: indicated that a variable-speed electric submersible pump that meets the construction requirements of SOP FS 2200 will be used for the ground water sampling events;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and,

Department's Expectation: ground water sampling conducted at the facility in association with the PCAP shall utilize a submersible pump.

8. TCG Letter Dated July 27, 2004: indicated that an expanded list of parameters will be conducted;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and,

Department's Expectation: analysis of ground water samples collected as part of the PCAP will be consistent with items 3.C.(1) through 3.C.(4) of the PCAA.

**Section 3.0 – Preliminary Contamination Assessment Report**

9. TCG Letter Dated July 27, 2004: indicated that the source(s), extent and concentration of contaminants, and the existence of imminent hazards, to the extent possible, will be identified;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004.

However, the first paragraph of Section 3.0 of the Revised PCAP did not reference item 7.F. of the PCAA.

TCG Letter Dated August 18, 2004: not addressed; and,

Department's Expectation: the PCAR will provide information to address the requirements of items 7.A. through 7.F. of the PCAA. In addition, a new site map will be submitted to show the edge of waste, zone of discharge, existing wells (MW-2 and MW-4); and proposed wells (MW-2A, MW-4A and MW-4B).

Review Comments Regarding “Revised Preliminary Contamination Assessment Plan”

**Section 3.0 – Preliminary Contamination Assessment Report** (continued)

10. TCG Letter Dated July 27, 2004: indicated that the cross sections will include the requested information;

Revised PCAP: inserted text that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and,

Department’s Expectation: the PCAR will include cross-sections that provide information regarding physical features (property boundary, limits of waste disposal, zone of discharge, surface topography, septic tank/drain field locations, structures, stormwater ponds and depth of waste) and hydrogeologic information (monitor well screen and ground water elevations at the background well and wells MW-2, MW-4, MW-2A, MW-4A, and MW-4B).

**Items From the PCAA Not Included in the PCAP**

- 11.a. PCAA Item 4.E. –

TCG Letter Dated July 27, 2004: indicated that an inventory of surface water within 0.5 miles of the landfill property will be completed and that the on-site stormwater management system will be described including the point(s) of discharge from the property;

Revised PCAP: inserted text in Section 2.3.4 of the Revised PCAP that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and

Department’s Expectation: the PCAR will provide information to address the requirements of item 4.E., of the PCAA.

- 11.b. PCAA Item 4.F. –

TCG Letter Dated July 27, 2004: indicated that the potential for movement of contaminants will be assessed, zones that are likely to be affected will be identified, and actual and potential uses of ground water as a resource will be described;

Revised PCAP: inserted text in Section 3.0 of the Revised PCAP that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and

Department’s Expectation: the PCAR will provide information to address the requirements of item 4.F., of the PCAA.

- 11.c. PCAA Item 5.C. –

TCG Letter Dated July 27, 2004: indicated that the ground water samples will be collected using a submersible pump;

Revised PCAP: inserted text in Section 2.3.4 of the Revised PCAP that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and

Department’s Expectation: the PCAR will provide information to address the requirements of item 5.C., of the PCAA.

Review Comments Regarding “Revised Preliminary Contamination Assessment Plan”

**Items From the PCAA Not Included in the PCAP** (continued)

11.d. PCAA Item 5.E. –

TCG Letter Dated July 27, 2004: indicated the expanded list of parameters for analysis of the collected ground water samples;

Revised PCAP: inserted text in Section 2.4.3 of the Revised PCAP that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and

Department’s Expectation: the PCAR will provide information to address the requirements of item 5.E., of the PCAA.

11.e. PCAA Item 5.G. –

TCG Letter Dated July 27, 2004: indicated that a detailed description of site history will be provided;

Revised PCAP: inserted text in Section 3.0 of the Revised PCAP that was consistent with the TCG letter dated July 27, 2004;

TCG Letter Dated August 18, 2004: not addressed; and

Department’s Expectation: the PCAR will provide information to address the requirements of item 5.G., of the PCAA.

I can be contacted at (813) 744-6100, extension 336, to discuss these review comments.

jrm

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Mr. Bernard Dew, County Adm.  
Sumter County BCC  
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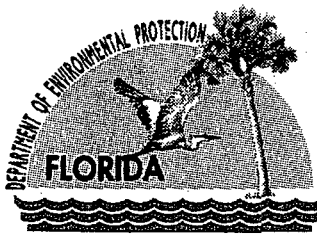
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Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-1352

**D.E.P.**  
OCT 14 2004  
Southwest District Tampa

*Stephanie Petro - Solid Waste*

63





Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

276029

October 11, 2004

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RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Request for Additional Information Regarding Plan to Repair Closed Class I Asphalt Cover

Dear Mr. Dew:

The Department has reviewed the submittals "Proposed Temporary Corrective Action Plan Phase II for the Sumter County Solid Waste, Recycling, and Composting Facility" dated August 17, 2004, received on August 23, 2004, from Sumter County Board of County Commissioners (BOCC) and "Compliance with Model Consent Order and FDEP Letter Dated July 21, 2004," dated August 18, 2004, received on August 20, 2004 from PBS&J, which includes a one-page plan to repair the Closed Class I Landfill asphalt cover and a Drawing entitled "Repair Plan for Closed Class I Landfill Asphalt Cover" (Repair Plan Drawing).

The Department requests the following additional information regarding the plan to repair the Closed Class I Landfill asphalt cover in order to evaluate your proposed project:

- 1) The plan indicates that asphalt will be milled or removed "from high points at locations shown on the drawing". However, the thickness of the existing asphalt and the depth of the milling are not indicated. Please provide assurance that when high points are milled or removed, the original asphalt pavement will remain intact, so that re-leveling will provide a continuous asphalt seal of the Closed Class I Landfill. This matter is of particular concern at the eastern high point (loading ramp area).
- 2) The central high point shown on the Repair Plan Drawing does not appear to be located at a significantly higher elevation than surrounding areas based on the contour lines. The western high point shown on the Repair Plan Drawing does not clearly depict the existing topography. Please provide a revised Repair Plan Drawing that addresses inconsistencies between high points and contour lines in these areas.
- 3) The northerly orientation on site maps of the Sumter County Closed Class I Landfill that are currently in the Department's files are inconsistent with the northerly orientation on the Repair Plan Drawing. Please review the northerly orientation depicted on the Repair Plan Drawing and submit revisions, as appropriate.

"More Protection, Less Process"

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- 4) The Temporary Corrective Action Plan Phase I that was submitted by the Sumter County Board of County Commissioners on January 28, 2004 indicates, "the closed Class I landfill covered with asphalt will be releveled with limerock..." The Repair Plan Drawing indicates that the area will be releveled with "asphalt leveling course". In order for the Department to determine if the material will withstand compaction, please clarify what this material is.
- 5) Although a typical detail is provided for the depressions greater than 1" deep, the areal extent of the intended repairs to the depressions are not shown on the Repair Plan Drawing. Please provide a revised Repair Plan Drawing that shows the locations of depressions greater than 1" deep, so that the establishment of the indicated 0.5 % grade is apparent and a determination can be made whether stormwater will drain to the permitted stormwater system.

In accordance with paragraph 7 of the above-referenced Model Consent Order, "all additional information shall be submitted to the Department within 30 days of receipt of the Department's written request." This letter constitutes the Department's written request for additional information.

If you have questions about this letter, please contact either me at (813) 744-6100, extension 451, or Mr. John Morris, P.G. at (813) 744-6100, extension 336.

Sincerely,

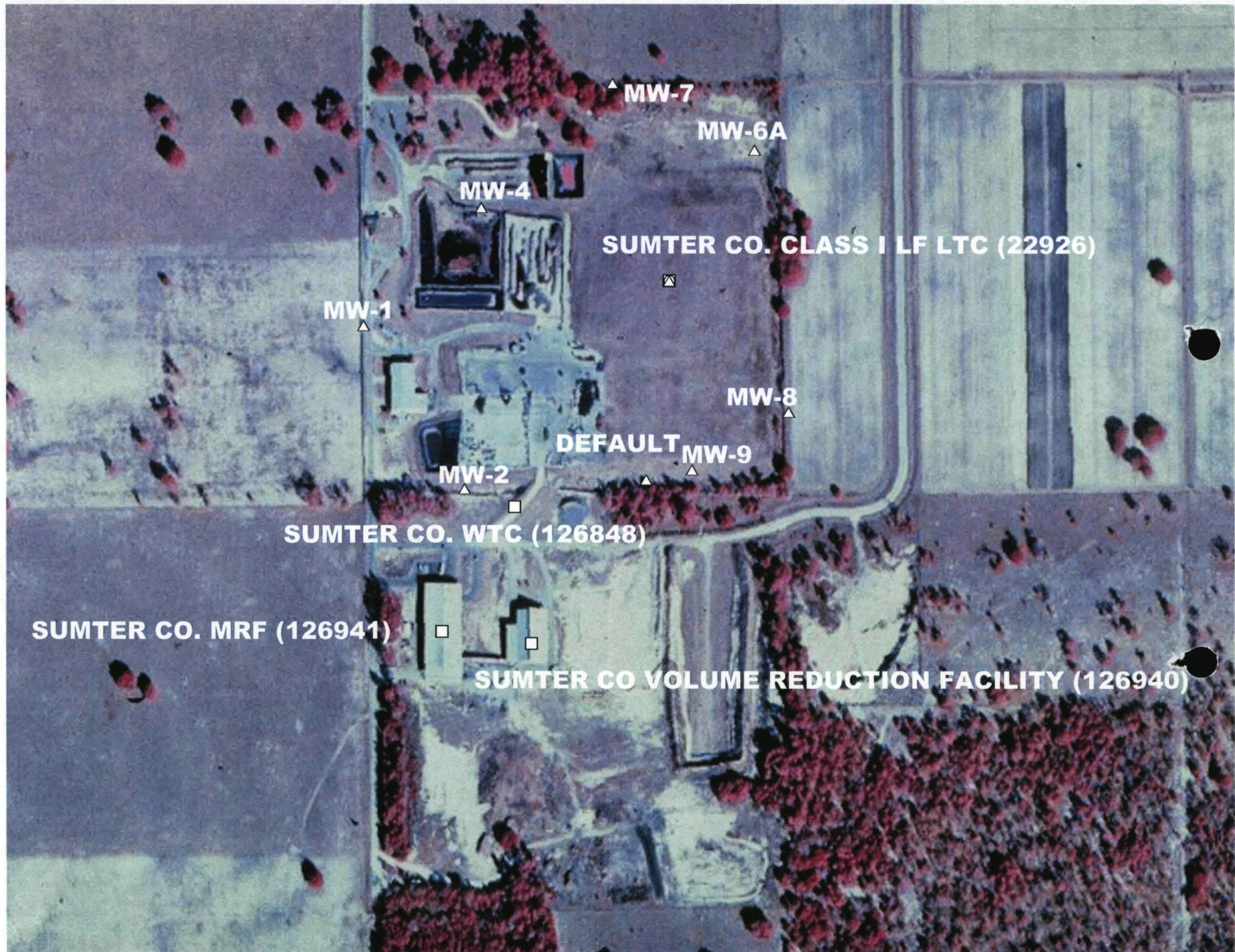
*Stephanie Petro*

Stephanie Petro  
Environmental Coordinator  
Southwest District

jrm/msp  
cc:

Susan Pelz, P.E., FDEP Tampa  
Stephanie Petro, FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Lora Ross, FDEP Tampa  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613  
Joe Miller, P.E., PBS&J, 482 South Keller Road, Orlando, FL 32810  
Richard L. Potts, Jr., P.G., The Colinas Group, 515 N. Virginia Ave., Winter Park, FL, 32789





MW-7

MW-6A

MW-4

SUMTER CO. CLASS I LF LTC (22926)

MW-1

MW-8

DEFAULT

MW-9

MW-2

SUMTER CO. WTC (126848)

SUMTER CO. MRF (126941)

SUMTER CO VOLUME REDUCTION FACILITY (126940)



**Petro, Stephanie**

---

**From:** Morris, John R.  
**Sent:** Tuesday, September 14, 2004 3:46 PM  
**To:** 'rick potts'  
**Cc:** Petro, Stephanie  
**Subject:** RE: Sumter County Landfill

Rick:

Please send the construction details for wells MW-9A, MW-10 and MW-11 (and other information related to these new wells) to my attention as they were installed in accordance with the conditions of the long-term care permit. Please send any submittals that are related to the consent order (including the new wells to be installed in the vicinity of wells MW-2 and MW-4) to Stephanie's attention.

Your assistance is appreciated.

John

---

John R. Morris, P.G.  
Solid Waste Section, Southwest District Office  
Telephone: 813-744-6100, ext. 336 (suncom 512-1042, ext. 336)  
Facsimile: 813-744-6125  
E-mail: john.r.morris@dep.state.fl.us

-----Original Message-----

**From:** rick potts [mailto:rickpotts@cfl.rr.com]  
**Sent:** Tuesday, September 14, 2004 2:00 PM  
**To:** Morris, John R.  
**Subject:** Sumter County Landfill

John,

Should I send the Well Completion Reports for MW-9A, -10 and -11 to you or to Stephanie?

Richard L. Potts, Jr. P.G.  
THE COLINAS GROUP, INC.  
509 N. Virginia Avenue  
Winter Park, Florida 32789  
Voice: (407) 622-8176  
Fax: (407) 622-8196  
Cell: (407) 620-5779

9/15/2004

**Petro, Stephanie**

**From:** Miriam Zimms [mzimms@kesconsult.com]  
**Sent:** Monday, September 13, 2004 8:51 AM  
**To:** Petro, Stephanie  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Jose Rivera; Morris, John R.; Pelz, Susan  
**Subject:** RE: MCO Check-In

Ok, thank you for the clarification.

Miriam

-----Original Message-----

**From:** Petro, Stephanie [mailto:Stephanie.Petro@dep.state.fl.us]  
**Sent:** Friday, September 10, 2004 5:23 PM  
**To:** Miriam Zimms  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Jose Rivera; Morris, John R.; Pelz, Susan  
**Subject:** RE: MCO Check-In

Miriam,

The Department intends on conditionally approving the Revised PCAP and its Addendum sometime next week pending the arrival of Hurricane Ivan. It's the Department's understanding that the well installation schedule presented in the Revised PCAP supercedes the schedule in TCAP Phase I/Phase II, so the extension is not needed.  
Stephanie

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Friday, September 10, 2004 2:09 PM  
**To:** Pelz, Susan  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Petro, Stephanie; Mitch Kessler; Rick Potts (E-mail); Jose Rivera  
**Subject:** MCO Check-In

Hi Susan-

I was reviewing Sumter County's upcoming deadlines under the Model Consent Order and noticed that the TCAP Phase I deadline to install, develop and collect samples of new groundwater monitoring wells was listed as September 17th, six months after the effective date of the Model Consent Order. However, the County has not been able to proceed to meet this deadline since it is waiting approval of the construction plans for these groundwater monitoring wells as submitted on August 20th, 2004. Am I correct in my assumption that this deadline is no longer effective and will be based on the DEP's approval of the construction plans for the wells? In addition, the County has requested an extension of this deadline as indicated in TCAP Phase II submitted to FDEP on August 20th, 2004. I wanted to make you aware of this situation and request your guidance in the deadline matter.

Thanks,

Miriam Zimms  
Kessler Consulting, Inc.  
www.kesconsult.com  
813-971-8333, x 22

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EPA WasteWise Small Business Program Champion*

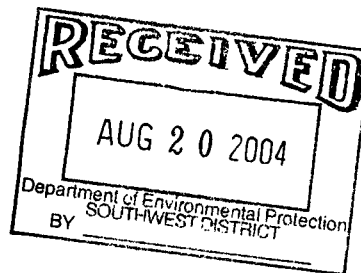
9/15/2004



An employee-owned company

August 18, 2004

Stephanie Petro, Environmental Coordinator  
Southwest District  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619



276029  
file copy

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Compliance with Model Consent Order and  
FDEP Letter Dated July 21, 2004

Dear Ms. Petro:

On behalf of Sumter County Board of County Commissioners, PBS&J is submitting four copies of the plan to repair the Closed Class I Landfill asphalt cover as requested in the above two referenced documents. In order to develop the repair plan, PBS&J surveyed the existing landfill asphalt cover, and developed a topographic map, which is shown on the Repair Plan Drawing included with this letter. A typical detail on the drawing illustrates the repair plan, which is described below.

- Remove all the equipment, piles, etc. from the asphalt cover.
- Spray any vegetation growing in cracks with herbicide.
- Mill or remove the asphalt from high points at locations shown on the drawing.
- Sweep the asphalt surface.
- Place an asphalt-leveling course in depressions greater than 1" deep.
- Place a tack coat on the asphalt surface
- Place a 1" thick layer of Type S-III asphalt over the existing asphalt cover.
- Resurvey the asphalt cover, and submit an as-built drawing to FDEP.

If you have any questions, please call me at 407-647-7275 Ext. 4153.

Sincerely,

Joe Miller, P.E. #39177  
Project Engineer

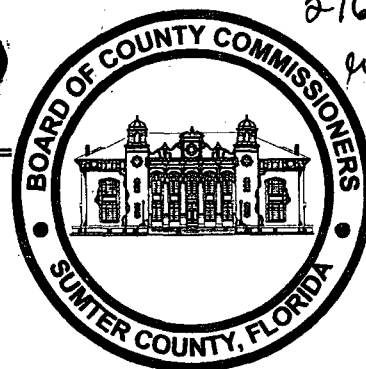
Cc: Chuck Jett, Sumter County  
Miriam Zimms, Kessler Consulting Inc.

U:\OldG\WASTEMAN\SUMTER\Repair Plan\August 18, 2004 ltr to FDEP.doc

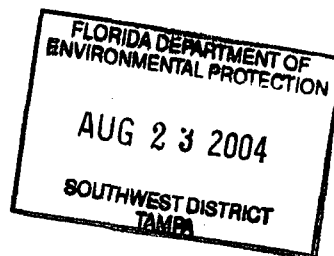
# Board of County Commissioners

## Sumter County, Florida

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX: (352) 793-0207  
SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



August 17, 2004



Ms. Susan J. Pelz, P.E.  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619

RE: Proposed Temporary Corrective Action Plan Phase II for the Sumter County Solid Waste, Recycling, and Composting Facility, (SCSWRCF), Sumter County, Florida

Dear Ms. Pelz:

Please find attached Sumter County's proposed Temporary Corrective Action Plan (TCAP) Phase II as a response to the letter sent from DEP dated July 21, 2004 and Paragraph 6 of the Model Consent Order (MCO).

As stated in the MCO, this TCAP Phase II includes details and schedule for completion of the additional corrective actions needed to resolve the outstanding non-compliance issues at the facility. This document also gives an update to and provides follow up information on the tasks included in the TCAP Phase I.

Additional items referenced in the TCAP Phase II will be submitted under separate cover from The Colinas Group, Post, Buckley, Schuh, and Jernigan (PBS&J), and Springstead Engineering, Inc. (SEI). In addition, I wanted to inform you that at this time we have formerly completed its transition from SEI to our new solid waste engineering (PBS&J) and hydrogeological (Colinas Group) firms. We appreciate all the work SEI has performed in the past, but they will no longer be communicating with you on any of our MCO or permit items.

Benny G. Strickland, Chairman  
Dist 1, (352) 753-1592 or 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Robin Cox, Dist 5  
(352) 793-6910  
P.O. Box 1482  
Webster, FL 33597

Joey A. Chandler, Vice Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Bernard Dew, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Billy "Tiny" Rutter, Dist 3  
(352) 753-1592 or (352) 748-4220  
5885 CR 472  
Oxford, FL 34484

Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Jim Roberts, Dist 4  
(352) 793-4776  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

Please review the attached document and contact me if you have any questions or require additional information. We look forward to fully resolving the issues addressed by the Consent Order. I look forward to hearing back from you.

Sincerely,



Bernard Dew  
County Administrator

Attachment

xc: Chuck Jett, Superintendent, SCSWRCF, Sumter County  
Rick Potts, The Colinas Group  
David Deans, PBS&J  
Joe Miller, PBS&J  
David Springstead, Springstead Engineering, Inc.  
Miriam Zimms, Kessler Consulting, Inc.

***Facility Overview:***

This Temporary Correction Action Plan (TCAP) Phase II is presented to the Department of Environmental Protection - Solid Waste Division (DEP) by Sumter County (County). The Phase II plan is to be incorporated as an attachment to the MCO agreement in order for the County to perform certain activities at the Solid Waste, Recycling and Composting Facility once it is approved by the DEP.

The Digester 2 is currently operating and it is included in the current Composting Facility-Operation Permit. Digester 1 has experienced a breakdown and has not been repaired yet. Because the County's capacity is limited by the operation of Digester 2, The County continues to transfer excess waste tonnage to another disposal facility. At this point, the County's goal is to be in compliance with DEP and if necessary include new monitoring procedures into the permits after all the non-compliance issues have been resolved.

***Compliance Issues:***

Outstanding compliance issues at the Sumter County Solid Waste, Recycling and Composting Facility as stated in the DEP July 21, 2004 letter (certified mail 7002-3150-003-8459-6054) to Sumter County include:

1. Submittal of the As-Built Drawings for the Certification of Construction Completion for the biosolids storage area
2. Submittal of the plans/drawings for the repair of the Closed Class I landfill asphalt cover.
3. Submittal of construction plans for new groundwater monitoring wells proposed in the PCAP to evaluate exceedances.
4. Submittal of the Preliminary Contamination Assessment Report (PCAR).
5. Submission of documents certifying that the laboratory performing the sampling and analysis has a Department Approved Comprehensive Quality Assurance Plan (QAP).

***Corrective Actions Already Taken or to Be Taken:***

Sumter County has addressed and will continue to address and correct the compliance issues stated above using solutions stated below and approved by DEP and in accordance with the time frames presented.

1. A slab and foundations for a new bay on the south end of the MRF building including curbing has been constructed around the biosolids storage area and the base of the direct feed conveyor to eliminate the potential for run-off water into the ground. Springstead Engineering, Inc. should have already submitted the completed construction plans to DEP on August 3, 2004.



2. The closed Class I landfill asphalt cover will be repaired according to the plans and approved by the DEP to insure that rain water will not pond and/or infiltrate, but will run-off to the permitted stormwater facilities. Post, Buckley, Schuh, and Jernigan (PBS&J) is submitting under separate cover the plans for the construction to repair the asphalt to be received by the DEP by the close of the business day August 20, 2004. **Estimated County Expenditure: \$160,000.**

**Timeline for the Repair of Closed Landfill Asphalt Cover**

<b>Tasks</b>		<b>Estimated Schedule</b>
Submit plans for repair of asphalt cover	PBS&J	20-Aug-04
DEP Approval of submitted repair plans	DEP	
Remove equipment from cover	County	30 days from approval
Spray vegetation w/herbicide	County	45 days from approval
Mill or remove asphalt high points	County	60 days from approval
Sweep the asphalt surface	County	60 days from approval
Place asphalt leveling course for depressions > 1" deep	County	17-Dec-04
Place tack coat asphalt surface	County	17-Dec-04
Place 1" layer of Type S-III asphalt over existing cover	County	15-Mar-05
Resurvey the asphalt	PBS&J	15-Mar-05
Submit as-built drawing to the DEP	PBS&J	15-Mar-05

3. New supplemental groundwater monitoring wells will be constructed to evaluate *contaminant exceedances, which have occurred over consecutive periods* in wells MW-2 and MW-4, according to the plans submitted and approved by the DEP. The Colinas Group is submitting the plans for the construction and details of these new monitoring wells under separate cover to the DEP by the close of the business day August 20, 2004. The time to complete installation and collect and analyze samples as presented in the TCAP Phase I was set for September 17, 2004, six months from the effective date of the Model Consent Order (MCO). However, because of some confusion during this transition from the County's Engineer, Springstead Engineering, to the new hydrogeological company, the Colinas Group, the County would like to request as part of this document for the construction and sampling deadline to be *extended an additional 30 days* from September 17, 2004. **Estimated County Expenditure: \$25,000.**
4. It is the County's interpretation from the language in the Model Consent Order that the PCAR is to be submitted to the DEP **90 days after the approval of the PCAP** and it will include all the details of the execution of the PCAP. Once the PCAP is approved by the DEP, the PCAR will be submitted.

5. The QAP documents were submitted to the DEP on August 2, 2004 as a part of the revised PCAP submittal prepared for the County by the Colinas Group.

***Additional Updates or Notations:***

(a) A DEP inspection confirmed on February 5, 2004 that an interior loading ramp has been built on the tipping floor in the northeast end of the MRF building. An opening in the walls of the north end of the building has been constructed to allow transfer trucks to back into the building and be loaded indoors. This provides a covered loading area with an existing leachate collection system to be used for transfer loading. The concrete pushwall separating the previously named commercial and homeowners tipping area has been demolished. Springstead Engineering has submitted to the DEP the plans of Construction Completion on behalf of the County.

(b) The County submitted the Preliminary Contamination Assessment Plan (PCAP) and its modifications on August 2, 2004 in response to the first Request for Additional Information (RAI). The County is waiting for the DEP's approval to execute the PCAP and submit the PCAR.

***Sumter County's Commitment:***

Sumter County agrees to complete these improvements to the solid waste facility within the time frames proposed and understands from conversations with DEP staff that if these improvements are not completed in the time frame specified, the DEP will begin enforcement actions which will include, but not be limited to, fining Sumter County for not adhering to this plan.

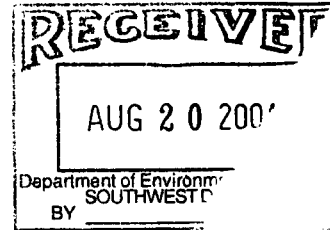
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**THE COLINAS GROUP, INC.**  
HYDROGEOLOGISTS & ENGINEERS

---

August 18, 2004



**Ms. Stephanie Petro**  
Florida Department of Environmental Protection  
Southwest District Office  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Subj: **Sumter County Solid Waste Management Facility**  
**OGC Case No.04-0131**  
Model Consent Order Compliance  
TCG Project No.P-257.1

Dear Ms. Petro:

The Colinas Group, Inc., on behalf of Kessler Consulting, Inc. and Sumter County Board of County Commissioners, herein submits information to the Department as required by MCO No.04-0131. The submitted information contained herein is considered an Addendum to the revised Preliminary Contamination Assessment Plan (PCAP) prepared by TCG, dated July 27, 2004.

**Paragraph 6 requires submission of plans for the construction of new groundwater monitoring wells proposed as part of the Preliminary Contamination Assessment Plan (PCAP) for the facility.**

Construction plans and details for the three (3) proposed new wells were developed from review of existing well completion records for the facility and subsurface information obtained during recent well construction activities for replacement permanent groundwater monitoring wells (MW-9A, MW-10 and MW-11) at the project site.

Two new wells (MW-4A and MW-4B) are proposed near existing monitoring well MW-4 located at the northwest corner of the closed landfill. MW-4A will be installed approximately 100 feet west of existing MW-4 along the NW-SE trending boundary of the Biosolids Handling Pad (BHP) as shown on the Monitoring Well Map included as Figure 1 in the facility Long Term Care Permit.

New well MW-4B will be located due north of existing MW-4, within 20 feet of the northern boundary of the BHP.

New well MW-2A is proposed for installation near existing MW-2 at the southwest corner of the closed landfill. MW-2A will be installed approximately 100 feet WNW of existing MW-2 and approximately 60 feet from the SW corner of the edge-of-waste as shown on the above referenced Figure 1.

Based on well logs from exiting wells and logs from recent well construction at the facility, each of the three (3) new wells will be screened through a 12-foot interval directly below top of rock encountered at each well site. Each well will use a 10-foot screen set from the bottom of the drilled borehole upward to two (2) feet below top of rock. Well screen gravel pack will be extended two (2) feet above the top of screen and covered with a nominal 1-foot thick layer of fine quartz sand to inhibit grout migration into the gravel pack. The well annulus will be filled by tremie with neat cement (Portland Type II) from the sand pack cover back to land surface.

Special attention will be given during actual well construction to ensure that well screens and gravel packs do not extend above clay beds overlying the top of rock. Pre-construction Standard Penetration Test borings will provide necessary information to identify depth to top of rock and overlying clay confining bed(s) at each new well site.

**Paragraph 9** requires submission of documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a Department Approved Comprehensive Quality Assurance Plan. However, these activities must be conducted in accordance with the revisions to Chapter 62-160, F.A.C., that were effective April 9, 2002 with modifications effective on June 8, 2004. As such, sample collection must be conducted in accordance with the Department's Standard Operating Procedures (SOPs), and sample analyses must be conducted by firms that are certified by the Department of Health's Environmental Laboratory Certification Program.

All sample collection, transport and laboratory analyses activities will strictly conform to the requirements above. Requested certification documents for the analytical laboratory selected for the duration of this project (USBiosystems, Inc., Boca Raton, Florida) were submitted to the Department as attachments to the Proposed PCAP (revised), dated July 27, 2004 as prepared by The Colinas Group, Inc. Monitoring well sampling activities will either be conducted by The Colinas Group, Inc. or by USBiosystems, Inc. under the direct supervision of The Colinas Group, Inc. Our FDEP-approved CompQap No.980090 is on file with FDEP, Tallahassee, Florida.

We trust that the information provided above is sufficient to meet the noted specific requirements of the Sumter County MCO.

Very truly yours,  
**THE COLINAS GROUP, INC.**



Richard E. Potts, Jr., P.G.  
Principal Consultant  
Fl. P.G. Reg. No. 1113

cc: Ms. Susan Pelz, P.E. (FDEP Southwest District)  
Mr. John Morris, P.G. (FDEP Southwest District)  
Ms. Miriam Zimms (Kessler Consulting, Inc.)

## **Petro, Stephanie**

---

**From:** Morris, John R.  
**Sent:** Wednesday, August 18, 2004 9:47 AM  
**To:** Petro, Stephanie  
**Cc:** Pelz, Susan  
**Subject:** Telecoms with Rick Potts -- Sumter County Landfill, New Monitor Well Installation

### **8/11/04**

I returned a call to Rick Potts (The Colinas Group @407-622-8176) @ 1610 to discuss the installation of the new monitor wells at the Sumter County closed Class I landfill. We discussed the following:

- R.P. reviewed the County's files at the landfill and found them to be very incomplete regarding technical information regarding the existing monitoring plan with little supporting information available (site plans, boring logs, well construction details)
- new wells required by the Consent Order/preliminary CAP document were to be located in the vicinity of MW-2 and MW-4
- new wells required by the new long-term care permit were to be located closer to the edge of the landfill (detection wells to be within 50 feet of the landfill edge) in the vicinity of MW-1, MW-7 and MW-9
- I informed R.P. that the information provided in the response to comments regarding the PCAP document that were received 8/2/04 was not sufficient to allow the Department to approve the PCAP; additional information was required regarding the locations, identification numbers and construction details/justification of construction details for the proposed wells; specifically needed to understand the rationale to be used to develop proposed well locations to address the potential impacts from the septic tank drain fields in the vicinity of well MW-4

### **8/17/04**

I returned a call to R.P. W 1010 to discuss the installation of the new wells required by the long-term care permit. We discussed the following:

- New wells MW-9A, MW-10 and MW-11 may be installed tomorrow (8/18/04), he is trying to confirm the schedule with the driller
- R.P. asked about the construction details of the new wells; I referred him to the long-term care permit to discuss the locations shown on the site map attached to the permit and oriented him to the locations of the wells relative to the edge of the landfill phases; I indicated that R.P. needed to observe the facility to determine where the edge of disposal had occurred to allow him to select appropriate well locations and that the new detection wells were intended to meet the rule requirement of being within 50 feet of the edge of the landfill phase.
- I confirmed with R.P. that wells MW-9A, MW-10 and MW-11 were required to be installed within 60 days of permit issuance (by 8/27/04) as indicated in Specific Condition #15 of permit #22926-003-SF.
- I referred R.P. to the detail provided in Specific Condition #15 that referenced the construction details provided by Central Testing Laboratory as part of the permit renewal submittals
- R.P. asked if I could fax the information regarding well construction details to him at 407-622-8196
- I faxed to R.P. 11 pages from the supporting information for the permit renewal that presented the proposed changes to the monitoring plan and the justification for the construction details of wells MW-9A, MW-10 and MW-11

### **8/18/04**

R.P. called at 0835 and we discussed the following:

- R.P. confirmed that drilling was intended to start today and would likely take 2 or 3 days to complete for the installation of new wells MW-9A, MW-10 and MW-11; he confirmed that he received the faxed materials regarding the proposed construction details
- R.P. asked if it was acceptable to construct the wells with 15 feet of screen (instead of 10 feet) with the bottom of the wells set 2 feet deeper (at about +36 feet NGVD) to allow for additional water column during dry season conditions; I indicated that I had no objection to the proposed changes
- R.P. indicated that two items were required to be submitted to DEP by 8/20/04 regarding the PCAP; the Quality Assurance information regarding the analytical laboratory was included in the submittal that was received 8/2/04, did he need to resend it? I asked if there was any additional information that he intended to submit regarding the laboratory, R.P. indicated no, and I indicated that we would not need a duplicate submittal and would refer to the submittal received 8/2/04; R.P. indicated that the supplemental construction details and locations for the new monitor wells in the vicinity of wells MW-2 and MW-4 would be sent via FedEx to Stephanie Petro for delivery by 8/20/04; I indicated that the Department would review the submittal received 8/2/04 and the supplemental information to be received on 8/20/04 together.

---

John R. Morris, P.G.  
Solid Waste Section, Southwest District Office  
Telephone: 813-744-6100, ext. 336 (suncom 512-1042, ext. 336)  
Facsimile: 813-744-6125  
E-mail: [john.r.morris@dep.state.fl.us](mailto:john.r.morris@dep.state.fl.us)

**Petro, Stephanie**

**From:** Miriam Zimms [mzimms@kesconsult.com]  
**Sent:** Wednesday, August 11, 2004 2:10 PM  
**To:** Petro, Stephanie  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Rick Potts (E-mail 2); David Springstead (E-mail); David Springstead (E-mail 2); Jose Rivera; David Deans (E-mail); Pelz, Susan; Morris, John R.; Morgan, Steve  
**Subject:** RE: Sumter County - OGC Case No. 04-0131

Hi Stephanie and John-

Thank you for the response and clarification.

In addition, the Colinas Group will be responsible for all County groundwater monitoring issues relative to the MCO and the L-T Care Permit.

Regards,  
Miriam Zimms  
Kessler Consulting, Inc.

Sum Gen 0607

-----Original Message-----

**From:** Petro, Stephanie [mailto:Stephanie.Petro@dep.state.fl.us]  
**Sent:** Wednesday, August 11, 2004 1:57 PM  
**To:** Miriam Zimms  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Rick Potts (E-mail 2); David Springstead (E-mail); David Springstead (E-mail 2); Jose Rivera; David Deans (E-mail); Pelz, Susan; Morris, John R.; Morgan, Steve  
**Subject:** RE: Sumter County - OGC Case No. 04-0131

Miriam,  
In response to your request for clarification on the groundwater monitoring wells, I have attached a memo drafted by John Morris.  
Stephanie Petro  
Environmental Specialist III  
Solid Waste Compliance/Enforcement  
Southwest District  
(813) 744-6100, ext. 451 or SunCom 512-1042  
stephanie.petro@dep.state.fl.us

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Friday, July 23, 2004 3:46 PM  
**To:** Pelz, Susan  
**Cc:** Petro, Stephanie; Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Rick Potts (E-mail 2); David Springstead (E-mail); David Springstead (E-mail 2); Jose Rivera; David Deans (E-mail)  
**Subject:** Sumter County - OGC Case No. 04-0131

Hi Susan,

As a follow-up to the letter received by Sumter County from Stephanie Petro 7/21/04, I wanted to request a clarification from you on the groundwater monitoring wells as well as explain, but not provide as an excuse, the current transition occurring at Sumter County from our previous Engineer, Springstead Engineering, to PBS&J for solid waste engineering work and the Colinas Group for the ground water work.

8/11/2004



First, regarding the groundwater monitoring wells we discussed at our meeting in the Tampa DEP office on 3/23/04, I have in my notes that the groundwater monitoring wells in question would be separated and handled under two DEP documents and by the respective engineers listed below. This is the agreement made between the County and the DEP during that meeting so that there would be a clear distinction for the work on the wells.

Long Term Care Permit: Wells # 1, 7, 9, 10, 11, and 12 (County Engineer)  
Model Consent Order: Wells #2 & 4 (to be handled by Colinas Group)

I just want to clarify that item referenced in Paragraph 6, 3) construction of new monitoring wells only refers to the Wells #2 & #4 under the work being performed by the Colinas Group under the Model Consent Order.

The construction plans for these wells will follow from the Colinas group to meet the 30 day deadline stipulated in the 7/21/04 letter.

Second, since the issuance of the Model Consent Order and receipt of the four facility permits, the County has been transitioning from its previous engineer. I respectfully ask that you consider this when evaluating whether or not the DEP will levy fines on Sumter County. On July 2nd, the Board of County Commissioners accepted Kessler Consulting, Inc.'s recommendation to allow us to subcontract with PBSJ for solid waste engineering work. On July 19th, Kessler Consulting entered into its subcontract with PBSJ.

As you requested, Springstead Engineering will send the DEP the As-Built drawings for construction of the biosolids storage area since they initiated this piece of work as notated in the 7/21/04 letter.

I want to assure you that the County will meet all of the deadlines and requests stipulated under the July letter in order to be under compliance.

Regards,

Miriam Zimms  
Kessler Consulting, Inc.  
[www.kesconsult.com](http://www.kesconsult.com)  
813-971-8333, x 22

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*EPA WasteWise Small Business Program Champion*

**#0607 SUM GEN**

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8/11/04

**Petro, Stephanie**

**From:** Petro, Stephanie  
**Sent:** Wednesday, August 11, 2004 1:57 PM  
**To:** 'Miriam Zimms'  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Rick Potts (E-mail 2); David Springstead (E-mail); David Springstead (E-mail 2); Jose Rivera; David Deans (E-mail); Pelz, Susan; Morris, John R.; Morgan, Steve  
**Subject:** RE: Sumter County - OGC Case No. 04-0131

Miriam,  
 In response to your request for clarification on the groundwater monitoring wells, I have attached a memo drafted by John Morris.  
 Stephanie Petro  
 Environmental Specialist III  
 Solid Waste Compliance/Enforcement  
 Southwest District  
 (813) 744-6100, ext. 451 or SunCom 512-1042  
 stephanie.petro@dep.state.fl.us

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Friday, July 23, 2004 3:46 PM  
**To:** Pelz, Susan  
**Cc:** Petro, Stephanie; Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Rick Potts (E-mail 2); David Springstead (E-mail); David Springstead (E-mail 2); Jose Rivera; David Deans (E-mail)  
**Subject:** Sumter County - OGC Case No. 04-0131

Hi Susan,

As a follow-up to the letter received by Sumter County from Stephanie Petro 7/21/04, I wanted to request a clarification from you on the groundwater monitoring wells as well as explain, but not provide as an excuse, the current transition occurring at Sumter County from our previous Engineer, Springstead Engineering, to PBS&J for solid waste engineering work and the Colinas Group for the ground water work.

First, regarding the groundwater monitoring wells we discussed at our meeting in the Tampa DEP office on 3/23/04, I have in my notes that the groundwater monitoring wells in question would be separated and handled under two DEP documents and by the respective engineers listed below. This is the agreement made between the County and the DEP during that meeting so that there would be a clear distinction for the work on the wells.

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8/11/2004

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Miriam Zimms  
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**#0607 SUM GEN**

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## Memorandum

# Florida Department of Environmental Protection

**TO:** Stephanie Petro  
**FROM:** John R. Morris, P.G.  
**DATE:** August 10, 2004  
**SUBJECT:** Sumter County Solid Waste Management Facility  
Changes to the Monitoring Plan  
Permit No. 22926-003-SF  
OGC Case No. 04-0131  
**cc:** Susan Pelz, P.E.

This memorandum has been prepared to respond to the e-mail from Miriam Zimms, Kessler Consulting, Inc., dated July 23, 2004 regarding the referenced facility. Ms. Zimms requested clarification regarding how the monitor wells would be "separated and handled" under either the long-term care permit and the consent order.

Please note that some of the initial changes to the monitoring plan were intended to be handled via the consent order (investigation of ground water conditions downgradient from wells MW-2 and MW-4) and some via the long-term care permit issued June 28, 2004 (new wells MW-9A, MW-10 and MW-11). Please also note that all changes to the monitoring plan at the facility will ultimately be incorporated into the long-term care permit.

Please refer to the specific requirements regarding changes to the monitoring plan, as presented below:

### Consent Order 04-0131

- ¶4 lists the exceedances of ground water standards reported for wells MW-2 and MW-4 for the sampling events conducted between July 1999 and October 2003;
- ¶6 acknowledges the receipt of the Temporary Corrective Action Plan (TCAP, Phase I) on January 28, 2004 (Exhibit A of the consent order) and required the submittal of TCAP, Phase II to include details of and schedule for completion of additional corrective actions, including new monitor well installation;
- ¶8 indicates that upon approval of TCAP, Phase II, the implementation of the corrective actions shall be pursuant to the approved schedule and deadlines;
- ¶9 indicates that the requirements of the Department document entitled "Preliminary Contamination Assessment Actions" (Exhibit B of the consent order) shall be immediately implemented upon the effective date of the consent order (March 17, 2004); and,
- ¶10 indicates that in the event the Preliminary Contamination Assessment reveals the presence of contaminants in soil, sediment, surface water and/or ground water in violation of the Department's water quality standards or minimum criteria, or reveals the presence of contaminants which may reasonably be expected to cause pollution of surface water and/or ground water in excess of those standards and criteria, the requirements of the Department document entitled "Corrective Actions for Contamination Site Cases" (Exhibit C of the consent order) shall be implemented.

To summarize the consent order requirements, the ground water standard exceedances reported for wells MW-2 and MW-4 shall be initially investigated via the installation and sampling of supplemental monitor wells. Depending on the results of ground water sample collection and analyses to be submitted in the Preliminary Contamination Assessment Report, the installation of additional monitor wells may or may not be required, and the monitoring plan for the facility may or may not need to be modified. At this time it is not possible to anticipate what changes to the monitoring plan may be required at the facility.

**Permit No. 22926-003-SF**

- Specific Condition No. 15 requires the installation of proposed wells MW-9A, MW-10 and MW-11 **within 60 days of permit issuance** in accordance with the approved construction details that were provided during the permit renewal. As the permit was issued on June 28, 2004, these three new wells are required to be installed **no later than August 27, 2004;**
- Specific Condition No. 15 requires the submittal of documentation of construction details of proposed wells MW-9A, MW-10 and MW-11 **within 30 days of well installation;**
- Specific Condition Nos. 15 and 16.b., requires an initial sampling event at proposed wells MW-9A, MW-10 and MW-11 **within 7 days of well installation and development;**
- Specific Condition No. 15 requires the submittal of the results of the initial sampling event at wells MW-9A, MW-10 and MW-11 **within 60 days of sample collection;**
- Specific Condition Nos. 16.c., and 16.d., requires the collection of routine ground water samples at a **quarterly frequency** for specified lists of parameters, at wells MW-2, MW-4, MW-6A, MW-8, MW-9A, MW-10 and MW-11;
- Specific Condition No. 20 requires the submittal of the results of the routine ground water sampling events **quarterly by January 15<sup>th</sup>, April 15<sup>th</sup>, July 15<sup>th</sup> and October 15<sup>th</sup> of each year;** and,
- Specific Condition No. 21.a., requires the submittal of an evaluation of the adequacy of existing monitor wells MW-2 and MW-4 **within 30 days of Department approval of the Preliminary Contamination Assessment Report;** in the event that additional monitor wells are required, a request for a minor permit modification shall be required to authorize changes to the monitoring plan.

To summarize the long-term care permit requirements, new wells MW-9A, MW-10 and MW-11 are required to be installed, developed, initially sampled, and included in the routine quarterly sampling events. In addition, existing wells MW-2 and MW-4 are required to be included in the routine quarterly sampling events. Any changes to the monitoring plan that may be required in the vicinity of wells MW-2 and MW-4 based on the results of the Preliminary Contamination Assessment shall be authorized as part of a minor modification of the long-term care permit.

I can be contacted at (813) 744-6100, extension 336, to discuss these review comments.

jrm

**Petro, Stephanie**

**From:** Petro, Stephanie  
**Sent:** Tuesday, August 10, 2004 3:24 PM  
**To:** 'jrivera@kesconsult.com'  
**Cc:** Pelz, Susan; Morris, John R.; Morgan, Steve; 'bdew@bocc.co.sumter.fl.us'  
**Subject:** Sumter County MCO PCAR deadline clarification

<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	'jrivera@kesconsult.com'	
	Pelz, Susan	
	Morris, John R.	Read: 8/11/2004 7:44 AM
	Morgan, Steve	Read: 8/10/2004 3:32 PM
	'bdew@bocc.co.sumter.fl.us'	

Pursuant to my phone conversation with Jose Rivera of Kessler Consulting this morning, I have provided the following clarification regarding deadlines in Sumter County's Model Consent Order, OGC No. 04-013.

Jose inquired about potential conflict in language in Exhibit B (Preliminary Contamination Assessment Actions) regarding submittal of the PCAR:

Paragraph 2 of Exhibit B states: "The PCAP shall include a time schedule for each task so that all tasks can be completed and a Preliminary Contamination Assessment Report ('PCAR') can be submitted to the Department within **90** days of approval of the PCAP by the Department"

Paragraph 7 states "Within (**60**) days of the Department's approval of the PCAP (unless a written time extension is granted by the Department), Respondent shall submit a written Preliminary Contamination Assessment Report ('PCAR') to the Department." (emphases mine)

Consistent with the revised PCAP prepared by TCG, Inc., received August 2, 2004, the Department does not object to submittal of the PCAR within 90 days of Department approval of the PCAP.

Jose also inquired about potential conflict in language in Exhibit B and Exhibit C (Corrective Actions for Contaminated):

Paragraph 9 of Exhibit B states "Respondent shall provide notification to the Department at least **twenty** (20) days prior to the installation or sampling of any monitoring wells, and shall allow Department personnel the opportunity to observe installation and sampling and to take split samples."

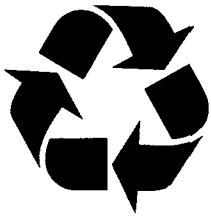
Paragraph 41 of Exhibit C states "The Respondent shall notify the Department at least **ten** days prior to installing monitoring or recovery wells, and shall allow Department personnel the opportunity to observe the location and installation of the wells." (emphases mine)

Deadlines regarding Department notification of well installation in these two documents may be different because language in Exhibit B is related to *preliminary* contamination assessment, while language in Exhibit C is related to contamination assessment.

Because Sumter County is in the process of submitting the PCAP for Department approval, please provide notification to the Department in accordance with Paragraph 9 of Exhibit B, at least twenty days prior to the installation or sampling of any monitoring wells.

Stephanie Petro  
 Environmental Specialist III  
 Solid Waste Compliance/Enforcement  
 Southwest District  
 (813) 744-6100, ext. 451 or SunCom 512-1042  
 stephanie.petro@dep.state.fl.us

8/11/2004



P.O. Box 1066  
Bushnell, FL 33513  
(352) 793-3368  
(352) 568-0166 Fax

276029  
File copy

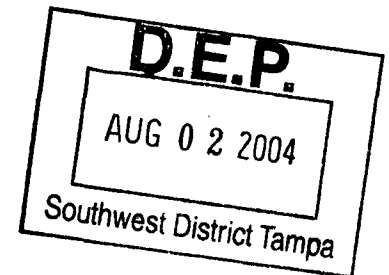
## Sumter County Solid Waste

July 28<sup>th</sup>, 2004

Florida Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, FL 33619-1352

Attn: Deborah A. Getzoff, District Director

Re: Revised Preliminary Contamination Assessment Plan  
Sumter County Solid Waste Management Facility  
Consent Order/OGC Case No. 04-0131  
Board of County Commissioners  
Sumter County, Florida



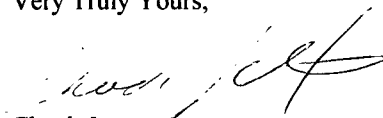
Dear Ms. Getzoff:

In satisfaction with the provisions of Exhibit B, Item 9, of the referenced Consent Order, Sumter County herewith submits a revised Preliminary Contamination Assessment Plan (PCAP) for the Department's review and approval. This revised PCAP incorporates the modifications as requested by the Department's written request for additional information dated July 13, 2004.

The revised PCAP was prepared by The Colinas Group, Inc. (TCG), Winter Park, Florida on behalf of Sumter County. Four (4) copies of the revised PCAP are attached.

If you have any questions concerning this submittal, please do not hesitate to contact Bernard Dew (352) 793-0200 or myself at your earliest convenience. We look forward to fully resolving the issues addressed by the Consent Order.

Very Truly Yours,

  
Chuck Jett  
Solid Waste Superintendent  
Sumter County Solid Waste

cc. Susan Pelz, P.E., FDEP  
Stephanie Petro, FDEP  
Mitch Kessler, Kessler Consulting, Inc.

Chuck Jett, Solid Waste Superintendent

.....

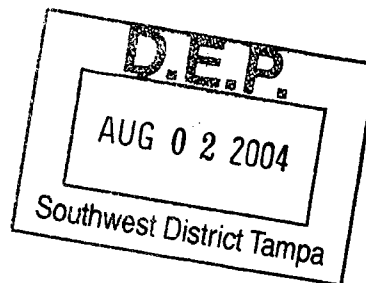
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**THE COLINAS GROUP, INC.**  
HYDROGEOLOGISTS & ENGINEERS

---

July 27, 2004

**Mr. Mitch Kessler**  
Kessler Consulting, Inc.  
14620 N. Nebraska Avenue  
Tampa, Florida 33613



Subj: Sumter County Closed Class I Landfill  
FDEP Southwest District Office OGC File No.04-0131  
Responses to FDEP Request for Additional Information (RAI)  
Proposed Preliminary Contamination Assessment Plan  
TCG Project No. P-257.10

Dear Mr. Kessler:

We have reviewed the FDEP's letter of July 13, 2004 to Mr. Bernard Dew, County Administrator, Sumter County Board of County Commissioners regarding the proposed PCAP for the Sumter County Closed Class I Landfill. Responses to the Department's RAI are presented by item listed in the RAI. A revised Preliminary Contamination Assessment Plan, incorporating the Department's comments and requirements, is attached.

**Section 1.3 – Project QA/QC**

1. As stated in Section 1.3(para.3) of the PCAP, TCG will conduct field sample collection activities in accordance with the latest issue of the FDEP Standard Operating Procedures (SOPs) for Field Activities. The section is revised to verify that certification No.E86240 has been maintained by U.S. Biosystems, Inc. for the analytical parameters proposed in the PCAP (see attached).

**Section 2.3.1 – Zone of Discharge Confirmation**

2. TCG proposes to use existing information regarding edge of waste to determine and locate the zone of discharge limits in the field. Existing information should be available in the files of Sumter County Solid Waste Facility and in permitting files of the FDEP Southwest District Office in Tampa (see PCAP Section 2.1).



### Section 2.4.1 – New Monitoring Well Installation

3. Actual locations of the proposed downgradient monitoring wells will depend on determined location of the edge of the zone of discharge near MW-2 and MW-4. We propose to first locate and mark the edge of the zone of discharge in the vicinity of the existing wells and then determine the appropriate locations for proposed downgradient wells. Prior to construction of the new wells, TCG will present proposed locations, in writing, to the Department for review and approval. Revised Section 2.4.1 of the PCAP is attached.
4. The actual well location(s) selected will be determined after detailed review and assessment of septic tank locations, historical groundwater movement potentials in the vicinity of the septic tanks and monitoring well MW-4 and historical nitrate nitrogen detections in groundwater samples from MW-4 (see PCAP Sections 2.1 and 2.2) The need for additional wells may or may not be necessary.
5. Future wells to be installed as part of the PCAP will be designed to sample from the same depth interval as adjacent and nearby existing wells. Available records for the facility monitoring wells MW-2 and MW-4 indicate well screens are five (5) feet long. New monitoring wells installed as part of the PCAP will be installed with 5-foot screen sections.

In the event that future wells are screened below the base of an overlying aquitard or confining bed, the screen/gravel pack interval of the well will be set below the base of the aquitard/confining bed and the annular space around the well casing will be completely filled with neat cement through the aquitard/confining bed interval and back to land surface. We agree that special attention should, and will, be provided during drilling of the SPT borings to investigate the occurrence of saturated sands, clayey sands and sandy clays above the confining bed at proposed well locations.

### Section 2.4.2 – Soil/Sediment Sampling and Analysis

6. Sediment samples will only be collected and analyzed if, in fact, sediments encountered in well screen intervals are unconsolidated (sands, silts and clays). Consolidated sediments (limestone and dolostone) penetrated by the well screens will not be collected for analysis. Unconsolidated sediments in parts of Florida are known sources of certain metals, such as iron and aluminum, found dissolved in groundwaters.

#### Section 2.4.3 – Ground Water Measurements, Sampling and Analysis

7. TCG proposes to use a variable-speed electric submersible pump (Grundfos REDI-FLO2) meeting the requirements of the FDEP SOP, FS2200 and new HDPE or PP pump discharge tubing for each monitoring well sampling event. Groundwater sampling procedures will conform to the requirements of FDEP SOP, FS2200. See revised page 8 of the PCAP.
8. A revised list of analytes is presented in revised PCAP Section 2.4.3, attached.

#### Section 3.0 – Preliminary Contamination Assessment Report

9. This item was inadvertently omitted. TCG will identify, to the extent possible, the source(s), extent and concentrations of contaminants, and the existence of any imminent hazards. A revised PCAP Section 3.0 is attached.
10. Geologic cross-sections will include the information requested. (See revised PCAP Section 3.0, attached).

#### Other PCAA Items

11. PCAA Items 4.E, 4.F, 5.C, 5.E and 5.G are addressed below:
  - a. An inventory of surface waters within 0.5 miles of the landfill property will be completed. The existing facility stormwater management system will be described and points of discharge from the facility described.
  - b. The PCAP will assess the potential for movement of contaminants both horizontally and vertically, identify zones that are likely to be affected and describe actual and potential uses of the groundwater as a resource.
  - c. For PCAA Item 5.C, please see the response to Section 2.4.3, Item 7, above.
  - d. For PCAA Item 5.E, please see the response to Section 2.4.3, Item 8, above.
  - e. For PCAA Item 5.G, please see revised PCAP Section 3.0, attached.

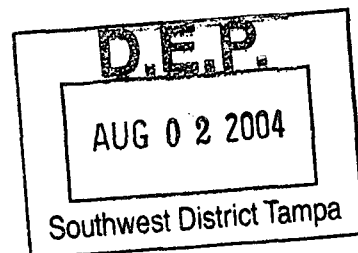
The revised PCAP, attached, incorporates the modifications and additions noted above. Revisions to the original proposed PCAP submitted to the Department are marked by underlined text in the revised PCAP. Pages on which revisions appear are noted.

Please let me know if you have any questions.

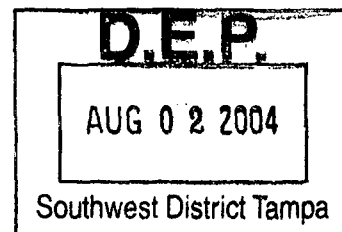
Very truly yours,  
**THE COLINAS GROUP, INC.**



Richard L. Potts, Jr., P.G.  
Principal Consultant  
Fl. P.G. Reg. No. 1113



**PROPOSED (Revised)  
PRELIMINARY CONTAMINATION ASSESSMENT PLAN  
SUMTER COUNTY CLOSED CLASS I LANDFILL  
SUMTER COUNTY, FLORIDA**




*Prepared for:*

**Kessler Consulting, Inc.  
Tampa, Florida**

*Prepared by:*

**The Colinas Group, Inc.  
Winter Park, Florida**

  
Richard L. Potts, Jr., P.G.  
Fl. P.G. Reg. No. 11113

A circular professional seal is partially visible behind the signature and text. The seal contains the text "FLORIDA PROFESSIONAL GEOLOGIST" around the perimeter and "RICHARD L. POTTS, JR." in the center.

**PROPOSED  
PRELIMINARY CONTAMINATION ASSESSMENT PLAN  
SUMTER COUNTY CLOSED CLASS I LANDFILL  
SUMTER COUNTY, FLORIDA**

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- 1.0 INTRODUCTION**
  - 1.1 Purpose and Scope
  - 1.2 Objectives
  - 1.3 Project QA/QC
  - 1.4 Project Location
- 2.0 PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS**
  - 2.1 Facility Monitoring Records Review
  - 2.2 Regional Hydrogeologic Review
  - 2.3 Initial Field Data Collection
    - 2.3.1 Zone of Discharge Confirmation
    - 2.3.2 Water Well Inventory
    - 2.3.3 Pollution Source Inventory
    - 2.3.4 Surface Waters / Stormwater Inventory
  - 2.4 Soil/Groundwater Investigations
    - 2.4.1 Soil/Sediment Sampling and Analysis
    - 2.4.2 New Monitoring Well Installation
    - 2.4.3 Groundwater Sampling and Analysis
- 3.0 PRELIMINARY CONTAMINATION ASSESSMENT REPORT**
- 4.0 PROPOSED PCAP COMPLETION SCHEDULE**

**PROPOSED  
PRELIMINARY CONTAMINATION ASSESSMENT PLAN  
SUMTER COUNTY CLOSED CLASS I LANDFILL  
SUMTER COUNTY, FLORIDA**

**1.0 INTRODUCTION**

Sumter County owns and operates a solid waste management facility comprised of three operating subcomponents: The Sumter County Composting Facility; Sumter County Recovery Facility, and; Sumter County Closed Class I Landfill. In March of 2004, Sumter County (the County) entered into a Consent Order with the Florida Department of Environmental Protection (FDEP).

Part of the Consent Order requires the County to immediately implement Preliminary Contamination Assessment Actions outlined in Exhibit B to the Consent Order. These actions are directed at reported exceedances of Florida ground water quality standards and minimum criteria at two (2) monitoring wells installed as part of the groundwater monitoring plan for the closed Class I landfill.

This Preliminary Contamination Assessment Plan is submitted by the County in accordance with the requirements of FDEP Consent Order Exhibit B, Item 2.

**1.1 Purpose and Scope**

The Colinas Group, Inc. (TCG) was retained by Kessler Consulting, Inc., solid waste consultants to Sumter County, to prepare a Preliminary Contamination Assessment Plan (PCAP) in accordance with Item 9 and Exhibit B of the FDEP Consent Order. The purpose of the PCAP is to provide a plan of data collection and evaluation to address apparent groundwater quality constituent exceedances recorded in previous quarterly monitoring reports for the closed landfill facility. The proposed PCAP is subject to review and approval by the FDEP Southwest District Office.

The scope of the PCAP includes assessment of potential water quality standards violations attributable to the closed solid waste disposal facility (landfill), as well as potential pollution sources situated beyond the closed landfill boundaries. Field data collection activities proposed as part of this PCAP are limited to the real property owned by the County and used for operation of the Sumter County solid waste management facilities.

## **1.2 Objectives**

The objective of the PCAP is to determine whether the soil, sediment, surface water or ground water are contaminated at the Sumter County Closed Class I Landfill, and, if so; whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 62-520 and 62-302, or constitutes a risk to the public health, the environment or the public welfare.

## **1.3 Project QA/QC**

The PCAP presented herein includes requirements for soil/sediment sampling, water sampling, exploratory test drilling, monitoring well installation, water level recording and assessment of geologic, hydrologic and geochemical site factors. TCG is responsible for, and will direct completion of each component of the proposed PCAP. The Colinas Group, Inc. is licensed by the State of Florida to practice the profession of geology. Mr. Richard L. Potts, Jr., P.G. is TCG's project manager and principal-in-charge for completion of the PCAP and is a licensed professional geologist in Florida.

TCG will subcontract with a commercial analytical laboratory, USBiosystems, Inc., Boca Raton, Florida to complete all solid and aqueous matrix chemical analyses required by the proposed PCAP. A copy of the title page and Table of Contents from USBiosystems' current FDEP-approved Comprehensive Quality Assurance Plan (CompQAP#980126) is attached in the Appendix. USBiosystem's FDHRS certificate (No.E86240) is attached to verify that the certificate has been maintained for the analytical laboratory parameters proposed in this PCAP.

TCG will complete all solid and aqueous media sampling required for the PCAP. TCG will conduct field sampling in strict accordance with the latest issue of the FDEP Standard Operating Procedures for Field Activities (SOPs). Field activities, including solid and aqueous media sampling, will be completed under the supervision of a Florida licensed professional geologist.

Field surveying will be required to establish vertical and horizontal control for specific testing sites. Surveying services will be provided by a Florida licensed professional land surveyor retained directly by Sumter County.

## **1.4 Project Location**

The Sumter County Closed Class I Landfill and associated County solid waste management facilities are located in Sumter County, Florida about one mile east of the intersection of Interstate Highway 75 and County Road 470. The

latitude/longitude coordinates for the facility are 284430/820520. The street address for the facility is 835 County Road 529, Lake Panasoffkee, Florida 33538.

## **2.0 PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS**

### **2.1 Facility Monitoring Records Review**

Information existing in the County's files will be compiled, including previous reports prepared for facility permitting, surveying, monitoring well design and installation and routine quarterly water quality monitoring. Available information concerning limits of waste, zone of discharge delineation and permitted facility configuration will be compiled from review of Department files and permitting records available in the FDEP's Southwest District Office in Tampa, Florida.

Results of historical groundwater sample analyses for parameters identified in the Consent Order will be summarized for the affected facility monitoring wells over the available period of record. Graphical plots of concentrations over time will be prepared to evaluate apparent trends for constituents-of-concern and to identify spurious or suspect data.

### **2.2 Regional Hydrogeologic Review**

The PCAP will compile relevant geologic, hydrologic and geochemical information for the site and vicinity from available published sources to include: The Southwest Water Management District (SWFWMD), the U.S. Geological Survey (USGS), Florida Bureau of Geology (FBOG), U.S. Natural Resources Conservation Service (NRCS) and the FDEP.

Compiled information will be used to describe regional characteristics in the vicinity of the project site. This information will be integrated with site-specific data found during records review and collected from PCAP drilling and testing activities to develop a comprehensive description of near-surface hydrogeologic conditions within and near the project site.

### **2.3 Initial Field Data Collection**

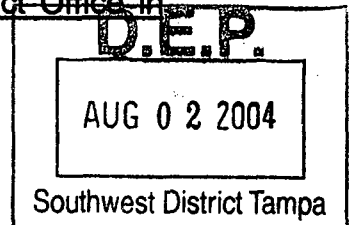
Initial PCAP field activities are intended to complete site characterization requirements and enhance the rationale and precision of locations for drilling and testing actions called for in the PCAP.



### **2.3.1 Zone of Discharge Confirmation**

The lateral limits of buried Class I waste and zone of discharge for the closed landfill defined in the facility FDEP operating permit will be physically located in the vicinity of affected monitoring wells using standard surveying methods. Limits of waste and related ZOD delineations will provide the basis for confirming the line of regulatory compliance with respect to water quality at the affected monitoring wells.

The PCAP will use existing information regarding edge of waste to determine and locate the zone of discharge limits in the field. Existing information should be available in the files of Sumter County Solid Waste Facility and in permitting files of the FDEP Southwest District Office in Tampa.



### **2.3.2 Water Well Inventory**

Existing water wells located within a one-half (0.5) mile radius of the landfill will be inventoried by driving reconnaissance. Where available, information concerning well use, total depth and intake interval will be recorded. Large public and private groundwater users in the inventory area will be identified through a records search of SWFWMD permitting files. Existing water wells situated within the inventory radius will be listed and located on a scaled map of the project site and vicinity.

### **2.3.3 Pollution Source Inventory**

Potential sources of soil and/or groundwater pollution will be inventoried within a one-quarter (0.25) mile radius of the landfill. Potential pollution sources will be identified by review of available aerial photographs and maps and by driving reconnaissance. Locations of potential pollution sources within the inventory area will be listed and located on a scaled map of the project site and vicinity.

Potential groundwater pollution sources within the County-owned solid waste facility property boundaries, including the closed Class I landfill, will be identified and mapped on a scaled map of the project site. Facility information will be compiled from review of Sumter County records, available historical aerial photographs and interviews with appropriate County personnel, to include: Description of past and present property owners; description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; description of all products used or

manufactured and of all by-products and waste generated during the life of the facility; accounting of current and past environmental permits and enforcement actions, and; accounting of known spills or releases of materials which may be potential pollution sources.

#### **2.3.4 Surface Waters/Stormwater Inventory**

An inventory of surface waters within 0.5 miles of the Sumter County SWMF property will be completed. The existing facility stormwater management system and points of discharge from the facility will be described.

### **2.4 Soil/Groundwater Site Investigations**

#### **2.4.1 New Monitoring Well Installation**

A minimum of three (3) new groundwater monitoring wells are proposed as part of this PCAP. One new well each will be installed downgradient on the water table surface from affected existing monitoring wells MW-2 and MW-4, as shown on the attached map of the project site (see Figure 1). One (1) new well is proposed between existing well MW-4 and known septic tanks used at separate County facilities located immediately north of the well.

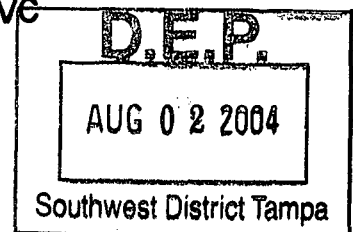
Actual location of the proposed wells downgradient of MW-2 and MW-4 will depend of determined location of the edge of the zone of discharge near the existing wells. TCG will first locate and mark the edge of the zone of discharge in the vicinity of the existing wells and then determine the appropriate locations for proposed downgradient wells. Prior to construction of the new wells, TCG will present proposed locations, in writing, to the Department for review and approval.

The actual location(s) and the number of proposed new well(s) used to assess the potential for water quality impacts to monitoring well MW-4 from nearby septic tank systems will be determined after detailed review and assessment of septic tank locations, historical groundwater movement potentials in the vicinity of the septic tanks and monitoring well and historical nitrate nitrogen detections in groundwater samples from MW-4. Upon completion of this task, TCG will present the number and locations of wells proposed for installation to the Department, in writing, for review and approval.

Groundwater measurements and contour maps presented in previous routine water quality monitoring reports prepared by the County will be used to locate new monitoring well sites for use in the PCAP. These data will provide the basis for determining predominant groundwater flow directions in local areas near affected existing monitoring wells MW-2 and MW-4.

New monitoring wells will be designed and constructed to sample groundwater at the same depth intervals as respective existing wells. New wells to be installed as part of this PCAP will be designed with 5-foot long screen sections. A Standard Penetration Test (SPT) boring will be drilled at each new well site to identify geologic conditions prior to final well design and construction. SPT borings will be drilled and sampled to the total depth reported for adjacent existing monitoring wells. Geologist's logs of the SPT borings will be prepared and selected soil/sediments samples will be collected and preserved for laboratory chemical analysis. New monitoring wells installed for this PCAP will be designed and constructed in accordance with Chapter 62-522, F.A.C. Proposed general well construction specifications are indicated below as follows:

Method:	Hollow-stem auger (nom. 6-in. I.D.)
Well casings:	2-in. dia. Schedule 40 PVC
Well screens:	2-in. dia. Continuous-slot Sch. 40 PVC
Gravel pack:	Commercial graded silica sand
Pack seal:	Fine silica sand or bentonite pellets
Grout:	Portland Type II cement, neat
Well Pad:	24" x 24" x 4" concrete
Protection:	4-in. sq. aluminum cover, locking



Well screen slot size and gravel pack gradation will be determined from grain-size analysis of unconsolidated sediments occurring in the design screened intervals. In the event that well screens are set in consolidated limestone/dolostone formations, 0.010"-slot well screens and 20/30 graded silica sand will be used. This combination of pack gradation and slot size has been shown to be effective in screened monitoring wells installed in rock in Florida.

In the event that future wells are screened below the base of an overlying aquitard or confining bed, the screen/gravel pack interval of the well will be set below the base of the aquitard/confining bed and the annular space around the well casing will be completely filled with neat cement through the aquitard/confining bed interval and back to land surface. Special attention will be provided during drilling of the SPT borings to investigate the occurrence of saturated sands, clayey sands and sandy clays above the confining bed at proposed well locations.

Upon completion of construction, new wells will be developed using conventional pump and surge methods until the discharge is clear and visibly free from suspended particles and fluid turbidity is less than 20 NTUs. Each new well will be surveyed by a Florida licensed Land Surveyor to establish land surface and top of casing elevation. Well Completion Reports for new wells constructed as part of this PCAP will be prepared on FDEP Form 62-522.900(3) and submitted to the Department as part of the Preliminary Contamination Assessment Report (PCAR).

#### **2.4.2 Soil/Sediment Sampling and Analysis**

Sediment samples will be collected at and near the water table surface and within the depth intervals screened in nearby existing monitoring wells at each SPT boring, assuming materials at these depths are unconsolidated. Collected samples will be preserved and submitted to an independent analytical laboratory for analysis of selected metals constituents listed in the FDEP Consent Order, namely:

Aluminum  
Iron, as Fe  
Manganese

Laboratory results of analyses will be reported as ug/kg concentrations. Sediment samples will only be collected and analyzed if, in fact, sediments encountered in well screen intervals are unconsolidated. Consolidated sediments, such as limestones and dolostones, penetrated by the well screens will not be collected for analysis.

#### **2.4.3 Groundwater Measurements, Sampling and Analysis**

One round of water level measurements will be made using the seven (7) existing monitoring wells and new wells installed for this PCAP. Measurements will be made at all wells within an 8-hour period and prior to groundwater sampling activities.

Groundwater samples will be collected using a variable-speed electric submersible pump meeting the requirements of the FDEP SOPs, FS2200 and new HDPE or PP pump discharge tubing for each monitoring well sampling event. Groundwater sampling procedures will conform to the requirements of FDEP SOPs, FS2200.

Groundwater samples will be collected from the facility background well (MW-6A), existing affected wells MW-2 and MW-4, and from new

monitoring wells installed as part of this PCAP. Groundwater samples will be analyzed for the following parameters:

Field Parameters

Fluid temperature  
Specific conductance  
Turbidity  
Dissolved oxygen  
pH

Laboratory Parameters

Aluminum \*  
Antimony \*  
Cadmium \*  
Iron, as Fe \*  
Manganese \*  
Nitrate, as N \*  
Total dissolved solids \*  
Thallium \*  
Total alkalinity, as CaCO<sub>3</sub>  
Total hardness, as CaCO<sub>3</sub>

- parameters listed in Consent Order

Additionally, groundwater samples will be analyzed for the following constituents:

- Priority pollutant metals using FDEP-approved Methods;
- Priority pollutant organic chemicals using EPA Methods 8260 and 8270;
- All non-priority pollutant organic chemicals with peaks greater than 10 ug/l using EPA Methods 8260 and 8270, and;
- Pesticides and herbicides using EPA Methods 8081, 8141, 8151 or 8270, if applicable, or other Department-approved methods for pesticides and herbicides for which the listed methods are not applicable.

Where laboratory methods identified above differ from the PCAA nomenclature, the methods cited are EPA updates of the methods referred to in the PCAA. Laboratory method detection limits to be used in this PCAP are listed, by constituent, in the attachment.

The total sample set submitted to the laboratory will include the following QA/QC water samples:

- One (1) equipment blank
- One (1) trip blank/per sampling day
- One (1) blind duplicate sample

The analytical laboratory performing the analyses will provide the quality assurance data required by Consent Order Exhibit B, Item 7E.

Monitoring well sampling activities proposed in this PCAP are independent of, and do not replace, scheduled routine quarterly sampling and analysis required by the facility's FDEP operating permit(s).

### 3.0 PRELIMINARY CONTAMINATION ASSESSMENT REPORT

On completion of the preliminary contamination assessment actions included in this PCAP, a written Preliminary Contamination Assessment Report (PCAR) will be prepared addressing the PCAP objectives. The PCAR will present the information required by listing in Consent Order Exhibit B, Item 7 (A through E). The PCAR will include reports submitted by subcontractors to the County and to TCG required to complete the proposed PCAP. Reports from the subcontract Professional Land Surveyor and analytical laboratory and logs from the test drilling/well construction contractor will be attached in the Appendix to the PCAR.

The PCAR will include, but may not be limited to:

- a. Summary of PCAP tasks completed;
- b. Description of past and present property owners;
- c. Description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources;
- d. Description of all products used or manufactures and of all by-products and waste generated during the life of the facility;
- e. Summary of current and past environmental permits and enforcement actions;
- f. Summary of known spills or releases of materials which may be potential pollution sources;
- g. Summary of well construction data;
- h. Cross-section descriptions of site geology showing property boundaries, limits of Class I waste, edge of the zone of discharge, surface topography and features (septic tank/drain field areas, structures, compost handling/storage areas, stormwater ponds), depth of Class I waste disposal phases, monitoring well screen intervals (background well MW-6a, MW-2, MW-4 and new wells) and groundwater surface elevation at the time of sampling;
- i. Summary of historical groundwater contour maps;
- j. Groundwater contour map for PCAP measurements;
- k. Tabulated historical water quality monitoring data;
- l. Tabulated field/laboratory results for PCAP sampling;
- m. Identification, to the extent possible, of source(s), extent and concentrations of contaminant, and the existence of any imminent hazards, and;

- n. Assessment of the potential for movement of contaminants, both horizontally and vertically, identification of zones that are likely to be affected and description of actual and potential uses of the groundwater as a resource.

The PCAR will provide TCG's conclusions regarding the objectives of the PCAP and recommendations for further actions, if any, considered necessary to satisfy the requirements of the FDEP Consent Order. The PCAR will be signed and sealed by the licensed professional geologist directly responsible for implementation and completion of the PCAP. The County will submit two (2) copies of the PCAR to the Department for review and acceptance.

#### 4.0 PROPOSED PCAP COMPLETION SCHEDULE

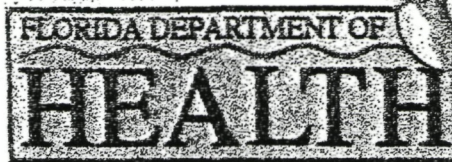
The proposed PCAP is intended to be completed in a step-wise fashion with intervals between primary tasks used for necessary data reduction, assessment and interpretation. The proposed PCAP schedule is presented in tabular form below, by primary work tasks.

<u>PCAP Task</u>	<u>Task Completion (weeks)</u>	<u>Cumulative Time (weeks)</u>
Records/Literature Review	1	1
Initial Field Data Collection	1	2
SPT Drilling/Well Construction	1	3
Sampling and Analysis	4	7
Preparation of PCAR	3	10
County Review and DEP Submission	2	12

The proposed PCAP completion schedule complies with the 90-day reporting schedule requirement outlined in Consent Order Exhibit B, Item 2.

\* \* \* \* \*





State of Florida  
Department of Health, Bureau of Laboratories

This is to certify that

E86240

US Biosystems, Inc.

3231 N.W. 7th Avenue

Boca Raton, FL 33431

has complied with Florida Administrative Code 64E-1, for the examination of Environmental samples in the following categories:

Drinking Water

Group II Unregulated Contaminants, Group III Unregulated Contaminants, Microbiology, Other Regulated Contaminants, Primary Inorganic Contaminants, Secondary Inorganic Contaminants, Synthetic Organic Contaminants

Non-Potable Water

Extractable Organics, General Chemistry, Metals, Microbiology, Pesticides-Herbicides-PCB's, Volatile Organics

Solid and Chemical Materials

Extractable Organics, General Chemistry, Metals, Pesticides-Herbicides-PCB's, Volatile Organics

Continued certification is contingent upon successful on-going compliance with the NELAC Standards and FAC Rule 64E-1 regulations. Specific methods and analytes certified are cited on the Laboratory Scope of Accreditation for this laboratory and are on file at the Bureau of Laboratories, P. O. Box 210, Jacksonville, Florida 32231. Clients and customers are urged to verify with this agency the laboratory's certification status in Florida for particular methods and analytes.

EFFECTIVE JULY 1, 2004

THROUGH JUNE 30, 2005



Ming S. Chan, Ph.D.

Bureau Chief, Bureau of Laboratories

Florida Department of Health

DH Form 1697, 7/03

NON-TRANSFERABLE 06/24/2004-E86240





July 28, 2004

Rick Potts  
The Colinas Group  
509 N. Virginia Avenue  
Winter Park, FL 32789

Re: Reporting limits for metals, inorganics  
(Also attached reporting limits for organics methods 8081, 8141, 8151, 8260, 8270)

**Priority Pollutant Metals (ug/l)**

Analyte	MDL	Std. reporting limit	Method
Antimony	0.51	2	SM3113B
Arsenic	2.3	10	6010
Beryllium	0.3	4	6010
Cadmium	0.17	5	6010
Chromium	1.7	5	6010
Copper	1.8	10	6010
Lead	0.91	5	6010
Mercury	0.03	0.2	245.1
Nickel	0.63	5	6010
Selenium	3.1	10	6010
Silver	0.52	10	6010
Thallium	0.77	2	200.9
Zinc	2.8	20	6010

**Other metals**

Analyte	MDL	Std. reporting limit	Method
Aluminum	6.1	50	6010
Iron	5.5	50	6010
Manganese	0.22	10	6010

**Other Inorganic Constituents (mg/l)**

Analyte	MDL	Std. reporting limit	Method
Nitrate	0.018	0.05	300.0
Alkalinity	0.76	2	310.1
TDS	4.45	10	160.1
Hardness	0.203	0.8	6010

Please contact me if you require any additional information.

Steve Walton  
Client Technical Services Manager

## Automated Compliance Systems, Inc.

## LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:31 am

ListJoin	Listtype	Process	Matchclass	Pkey	CFlag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
LJ22974	8260	ANALYTICAL	LIQSID	STD	Y		VOLATILES/LIQUIDS
Method	5030/8260	TITLE	N				
Acetone	BDL	REG	N ug/l	3.88	ug/l	10	ug/l
Acrolein	BDL	REG	N ug/l	2.13	ug/l	10	ug/l
Acrylonitrile	BDL	REG	N ug/l	1	ug/l	1	ug/l
Benzene	BDL	REG/SPIKE	N ug/l	.1	ug/l	1	ug/l
Bromobenzene	BDL	REG	N ug/l	.12	ug/l	1	ug/l
Bromochloromethane	BDL	REG	N ug/l	.14	ug/l	1	ug/l
Bromodichloromethane	BDL	REG	N ug/l	.12	ug/l	.6	ug/l
Bromoform	BDL	REG	N ug/l	.17	ug/l	1	ug/l
Bromomethane	BDL	REG	N ug/l	.15	ug/l	2	ug/l
n-Butylbenzene	BDL	REG	N ug/l	.14	ug/l	1	ug/l
sec-Butylbenzene	BDL	REG	N ug/l	.13	ug/l	1	ug/l
tert-Butylbenzene	BDL	REG	N ug/l	.11	ug/l	1	ug/l
Carbon Disulfide	BDL	REG	N ug/l	.13	ug/l	10	ug/l
Carbon Tetrachloride	BDL	REG	N ug/l	.12	ug/l	1	ug/l
Chlorobenzene	BDL	REG/SPIKE	N ug/l	.14	ug/l	1	ug/l
Chloroethane	BDL	REG	N ug/l	.3	ug/l	1	ug/l
2-Chloroethylvinyl Ether	BDL	REG	N ug/l	1.7	ug/l	10	ug/l
Chloroform	BDL	REG	N ug/l	.12	ug/l	1	ug/l
Chloromethane	BDL	REG	N ug/l	.78	ug/l	1	ug/l
2-Chlorotoluene	BDL	REG	N ug/l	.14	ug/l	1	ug/l
4-Chlorotoluene	BDL	REG	N ug/l	.13	ug/l	1	ug/l
1,2-Dibromo-3-Chloropropane	BDL	REG	N ug/l	.45	ug/l	1	ug/l
Dibromochloromethane	BDL	REG	N ug/l	.11	ug/l	.4	ug/l
Dibromomethane	BDL	REG	N ug/l	.16	ug/l	1	ug/l
1,2-Dibromoethane	BDL	REG	N ug/l	.52	ug/l	1	ug/l
1,2-Dichlorobenzene	BDL	REG	N ug/l	.16	ug/l	1	ug/l
1,3-Dichlorobenzene	BDL	REG	N ug/l	.12	ug/l	1	ug/l
1,4-Dichlorobenzene	BDL	REG	N ug/l	.23	ug/l	1	ug/l
Dichlorodifluoromethane	BDL	REG	N ug/l	.11	ug/l	1	ug/l
1,1-Dichloroethane	BDL	REG	N ug/l	.11	ug/l	1	ug/l
1,2-Dichloroethane	BDL	REG	N ug/l	.24	ug/l	1	ug/l
1,1-Dichloroethane	BDL	REG/SPIKE	N ug/l	.11	ug/l	1	ug/l
cis-1,2-Dichloroethane	BDL	REG	N ug/l	.1	ug/l	1	ug/l
trans-1,2-Dichloroethane	BDL	REG	N ug/l	.25	ug/l	1	ug/l
1,2-Dichloropropane	BDL	REG	N ug/l	.21	ug/l	1	ug/l
1,3-Dichloropropane	BDL	REG	N ug/l	.34	ug/l	1	ug/l
2,2-Dichloropropane	BDL	REG	N ug/l	.12	ug/l	1	ug/l
1,1-Dichloropropene	BDL	REG	N ug/l	.16	ug/l	1	ug/l
trans-1,3-Dichloropropene	BDL	REG	N ug/l	.22	ug/l	.2	ug/l
cis-1,3-Dichloropropene	BDL	REG	N ug/l	.18	ug/l	.2	ug/l
Ethylbenzene	BDL	REG	N ug/l	.13	ug/l	1	ug/l
Hexachlorobutadiene	BDL	REG	N ug/l	.11	ug/l	.5	ug/l
2-Hexanone	BDL	REG	N ug/l	.28	ug/l	10	ug/l
Isopropyl Benzene	BDL	REG	N ug/l	.35	ug/l	1	ug/l
4-Isopropyl Toluene	BDL	REG	N ug/l	.11	ug/l	1	ug/l
MEK(2-Butanone)	BDL	REG	N ug/l	.45	ug/l	10	ug/l
Methylene Chloride	BDL	REG	N ug/l	.14	ug/l	5	ug/l
MIBK(4-Methyl-2-Pentanone)	BDL	REG	N ug/l	.2	ug/l	10	ug/l
MTBE	BDL	REG	N ug/l	.33	ug/l	5	ug/l
Naphthalene	BDL	REG	N ug/l	.13	ug/l	1	ug/l
n-Propylbenzene	BDL	REG	N ug/l	.12	ug/l	1	ug/l
Styrene	BDL	REG	N ug/l	.12	ug/l	1	ug/l
1,1,1,2-Tetrachloroethane	BDL	REG	N ug/l	.14	ug/l	1	ug/l
1,1,2,2-Tetrachloroethane	BDL	REG	N ug/l	.2	ug/l	.2	ug/l
Tetrachloroethene	BDL	REG	N ug/l	.12	ug/l	1	ug/l
Toluene	BDL	REG/SPIKE	N ug/l	.14	ug/l	1	ug/l
Total Xylenes	BDL	REG	N ug/l	.55	ug/l	2	ug/l
1,2,3-Trichlorobenzene	BDL	REG	N ug/l	.1	ug/l	1	ug/l

D.E.P.

AUG 02 2004

Southwest District Tampa

## Automated Compliance Systems, Inc.

## LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:31 am

ListJoin	Listtype	Process	Matchclass	Pkey	CFlag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
1,2,4-Trichlorobenzene	BDL	REG	N ug/l	.14	ug/l	1	ug/l
1,1,1-Trichloroethane	BDL	REG	N ug/l	.2	ug/l	1	ug/l
Trichloroethene	BDL	REG/SPIKE	N ug/l	.12	ug/l	1	ug/l
1,1,2-Trichloroethane	BDL	REG	N ug/l	.16	ug/l	1	ug/l
1,2,3-Trichloropropane	BDL	REG	N ug/l	.34	ug/l	.2	ug/l
Trichlorofluoromethane	BDL	REG	N ug/l	.15	ug/l	1	ug/l
1,2,4-Trimethylbenzene	BDL	REG	N ug/l	.18	ug/l	1	ug/l
1,3,5-Trimethylbenzene	BDL	REG	N ug/l	.12	ug/l	1	ug/l
Vinyl Acetate	BDL	REG	N ug/l	.15	ug/l	10	ug/l
Vinyl Chloride	BDL	REG	N ug/l	.21	ug/l	1	ug/l
Dilution Factor	N/D	DF	N				
Surrogate Recoveries:	*	SURR	N				
Dibromofluoromethane	n/a	SURR	N %				
Toluene-D8	n/a	SURR	N %				
4-Bromofluorobenzene	n/a	SURR	N %				

Matn	SI prod	Pointer	Stored Parameter	Chain	Description	LinkID
1	8260	5		VOLATILES/LIQUIDS	8260 Compounds in Liquid	LL736
12	8260	5		VOLATILES/LIQUIDS	8260 Compounds in Liquid	LL5248
2	8260	5		VOLATILES/LIQUIDS	8260 Compounds in Liquid	LL737
3	8260	5		VOLATILES/LIQUIDS	8260 Compounds in Liquid	LL738
6	8260	5		VOLATILES/LIQUIDS	8260 Compounds in Liquid	LL910



## Automated Compliance Systems, Inc.

## LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:31 am

ListJoin	Listtype	Process	Matclass	Rkey	CEflag	Expired	Chain
Parameter	Method	Parmtyp	M Units	MDL	MDL Units	RDL	RDL Units
LJ22424	8270-GCTL	ANALYTICAL	LIQUID	STD	Y		SEMI-VOLATILES/LIQUIDS
Method	3S10/8270	TITLE	N				
N-Nitrosodimethylamine	BDL	REG	N ug/l	.87	ug/l	2	ug/l
Aniline	BDL	REG	N ug/l	.72	ug/l	4	ug/l
Phenol	BDL	REG/SPIKE	N ug/l	.59	ug/l	10	ug/l
Bis(2-Chloroethyl) Ether	BDL	REG	N ug/l	.65	ug/l	4	ug/l
2-Chlorophenol	BDL	REG/SPIKE	N ug/l	.57	ug/l	10	ug/l
1,3-Dichlorobenzene	BDL	REG	N ug/l	.53	ug/l	10	ug/l
1,4-Dichlorobenzene	BDL	REG/SPIKE	N ug/l	.42	ug/l	10	ug/l
Benzyl Alcohol	BDL	REG	N ug/l	.44	ug/l	10	ug/l
1,2-Dichlorobenzene	BDL	REG	N ug/l	.49	ug/l	10	ug/l
2-Methylphenol	BDL	REG	N ug/l	.59	ug/l	10	ug/l
Bis(2-Chloroisopropyl) Ether	BDL	REG	N ug/l	.34	ug/l	10	ug/l
N-Nitrosodi-n-propylamine	BDL	REG/SPIKE	N ug/l	.26	ug/l	4	ug/l
344-Methylphenol	BDL	REG	N ug/l	2.6	ug/l	10	ug/l
Hexachloroethane	BDL	REG	N ug/l	.29	ug/l	2	ug/l
Nitrobenzene	BDL	REG	N ug/l	.2	ug/l	4	ug/l
Isophorone	BDL	REG	N ug/l	.82	ug/l	10	ug/l
2-Nitrophenol	BDL	REG	N ug/l	.64	ug/l	10	ug/l
2,4-Dimethylphenol	BDL	REG	N ug/l	.67	ug/l	10	ug/l
Bis(2-Chloroethoxy)methane	BDL	REG	N ug/l	.25	ug/l	10	ug/l
Benzoic Acid	BDL	REG	N ug/l	1.8	ug/l	50	ug/l
2,4-Dichlorophenol	BDL	REG	N ug/l	.53	ug/l	.53	ug/l
1,2,4-Trichlorobenzene	BDL	REG/SPIKE	N ug/l	.34	ug/l	10	ug/l
4-Chloroaniline	BDL	REG	N ug/l	.25	ug/l	10	ug/l
Hexachlorobutadiene	BDL	REG	N ug/l	.42	ug/l	10	ug/l
4-Chloro-3-Methylphenol	BDL	REG/SPIKE	N ug/l	.59	ug/l	10	ug/l
Hexachlorocyclopentadiene	BDL	REG	N ug/l	.63	ug/l	10	ug/l
2,4,6-Trichlorophenol	BDL	REG	N ug/l	.58	ug/l	3	ug/l
2,4,5-Trichlorophenol	BDL	REG	N ug/l	.69	ug/l	4	ug/l
2-Chloronaphthalene	BDL	REG	N ug/l	.3	ug/l	10	ug/l
2-Nitroaniline	BDL	REG	N ug/l	.61	ug/l	50	ug/l
Dimethylphthalate	BDL	REG	N ug/l	.56	ug/l	10	ug/l
2,6-Dinitrotoluene	BDL	REG	N ug/l	.39	ug/l	.39	ug/l
3-Nitroaniline	BDL	REG	N ug/l	.54	ug/l	50	ug/l
2,4-Dinitrophenol	BDL	REG	N ug/l	.16	ug/l	16	ug/l
Dibenzofuran	BDL	REG	N ug/l	.52	ug/l	10	ug/l
2,4-Dinitrotoluene	BDL	REG/SPIKE	N ug/l	.45	ug/l	.45	ug/l
4-Nitrophenol	BDL	REG/SPIKE	N ug/l	1.2	ug/l	50	ug/l
Diethylphthalate	BDL	REG	N ug/l	.42	ug/l	10	ug/l
4-Chlorophenyl-phenylether	BDL	REG	N ug/l	.25	ug/l	10	ug/l
4-Nitroaniline	BDL	REG	N ug/l	.56	ug/l	50	ug/l
4,6-Dinitro-2-Methylphenol	BDL	REG	N ug/l	.11	ug/l	50	ug/l
N-Nitrosodiphenylamine	BDL	REG	N ug/l	.3	ug/l	4	ug/l
1,2-Diphenylhydrazine	BDL	REG	N ug/l	.22	ug/l	10	ug/l
4-Bromophenyl-phenylether	BDL	REG	N ug/l	.52	ug/l	10	ug/l
Hexachlorobenzene	BDL	REG	N ug/l	.46	ug/l	1	ug/l
Pentachlorophenol	BDL	REG/SPIKE	N ug/l	1.8	ug/l	1.8	ug/l
Carbazole	BDL	REG	N ug/l	.74	ug/l	4	ug/l
Di-N-Butylphthalate	BDL	REG/SPIKE	N ug/l	.27	ug/l	10	ug/l
Benzidine	BDL	REG	N ug/l	.65	ug/l	80	ug/l
Butylbenzylphthalate	BDL	REG	N ug/l	.22	ug/l	10	ug/l
3,3'-Dichlorobenzidine	BDL	REG	N ug/l	.25	ug/l	10	ug/l
Bis(2-Ethylhexyl)Phthalate	BDL	REG	N ug/l	.44	ug/l	4	ug/l
Di-N-Octylphthalate	BDL	REG	N ug/l	1.1	ug/l	10	ug/l
Dilution Factor		DF	N				
Surrogate Recoveries:	*	SURR	N				
2-Fluorophenol	DL	SURR	N %				
Phenol-d5	DL	SURR	N %				
Nitrobenzene-d5	DL	SURR	N %				

Automated Compliance Systems, Inc.  
LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:31 am

ListJoin	Listtype	Process	Matclass	Pkey	CFlag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
2-Fluorobiphenyl	DL	SURR	N %				
2,4,6-Tribromophenol	DL	SURR	N %				
Terphenyl-d14	DL	SURR	N %				

Matn	S1	prod	Pointer	Stored Parameter	Chain	Description	LinkID
1	8270	GCTL	7		SEMI-VOLATILES/LIQUIDS	Semivolatiles	LL9698



Automated Compliance Systems, Inc.

LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:33 am

ListJoin	Listtype	Process	Matchclass	Pkey	CFlag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
LJ20686	8270PAH-FL	ANALYTICAL	LIQUID	STD	Y		SEMI-VOLATILES/LIQUIDS
Method	3510/8270	TITLE	N				
Naphthalene	BDL	REG/SPIKE	N ug/l	.239	ug/l	1	ug/l
2-Methylnaphthalene	BDL	REG/SPIKE	N ug/l	.229	ug/l	1	ug/l
1-Methylnaphthalene	BDL	REG/SPIKE	N ug/l	.228	ug/l	1	ug/l
Acenaphthylene	BDL	REG/SPIKE	N ug/l	.232	ug/l	1	ug/l
Acenaphthene	BDL	REG/SPIKE	N ug/l	.213	ug/l	1	ug/l
Fluorene	BDL	REG/SPIKE	N ug/l	.197	ug/l	1	ug/l
Phenanthrene	BDL	REG/SPIKE	N ug/l	.187	ug/l	1	ug/l
Anthracene	BDL	REG/SPIKE	N ug/l	.206	ug/l	1	ug/l
Fluoranthene	BDL	REG/SPIKE	N ug/l	.173	ug/l	1	ug/l
Pyrene	BDL	REG/SPIKE	N ug/l	.286	ug/l	1	ug/l
Benzo(a)anthracene	BDL	REG/SPIKE	N ug/l	.088	ug/l	.2	ug/l
Chrysene	BDL	REG/SPIKE	N ug/l	.0902	ug/l	1	ug/l
Benzo(b)fluoranthene	BDL	REG/SPIKE	N ug/l	.152	ug/l	.2	ug/l
Benzo(k)fluoranthene	BDL	REG/SPIKE	N ug/l	.11	ug/l	.5	ug/l
Benzo(a)pyrene	BDL	REG/SPIKE	N ug/l	.119	ug/l	.2	ug/l
Indeno(1,2,3-c,d)pyrene	BDL	REG/SPIKE	N ug/l	.195	ug/l	.2	ug/l
Dibenzo(a,h)Anthracene	BDL	REG/SPIKE	N ug/l	.324	ug/l	.2	ug/l
Benzo(g,h,i)perylene	BDL	REG/SPIKE	N ug/l	.171	ug/l	1	ug/l
Dilution Factor		DP	N				
Surrogate Recoveries:	*	SURR	N				
Nitrobenzene-d5	DL	SURR	N %				
2-Fluorobiphenyl	DL	SURR	N %				
Terphenyl-d14	DL	SURR	N %				

Matn	S1 prod	Pointer	Stored Parameter	Chain	Description	LinkID
1	8270PAH-FL	7		SEMI-VOLATILES/LIQUIDS	Polynuclear Aromatic Hydrocarbons	LL9037
11	8270PAH-FL	7		SEMI-VOLATILES/LIQUIDS	Polynuclear Aromatic Hydrocarbons	LL9041
12	8270PAH-FL	7		SEMI-VOLATILES/LIQUIDS	Polynuclear Aromatic Hydrocarbons	LL9042
2	8270PAH-FL	7		SEMI-VOLATILES/LIQUIDS	Polynuclear Aromatic Hydrocarbons	LL9038
3	8270PAH-FL	7		SEMI-VOLATILES/LIQUIDS	Polynuclear Aromatic Hydrocarbons	LL9039
6	8270PAH-FL	7		SEMI-VOLATILES/LIQUIDS	Polynuclear Aromatic Hydrocarbons	LL9040



## Automated Compliance Systems, Inc.

## LIST DEFINITIONS REPORT (printlist)

Jul 28, 1996 11:33 am

ListJoin	Listtype	Process	Matchclass	Pkey	CFlag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
LJ21948	8081	ANALYTICAL	LIQUID	STD	Y		SEMI-VOLATILES/LIQUIDS
Method	3510/8081	TITLE	N				
alpha-BHC	BDL	REG/SPIKE	N ug/l	.0086	ug/l	.05	ug/l
gamma-BHC	BDL	REG/SPIKE	N ug/l	.0098	ug/l	.05	ug/l
Heptachlor	BDL	REG/SPIKE	N ug/l	.0134	ug/l	.05	ug/l
Aldrin	BDL	REG/SPIKE	N ug/l	.0123	ug/l	.05	ug/l
beta-BHC	BDL	REG/SPIKE	N ug/l	.0081	ug/l	.05	ug/l
delta-BHC	BDL	REG/SPIKE	N ug/l	.0102	ug/l	.05	ug/l
Heptachlor Epoxide	BDL	REG/SPIKE	N ug/l	.0061	ug/l	.05	ug/l
Endosulfan I	BDL	REG/SPIKE	N ug/l	.0085	ug/l	.05	ug/l
4,4'-DDE	BDL	REG/SPIKE	N ug/l	.008	ug/l	.1	ug/l
alpha-Chlordane	BDL	REG/SPIKE	N ug/l	.0085	ug/l	.05	ug/l
gamma-Chlordane	BDL	REG/SPIKE	N ug/l	.0092	ug/l	.05	ug/l
Dieldrin	BDL	REG/SPIKE	N ug/l	.0072	ug/l	.05	ug/l
Endrin	BDL	REG/SPIKE	N ug/l	.034	ug/l	.1	ug/l
4,4'-DDD	BDL	REG/SPIKE	N ug/l	.011	ug/l	.1	ug/l
Endosulfan II	BDL	REG/SPIKE	N ug/l	.013	ug/l	.1	ug/l
4,4'-DDT	BDL	REG/SPIKE	N ug/l	.011	ug/l	.1	ug/l
Endrin Aldehyde	BDL	REG/SPIKE	N ug/l	.0319	ug/l	.1	ug/l
Endrin Ketone	BDL	REG/SPIKE	N ug/l	.0062	ug/l	.1	ug/l
Methoxychlor	BDL	REG/SPIKE	N ug/l	.0122	ug/l	.5	ug/l
Endosulfan Sulfate	BDL	REG/SPIKE	N ug/l	.0128	ug/l	.1	ug/l
Toxaphene	BDL	REG	N ug/l	.6334	ug/l	3	ug/l
Dilution Factor		DF	N				
Surrogate Recoveries:	*	SURR	N				
TCMX	DL	SURR	N %				
DCB	DL	SURR	N %				

Matn	SI prod	Pointer	Stored Parameter	Chain	Description	LinkID
1	8081	7		SEMI-VOLATILES/LIQUIDS	Organochlorine Pesticides	LL7163
11	8081	7		SEMI-VOLATILES/LIQUIDS	Organochlorine Pesticides	LL9053
12	8081	7		SEMI-VOLATILES/LIQUIDS	Organochlorine Pesticides	LL7167
2	8081	7		SEMI-VOLATILES/LIQUIDS	Organochlorine Pesticides	LL7164
3	8081	7		SEMI-VOLATILES/LIQUIDS	Organochlorine Pesticides	LL7165
6	8081	7		SEMI-VOLATILES/LIQUIDS	Organochlorine Pesticides	LL7166

## Automated Compliance Systems, Inc.

## LIST DEFINITIONS REPORT (printlist)

Jul 28, 1996 11:33 am

ListJoin	Listtype	Process	Matclass	Pkey	CFIag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
LJ17605	8141	ANALYTICAL	LIQUID	STD	Y		SEMI-VOLATILES/LIQUIDS
Method	3510/8141	TITLE	N				
Aspon	BDL	REG	N ug/l	.1	ug/l	.5	ug/l
Azinphos-methyl	BDL	REG/SPIKE	N ug/l	.36	ug/l	2	ug/l
Azinphos-ethyl	BDL	REG	N ug/l	.072	ug/l	2	ug/l
Bolstar (Sulprofos)	BDL	REG	N ug/l	.24	ug/l	.5	ug/l
Carbophenothion	BDL	REG	N ug/l	.061	ug/l	.5	ug/l
Chlorfenvinphos	BDL	REG	N ug/l	.16	ug/l	.5	ug/l
Chlorpyrifos	BDL	REG	N ug/l	.3	ug/l	.5	ug/l
Chlorpyrifos methyl	BDL	REG	N ug/l	.16	ug/l	.5	ug/l
Coumaphos	BDL	REG	N ug/l	.35	ug/l	1.5	ug/l
Crotoxyphos	BDL	REG	N ug/l	.11	ug/l	.5	ug/l
Demeton-O	BDL	REG	N ug/l	.27	ug/l	.5	ug/l
Demeton-S	BDL	REG	N ug/l	.27	ug/l	.5	ug/l
Diazinon	BDL	REG/SPIKE	N ug/l	.32	ug/l	.5	ug/l
Dichlorofenthion	BDL	REG	N ug/l	.16	ug/l	.5	ug/l
Dichlorvos (DDVP)	BDL	REG	N ug/l	.33	ug/l	.5	ug/l
Dicrotophos	BDL	REG	N ug/l	.13	ug/l	.5	ug/l
Dimethoate	BDL	REG	N ug/l	.3	ug/l	.5	ug/l
Dioxathion	BDL	REG	N ug/l	.15	ug/l	.5	ug/l
Disulfoton	BDL	REG/SPIKE	N ug/l	.28	ug/l	.5	ug/l
EPN	BDL	REG	N ug/l	.2	ug/l	.5	ug/l
Ethion	BDL	REG/SPIKE	N ug/l	.075	ug/l	.5	ug/l
Ethoprop	BDL	REG	N ug/l	.31	ug/l	.5	ug/l
Famphur	BDL	REG	N ug/l	.15	ug/l	.5	ug/l
Fenithrothion	BDL	REG	N ug/l	.16	ug/l	.5	ug/l
Fensulfothion	BDL	REG	N ug/l	.31	ug/l	.5	ug/l
Fonophos	BDL	REG	N ug/l	.14	ug/l	.5	ug/l
Fenthion	BDL	REG	N ug/l	.25	ug/l	.5	ug/l
Leptophos	BDL	REG	N ug/l	.19	ug/l	.5	ug/l
Malathion	BDL	REG/SPIKE	N ug/l	.3	ug/l	.5	ug/l
Merphos	BDL	REG	N ug/l	.31	ug/l	.5	ug/l
Mevinphos	BDL	REG	N ug/l	.36	ug/l	.5	ug/l
Monocrotophos	BDL	REG	N ug/l	.17	ug/l	.5	ug/l
Naled	BDL	REG	N ug/l	.28	ug/l	.5	ug/l
Parathion, ethyl	BDL	REG/SPIKE	N ug/l	.3	ug/l	.5	ug/l
Parathion, methyl	BDL	REG/SPIKE	N ug/l	.29	ug/l	.5	ug/l
Phorate	BDL	REG	N ug/l	.31	ug/l	.5	ug/l
Phosmet	BDL	REG	N ug/l	.12	ug/l	.5	ug/l
Phosphamidon	BDL	REG	N ug/l	.11	ug/l	.5	ug/l
Ronnel	BDL	REG	N ug/l	.29	ug/l	.5	ug/l
Stirophos (Tetrachlorovinphos)	BDL	REG	N ug/l	.3	ug/l	.5	ug/l
Sulfotepp	BDL	REG	N ug/l	.29	ug/l	.5	ug/l
TEPP	BDL	REG	N ug/l	.31	ug/l	.5	ug/l
Terbufos	BDL	REG	N ug/l	.21	ug/l	.5	ug/l
Thionazin (Zinophos)	BDL	REG	N ug/l	.19	ug/l	.5	ug/l
Tokuthion (Protothiofos)	BDL	REG	N ug/l	.29	ug/l	.5	ug/l
Trichlorfon	BDL	REG	N ug/l	.26	ug/l	.5	ug/l
Trichloronate	BDL	REG	N ug/l	.3	ug/l	.5	ug/l
Dilution Factor		DF	N				
Surrogate Recoveries:	*	SURR	N				
Tributylphosphate	DL	SURR	N %				
Triphenylphosphate	DL	SURR	N %				

Matn	SI	prod	Pointer	Stored Parameter	Chain	Description	LinkID
1	8141		7		SEMI-VOLATILES/LIQUIDS	Organophosphorus	Pesticides LL859
12	8141		7		SEMI-VOLATILES/LIQUIDS	Organophosphorus	Pesticides LL5243
2	8141		7		SEMI-VOLATILES/LIQUIDS	Organophosphorus	Pesticides LL860
3	8141		7		SEMI-VOLATILES/LIQUIDS	Organophosphorus	Pesticides LL861
6	8141		7		SEMI-VOLATILES/LIQUIDS	Organophosphorus	Pesticides LL862



Automated Compliance Systems, Inc.  
LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:33 am

ListJoin	Listtype	Process	Matchclass	Pkey	CFlag	Expired	Chain
Parameter		Method	Paramtype M Units	MDL	MDL Units	RDL	RDL Units

Automated Compliance Systems, Inc.  
LIST DEFINITIONS REPORT (prntlist)

Jul 28, 1996 11:33 am

IdstJoin	Diastype	Process	Matclass	Pkey	CFlag	Expired	Chain
Parameter	Method	Paratype	M Units	MDL	MDL Units	RDL	RDL Units
118268	8151	ANALYTICAL	LIQUID	STD	Y		SEMI-VOLATILES/LIQUIDS
Method	8151	TITLE	N				
Dalapon	BDL	REG/SPIKE	N ug/l	.45	ug/l	2	ug/l
MCPFP	BDL	REG/SPIKE	N ug/l	.18	ug/l	200	ug/l
Dicamba	BDL	REG/SPIKE	N ug/l	.11	ug/l	2	ug/l
MCPA	BDL	REG/SPIKE	N ug/l	.57	ug/l	200	ug/l
Dichlorprop	BDL	REG/SPIKE	N ug/l	.21	ug/l	2	ug/l
2,4-D	BDL	REG/SPIKE	N ug/l	.16	ug/l	2	ug/l
2,4,5-TP	BDL	REG/SPIKE	N ug/l	.13	ug/l	2	ug/l
2,4,5-T	BDL	REG/SPIKE	N ug/l	.23	ug/l	2	ug/l
Dinoseb	BDL	REG/SPIKE	N ug/l	.11	ug/l	2	ug/l
2,4-DB	BDL	REG/SPIKE	N ug/l	.087	ug/l	2	ug/l
Dilution Factor		DF	N				
Surrogate Recoveries:	*	SURR	N				
DCAA	DL	SURR	N t				
Matn	S1 prod	Pointer	Stored Parameter	Chain	Description	LinkID	
1	8151	7	SEMI-VOLATILES/LIQUIDS	Chlorinated	Herbicides	LL9060	
11	8151	7	SEMI-VOLATILES/LIQUIDS	Chlorinated	Herbicides	LL9064	
12	8151	7	SEMI-VOLATILES/LIQUIDS	Chlorinated	Herbicides	LL9065	
2	8151	7	SEMI-VOLATILES/LIQUIDS	Chlorinated	Herbicides	LL9061	
3	8151	7	SEMI-VOLATILES/LIQUIDS	Chlorinated	Herbicides	LL9062	
6	8151	7	SEMI-VOLATILES/LIQUIDS	Chlorinated	Herbicides	LL9063	

## Quality Assurance Manual

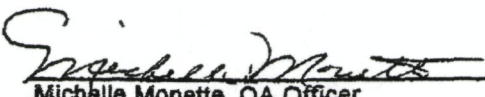
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7/23/02  
Date

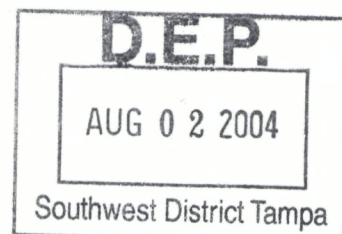
  
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Michelle Monetta, QA Officer  
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Xaviera Renee Pernell, QC Officer  
7/23/02  
Date

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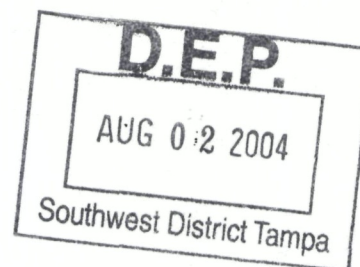
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**Petro, Stephanie**

**From:** Miriam Zimms [mzimms@kesconsult.com]  
**Sent:** Friday, July 23, 2004 3:46 PM  
**To:** Pelz, Susan  
**Cc:** Petro, Stephanie; Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Rick Potts (E-mail); Rick Potts (E-mail 2); David Springstead (E-mail); David Springstead (E-mail 2); Jose Rivera; David Deans (E-mail)  
**Subject:** Sumter County - OGC Case No. 04-0131

Hi Susan,

As a follow-up to the letter received by Sumter County from Stephanie Petro 7/21/04, I wanted to request a clarification from you on the groundwater monitoring wells as well as explain, but not provide as an excuse, the current transition occurring at Sumter County from our previous Engineer, Springstead Engineering, to PBS&J for solid waste engineering work and the Colinas Group for the ground water work.

First, regarding the groundwater monitoring wells we discussed at our meeting in the Tampa DEP office on 3/23/04, I have in my notes that the groundwater monitoring wells in question would be separated and handled under two DEP documents and by the respective engineers listed below. This is the agreement made between the County and the DEP during that meeting so that there would be a clear distinction for the work on the wells.

Long Term Care Permit: Wells # 1, 7, 9, 10, 11, and 12 (County Engineer)  
Model Consent Order: Wells #2 & 4 (to be handled by Colinas Group)

I just want to clarify that item referenced in Paragraph 6, 3) construction of new monitoring wells only refers to the Wells #2 & #4 under the work being performed by the Colinas Group under the Model Consent Order.

The construction plans for these wells will follow from the Colinas group to meet the 30 day deadline stipulated in the 7/21/04 letter.

Second, since the issuance of the Model Consent Order and receipt of the four facility permits, the County has been transitioning from its previous engineer. I respectfully ask that you consider this when evaluating whether or not the DEP will levy fines on Sumter County. On July 2nd, the Board of County Commissioners accepted Kessler Consulting, Inc.'s recommendation to allow us to subcontract with PBSJ for solid waste engineering work. On July 19th, Kessler Consulting entered into its subcontract with PBSJ.

As you requested, Springstead Engineering will send the DEP the As-Built drawings for construction of the biosolids storage area since they initiated this piece of work as notated in the 7/21/04 letter.

I want to assure you that the County will meet all of the deadlines and requests stipulated under the July letter in order to be under compliance.

Regards,

Miriam Zimms  
Kessler Consulting, Inc.  
www.kesconsult.com  
813-971-8333, x 22

*Celebrating 15 Years of Quality Service  
EPA WasteWise Small Business Program Champion*

#0607 SUM GEN

IMPORTANT NOTICE: THE INFORMATION CONTAINED IN THIS E-MAIL IS CONFIDENTIAL AND MAY CONSTITUTE PRIVILEGED WORK PRODUCT. This message is for the designated recipient only and may contain privileged, proprietary, or otherwise private information. Unless you are the named addressee or an authorized

7/27/2004

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Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

7002 3150 0003 8459 6054

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**SENDER:** Sumter County, SWF

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b. *DUPLICATE 04-0131*
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
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- The Return Receipt will show to whom the article was delivered and the date delivered.

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Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

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Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-1352

**D.E.P.**  
JUL 2 6 2004  
Southwest District Tampa

*Stephanie Petro - Solid Waste*







# Department of Environmental Protection

Jeb Bush  
Governor

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

July 21, 2004

CERTIFIED MAIL 7002 3150 0003 8459 6054  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Status of Compliance with Model Consent Order

Dear Mr. Dew:

This letter has been prepared to provide the Department's understanding of the referenced facility's compliance with the Model Consent Order (MCO) No. 04-0131, executed on March 17, 2004, as summarized below.

Paragraph 6 requires the implementation of the Temporary Corrective Action Plan (TCAP), which includes immediate corrective actions to cease loading waste outside of the MRF building, and the submittal of TCAP Phase II, which includes details of and a schedule for completion of the following: 1) construction to repair the biosolids storage area; 2) repair of Closed Class I landfill cover and 3) construction of new groundwater monitoring wells to evaluate exceedances. TCAP Phase II was to be submitted to the Department within 90 days of approval of the TCAP and was to provide plans for construction. The TCAP was approved on March 17, 2004 (the same date as the execution of the Consent Order), so the TCAP Phase II was due to the Department on June 15, 2004.

*Information Received:*

- According to an inspection by Department staff on February 5, 2004, the facility operator moved the ramp inside the MRF building and ceased loading outside of the building. The Department received plans on January 30, 2004 from Springstead Engineering for the construction of the biosolids storage area, but has not received plans for the repair of the Closed Class 1 landfill asphalt cover or plans for the construction of new groundwater monitoring wells. TCAP Phase II has not been submitted to the Department.

*Compliance Status:*

- TCAP Phase II has not been submitted to date. The facility is **not in compliance** with this Consent Order requirement.

*Corrective Action:*

- Please submit TCAP Phase II, as per Paragraph 6 of the MCO, within thirty (30) days of receipt of this letter, that includes plans for the repair of the Closed Class I landfill cover and plans for the construction of new groundwater monitoring wells. The County should submit As-Built Drawings for construction of the biosolids storage area upon completion.

Paragraph 7 states that "Upon review of the submittals required by the TCAP, the Department may request additional information. All additional information shall be submitted to the Department within 30 days of receipt of the Department's written request."

*Information Received:*

- TCAP Phase II is a submittal required by the TCAP and has not been submitted to date.

*Compliance Status:*

- This **Consent Order requirement is pending at this time** because TCAP Phase II has not been submitted.

Paragraph 8 states that "Upon approval, the TCAP Phase II shall be incorporated herein and made a part of this Consent Order. Respondent shall implement the corrective actions proposed in the TCAP Phase I and Phase II pursuant to the approved schedule and deadlines."

*Information Received:*

- TCAP Phase II has not been submitted to date.

*Compliance Status:*

- This **Consent Order requirement is pending at this time** because TCAP Phase II has not been submitted.

Paragraph 9 requires the implementation of the Department document "Preliminary Contamination Assessment Actions" (PCAA) within the manner and time frames specified therein.

*Requirement:*

- Paragraph No. 1 of the PCAA requires "within 20 days of entry to this Order, Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a DEPARTMENT APPROVED Comprehensive Quality Assurance Plan." However, these activities must be conducted in accordance with the revisions to Chapter 62-160, F.A.C., that were effective April 9, 2002 with modifications effective on June 8, 2004. As such, sample collection must be conducted in accordance with the Department's Standard Operating Procedures (SOPs), and sample analyses must be conducted by firms that are certified by the Department of Health's Environmental Laboratory Certification Program.

*Information Received:*

- The information to verify that certification has been maintained by the laboratory proposed to perform (U.S. Biosystems) analysis has not been received to date.

*Compliance Status:*

- The facility is **not in compliance** with Paragraph 1 of the PCAA.

*Requirement:*

- Paragraph No. 2 of the PCAA requires the submittal of a Preliminary Contamination Assessment Plan (PCAP) within 30 days of the effective date of the Consent Order. The Consent Order was executed on March 17, 2004; the PCAP was due on April 15, 2004.

*Information Received:*

- The Department received the PCAP, dated April 12, 2004, on April 15, 2004.

*Compliance Status:*

- The facility is **in compliance** with Paragraph 2 of the PCAA. **Please be reminded that the County is required to provide a response within twenty (20) days of receipt of the Department's review comments of the PCAP. According to the Department's return receipt, review comments were received by the County on July 14, 2004, so the County's response must be received by the Department by August 3, 2004.**

Paragraph 10 states that "In the event the Preliminary Contamination Assessment described in Exhibit B reveals the presence of contaminants in the soil, sediment, surface water and/or ground water in violation of the Department's water quality standards or minimum criteria, or reveals presence of contaminants which may reasonably be expected to cause pollution of the surface and/or ground water of the state in excess of such standards or criteria, Respondent shall implement the corrective actions in the manner and within the time frames set forth in the document entitled "Corrective Actions for Contamination Site Cases," incorporated herein as Exhibit C. Such time frames shall begin upon notification by the Department that the presence of contaminants has been confirmed and that such corrective actions are necessary."

*Information Received:*

- The Preliminary Contamination Assessment has not been yet approved by the Department.

*Compliance Status:*

- This **Consent Order requirement is pending at this time.**

Paragraph 11 requires the payment of \$2,900 penalty, including \$500 in costs and expenses incurred by the Department during investigation of this matter, within 30 days of the effective date of the Consent Order.

*Information Received:*

- The payment of the penalty was due to the Department on April 16, 2004. The Department received a check in the amount of \$2,900 from the Sumter County Board of County Commissioners on March 29, 2004.

*Compliance Status:*

- The facility is considered to be **in compliance** with this Consent Order requirement.

Paragraph 12 states that the Respondent agrees to pay the Department stipulated penalties in the amount of \$500.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 6 through 11 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order..."

*Information Received:*

- Based on the information presented in this letter, the County is in violation of Paragraphs 6 and 9 of this Consent Order.

*Corrective Action:*

- The Department may seek stipulated penalties for these items.

If you have questions about this letter, please contact either me at (813) 744-6100, extension 451, or John Morris, P.G. at (813) 744-6100, extension 336.

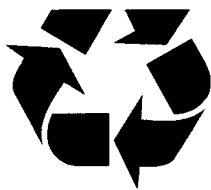
Sincerely,

*Stephanie Petro*

Stephanie Petro  
Environmental Coordinator  
Southwest District

msh  
cc:

*[Signature]* Susan Pelz, P.E., FDEP Tampa  
Stephanie Petro, FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Lora Ross, FDEP Tampa  
Lisa London, OGC Tallahassee  
Richard L. Potts, Jr., P.G., The Colinas Group, 515 N. Virginia Ave., Winter Park, FL, 32789  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613



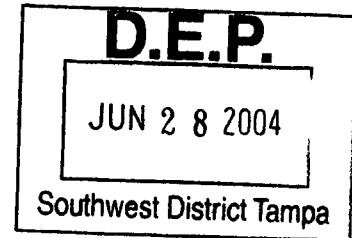
P.O. Box 1066  
 Bushnell, FL 33513  
 (352) 793-3368  
 (352) 568-0166 Fax

pls return to DEP 7/13/04  
 SYM  
 SJR  
 7/21

# Sumter County Solid Waste

June 23, 2004

Susan Pelz  
 Solid Waste Manager  
 FDEP – Southwest District  
 3804 Coconut Palm Drive  
 Tampa, FL 33619



Re: DEP Site Inspection 6/17/04  
 Model Consent Order: Temporary Corrective Action Plan

Dear Ms. Pelz:

As a follow-up to the DEP site visit on June 17, 2004 to inspect the Sumter County (County) Solid Waste, Recycling, and Composting Facility, I am responding to the notations of the two items on the inspection checklist – (1) construction plans for the biosolids pad/area and (2) the asphalt repavement have not yet been received by the DEP. We are pleased to let the DEP know that we completed every other item required in the MCO to date in a timely manner.

First, regarding the biosolids area, it is my understanding that Springstead Engineering sent both the construction plans and the construction completion form to the DEP for this item. Please double check your records and let me know if this is incorrect.

Second, I wanted to explain why we have not provided the plans for the asphalt area although we have been actively moving forward on these items and have met with several engineers to perform this work for the County. Many of the firms that Kessler Consulting, Inc. (KCI) and the County have met with are also potential engineers for the two proposed private landfills in the County. Hiring one of these firms would have posed a conflict of interest to County. The entities representing these landfills have now hired their engineers, respectively.

As of this week, the County has selected the engineer to perform this work and anticipates receiving Board approval on June 29<sup>th</sup>. At that time, KCI will subcontract with the firm and proceed to initiate work immediately to meet the deadline stipulated in the MCO. Please excuse or oversight in notifying you about the delay. Please let me know if this information is sufficient at this time.

Sincerely,

Chuck Jett  
 Superintendent  
 Solid Waste, Recycling, and Composting Facility

/mz

xc: Bernard Dew, Sumter County  
 David Springstead, Springstead Engineering  
 Lora Ross, DEP Principal Inspector  
 Miriam Zimms/Mitch Kessler, Kessler Consulting, Inc.

Chuck Jett, Solid Waste Superintendent

.....

P.O. Box 1066  
Bushnell, FL 33513  
(352) 793-3368  
(352) 568-0166 Fax

# Sumter County Solid Waste

June 23, 2004

Susan Pelz  
Solid Waste Manager  
FDEP - Southwest District  
3804 Coconut Palm Drive  
Tampa, FL 33619

Re: DEP Site Inspection 6/17/04  
Model Consent Order: Temporary Corrective Action Plan

Dear Ms. Pelz:


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Sincerely,

  
Chuck Jett  
Superintendent  
Solid Waste, Recycling, and Composting Facility

/mz

xc: Bernard Dew, Sumter County  
David Springstead, Springstead Engineering  
Lora Ross, DEP Principal Inspector  
Miriam Zimms/Mitch Kessler, Kessler Consulting, Inc.

Chuck Jett, Solid Waste Superintendent



P. O. Box 1066  
Bushnell, FL 33513  
(352) 793-3368  
(352) 568-0166 Fax

# Sumter County Solid Waste

## Fax

To: Lora Ross

From: Chuck

Fax:

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Cc:

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☐ For Review

☐ Please Comment

☐ Please Reply

☐ Please Recycle

Chuck Jett, Solid Waste Superintendent

**Petro, Stephanie**

---

**From:** Petro, Stephanie  
**Sent:** Tuesday, July 13, 2004 11:32 AM  
**To:** Pelz, Susan  
**Subject:** RE: Follow-up on the Sumter County Submitted PCAP

Susan,  
In response to Miriam's questions, the Department's RAI regarding the County's 4/17/04 PCAP went out in today's mail.

Regarding the status of the Long Term Care CAP repair, I will respond to the County's letter as well as provide an update of the County's compliance with other MCO (Model Consent Order) activities in a separate response shortly.

If Miriam would like me to copy PBS&J on this letter, please have her forward the address to me.

Thanks,

Stephanie

-----Original Message-----

**From:** Pelz, Susan  
**Sent:** Tuesday, July 13, 2004 7:20 AM  
**To:** Petro, Stephanie  
**Subject:** FW: Follow-up on the Sumter County Submitted PCAP

Please check on the status of this.

thanks

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Monday, July 12, 2004 5:40 PM  
**To:** Pelz, Susan  
**Subject:** FW: Follow-up on the Sumter County Submitted PCAP

Hi Susan-

I hope all is well and you had a nice weekend.

Just checking in and wanted to follow-up on behalf of the County regarding the status of the DEP PCAP response for planning purposes.

Also, was the letter from the County to you a sufficient update regarding the status of the Long-Term Care CAP repair? PBS&J will be and is performing the engineering items for the County relative to this MCO/TCAP items.

I look forward to hearing back from you.

Regards,  
Miriam

-----Original Message-----

**From:** Dew, Bernard [mailto:BDew@bocc.co.sumter.fl.us]  
**Sent:** Wednesday, June 30, 2004 1:41 PM  
**To:** Miriam Zimms  
**Subject:** RE: Follow-up on the Sumter County Submitted PCAP

1/28/2005

Certainly

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]

**Sent:** Wednesday, June 30, 2004 11:44 AM

**To:** Dew, Bernard

**Subject:** RE: Follow-up on the Sumter County Submitted PCAP

Ok, thank you, Bernard. Chuck said he had not heard anything yet either.

I will follow-up with Susan if that is ok with you?

Miriam

-----Original Message-----

**From:** Dew, Bernard [mailto:BDew@bocc.co.sumter.fl.us]

**Sent:** Wednesday, June 30, 2004 11:17 AM

**To:** Miriam Zimms

**Subject:** RE: Follow-up on the Sumter County Submitted PCAP

I do not recall having received anything. No e-mails. The only thing I recall seeing from DEP are the two permits I referred to previously.

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]

**Sent:** Wednesday, June 30, 2004 10:31 AM

**To:** Chuck Jett (E-mail); Bernard Dew (E-mail)

**Cc:** Mitch Kessler

**Subject:** FW: Follow-up on the Sumter County Submitted PCAP

Hi -

Just checking in... has anyone received anything from Susan yet regarding the PCAP response?

Thanks,  
Miriam



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Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

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*Sumter County SWMF*

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Sumter County BCC  
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JUL 16 2004

Stephanie Petro - Solid Waste Southwest District Tampa

69





Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Colleen M. Castille  
Secretary

July 13, 2004

CERTIFIED MAIL 7002 3150 0003 8459 5965  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
FDEP Review Comments Regarding "Preliminary Contamination Assessment Plan"

Dear Mr. Dew:

Paragraph No. 9 of the above-referenced Consent Order required the implementation of the Department document "Preliminary Contamination Assessment Actions" (PCAA). Paragraph No. 2 of the PCAA required the submittal of a Preliminary Contamination Assessment Plan (PCAP) within 30 days of the effective date of the Consent Order. The Consent Order was executed on March 17, 2004; the PCAP submittal was due on April 15, 2004. The Department received the PCAP, dated April 12, 2004, on April 15, 2004.

The Department has reviewed the PCAP. Pursuant to Paragraph No. 6 of the PCAA, this letter and the enclosed memorandum serve as the Department's written request for additional information. The PCAA requires that the Respondent (Sumter County Board of County Commissioners) provide the requested information within 20 days from receipt of this request. It also requires that the PCAP shall incorporate all required modifications to the PCAP identified by the Department. In the event that you have not received all four pages of the PCAA, it has been enclosed for your convenience.

The Department appreciates your cooperation in this matter. If you have any questions, you may contact Ms. Stephanie Petro at telephone number (813) 744-6100, extension 451, or Mr. John Morris at extension 336.

Sincerely,

*Stephanie Petro*

Stephanie Petro  
Environmental Coordinator  
Southwest District

Enclosures  
msp  
cc:

Susan Pelz, P.E., FDEP Tampa  
Stephanie Petro, FDEP Tampa  
Steve Morgan, FDEP Tampa  
John Morris, P.G., FDEP Tampa  
Lisa London, OGC Tallahassee  
Richard L. Potts, Jr., P.G., The Colinas Group, 515 N. Virginia Ave., Winter Park, FL, 32789  
Mitch Kessler, Kessler Consulting, Inc., 14620 N. Nebraska Ave, Bldg. D, Tampa, FL 33613

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## Memorandum

# Florida Department of Environmental Protection

TO: Stephanie Petro *usg 6/17/04*  
FROM: John R. Morris, P.G. *JRM*  
DATE: June 15, 2004  
SUBJECT: Sumter County Solid Waste Management Facility  
OGC Case No. 04-0131  
Review Comments Regarding "Preliminary Contamination Assessment Plan"  
cc: Susan Pelz, P.E. *[Signature]*

Paragraph No. 9 of the referenced Consent Order required the implementation of the Department document entitled "Preliminary Contamination Assessment Actions" (PCAA), provided as Exhibit B of the Consent Order. Paragraph No. 2 of the PCAA required the submittal of a Preliminary Contamination Assessment Plan (PCAP) within 30 days of the effective date of the Consent Order. As the Consent Order was executed on March 17, 2004, submittal of the PCAP was due by April 15, 2004.

The document entitled "Proposed Preliminary Contamination Assessment Plan, Sumter County Closed Class I Landfill, Sumter County, Florida", dated April 2004, prepared by The Colinas Group, Inc. (TCG), was transmitted via a letter from Sumter County dated April 12, 2004, received April 15, 2004. This memorandum provides review comments regarding the adequacy of the submitted PCAP to meet the requirements of the PCAA.

Please have the Respondent submit revisions to the PCAP to address the following comments. Please have the applicant provide revisions that use a ~~strike through~~ and underline format, or similar format, to facilitate review. Please also have the applicant include the revision date as part of the header/footer for all revised or replacement pages (text, figures, tables and appendices).

### Section 1.3 – Project QA/QC

1. It is noted that Paragraph 1 of the PCAA refers to sample collection and analysis in accordance with Department-approved Comprehensive Quality Assurance Plans, however these activities must be conducted in accordance to the revisions to Chapter 62-160, F.A.C., that were effective on April 9, 2002 with modifications effective on June 8, 2004. As such, sample collection must be conducted in accordance with the Department's Standard Operating Procedures (SOPs), and sample analyses must be conducted by firms that are certified by the Department of Health's Environmental Laboratory Certification Program. Please submit revisions to this section of the PCAP to indicate that TCG shall collect samples in accordance with the SOPs. Please submit additional revisions to this section of the PCAP to verify that certification No. E86240 has been maintained by U.S. Biosystems and it addresses the proposed analytical parameters.

### Section 2.3.1 – Zone of Discharge Confirmation

2. It is indicated that the lateral limits of the Class I waste will be physically located in the vicinity of the affected wells (MW-2 and MW-4) using standard surveying techniques. Please submit revisions to this section of the PCAP to indicate the source of data that will be used to determine the edge of waste.

### Section 2.4.1 – New Monitoring Well Installation

3. It is indicated that one proposed monitor well will be installed downgradient from well MW-2 and one proposed monitor well will also be installed downgradient from well MW-4, however the lateral distances are not described in relation to the zone of discharge. Please submit revisions to this section of the PCAP to provide a more complete description of these two proposed monitor well locations.

**Review Comments Regarding “Preliminary Contamination Assessment Plan”**

4. It is indicated that one proposed monitor well will be installed between existing well MW-4 and the known septic tanks used at separate County facilities located immediately north of the well. Review of Figure 1 indicates that septic tank/drain field facilities are located west (scale house and offices), northwest (office building), north-northwest (animal control) and north-northeast (kennel) of well MW-4. Please submit revisions to this section of the PCAP to provide a more complete description of this proposed well location and the rationale describing the adequacy of installing one well to characterize potential ground water impacts from these four septic tank/drain field areas. In the event that additional wells are proposed to be installed between well MW-4 and these septic tank/drain field areas, please submit revisions to this section of the PCAP, as appropriate.

5. It indicated that the three proposed monitor wells will be designed and constructed to sample ground water at the same depth intervals as respective existing wells, and that SPT borings will be completed at each well location to identify geologic conditions prior to final well design and construction. Please submit revisions to this section of the PCAP to indicate the proposed screen length for each new monitor well. Please submit additional revisions to this section of the PCAP to describe how the integrity of the clay sediments will be restored if the wells are screened at depth intervals below the confining unit. Please note that the new wells should be constructed to monitor a discrete zone in the uppermost water-bearing unit and special attention should be provided during the installation of the SPT borings to investigate the occurrence of saturated sands, clayey sands and sandy clays above the confining unit.

Section 2.4.2 – Soil/Sediment Sampling and Analysis

6. It is indicated that unconsolidated sediment samples will be collected at and near the water table surface within the depth intervals screened in nearby existing monitoring wells at each SPT boring for the new wells. Please note that the information provided to the Department regarding the construction of wells MW-2 and MW-4 indicate that both wells were described to be screened in limestone sediments. Please review this information and re-evaluate the need to conduct the proposed soil sampling and analysis, and submit revisions to this section of the PCAP, as appropriate.

Section 2.4.3 – Ground Water Measurements, Sampling and Analysis

7. Please submit revisions to this section of the PCAP to indicate what equipment and sampling procedures will be used to collect the ground water samples from the existing wells (MW-2, MW-4 and MW-6A) and the three new wells.

8. The list of analyses proposed for the ground water sampling event does not address the requirements of items 3.C(1) through 3.C.(4) of the PCAA. As no demonstration was provided in the PCAP to justify the reduced list of parameters, it cannot be approved. Please submit revisions to this section of the PCAP to be consistent with the referenced items of the PCAA.

Section 3.0 – Preliminary Contamination Assessment Report

9. It is indicated that the Preliminary Contamination Assessment Report (PCAR) will present the information required by items 7.A. through 7.E. of the PCAA. Please submit revisions to this section of the PCAP to also reference the requirements of item 7.F of the PCAA.

10. It is indicated that cross-section descriptions of site geology will be included in the PCAR. Please submit revisions to this section of the PCAP to indicate that the cross-sections will include the following details:

- Property boundary, limits of Class I waste, edge of the zone of discharge, surface topography and features (septic tank/drain field areas, structures, compost handling/storage areas, stormwater ponds);
- Depth of Class I waste disposal phases; and,
- Monitor well screen intervals (background well, wells MW-2 and MW-4, and new wells) and the ground water surface elevation at the time of sampling.

Items From the PCAA Not Included in the PCAP

11. Please review the following activities referenced to item number in the PCAA that do not appear to be included in the PCAP, appear to have been partially addressed by the proposed activities in the PCAP, or were not specifically addressed by review comment Nos. 1 through 10, above. Please submit revisions to the appropriate sections of the PCAP to include a description of how these activities will be implemented or present the rationale why these activities do not apply to the Sumter County facility.

- a. PCAA Item 4.E. – Presence of surface waters within 0.5 miles of the Sumter County property. Please specifically address the existing stormwater management system at the facility and describe the point(s) of discharge from the property
- b. PCAA Item 4.F. – Potential for movement of contaminants both horizontally and vertically, zones that are likely to be affected, and actual and potential uses of ground water as a resource
- c. PCAA Item 5.C. – Description of ground water sampling methods, procedures and equipment
- d. PCAA Item 5.E. – Analytical parameters to be used and the detection limits of those methods
- e. PCAA Item 5.G. – Description of past and present property owners; description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; description of all products used or manufactured and of all by-products and waste generated during the life of the facility; summary of current and past environmental permits and enforcement actions; and, summary of known spills or releases of materials which may be potential pollution sources. (It is unclear if Section 2.3.3 of the PCAP limited the identification of potential pollution sources within the County-owned facility to preparation of a new site map.)

I can be contacted at (813) 744-6100, extension 336, to discuss these review comments.

jrm

## PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS

1. Within 20 days of entry to this Order, Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a DEPARTMENT APPROVED Comprehensive Quality Assurance Plan (Comp QAP) in which they are approved for the sampling and analysis intended to be used for the assessment of the site. The documentation shall, at a minimum, contain the TITLE PAGE and TABLE OF CONTENTS of the approved Comp QAP meeting the requirements of Rule 62-160, F.A.C. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment, documentation of their DEPARTMENT APPROVED Comp QAP will be required. If at any time sampling and analysis are to be conducted which are not in the Approved Comp QAP, documentation of amendments and approvals pursuant to Rule 62-160.210, F.A.C., shall be required.

2. Within 30 days of the effective date of the Order incorporating these Preliminary Contamination Assessment Actions, Respondent shall submit a Preliminary Contamination Assessment Plan ("PCAP") to the Department. Applicable portions of the PCAP shall be signed and sealed by an appropriate professional. The PCAP shall describe the tasks that Respondent proposes to perform in order to determine whether the soil, sediment, surface water or ground water are contaminated at Respondent's facility; and, if so, whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 62-520 and 62-302 or constitutes a risk to the public health, the environment or the public welfare. The PCAP shall include a time schedule for each task so that all tasks can be completed and a Preliminary Contamination Assessment Report ("PCAR") can be submitted to the Department within 90 days of approval of the PCAP by the Department.

3. The PCAP shall include provisions for the installation and sampling of, in most cases, a minimum of four monitor wells to determine the groundwater quality and flow direction at the site. Proposal of fewer wells or an alternate well configuration is subject to Department approval. Provision to sample surface waters, sediments and soils shall be included as necessary.

A. One of the wells shall be located in the area suspected of greatest contamination and two wells shall be located downgradient of the area suspected of highest contamination.

B. One of the wells shall be an unaffected background well.

C. The wells, surface waters, sediments and soils, as applicable, shall be sampled and analyzed for the following parameters with the listed method;

(1) priority pollutant metals using DEP approved Methods;



(2) priority pollutant organic chemicals using EPA methods 624/8240 and 625/8250 or 8270;

(3) all non-priority pollutant organic chemicals with peaks greater than 10 micrograms per liter (ug/l) using EPA methods 624/8240 and 625/8250 or 8270;

(4) pesticides and herbicides using EPA methods 8080, 8140, 8150 or 625/8250 or 8270, if applicable, or other Department approved methods for pesticides and herbicides for which the listed methods are not applicable; and

(5) others, as applicable.

Proposal of alternate analytical methods is subject to Department approval. The number of contaminants to be analyzed may be reduced if Respondent can demonstrate to the Department's satisfaction that the contaminants proposed to be deleted from the list cannot be attributed to any activities that have taken place at Respondent's facility. The Department shall submit written notification to the Respondent if the number can be reduced.

4. The PCAP shall include provisions for investigation of the following conditions, as applicable, at the contamination site and the area surrounding the contamination site:

A. The presence and thickness of any free product at the site;

B. The presence of soil contamination at the site;

C. The aquifers present beneath the site and their Chapter 62-502, F.A.C., groundwater classification;

D. The number and locations of all public and private potable supply wells within a 1/2 mile radius of the site;

E. The presence of surface waters of the State within a 1/2 mile radius of the site and, if applicable, their Rule 62-302, F.A.C., classification; and

F. The geology and hydrogeology of the site focusing on aquifers and confining units which are present, the potential for movement of contaminants both horizontally and vertically, zones that are likely to be affected, and actual and potential uses of the groundwater as a resource.

5. The PCAP shall contain the following site specific information;

A. Proposed well construction details including methods and materials, well installation depths and screened intervals and well development procedures;

B. A description of methods and equipment to be used to quantify soil and sediment contamination;

C. A description of water sampling methods, including names of sampling personnel, procedures and equipment;

D. Name of laboratory to be used for analytical work;

E. The parameters to be analyzed for, the analytical methods to be used and the detection limits of these analytical methods;

F. Site map depicting monitoring well locations and other proposed sampling sites and justification for their selection; and

G. A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of

materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile.

6. The Department shall review the PCAP and provide Respondent with a written response to the proposal. In the event that additional information is necessary for the Department to evaluate the PCAP, the Department shall make a written request to Respondent for the information and Respondent shall provide the requested information within 20 days from receipt of said request. The PCAP shall incorporate all required modifications to the PCAP identified by the Department. Any action taken by Respondent with regard to the implementation of the PCAP prior to the Respondent receiving written notification from the Department that the PCAP has been approved shall be at Respondent's risk.

7. Within (60) days of the Department's approval of the PCAP (unless a written time extension is granted by the Department), Respondent shall submit a written Preliminary Contamination Assessment Report ("PCAR") to the Department. Applicable portions of the PCAR shall be signed and sealed by an appropriate professional. The PCAR shall:

A. Summarize and analyze all "PCAP" tasks;

B. Include, but not be limited to, the following tables and figures:

(1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations;

(2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;

(3) A table with water quality information for all monitor wells;

(4) Site maps showing contaminant concentrations and contours of the contaminants; and

(5) Cross sections depicting the geology of the site at least to the top of the confining unit. In general there should be at least one north to south cross section and one east to west cross section.

C. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; and

D. Specify results and conclusions regarding the objectives of the Preliminary Contamination Assessment;

E. Provide the following quality assurance data along with the analytical data from all media;

(1) dates of sample collection, sample preparation including extraction and sample analysis;

(2) the detection limits for these analyses;

(3) the results from the analyses of field quality control samples; including field equipments, trip blanks and duplicates;

(4) the results from reagent water blanks run on that day (5% of samples run, minimum);

(5) the spike and surrogate percent recoveries for the data set;

(6) the actual chromatograms, if requested by the Department.

(7) any other QA/QC information Department deems necessary to evaluate validity of the submitted data.

F. Identify, to the extent possible, the source(s), extent, and concentrations of contaminants, and the existence of any imminent hazards.

8. The Department shall review the PCAR and determine whether it is adequate to meet the objectives of the PCAP. In the event that additional information is necessary to evaluate the PCAR, the Department shall make a written request and Respondent shall provide all requested information within 20 days of receipt of said request.

9. Respondent shall provide notification to the Department at least twenty (20) days prior to the installation or sampling of any monitoring wells, and shall allow Department personnel the opportunity to observe installation and sampling and to take split samples. All necessary approvals must be obtained from the appropriate water management district before any wells are installed. Raw data shall be exchanged between Respondent and the Department as soon as the data is available.

10. The Respondent is required to comply with all local, state and federal regulations and to obtain any necessary approvals from local, state and federal authorities in carrying out these assessment actions.

11. If the Department's review of the PCAR indicates that the soil, sediments, surface water or ground water is contaminated, or constitutes a risk to the public health, the environment or the public welfare, or if the Department rejects the PCAP or PCAR for not meeting the objectives of analyzing or reporting on the analysis of the contaminants that are the subject of the assessment, the Department reserves the right to do any or all of the following:

A. Seek further administrative relief through the filing of a Notice of Violation or entry of a Consent Order which requires Respondent to conduct further assessment and clean-up at its facility;

B. File suit for injunctive relief, civil penalties, damages and expenses; or

C. Perform the necessary corrective actions at Respondent's facility and recover the costs of such actions from Respondent.

12. If the Department's review of the PCAR indicates that the site is not contaminated and does not constitute a risk to the public health, the environment or the public welfare, the Department will so notify the Respondent in writing.

**Petro, Stephanie**

---

**From:** Ross, Lora  
**Sent:** Wednesday, June 23, 2004 3:50 PM  
**To:** Petro, Stephanie  
**Subject:** Sumter County Vol. Red.

Stephanie-

Chuck indicated that they had just received the final bid's to hire the new engineer. That was as much as they have gotten done for the repairs for the asphalt pad and the biosolids area. Hope this helps. Thanks.

Lora Ross  
Environmental Specialist I  
Solid Waste Section  
3804 Coconut Palm Dr  
Tampa, FL 33619  
813-744-6100 ext 375

**Petro, Stephanie**

**From:** Pelz, Susan  
**Sent:** Tuesday, June 01, 2004 3:11 PM  
**To:** 'Miriam Zimms'  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler; Morris, John R.; Petro, Stephanie  
**Subject:** RE: Follow-up on the Sumter County Submitted PCAP

Miriam,

We received the PCAP on 4/15/04. I anticipate having comments available by 6/17/04.

If you have any questions, please feel free to call or email (email is better).

Thanks,

Susan J. Pelz, P.E.  
Solid Waste Program Manager  
Southwest District  
813-744-6100 x 386  
susan.pelz@dep.state.fl.us

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Tuesday, June 01, 2004 2:24 PM  
**To:** Pelz, Susan  
**Cc:** Bernard Dew (E-mail); Chuck Jett (E-mail); Mitch Kessler  
**Subject:** Follow-up on the Sumter County Submitted PCAP

Hi Susan-

I wanted to follow-up on behalf of Sumter County regarding the status of the PCAP.

It is the County's understanding that they are awaiting review/response from DEP regarding the PCAP that was submitted on 4/12/04. Just wanted to check with you and when you thought the County might hear word back on this document and/or receive DEP comments?

Thanks for your assistance,

Miriam Zimms  
Kessler Consulting, Inc.  
www.kesconsult.com  
813-971-8333, x 22

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6/1/2004

276029

# **Board of County Commissioners**

## **Sumter County, Florida**

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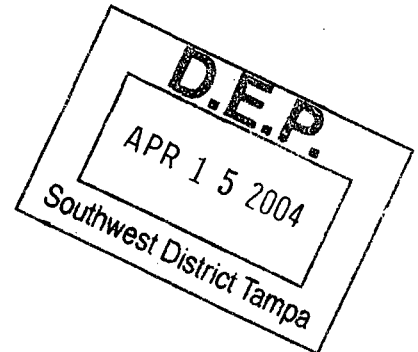


April 12, 2004

Florida Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, FL 33619

Attn: Deborah A. Getzoff, District Director

Subject: Submission of Preliminary Contamination Assessment Plan  
Sumter County Closed Class I Landfill  
Consent Order/OGC File No. 04-0131  
Board of County Commissioners  
Sumter County, Florida



Dear Ms. Getzoff:

In accordance with Item 9 of the referenced Consent Order and the provisions of Exhibit B attached thereto, Sumter County has implemented the 'Preliminary Contamination Assessment Actions'. In satisfaction of Exhibit B, Item 2, Sumter County herewith submits a proposed Preliminary Contamination Assessment Plan (PCAP) for the Department's review and approval.

The proposed PCAP was prepared by The Colinas Group, Inc. (TCG), Winter Park, Florida on behalf of Sumter County. Four (4) copies of the proposed PCAP are submitted.

If you have any questions concerning this submittal, please do not hesitate to contact Bernard Dew (352) 793-0200 or myself at your earliest convenience.

We look forward to fully resolving the issues addressed by the Consent Order.

Very Truly Yours,

Chuck Jett  
Solid Waste Superintendent  
Sumter County Solid Waste

cc: Susan Pelz, P.E., FDEP  
Stephanie Petro, FDEP  
Kessler Consulting, Inc.

Benny G. Strickland, Chairman  
Dist 1, (352) 753-1592 or 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Robin Cox, Dist 5  
(352) 793-6910  
P.O. Box 1482  
Webster, FL 33597

Joey A. Chandler, Vice Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffee, FL 33538

Bernard Dew, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Billy "Tiny" Rutter, Dist 3  
(352) 753-1592 or (352) 748-4220  
5885 CR 472  
Oxford, FL 34484

Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Jim Roberts, Dist 4  
(352) 793-4776  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

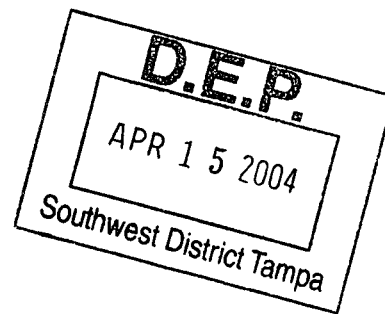
Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffee, FL 33538

---

**THE COLINAS GROUP, INC.**  
ENGINEERING AND ENVIRONMENTAL CONSULTANTS

---

April 13, 2004



**Mr. Mitch Kessler**  
Kessler Consulting, Inc.  
14620 N. Nebraska Avenue, Bldg. D  
Tampa, Florida 33613

**Subj: Proposed Preliminary Contamination Assessment Plan**  
**Sumter County Closed Class I Landfill**  
Sumter County, Florida  
FDEP Southwest District Office OGC File No.04-0131  
TCG Project No.P-257.10


Dear Mr. Kessler:

Enclosed please find four (4) copies of the Preliminary Contamination Assessment Plan (PCAP) prepared by The Colinas Group, Inc. for the Sumter County Closed Class I Landfill. The PCAP is submitted in satisfaction of FDEP/Sumter County Consent Order, Item 9 and Exhibit B, Item 2.

Four (4) copies of the PCAP should be transmitted by the County to the Florida Department of Environmental Protection, Southwest District Office, Tampa, Florida. Department review and approval is required prior to implementation of the actions proposed in the PCAP.

If you have any questions concerning the PCAP we have developed for the Sumter County solid waste facility, please contact me at your convenience.

Very truly yours,  
**THE COLINAS GROUP, INC.**



Richard L. Potts, Jr., P.G.  
Principal Hydrogeologist  
FL P.G. Reg. No.1113

**PROPOSED  
PRELIMINARY CONTAMINATION ASSESSMENT PLAN,  
SUMTER COUNTY CLOSED CLASS I LANDFILL,  
SUMTER COUNTY, FLORIDA  
FDEP SOUTHWEST DISTRICT OFFICE OGC FILE NO. 04-0131**

***Prepared for:***

Kessler Consulting, Inc.  
14620 N. Nebraska Avenue  
Tampa, Florida 33613

***Prepared by:***

THE COLINAS GROUP, INC.  
509 N. Virginia Avenue  
Winter Park, Florida 32789

**April 2004**



**PROPOSED  
PRELIMINARY CONTAMINATION ASSESSMENT PLAN  
SUMTER COUNTY CLOSED CLASS I LANDFILL  
SUMTER COUNTY, FLORIDA**

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**PROPOSED  
PRELIMINARY CONTAMINATION ASSESSMENT PLAN  
SUMTER COUNTY CLOSED CLASS I LANDFILL  
SUMTER COUNTY, FLORIDA**

**1.0 INTRODUCTION**

Sumter County owns and operates a solid waste management facility comprised of three operating subcomponents: The Sumter County Composting Facility; Sumter County Recovery Facility, and; Sumter County Closed Class I Landfill. In March of 2004, Sumter County (the County) entered into a Consent Order with the Florida Department of Environmental Protection (FDEP).

Part of the Consent Order requires the County to immediately implement Preliminary Contamination Assessment Actions outlined in Exhibit B to the Consent Order. These actions are directed at reported exceedances of Florida ground water quality standards and minimum criteria at two (2) monitoring wells installed as part of the groundwater monitoring plan for the closed Class I landfill.

This Preliminary Contamination Assessment Plan is submitted by the County in accordance with the requirements of FDEP Consent Order Exhibit B, Item 2.

**1.1 Purpose and Scope**

The Colinas Group, Inc. (TCG) was retained by Kessler Consulting, Inc., solid waste consultants to Sumter County, to prepare a Preliminary Contamination Assessment Plan (PCAP) in accordance with Item 9 and Exhibit B of the FDEP Consent Order. The purpose of the PCAP is to provide a plan of data collection and evaluation to address apparent groundwater quality constituent exceedances recorded in previous quarterly monitoring reports for the closed landfill facility. The proposed PCAP is subject to review and approval by the FDEP Southwest District Office.

The scope of the PCAP includes assessment of potential water quality standards violations attributable to the closed solid waste disposal facility (landfill), as well as potential pollution sources situated beyond the closed landfill boundaries. Field data collection activities proposed as part of this PCAP are limited to the real property owned by the County and used for operation of the Sumter County solid waste management facilities.

## **1.2 Objectives**

The objective of the PCAP is to determine whether the soil, sediment, surface water or ground water are contaminated at the Sumter County Closed Class I Landfill, and, if so; whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 62-520 and 62-302, or constitutes a risk to the public health, the environment or the public welfare.

## **1.3 Project QA/QC**

The PCAP presented herein includes requirements for soil/sediment sampling, water sampling, exploratory test drilling, monitoring well installation, water level recording and assessment of geologic, hydrologic and geochemical site factors. TCG is responsible for, and will direct completion of each component of the proposed PCAP. The Colinas Group, Inc. is licensed by the State of Florida to practice the profession of geology. Mr. Richard L. Potts, Jr., P.G. is TCG's project manager and principal-in-charge for completion of the PCAP and is a licensed professional geologist in Florida.

TCG will subcontract with a commercial analytical laboratory, USBiosystems, Inc., Boca Raton, Florida to complete all solid and aqueous matrix chemical analyses required by the proposed PCAP. A copy of the title page and Table of Contents from USBiosystems' current FDEP-approved Comprehensive Quality Assurance Plan (CompQAP#980126) is attached in the Appendix.

TCG will complete all solid and aqueous media sampling required for the PCAP. TCG will conduct field sampling in strict accordance with the latest issue of the FDEP Standard Operating Procedures for Field Activities (SOP). Field activities, including solid and aqueous media sampling, will be completed under the supervision of a Florida licensed professional geologist.

Field surveying will be required to establish vertical and horizontal control for specific testing sites. Surveying services will be provided by a Florida licensed professional land surveyor retained directly by Sumter County.

## **1.4 Project Location**

The Sumter County Closed Class I Landfill and associated County solid waste management facilities are located in Sumter County, Florida about one mile east of the intersection of Interstate Highway 75 and County Road 470. The latitude/longitude coordinates for the facility are 284430/820520. The street address for the facility is 835 County Road 529, Lake Panasoffkee, Florida 33538.

## **2.0 PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS**

### **2.1 Facility Monitoring Records Review**

Information existing in the County's files will be compiled, including previous reports prepared for facility permitting, surveying, monitoring well design and installation and routine quarterly water quality monitoring. Available information concerning limits of waste, zone of discharge delineation and permitted facility configuration will be compiled from review of Department files and permitting records available in the FDEP's Southwest District Office in Tampa, Florida.

Results of historical groundwater sample analyses for parameters identified in the Consent Order will be summarized for the affected facility monitoring wells over the available period of record. Graphical plots of concentrations over time will be prepared to evaluate apparent trends for constituents-of-concern and to identify spurious or suspect data.

### **2.2 Regional Hydrogeologic Review**

The PCAP will compile relevant geologic, hydrologic and geochemical information for the site and vicinity from available published sources to include: The Southwest Water Management District (SWFWMD), the U.S. Geological Survey (USGS), Florida Bureau of Geology (FBOG), U.S. Natural Resources Conservation Service (NRCS) and the FDEP.

Compiled information will be used to describe regional characteristics in the vicinity of the project site. This information will be integrated with site-specific data found during records review and collected from PCAP drilling and testing activities to develop a comprehensive description of near-surface hydrogeologic conditions within and near the project site.

### **2.3 Initial Field Data Collection**

Initial PCAP field activities are intended to complete site characterization requirements and enhance the rationale and precision of locations for drilling and testing actions called for in the PCAP.

#### **2.3.1 Zone of Discharge Confirmation**

The lateral limits of buried Class I waste and zone of discharge for the closed landfill defined in the facility FDEP operating permit will be physically located in the vicinity of affected monitoring wells using

standard surveying methods. Limits of waste and related ZOD delineations will provide the basis for confirming the line of regulatory compliance with respect to water quality at the affected monitoring wells.

### **2.3.2 Water Well Inventory**

Existing water wells located within a one-half (0.5) mile radius of the landfill will be inventoried by driving reconnaissance. Where available, information concerning well use, total depth and intake interval will be recorded. Large public and private groundwater users in the inventory area will be identified through a records search of SWFWMD permitting files. Existing water wells situated within the inventory radius will be listed and located on a scaled map of the project site and vicinity.

### **2.3.3 Pollution Source Inventory**

Potential sources of soil and/or groundwater pollution will be inventoried within a one-quarter (0.25) mile radius of the landfill. Potential pollution sources will be identified by review of available aerial photographs and maps and by driving reconnaissance. Locations of potential pollution sources within the inventory area will be listed and located on a scaled map of the project site and vicinity.

Potential groundwater pollution sources within the County-owned solid waste facility property boundaries, including the closed Class I landfill, will be identified and mapped on a scaled map of the project site.

## **2.4 Soil/Groundwater Site Investigations**

### **2.4.1 New Monitoring Well Installation**

A total of three (3) new groundwater monitoring wells are proposed as part of this PCAP. One new well each will be installed downgradient on the water table surface from affected existing monitoring wells MW-2 and MW-4, as shown on the attached map of the project site (see Figure 1). One (1) new well is proposed between existing well MW-4 and known septic tanks used at separate County facilities located immediately north of the well.

Groundwater measurements and contour maps presented in previous routine water quality monitoring reports prepared by the County will be

used to locate new monitoring well sites for use in the PCAP. These data will provide the basis for determining predominant groundwater flow directions in local areas near affected existing monitoring wells MW-2 and MW-4.

New monitoring wells will be designed and constructed to sample groundwater at the same depth intervals as respective existing wells. A Standard Penetration Test (SPT) boring will be drilled at each new well site to identify geologic conditions prior to final well design and construction. SPT borings will be drilled and sampled to the total depth reported for adjacent existing monitoring wells. Geologist's logs of the SPT borings will be prepared and selected soil/sediments samples will be collected and preserved for laboratory chemical analysis.

New monitoring wells installed for this PCAP will be designed and constructed in accordance with Chapter 62-522, F.A.C. Proposed general well construction specifications are indicated below as follows:

Method:	Hollow-stem auger (nom. 6-in. I.D.)
Well casings:	2-in. dia. Schedule 40 PVC
Well screens:	2-in. dia. Continuous-slot Sch. 40 PVC
Gravel pack:	Commercial graded silica sand
Pack seal:	Fine silica sand or bentonite pellets
Grout:	Portland Type II cement, neat
Well Pad:	24" x 24" x 4" concrete
Protection:	4-in. sq. aluminum cover, locking

Well screen slot size and gravel pack gradation will be determined from grain-size analysis of unconsolidated sediments occurring in the design screened intervals. In the event that well screens are set in consolidated limestone/dolostone formations, 0.010"-slot well screens and 20/30 graded silica sand will be used. This combination of pack gradation and slot size has been shown to be effective in screened monitoring wells installed in rock in Florida.

Upon completion of construction, new wells will be developed using conventional pump and surge methods until the discharge is clear and visibly free from suspended particles and fluid turbidity is less than 20 NTUs. Each new well will be surveyed by a Florida licensed Land Surveyor to establish land surface and top of casing elevation. Well Completion Reports for new wells constructed as part of this PCAP will be prepared on FDEP Form 62-522.900(3) and submitted to the Department as part of the Preliminary Contamination Assessment Report (PCAR).

#### **2.4.2 Soil/Sediment Sampling and Analysis**

Sediment samples will be collected at and near the water table surface and within the depth intervals screened in nearby existing monitoring wells at each SPT boring, assuming materials at these depths are unconsolidated. Collected samples will be preserved and submitted to an independent analytical laboratory for analysis of selected metals constituents listed in the FDEP Consent Order, namely:

Aluminum  
Iron, as Fe  
Manganese

Laboratory results of analyses will be reported as ug/kg concentrations.

#### **2.4.3 Groundwater Measurements, Sampling and Analysis**

One round of water level measurements will be made using the seven (7) existing monitoring wells and new wells installed for this PCAP. Measurements will be made at all wells within an 8-hour period and prior to groundwater sampling activities.

Groundwater samples will be collected from the facility background well (MW-6A), existing affected wells MW-2 and MW-4, and from new monitoring wells installed as part of this PCAP. Groundwater samples will be analyzed for the following parameters:

##### **Field Parameters**

Fluid temperature  
Specific conductance  
Turbidity  
Dissolved oxygen  
pH

##### **Laboratory Parameters**

Aluminum \*  
Antimony \*  
Cadmium \*  
Iron, as Fe \*  
Manganese \*  
Nitrate, as N \*  
Total dissolved solids \*  
Thallium \*  
Total alkalinity, as CaCO<sub>3</sub>  
Total hardness, as CaCO<sub>3</sub>

\* parameters listed in Consent Order

The total sample set submitted to the laboratory will include the following QA/QC water samples:

- One (1) equipment blank
- One (1) trip blank/per sampling day
- One (1) blind duplicate sample

The analytical laboratory performing the analyses will provide the quality assurance data required by Consent Order Exhibit B, Item 7E.

Monitoring well sampling activities proposed in this PCAP are independent of, and do not replace, scheduled routine quarterly sampling and analysis required by the facility's FDEP operating permit(s).

### **3.0 PRELIMINARY CONTAMINATION ASSESSMENT REPORT**

On completion of the preliminary contamination assessment actions included in this PCAP, a written Preliminary Contamination Assessment Report (PCAR) will be prepared addressing the PCAP objectives. The PCAR will present the information required by listing in Consent Order Exhibit B, Item 7 (A through E). The PCAR will include reports submitted by subcontractors to the County and to TCG required to complete the proposed PCAP. Reports from the subcontract Professional Land Surveyor and analytical laboratory and logs from the test drilling/well construction contractor will be attached in the Appendix to the PCAR.

The PCAR will include, but may not be limited to:

- a. Summary of PCAP tasks completed
- b. Summary of well construction data
- c. Cross-section descriptions of site geology
- d. Summary of historical groundwater contour maps
- e. Groundwater contour map for PCAP measurements
- f. Tabulated historical water quality monitoring data
- g. Tabulated field/laboratory results for PCAP sampling

The PCAR will provide TCG's conclusions regarding the objectives of the PCAP and recommendations for further actions, if any, considered necessary to satisfy the requirements of the FDEP Consent Order. The PCAR will be signed and sealed by the licensed professional geologist directly responsible for implementation and completion of the PCAP. The County will submit two (2) copies of the PCAR to the Department for review and acceptance.

### **4.0 PROPOSED PCAP COMPLETION SCHEDULE**

The proposed PCAP is intended to be completed in a step-wise fashion with intervals between primary tasks used for necessary data reduction, assessment



and interpretation. The proposed PCAP schedule is presented in tabular form below, by primary work tasks.

<u>PCAP Task</u>	<u>Task Completion (weeks)</u>	<u>Cumulative Time (weeks)</u>
Records/Literature Review	1	1
Initial Field Data Collection	1	2
SPT Drilling/Well Construction	1	3
Sampling and Analysis	4	7
Preparation of PCAR	3	10
County Review and DEP Submission	2	12

The proposed PCAP completion schedule complies with the 90-day reporting schedule requirement outlined in Consent Order Exhibit B, Item 2.

\* \* \* \* \*



**FIGURE 1**

Oracle Developer Forms Runtime - Web

Query Coll Rpts Rind Exit CRA Window

Cash Receiving Application - Collection Point Log Remittance

### Collection Point Log Remittance

AREA **SWD** Total **CRAF006A**  
\$2,900.00

Remittance **559975** Type \* **CP** Received Date \* **03/29/2004** Status **RECEIVED**

SYS\$RCPT **452544** PNR  Check # \* **36462** Amount \* **2,900.00**

SSN/FEI#  Name \* **SUMTER COUNTY BOCC**

First  Middle  Title  Suf

Address1 **209 N FLORIDA ST** Short Comments

Address2  **S-OGC 04-0131 SW**

City **BUSHNELL** ST **FL** Zip **33513** Country

### PAYMENT (S)

Payment#	Distr	CL	Object	Payment	Reference#	Applic/	Fund *	status
	Area		Code/Description	Amount				
<b>609361</b>	<b>SWD</b>		<b>018003 LCT-REIMB.LEGAL</b>	<b>\$500.00</b>	<b>040131</b>		<b>ECOSYS</b>	<b>COMPLETE</b>
<b>609362</b>	<b>SWD</b>		<b>012008 LCT-PENALTIES</b>	<b>\$2,400.00</b>	<b>040131</b>		<b>ECOSYS</b>	<b>COMPLETE</b>

COMMIT FREQUENTLY **\$2,900.00** Payment total

Press <TAB> to accept Collection Point or enter F&A

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BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE  
SOUTHWEST DISTRICT

Complainant,  
vs.

OGC FILE NO. 04-0131

SUMTER COUNTY  
BOARD OF COUNTY COMMISSIONERS,

Respondent.  
\_\_\_\_\_ /

CONSENT ORDER

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department") and Sumter County Board of County Commissioners ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and the Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to administer and enforce the provisions of Chapter 403, Florida Statutes, and the rules promulgated thereunder, Title 62, Florida Administrative Code. The Department has jurisdiction over the matters addressed in this Consent Order.
2. Respondent is a person within the meaning of Section 403.031(5), Florida Statutes.
3. Respondent is the owner and operator of Sumter County Composting Facility, Sumter County Closed Class I Landfill, and Sumter County Materials Recovery Facility



("facilities"). The facilities are located at 28 degrees, 44 minutes, and 30 seconds latitude, and 82 degrees, 5 minutes, and 20 seconds longitude, and 1 mile east of Interstate 75, along the south side of C. R. 470. Respondent operates the Sumter County Composting Facility under Department permit No. 126940-001-SO, which expired May 1, 2003, and the Sumter County Materials Recovery Facility (MRF) under Department permit No. 126941-001-SO, which expired May 1, 2003. Respondent is also required to perform long-term care, monitoring, and maintenance of the Closed Class I Landfill under Department permit No. 22926-002-SF, which expired May 1, 2003.

4. The Department finds that the following violations occurred at the facilities: on an inspection of the facilities, dated February 5, 2003, Department personnel observed large depressions in the asphalt pad at the finished composting storage area on top of the Closed Class I Landfill, standing water at the finished composting storage area on top of the Closed Class I Landfill, and standing water around the biosolids storage area; on an inspection of the facilities, dated May 27, 2003, Department personnel observed large depressions in the asphalt pad near the finished composting storage area on top of the Closed Class I Landfill, cracks throughout the asphalt pad on top of the Closed Class I Landfill, and a loading ramp that was located outside the MRF building was being used to load waste outside the leachate collection system; on an inspection of the facilities, dated October 16, 2003, Department personnel observed depressions, cracks, and ruts in the asphalt pad on top of the Closed Class I Landfill, standing water on top of the Closed Class I Landfill, seepage from the biosolids storage area, and a loading ramp that was located outside the MRF building was being used to load waste outside the leachate collection system.

According to a file review conducted on January 30, 2004, the following exceedances of ground water standards were reported:

**Summary of Ground Water Standard Exceedances, Sumter County Closed Class I Landfill**

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-2	Aluminum	July 1999	5.49	0.2
		October 1999	2.67	0.2
		February 2000	1.09	0.2
		April 2000	1.12	0.2
		July 2000	9.71	0.2
		October 2001	0.7	0.2
		January 2002	4.3	0.2
		August 2002	0.39	0.2
		February 2003	0.52	0.2
	Iron	July 1999	1.19	0.3
		October 1999	0.737	0.3
		July 2000	3.95	0.3
		January 2001	0.678	0.3
		January 2002	0.9	0.3
	Manganese	July 1999	0.266	0.05
		October 1999	0.166	0.05
		July 2000	0.506	0.05
		January 2002	0.17	0.05
	Nitrate	August 2002	29	10
		October 2002	46	10
		February 2003	19	10
	TDS	October 2002	530	500

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-4	Aluminum	July 1999	3.21	0.2
		October 1999	1.69	0.2
		February 2000	0.419	0.2
		April 2000	0.231	0.2
		July 2000	1.59	0.2
		October 2001	2.7	0.2
		January 2002	7.3	0.2
		May 2002	0.83	0.2
		October 2002	0.49	0.2

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-4 (cont'd)	Aluminum	February 2003	0.3	0.2
		April 2003	0.48	0.2
		July 2003	0.28	0.2
		October 2003	0.23	0.2
	Antimony	April 2000	0.00972	0.006
	Cadmium	July 2000	0.0111	0.005
	Iron	January 2002	0.7	0.3
	Nitrate	July 1999	18.3	10
		February 2000	15.3	10
		April 2000	11.4	10
		July 2000	14.6	10
		October 2000	14.5	10
		January 2001	10.6	10
		April 2001	19	10
		July 2001	15	10
		October 2001	26	10
		January 2002	32	10
		May 2002	16	10
		August 2002	23	10
		October 2002	25	10
		February 2003	15	10
		April 2003	18	10
		July 2003	20	10
		October 2003	17	10
	TDS	October 1999	574	500
		February 2000	506	500
		April 2001	520	500
		July 2001	502	500
		October 2001	660	500
		January 2002	560	500
		May 2002	530	500
		August 2002	550	500
	Thallium	October 1999	0.00224	0.002
		January 2001	0.00409	0.002

The Department and Respondent met on January 14, 2004 to discuss resolution of the above-mentioned non-compliance issues. On January 28, 2004, the Department received the Temporary Corrective Action Plan – Phase I submitted by the Respondent.

5. Having reached a resolution of the matter Department and the Respondent mutually agree and it is,

ORDERED:

6. The Temporary Corrective Action Plan (TCAP) – Phase I, received January 28, 2004, shall be incorporated herein and made a part of this Consent Order as Exhibit A. The objectives of the TCAP include immediate corrective actions to cease loading waste outside of the MRF building and to submit TCAP - Phase II, which includes details of and schedule for completion of additional corrective actions needed to resolve the outstanding non-compliance issues at the facilities.

7. Upon review of the submittals required by the TCAP, the Department may request additional information. All additional information shall be submitted to the Department within 30 days of receipt of the Department's written request.

8. Upon approval, the TCAP – Phase II shall be incorporated herein and made a part of this Consent Order. Respondent shall implement the corrective actions proposed in the TCAP - Phase I and Phase II pursuant to the approved schedule and deadlines.

9. Immediately upon the effective date of this Consent Order, Respondent shall implement the "Preliminary Contamination Assessment Actions" incorporated herein as Exhibit B in the manner and within the time frames specified therein.

10. In the event the Preliminary Contamination Assessment described in Exhibit B reveals the presence of contaminants in the soil, sediment, surface water and/or ground water in



violation of the Department's water quality standards or minimum criteria, or reveals the presence of contaminants which may reasonably be expected to cause pollution of the surface and/or ground water of the state in excess of such standards or criteria, Respondent shall implement the corrective actions in the manner and within the time frames set forth in the document entitled "Corrective Actions for Contamination Site Cases," incorporated herein as Exhibit C. Such time frames shall begin upon notification by the Department that the presence of contaminants has been confirmed and that such corrective actions are necessary.

11. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department \$2,900 in settlement of the matters addressed in this Consent Order. This amount includes \$500 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalty in this case includes one violation of \$2,000.00 or more. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund".

12. Respondent agrees to pay the Department stipulated penalties in the amount of \$500.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 6 through 11 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to "The Department of Environmental Protection" by cashier's check or money order and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund". Payment shall be sent to the Department of

Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. The Department may make demands for payment at any time after violations occur. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any of the terms of this Consent Order. Any penalties assessed under this paragraph shall be in addition to the settlement sum agreed to in paragraph 11 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this paragraph.

13. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondent, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondent intends to implement these

measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's right to request an extension of time for compliance with the requirements of this Consent Order.

14. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or

statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department,

and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
- (h) The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

15. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

16. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), Florida Statutes.

17. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation and criminal penalties.

18. Respondent shall allow all authorized representatives of the Department access to the property and facility at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

19. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352.

20. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order.

21. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations outlined in this Consent Order; provided, however, should the Department conclude that clean up of the contaminated area to site rehabilitation levels is not feasible; or should the Respondent not completely implement the remedial or corrective action plan (however denominated) as approved by the Department; the Department expressly reserves its right to seek restitution from Respondent for environmental damages. Within 20 days of receipt of the Department's written notification of its intent to seek said restitution, Respondent may pay the amount of the damages or may, if it so chooses, initiate negotiations with the Department regarding the monetary terms of restitution to the state. Respondent is aware that should a negotiated sum or other compensation or environmental damages not be agreed to by the Department and Respondent within 20 days of receipt of Department written notification of its intent to seek restitution, the Department may institute appropriate action, either administrative through a Notice of Violation, or judicial, in a

court of competent jurisdiction through a civil complaint, to recover Department assessed environmental damages as provided by law.

22. Respondent acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, on the terms of this Consent Order. Respondent acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

23. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both Respondent and the Department.

24. In the event of a sale or conveyance of the facility or of the property upon which the facility is located, if all of the requirements of this Consent Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the property or facility, (1) notify the Department of such sale or conveyance, (2) provide the name and address of the purchaser, or operator, or person(s) in control of the facility, and (3) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the facility, or the property upon which the facility is located shall not relieve the Respondent of the obligations imposed in this Consent Order.

25. This Consent Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Consent Order is not a settlement of any criminal liabilities that may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

26. Respondent shall use all reasonable efforts to obtain any necessary access for work to be performed in the implementation of this Consent Order. If necessary access cannot be obtained, or if obtained, is revoked by owners or entities controlling access to the properties to



which access is necessary, Respondent shall notify the Department within (5) business days of such refusal or revocation. The Department may at any time seek to obtain access as is necessary to implement the terms of this Consent Order. The Respondent shall reimburse the Department for any damages, costs, or expenses, including expert and attorneys fees, that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain access as is necessary to implement the terms of this Consent Order. Respondent shall pay these sums to the Department or arrange a payment schedule with the Department within 30 days of written demand by the Department.

27. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Consent Order will not be effective until further order of the Department.

**FOR THE RESPONDENT:**

I, BERNARD DEW on behalf of Suwannee County BOCC, HEREBY  
ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.

By: Bernard Dew  
Bernard Dew, County Administrator

Date: 3-5-04

DONE AND ORDERED this 5<sup>TH</sup> day of MARCH, 2004,  
in BUSHWELL, Florida.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

James F. Cleary  
Deborah A. Getzoff  
District Director  
Southwest District  
2-16-04

**FILING AND ACKNOWLEDGEMENT FILED**, on this date, pursuant to §120.52 Florida  
Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.

Anna Black  
Clerk

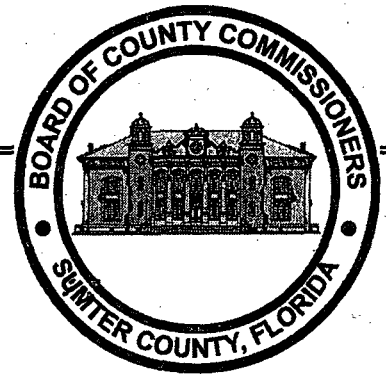
March 17, 2004  
Date

Copies furnished to:  
Larry Morgan  
Mary Wilson

# Board of County Commissioners

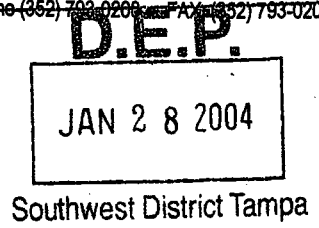
## Sumter County, Florida

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX (352) 793-0207  
 SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



January 28, 2004

Ms. Susan J. Pelz, P.E.  
 Department of Environmental Protection  
 3804 Coconut Palm Drive  
 Tampa, Florida 33619



RE: Proposed Temporary Corrective Action Plan for the Sumter County Solid Waste, Recycling, and Composting Facility, (SCSWRCF), Sumter County, Florida

Dear Ms. Pelz:

Please find attached Sumter County's proposed Temporary Corrective Action Plan (TCAP) as discussed in our meeting on January 14, 2004. It is my understanding that the original deadline of January 22<sup>nd</sup> to transmit the TCAP was extended based on your discussions over the course of the last week with David Springstead, the County engineer. The plan presents the proposed corrective actions as well as the time frame to complete these corrective measures, which address the DEP issues of concern at the facility.

As we discussed, since both digesters are at this time not operating, the county is concerned with the continued transfer of all the County waste from the facility and would like to resolve the DEP issues and begin operation of the *new* digester as quickly as possible. As you are aware from our discussion with you during our meeting, until the *original* digester is operable and the County identifies the funds, we will continue to transport some waste out of the county until we are back at full capacity with both digester tubes.

Please review the attached document and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

Bernard Dew  
 County Administrator

Attachment

xc: Chuck Jett, Superintendent, SCSWRCF, Sumter County  
 David Springstead, Springstead Engineering  
 Miriam Zimms, Kessler Consulting, Inc.

Benny G. Strickland, Chairman  
 Dist 1, (352) 753-1592 or 793-0200  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Joey A. Chandler, Vice Chairman  
 Dist 2, (352) 748-5005  
 6255 CR 429  
 Lake Panasoffee, FL 33538

Billy "Tiny" Rutter, Dist 3  
 (352) 753-1592 or (352) 748-4220  
 5885 CR 472  
 Oxford, FL 34484

Jim Roberts, Dist 4  
 (352) 793-4776  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Robin Cox, Dist 5  
 (352) 793-6910  
 P.O. Box 1482  
 Webster, FL 33597

Bernard Dew, County Administrator  
 (352) 793-0200  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Gloria R. Hayward, Clerk & Auditor  
 (352) 793-0215  
 209 North Florida Street  
 Bushnell, FL 33513

Randall N. Thornton  
 County Attorney  
 (352) 793-4040 P.O. Box 58  
 Lake Panasoffee, FL 33538

***Proposed Temporary Corrective Action Plan – Phase I***  
***Sumter County Solid Waste Recycling and Composting Facility***

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***Facility Overview:***

This Temporary Correction Action Plan (TCAP) is presented to the Department of Environmental Protection - Solid Waste Division (DEP) by Sumter County (County) in agreement to perform certain activities at the Sumter County Solid Waste, Recycling and Composting Facility to obtain DEP's approval to operate the waste processing equipment known as Digester 2 along with the infeed and discharge and digester related processing areas at the above referenced facility.

Because Digester 1 has experienced a breakdown, the County has requested approval to operate Digester 2 to eliminate the need to utilize the unpermitted outdoor loading ramp and to reduce the financial burden of transferring incoming waste to an out-of-county disposal facility. The County's goal is to have Digester 2 and the associated processing equipment in operation as soon as possible and to process the incoming tipped materials through the facility rather than loading and transferring the material to another disposal facility.

***Compliance Issues:***

Compliance issues at the Sumter County Solid Waste, Recycling and Composting Facility include:

1. Use of the unpermitted outside ramp at the tipping floor/MRF building to load transfer trucks,
2. Proper management and containment of potential leachate from the biosolids (sludge) area including prohibiting runoff of biosolids water on to the ground from the storage and loading area,
3. Maintenance of asphalt surface on "hill" area and recyclable processing area, and
4. Groundwater exceedances in monitoring well test results.

***Sumter County Corrective Actions Already Taken:***

The County has submitted and the DEP has approved the certification of construction completion of the Community Drop-off Area (CDA). Use of the CDA has allowed the county to relocate the Citizens/Homeowners Drop-off Area out of the northeast end of the Materials Recovery Facility (MRF). The county can begin construction of the ramp for truck loading and remodeling of the building and site to allow trucks to enter the building after DEP approval of the construction plans.

***Immediate Sumter County Corrective Actions/Measures to be Taken:***

Sumter County will address and correct this issue after approval by DEP and in accordance with the time frames presented.

1. An interior loading ramp will be built on the tipping floor area in northeast end of the MRF building (currently the homeowner's drop-off area). The walls of the north end of the building and the exterior pavement will be modified to allow transfer trucks to

**Sumter County**  
**Temporary Corrective Action Plan – Phase I**  
**Page 2 of 2**

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back into the building and be loaded indoors. This will provide a covered loading area with an existing leachate collection system to be used for transfer loading. The concrete pushwall separating the commercial and homeowners tipping area will be demolished. Plans for construction of these improvements will be submitted for DEP approval within 45 days of approval of this TCAP. **Estimated County Expenditure: \$50,000**

***Sumter County Follow-up Corrective Actions/Measures to be Taken:***

Sumter County will address and correct these issues using solutions approved by DEP and in accordance with the time frames presented.

2. Construction of a slab and foundations for a new bay on the south end of the MRF building including curbing will be constructed around the biosolids storage area and the base of the direct feed conveyor to eliminate the potential for run-off water into the ground. **Estimated County Expenditure: \$50,000**
3. The "hill" area of the closed Class I landfill covered with asphalt will be releveled with limerock, sealed and repaved with 1-inch of type S-III asphalt to insure that rain water will not pond and/or infiltrate, but will run-off to the permitted stormwater facilities. **Estimated County Expenditure: \$160,000**
4. New groundwater monitoring wells will be constructed to evaluate contaminant exceedances, which have occurred over the past several monitoring periods. **Estimated County Expenditure: \$25,000**

Sumter County agrees to perform the work associated with the issues of concern, provide plans for construction, which will be submitted within 90 days of approval of the TCAP, and complete construction of the improvements in accordance with the following schedule:

Item No.	Time to Complete Construction
1	6 to 9 months
2	3 to 6 months
3	9 to 12 months (level & seal within 9 months. pave by 12 months)
4	3 to 6 months to install develop and collect and analyze samples

Sumter County agrees to complete these improvements to the solid waste facility within the time frames proposed and understands from conversations with DEP staff that if these improvements are not completed in the time frame specified, the DEP will begin enforcement actions which will include, but not be limited to, fining Sumter County for not adhering to this plan.

## EXHIBIT B

### PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS

1. Within 20 days of entry to this Order, Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a DEPARTMENT APPROVED Comprehensive Quality Assurance Plan (Comp QAP) in which they are approved for the sampling and analysis intended to be used for the assessment of the site. The documentation shall, at a minimum, contain the TITLE PAGE and TABLE OF CONTENTS of the approved Comp QAP meeting the requirements of Rule 62-160, F.A.C. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment, documentation of their DEPARTMENT APPROVED Comp QAP will be required. If at any time sampling and analysis are to be conducted which are not in the Approved Comp QAP, documentation of amendments and approvals pursuant to Rule 62-160.210, F.A.C., shall be required.

2. Within 30 days of the effective date of the Order incorporating these Preliminary Contamination Assessment Actions, Respondent shall submit a Preliminary Contamination Assessment Plan ("PCAP") to the Department. Applicable portions of the PCAP shall be signed and sealed by an appropriate professional. The PCAP shall describe the tasks that Respondent proposes to perform in order to determine whether the soil, sediment, surface water or ground water are contaminated at Respondent's facility; and, if so, whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 62-520 and 62-302 or constitutes a risk to the public health, the environment or the public welfare. The PCAP shall include a time schedule for each task so that all tasks can be completed and a Preliminary Contamination Assessment Report ("PCAR") can be submitted to the Department within 90 days of approval of the PCAP by the Department.

3. The PCAP shall include provisions for the installation and sampling of, in most cases, a minimum of four monitor wells to determine the groundwater quality and flow direction at the site. Proposal of fewer wells or an alternate well configuration is subject to Department approval. Provision to sample surface waters, sediments and soils shall be included as necessary.

A. One of the wells shall be located in the area suspected of greatest contamination and two wells shall be located downgradient of the area suspected of highest contamination.

B. One of the wells shall be an unaffected background well.

C. The wells, surface waters, sediments and soils, as applicable, shall be sampled and analyzed for the following parameters with the listed method;

(1) priority pollutant metals using DEP approved Methods;

(2) priority pollutant organic chemicals using EPA methods 624/8240 and 625/8250 or 8270;

(3) all non-priority pollutant organic chemicals with peaks greater than 10 micrograms per liter (ug/l) using EPA methods 624/8240 and 625/8250 or 8270;

(4) pesticides and herbicides using EPA methods 8080, 8140, 8150 or 625/8250 or 8270, if applicable, or other Department approved methods for pesticides and herbicides for which the listed methods are not applicable; and

(5) others, as applicable.

Proposal of alternate analytical methods is subject to Department approval. The number of contaminants to be analyzed may be reduced if Respondent can demonstrate to the Department's satisfaction that the contaminants proposed to be deleted from the list cannot be attributed to any activities that have taken place at Respondent's facility. The Department shall submit written notification to the Respondent if the number can be reduced.

4. The PCAP shall include provisions for investigation of the following conditions, as applicable, at the contamination site and the area surrounding the contamination site:

A. The presence and thickness of any free product at the site;

B. The presence of soil contamination at the site;

C. The aquifers present beneath the site and their Chapter 62-502, F.A.C., groundwater classification;

D. The number and locations of all public and private potable supply wells within a 1/2 mile radius of the site;

E. The presence of surface waters of the State within a 1/2 mile radius of the site and, if applicable, their Rule 62-302, F.A.C., classification; and

F. The geology and hydrogeology of the site focusing on aquifers and confining units which are present, the potential for movement of contaminants both horizontally and vertically, zones that are likely to be affected, and actual and potential uses of the groundwater as a resource.

5. The PCAP shall contain the following site specific information;

A. Proposed well construction details including methods and materials, well installation depths and screened intervals and well development procedures;

B. A description of methods and equipment to be used to quantify soil and sediment contamination;

C. A description of water sampling methods, including names of sampling personnel, procedures and equipment;

D. Name of laboratory to be used for analytical work;

E. The parameters to be analyzed for, the analytical methods to be used and the detection limits of these analytical methods;

F. Site map depicting monitoring well locations and other proposed sampling sites and justification for their selection; and

G. A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of

materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile.

6. The Department shall review the PCAP and provide Respondent with a written response to the proposal. In the event that additional information is necessary for the Department to evaluate the PCAP, the Department shall make a written request to Respondent for the information and Respondent shall provide the requested information within 20 days from receipt of said request. The PCAP shall incorporate all required modifications to the PCAP identified by the Department. Any action taken by Respondent with regard to the implementation of the PCAP prior to the Respondent receiving written notification from the Department that the PCAP has been approved shall be at Respondent's risk.

7. Within (60) days of the Department's approval of the PCAP (unless a written time extension is granted by the Department), Respondent shall submit a written Preliminary Contamination Assessment Report ("PCAR") to the Department. Applicable portions of the PCAR shall be signed and sealed by an appropriate professional. The PCAR shall:

A. Summarize and analyze all "PCAP" tasks;

B. Include, but not be limited to, the following tables and figures:

(1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations;

(2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;

(3) A table with water quality information for all monitor wells;

(4) Site maps showing contaminant concentrations and contours of the contaminants; and

(5) Cross sections depicting the geology of the site at least to the top of the confining unit. In general there should be at least one north to south cross section and one east to west cross section.

C. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; and

D. Specify results and conclusions regarding the objectives of the Preliminary Contamination Assessment;

E. Provide the following quality assurance data along with the analytical data from all media;

(1) dates of sample collection, sample preparation including extraction and sample analysis;

(2) the detection limits for these analyses;

(3) the results from the analyses of field quality control samples; including field equipments, trip blanks and duplicates;

(4) the results from reagent water blanks run on that day (5% of samples run, minimum);

(5) the spike and surrogate percent recoveries for the data set;

(6) the actual chromatograms, if requested by the Department.

(7) any other QA/QC information Department deems necessary to evaluate validity of the submitted data.



F. Identify, to the extent possible, the source(s), extent, and concentrations of contaminants, and the existence of any imminent hazards.

8. The Department shall review the PCAR and determine whether it is adequate to meet the objectives of the PCAP. In the event that additional information is necessary to evaluate the PCAR, the Department shall make a written request and Respondent shall provide all requested information within 20 days of receipt of said request.

9. Respondent shall provide notification to the Department at least twenty (20) days prior to the installation or sampling of any monitoring wells, and shall allow Department personnel the opportunity to observe installation and sampling and to take split samples. All necessary approvals must be obtained from the appropriate water management district before any wells are installed. Raw data shall be exchanged between Respondent and the Department as soon as the data is available.

10. The Respondent is required to comply with all local, state and federal regulations and to obtain any necessary approvals from local, state and federal authorities in carrying out these assessment actions.

11. If the Department's review of the PCAR indicates that the soil, sediments, surface water or ground water is contaminated, or constitutes a risk to the public health, the environment or the public welfare, or if the Department rejects the PCAP or PCAR for not meeting the objectives of analyzing or reporting on the analysis of the contaminants that are the subject of the assessment, the Department reserves the right to do any or all of the following:

A. Seek further administrative relief through the filing of a Notice of Violation or entry of a Consent Order which requires Respondent to conduct further assessment and clean-up at its facility;

B. File suit for injunctive relief, civil penalties, damages and expenses; or

C. Perform the necessary corrective actions at Respondent's facility and recover the costs of such actions from Respondent.

12. If the Department's review of the PCAR indicates that the site is not contaminated and does not constitute a risk to the public health, the environment or the public welfare, the Department will so notify the Respondent in writing.

## EXHIBIT C

### CORRECTIVE ACTIONS FOR CONTAMINATION SITE CASES

*[Note: The "Corrective Actions for Contamination Site Cases" is to be used for sites where contamination of the groundwater, surface water, soils or sediments is known or documented by data or where the probability of finding such contamination is so high that implementation of the Preliminary Contamination Assessment Actions is an unnecessary action.]*

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#### Part 1 Quality Assurance Certification

*[Note: The purpose of Quality Assurance is to ensure that the data will be reliable, accurate and defensible. It includes confirmation that the selected consultant and lab are capable of doing the work, that appropriate analytical methods with appropriate detection limits are selected, and that sampling equipment/procedures do not alter the sample properties.]*

1. Within 30 days of the effective date of the Order, the Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a Department-approved Comprehensive Quality Assurance Plan (Comp QAP) in which each is approved for the sampling and analysis activities each will perform as part of the assessment and corrective actions at the site. The documentation shall, at a minimum, contain either the most recent TITLE PAGE (signed by the FDEP QA Officer) and TABLE OF CONTENTS of the Department-approved CompQAP (if the CompQAP is a 15-section document) or the most current CompQAP letter of approval signed by the FDEP QA Officer. All identified organizations and laboratories must follow the protocols outlined in their respective CompQAP(s) in order for the data to be reliable. At this time, the FDEP QA Officer will issue a letter which summarizes the activities each organization is qualified to perform. These activities must be consistent with the activities proposed in the IRAP, CAP, MOP, pilot tests/bench tests and RAP.

A. If at any time sampling and/or analysis activities are anticipated which are not in the Department-approved CompQAP, and the Respondent wishes to maintain the services of the affected organization(s), the organization(s) shall submit amendments to add the capabilities to

the CompQAP(s). Such amendments shall be approved before the proposed activity(s) may be conducted. The letter approving such amendments, and signed by the FDEP QA Officer, shall be submitted to the Department.

B. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment and corrective actions, documentation of their Department-approved CompQAP (as outlined in 1. above) shall be required.

C. If the approval of the CompQAP for a specified organization expires during the course of the investigation or corrective actions, the Respondent shall discontinue using the organization until 1) the organization obtains CompQAP approval or 2) another organization with a Department approved CompQAP is selected and documentation outlined in 1. above is submitted.

D. The Department reserves the right to reject any results generated by the Respondent if any organization performs an activity that is not specifically approved in its CompQAP, if there is reasonable doubt as to the quality of the data or method used, if the sampling and analysis were not performed in accordance with the approved CompQAPs or if the CompQAP of any organization expires.

## **Part 2 Interim Remedial Actions**

*[Note: The Interim Remedial Action can include the removal of grossly contaminated soil, free product, or sources of contamination (drums, impoundments, tanks, etc.). It may also include specific well head treatment such as granulated activated carbon filters placed on affected private wells.]*

2. If at any time the Department determines or the Respondent proposes that an Interim Remedial Action (IRA) is appropriate to achieve the objectives set forth below, the Respondent shall submit to the Department a detailed written Interim Remedial Action Plan (IRAP). The IRAP shall be submitted within sixty (60) days following Department determination that an IRA is appropriate. Applicable portions of the IRAP shall be signed and sealed by the appropriate professional. The objectives of the IRA shall be to remove specific known contaminant source(s), and/or provide temporary controls to prevent or minimize contaminant migration or protect human health. The IRA shall not spread contaminants into uncontaminated or less contaminated areas through untreated or undertreated discharges or improper treatment. The IRAP may include the following, as appropriate:

A. Rationale for the IRA and the cleanup criteria proposed, incorporating engineering and hydrogeological considerations including, as applicable, technical feasibility, long-term and short-term environmental effects, implementability (including any permits or approvals from federal, state, and local agencies), and reliability;

B. Design and construction details and specifications for IRA;

C. Operational details of the IRA including the disposition of any effluent, expected contaminant concentrations in the effluent, an effluent sampling schedule if treated ground water is being discharged to ground water, surface water, or to the ground; and the expected concentrations and approximate quantities of any contaminants discharged into the air as a result of remedial action;

D. Operation and maintenance plan for the IRA including, but not necessarily limited to daily, weekly, and monthly operations under routine conditions; a contingency plan for nonroutine conditions;

E. Details of the treatment or disposition of any contaminated soils or sediments;

F. Proposed methodology including post-IRA soil, sediment, surface water, and ground water monitoring, as applicable, to confirm the effectiveness of the interim remedial action; and

G. Schedule for the completion of the IRA;

3. The Department shall review the proposed IRAP and provide Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the IRAP before the IRAP has been approved shall be at Respondent's risk and Paragraph 44 applies.

4. In the event that additional information is necessary for the Department to evaluate the IRAP, or if the IRAP does not adequately address the objectives set forth in Paragraph 2, the Department will make a written request to Respondent for the information, and Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request. If the requested information requires additional time for a response, the Respondent shall submit in writing to the Department within thirty (30) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

5. If the Department determines upon review of the resubmitted IRAP that the IRAP adequately addresses the objectives set forth in paragraph 2, then the Department shall approve the IRAP. If the Department determines that the IRAP still does not adequately address the objectives of the IRAP, the Department may choose one of the options listed in Paragraph 43.

6. Once an IRAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days from receipt of the Department's notification to the Respondent that the IRAP has been approved. The approved IRAP shall incorporate all required modifications to the IRAP identified by the Department. All reporting and notification requirements spelled out in Part 6 shall be complied with during the IRAP implementation.

### **Part 3 Contamination Assessment and Risk Assessment**

*[Note: A Contamination Assessment Plan (CAP) is required for all sites where contamination of the groundwater, surface water, soils or sediments is known or documented or highly probable. The CAP proposes work to generate the information needed to clean up the contamination. This information includes establishment of the source areas, specific chemicals present, lateral and vertical extent, and contaminant migration. The details of the contamination from completed assessment must be known before cost effective and environmentally safe remediation can be performed. A meeting prior to CAP development is encouraged especially for organizations*

*having no prior experience with Florida rules and statutes to discuss the CAP objectives and Department expectations in detail.]*

7. Within sixty (60) days of the effective date of the Order incorporating these contamination assessment actions, Respondent shall submit to the Department a detailed written Contamination Assessment Plan (CAP). Applicable portions of the CAP shall be signed and sealed by an appropriate professional. If the Respondent has previously conducted a Preliminary Contamination Assessment, the Respondent shall submit to the Department a detailed written CAP within sixty (60) days of receipt of notice from the Department that a CAP is required. The purpose of the CAP shall be to propose methods for collection of information necessary to meet the objectives of the Contamination Assessment.

A. The objectives of the Contamination Assessment shall be to:

- (1) Establish the horizontal and vertical extent of soil, sediment, surface water and ground water contamination;
- (2) Determine or confirm the contaminant source(s); mechanisms of contaminant transport; rate and direction of contaminant movement in the air, soils, surface water and ground water; and rate and direction of ground water flow;
- (3) Provide a complete characterization, both onsite and offsite, of any and all contaminated media;
- (4) Determine the amount of product lost, and the time period over which it was lost (if applicable);
- (5) If leaking storage tanks may be the source of the contamination, determine the structural integrity of all aboveground and underground storage systems (including integral piping) which exist at the site (if applicable);
- (6) Establish the vertical and horizontal extent of free product (if applicable);
- (7) Describe pertinent geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones;
- (8) Describe geologic and hydrogeologic characteristics of the site which influence migration and transport of contaminants; and
- (9) Provide a site history as specified in Paragraph 7.C. (1).

B. The CAP shall specify the tasks necessary to achieve the applicable objectives described in Paragraph 7.A. above. The tasks may include, but are not limited to, the following:

- (1) Use of piezometers or wells to determine the horizontal and vertical directions of the ground water flow;
- (2) Use of Electromagnetic Conductivity (EM) and other geophysical methods or vapor analyzers to trace extent of ground water contamination;
- (3) Use of fracture trace analysis to discover linear zones in which discrete flow could take place;
- (4) Use of permanent monitoring wells to sample ground water in affected areas and to determine the vertical and horizontal extent of the ground water plume;
- (5) Sampling of public and private wells;
- (6) Sampling of surface water and sediments;
- (7) Sampling of air for airborne contaminants;

(8) Analysis of soils, drum and tank residues, or any other media for hazardous waste determination and contaminant characterization;

(9) Use of organic vapor analyzers or geophysical equipment such as magnetometers, ground penetrating radar, or metal detectors to detect tanks, lines, etc.;

(10) Determination of the horizontal and vertical extent of soil and sediment contamination;

(11) Use of soil and well borings to determine pertinent site-specific geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones such as aquifers, confining beds, and unsaturated zones;

(12) Use of geophysical methods, aquifer pump tests and representative slug tests to determine geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones; and

(13) As a mandatory task, preparation and submittal of a written Contamination Assessment Report ("CAR") to the Department.

C. The CAP shall provide a detailed technical approach and description of proposed methodologies describing how proposed tasks are to be carried out. The CAP shall include, as applicable, the following information:

(1) A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile;

(2) Details of any previous site investigations including results of any preliminary ground water flow evaluation and/or stratigraphy investigation. If no reliable information exists, consider following a phased approach or conducting a limited pre-CAP investigation to determine groundwater flow direction and stratigraphy.

(3) Proposed sampling locations and rationale for their placement;

(4) A description of methods and equipment to be used to identify and quantify soil or sediment contamination, including dry bulk density, soil porosity, soil moisture and total organic carbon (for site specific leachability cleanup goals);

(5) A description of water and air sampling methods;

(6) Parameters to be analyzed for, analytical methods to be used, and detection limits of these methods with justification for their selection;

(7) Proposed piezometer and well construction details including methods and materials, well installation depths and screened intervals, well development procedures;

(8) A description of methods proposed to determine aquifer properties (e.g., aquifer pump tests, representative slug tests, permeability tests, computer modeling);

(9) A description of geophysical methods proposed for the project;

(10) Details of any other assessment methodology including innovative assessment technologies proposed for the site;

(11) A description of any survey to identify and sample public or private wells which are or may be affected by the contaminant plume; Surveys should include Water Management District, local and county health department files, utility companies and detailed door-to-door reconnaissance for a minimum distance of a quarter mile.

(12) A description of the regional geology and hydrogeology of the area surrounding the site;

(13) A description of site features (both natural and man-made) pertinent to the assessment;

(14) A description of methods and equipment to be used to determine the site specific geology and hydrogeology; and

(15) Details of how drill cuttings, development and purge water from installation of monitoring wells will be collected, managed and disposed of.

(16) Tables which summarize the proposed samples, analyses, and method detection limits for each medium compared to state standards/criteria or generic cleanup goals. Include the appropriate number and type of quality assurance samples.

(17) Provide information regarding state listed endangered and threatened flora and fauna species within and near the site.

(18) Provide a reasonable time schedule for completing each task, preparing the CAR and submitting the CAR.

8. The Department shall review the CAP and provide the Respondent with written responses to the plan and the quality assurance certification status of Part 1. Any action taken by the Respondent with regard to the implementation of the CAP prior to the Respondent receiving written notification from the Department that the CAP has been approved shall be at Respondent's risk and Paragraph 44 applies.

9. In the event that additional information is necessary for the Department to evaluate the CAP, or if the CAP does not adequately address the CAP objectives set forth in Paragraph 7.A, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request. If the requested information requires additional time for a response, the Respondent shall submit a written reasonable schedule for completing the work needed to provide the requested information.

10. If the Department determines upon review of the resubmitted CAP that the CAP adequately addresses the objectives set forth in paragraph 7, then the Department shall approve the CAP. If the Department determines that the CAP still does not adequately address the objectives and/or requirements in Paragraph 7.A, the Department may choose one of the options listed in Paragraph 43.

11. Once a CAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days of the Department's written notification to the Respondent that the CAP has been approved. The approved CAP shall incorporate all required modifications to the proposed CAP identified by the Department. All reporting and notification requirements spelled out in Part 6 shall be complied with during the implementation of the CAP tasks.

*[Note: The Contamination Assessment Report (CAR) compiles the results of the assessment, evaluates and draws conclusions from those results, and includes recommendations from the Respondent/Consultant regarding the next appropriate phase of work. A No Further Action (NFA) recommendation is appropriate for sites with no free product, no contaminated soil, and no groundwater contamination above standards or minimum criteria. A Monitoring Only Plan (MOP) applies to sites with minor violations of groundwater standards and criteria that do not extend offsite, will not migrate offsite, and the contaminants of concern are expected to attenuate via natural processes. A Remedial Action Plan (RAP) for contaminated soil may include a MOP for groundwater. The Department provides the target cleanup levels for most sites and requires a Risk Assessment only when toxicity data are not readily available to the Department. In most instances the Department will not approve the use of a Risk Assessment/Justification (RAJ) to develop alternative Site Rehabilitation levels (SRLs) for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. A Feasibility Study (FS) recommendation would be appropriate if detailed evaluation of cleanup technologies and remedial actions is needed. A RAP recommendation would be appropriate for sites where the remedial alternative(s) are obvious and include large volumes and/or extensive work.]*

12. The Respondent shall submit a written Contamination Assessment Report (CAR) to the Department in accordance with the CAP schedule approved by the Department. Applicable portions of the CAR shall be signed and sealed by an appropriate professional. The CAR shall:

- A. Summarize all tasks which were implemented pursuant to the CAP;
- B. Provide the results, discussion and conclusions regarding the Contamination Assessment objectives outlined in Paragraph 7.A;
- C. Include, the following tables and figures as appropriate:
  - (1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations (The top of casing elevations should be referenced to the National Geodetic Vertical Datum (NGVD) of 1929 if at all possible.);
  - (2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;
  - (3) A table with water quality information for all monitor wells and surface water sampling locations;
  - (4) Site maps showing contaminant concentrations and contours of the contaminants for all contaminated media;
  - (5) Cross sections depicting the geology of the site at least to the top of the first confining unit. In general there should be at least one north to south cross section and one east to west cross section;
  - (6) A table with soil and sediment quality information;
  - (7) A map showing the locations of all monitor wells, soil, surface water, and sediment samples; and
  - (8) If applicable, a map showing the locations of all potable wells located within a quarter mile of the site. A table with the names and addresses of private and public potable wells should be included.



D. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; laboratory results to support data summary tables, and soil boring logs, well construction logs, and lithologic logs, and

E. Summarize conclusions regarding the CAP objectives, and include a recommendation for either No Further Action (NFA), a Monitoring Only Plan (MOP), a Risk Assessment/Justification proposal (RAJ), a Feasibility Study (FS) or remedial actions requiring a Remedial Action Plan (RAP). If the recommendation is for a MOP (see Paragraphs 20 to 25) or a RAJ (see Paragraphs 17 to 19), the MOP or the RAJ proposal shall be attached to the CAR for review.

*[Note: The following justification is optional and applies only to those sites with mitigating circumstances such as technology or engineering limitations, lithology limitations or documented natural attenuation.]*

F. Justification for a "monitoring only" or "no further action" proposal if the results of the contamination assessment alone do not support a No Further Action or Monitoring Only Alternative. If the Respondent plans to develop alternative Site Rehabilitation Levels (SRLs) for the site, the proposal for a Risk Assessment/Justification (RAJ) shall be included in the CAR for review. In most instances the Department will not approve alternative SRLs for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. Factors to be evaluated shall be, at a minimum:

(1) The present and future uses of the affected aquifer and adjacent surface waters with particular consideration of the probability that the contamination is substantially affecting or will migrate to and substantially affect a public or private source of potable water or a viable wildlife habitat;

(2) Potential for further degradation of the affected aquifer or degradation of other connected aquifers;

(3) The technical feasibility of achieving the SRLs based on a review of reasonably available technology; and

(4) Individual site characteristics, including natural rehabilitative processes.

13. The Department shall review the CAR and determine whether it has adequately met the objectives specified in Paragraph 7.A. In the event that additional information is necessary for the Department to evaluate the CAR or if the CAR does not adequately address the CAP objectives set forth in Paragraph 7.A, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request, unless the requested information requires additional time for a response, in which case the Respondent shall submit in writing to the Department, within thirty (30) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

14. If the Department determines upon review of the CAR or the CAR Addendum that all of the CAP objectives and tasks have been satisfactorily completed and that the recommended next action proposed is reasonable and justified by the results of the contamination assessment,

the Department will provide written approval of the CAR, MOP, or NFA as applicable to the Respondent. If the Department approves a "no further action" proposal, this approval shall terminate Respondent's actions under the Order unless previously unavailable information becomes known and connects other contamination to the site.

15. If the Department determines upon review of the CAR or the CAR Addendum that the CAR still does not adequately address the objectives in Paragraph 7.A, or that the next proposed action is not acceptable, the Department may choose one of the options listed in Paragraph 43.

*[Note: The Department has the option to provide the Respondent with the cleanup target levels (SRLs) or to require the Respondent to develop the SRLs via a Risk Assessment. In most cases, the Department provides the cleanup target levels which saves time and eliminates a significant expense for the Respondent. The Department requires the Respondent to prepare a Risk Assessment only when toxicity data are not readily available to the Department.]*

16. The Department, at its option, may establish from review of the CAR and other relevant information the Site Rehabilitation Levels (SRLs) to which the contamination shall be remediated or may require the Respondent to implement the risk assessment process to develop such SRLs for the site. The SRLs for ground water as determined by the Department shall be the Chapter 62-520, (which references Chapter 62-550) F.A.C. standards and the Department's numerical interpretation of the Rule 62-520.400, F.A.C. minimum criteria. The SRLs for surface waters shall be the standards specified in Chapter 62-302, F.A.C., the minimum criteria and the toxicity criteria per Rule 62-302.530(62) F.A.C. The Department, at its option, may define the SRLs for soils and sediments or may require the Respondent to complete a risk assessment to define SRLs for soils or sediments that are sufficiently contaminated to present a risk to the public health, the environment or the public welfare. The cleanup goals for soils will be risk based and if ground water contamination is present, may also be based on potential leachate generation. If the Department does choose to provide SRLs to the Respondent and does not choose to require a risk assessment and requires the Respondent to remediate the site to those SRLs, the Respondent shall implement the FS, if required by the Department as set forth in Paragraph 26, or submit the RAP as set forth in Paragraph 31. The Respondent may choose to develop site specific soil cleanup goals utilizing site specific parameters such as total organic carbon, soil porosity, soil moisture content, and dry bulk density in combination with Department acceptable exposure assumptions.

17. After Department approval of the CAR and the RAJ proposal, the Respondent shall prepare and submit a RAJ. . In most instances the Department will not approve the use of a RAJ to develop alternative SRLs for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. The RAJ which includes a risk assessment and a detailed justification of any alternative SRLs or "monitoring only" or "no further action" proposals shall be submitted within ninety (90) days of the Department's written approval of the CAR and notice that a RAJ is required, or within ninety (90) days of the Department's written approval of the CAR and the RAJ recommendation. Unless otherwise approved by the Department, the subject document shall address the following task elements, divided into the following five major headings:

A. Exposure Assessment - The purpose of the Exposure Assessment is to identify routes by which receptors may be exposed to contaminants and to determine contaminant levels to which receptors may be exposed. The Exposure Assessment should:

- (1) Identify the contaminants found at the site and their concentrations as well as their extent and locations;
- (2) Identify possible transport pathways;
- (3) Identify actual and potential exposure routes;
- (4) Identify actual and potential receptors for each exposure route; and
- (5) Calculate expected contaminant levels to which actual or potential receptors may be exposed.

B. Toxicity Assessment - The purpose of the Toxicity Assessment is to define the applicable human health and environmental criteria for contaminants found at the site. The criteria should be defined for all potential exposure routes identified in the Exposure Assessment. DEP standards shall be the criteria for constituents and exposure routes to which the standards apply. Criteria for constituents and exposure routes for which specific DEP standards are not established shall be based upon criteria such as Carcinogenic Slope Factor (SF), Reference Doses (RfDs), organoleptic threshold levels, Ambient Water Quality Criteria for Protection of Human Health and for Protection of Aquatic Life, and other relevant criteria as applicable in combination with Department approved exposure assumptions. If there are no appropriate criteria available for the contaminants and exposure routes of concern, or the criteria are in an inappropriate format, the Respondent shall develop the criteria using Department approved equations and current scientific literature acceptable to toxicological experts. Criteria for the following exposure routes shall be defined or developed as applicable:

- (1) Potable water exposure route - develop criteria for ingestion, dermal contact, and inhalation of vapors and mists, utilizing applicable health criteria such as SF, RfDs, organoleptic threshold levels, and other relevant criteria as applicable.

- (2) Non-potable ground water and surface water usage exposure route - develop criteria for incidental ingestion, dermal contact, and inhalation of vapors and mists, such as through the ingestion of food crops irrigated with such water, lawn watering, ingestion by pets and livestock, and other related exposure.

- (3) Soil exposure route - develop criteria for ingestion, dermal contact, inhalation, and ingestion by humans or animals of food crops grown in contaminated soils.

- (4) Non-potable surface water and sediment exposure - develop criteria for prevention of adverse effects on human health (e.g. incidental ingestion and dermal contact effects on humans utilizing the resource for recreational purposes and ingesting fish, shellfish, etc.) or the environment (e.g. toxic effects of the contaminants on aquatic or marine biota, bio-accumulative effects in the food chain, other adverse effects that may affect the designated use of the resource as well as the associated biota).

- (5) Air exposure route - develop criteria for exposure to the contaminants.

C. Risk Characterization - The purpose of the Risk Characterization is to utilize the results of the Exposure Assessment and the Toxicity Assessment to characterize cumulative risks to the

affected population and the environment from contaminants found at the site. Based on contaminant levels presently found at the site, a risk and impact evaluation will be performed which considers, but is not limited to:

- (1) Risks to human health and safety from the contamination including,
  - (a) carcinogenic risk (FDEP's acceptable risk level is  $10E-6$ ), and
  - (b) non-carcinogenic risk (FDEP considers a hazard index of one as acceptable).
- (2) Effects on the public welfare of exposure to the contamination which may include but not be limited to soils and to adverse affects on actually and potentially used water resources; and
- (3) Environmental risks in areas which are or will be ultimately affected by the contamination including,
  - (a) other aquifers,
  - (b) surface waters, including wetlands,
  - (c) sediments,
  - (d) sensitive wildlife habitats, and
  - (e) sensitive areas including, but not limited to, National Parks, National Wildlife Refuges, National Forests, State Parks, State Recreation Areas, State Preserves.

*[Note: The following "justification" is not applicable to a Risk Assessment prepared to develop SRLs for the site where the toxicity data are not readily available to the Department. This justification is required for a Risk Assessment prepared to develop alternative SRLs.]*

D. Justification for the alternative Site Rehabilitation Levels (SRLs) - The purpose of this section is to provide justification on a case-by-case basis for alternative SRLs at which remedial action shall be deemed completed. Factors to be evaluated shall be, at a minimum:

- (1) The present and future uses of the affected aquifer and adjacent surface waters with particular consideration of the probability that the contamination is substantially affecting or will migrate to and substantially affect a public or private source of potable water;
- (2) Potential for further degradation of the affected aquifer or degradation of other connected aquifers;
- (3) The technical feasibility of achieving the SRLs based on a review of reasonably available technology;
- (4) Individual site characteristics, including natural rehabilitative processes; and
- (5) The results of the risk assessment.

18. The Department shall review the RAJ document and determine whether it has adequately addressed the risk assessment task elements and justification. In the event that additional information is necessary to evaluate any portion of the RAJ document, the Department shall make a written request and Respondent shall provide all requested information within twenty (20) days of receipt of said request.

19. The Department shall approve or disapprove the RAJ. If the Department does not approve the alternative SRLs, the Respondent shall use the SRLs as determined by the Department. The Respondent shall implement the Feasibility Study, if required by the Department as set forth in Paragraph 26, or submit the Remedial Action Plan (RAP) as set forth in Paragraph 31.

#### **Part 4 Remedial Planning and Remedial Actions**

*[Note: The Monitoring Only Plan applies to sites with minor violations of the groundwater standards and minimum criteria, where groundwater contamination does not extend offsite, will not migrate offsite, and the contaminants of concern are expected to attenuate via natural processes.]*

20. If at any time following assessment or ground water remediation, it is determined that a MOP is an acceptable alternative for the site, the Respondent shall submit a MOP to the Department either with the CAR or within sixty (60) days of receipt of written Department concurrence. Applicable portions of the MOP shall be signed and sealed by an appropriate professional. The MOP shall provide a technical approach and description of proposed monitoring methodologies. The MOP shall include, but may not be limited to, the following:

A. Environmental media for which monitoring is proposed, monitoring locations and rationale for the selection of each location, and proposed monitoring frequency;

B. Parameters to be analyzed, analytical methods to be used, and detection limits of these methods;

C. Methodology for evaluating contamination trends based on data obtained through the MOP and a proposed format including a time table for submittal of monitoring data and data analysis to the Department; and

D. A detailed contingency plan describing proposed actions to be taken if trends indicate that contaminant concentrations are increasing, ground water standards or criteria are exceeded for monitoring locations at which exceedances did not occur during the previous monitoring period, or monitoring data appear questionable.

21. The Department shall review the MOP, and provide the Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the MOP before the MOP has been approved shall be at the Respondent's risk and Paragraph 44 shall apply.

22. In the event that additional information is necessary for the Department to evaluate the MOP or if the MOP does not adequately address the MOP requirements set forth in Paragraph 20, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request, unless the requested information requires additional time for a response, in which case the Respondent shall submit in writing to the Department within 30 days of the Department's request, a reasonable schedule for completing the field work needed to provide the requested information.

23. If the Department determines upon review of the resubmitted MOP that the MOP still does not adequately address the requirements in Paragraph 20, the Department may choose one of the options listed in Paragraph 43.

24. Once a MOP has been approved by the Department, it shall become effective and made a part of the Order, and shall be initiated within thirty (30) days of the Department's written notification to the Respondent that the MOP has been approved. The approved MOP shall incorporate all required modifications to the MOP identified by the Department.

25. The Respondent shall submit the required monitoring data and data analysis products to the Department according to the time table in the approved MOP. If at any time trends are discovered by the Respondent that require any action proposed in the approved contingency plan, the Respondent shall notify the Department and initiate the Contingency Plan in a timely manner. Paragraph 43 applies to any exceptions to this paragraph.

*[Note: The Department may require or the Respondent may request the option to prepare a Feasibility Study. It probably is not necessary except for very complex sites where multiple contaminant classes are present or multiple media are contaminated. It may be necessary where the Respondent recommends a cleanup technology that the Department thinks is unable to achieve an adequate remediation or it may be necessary where a previously implemented technology has failed on the site and a different technology needs to be evaluated for an alternative remedial action.]*

26. The Department, at its option, shall also determine from review of the CAR and other relevant information whether the Respondent should prepare and submit a FS to the Department. The Respondent may request the option to prepare a FS. Applicable portions of the FS shall be signed and sealed by an appropriate professional. The FS may be required in complex cases to evaluate technologies and remedial alternatives, particularly if multiple contaminant classes are represented or multiple media are contaminated. The FS evaluates remedial technologies and remedial alternatives with the objective of identifying the most environmentally sound and effective remedial action to achieve clean up of the site to SRLs or alternative SRLs (if approved). The FS shall be completed and a report submitted within sixty (60) days of receipt of written notice that a FS is required or within the time frame approved by the Department, unless the Respondent has approval to submit a RAJ pursuant to Paragraphs 16 or 17. The FS shall include the following tasks:

A. Identify and review pertinent treatment, containment, removal and disposal technologies;

B. Screen technologies to determine the most appropriate technologies;

C. Review and select potential remedial alternatives using the following criteria:

(1) long and short term environmental effects;

(2) implementability;

(3) capital costs;

- (4) operation and maintenance costs;
- (5) operation and maintenance requirements;
- (6) reliability;
- (7) feasibility;
- (8) time required to achieve clean-up; and

- (9) potential legal barriers to implementation of any of the alternatives;

D. Identify the need for and conduct pilot tests or bench tests to evaluate alternatives, if necessary;

E. Select the most appropriate remedial alternative that meets the objective of the FS and the criteria under paragraph C; and

F. (If applicable and not previously addressed) Develop soil cleanup criteria such that any remaining contaminated soils will not cause groundwater contamination in excess of the SRLs or alternative SRLs referenced in paragraphs 16 or 17, 18 and 19 (if approved).

27. The FS Report shall:

A. Summarize all FS task results; and

B. Propose a conceptual remedial action plan based on the selection process carried out in the FS.

28. The Department shall review the FS Report for adequacy and shall determine whether the Department agrees with the proposed remedial action based upon the objective and the criteria specified under paragraph 26.C. In the event that additional information is necessary to evaluate the FS report, the Department shall make a written request and Respondent shall provide all requested information within thirty (30) days of receipt of said request.

29. If the Department does not approve of the proposed remedial action, the Department will notify the Respondent in writing of the determination. The Respondent shall then have forty-five (45) days from the Department's notification to resubmit a proposed alternate remedial action.

30. If the Department determines upon review of the resubmitted remedial action proposal that it does not agree with the proposal, the Department may choose one of the options listed in paragraph 43.

*[Note: The Remedial Action Plan describes the activities to be performed to clean up media that are contaminated above safe levels for public health and the environment. Leachate generation from contaminated materials also needs to be evaluated to prevent continued groundwater and surface water impacts.]*

31. Within sixty (60) days of receipt of written notice from the Department, Respondent shall submit to the Department a detailed RAP. Applicable portions of the RAP shall be signed and sealed by an appropriate professional. The objective of the remedial action

shall be to achieve the clean up of the contaminated media to the SRLs or the approved alternative SRLs referenced in paragraphs 16 or 17, 18, and 19. The RAP shall summarize the CAR findings and conclusions and state the approved SRLs for all media. The RAP shall include as applicable:

A. Rationale for the remedial action proposed which shall include at a minimum:

(1) Results from any pilot studies or bench tests;  
(2) Evaluation of results for the proposed remedial alternative based on the following criteria:

- a. long and short term environmental impacts;
- b. implementability, which may include, but not be limited to, ease of construction, site access, and necessity for permits;
- c. operation and maintenance requirements;
- d. estimates of reliability;
- e. feasibility; and
- f. estimates of costs.

(3) (If applicable and not previously addressed) Soil cleanup criteria such that any remaining contaminated soils will not cause groundwater contamination in excess of the SRLs or alternative SRLs referenced in paragraphs 16 or 17, 18, and 19.

B. Design and construction details and specifications for the remedial alternative selected;

C. Operational details of the remedial action including the disposition of any effluent, expected contaminant concentrations in the effluent, an effluent sampling schedule if treated ground water is being discharged to soils, to ground water or to surface waters, and the expected concentrations and approximate quantities of any contaminants which are reasonably expected to be discharged into the air as a result of remedial action;

D. Tables which summarize the proposed samples and analyses for each pertinent medium and include the appropriate number and type of quality assurance samples consistent with the requirements of Part 1;

E. Details of the treatment or disposition of any contaminated soils or sediments;

F. Proposed methodology including post remedial action soil sampling and ground water monitoring as applicable for evaluation of the site status after the remedial action is complete to verify accomplishment of the objective of the RAP; and

G. Schedule for the completion of the remedial action.

32. The Department shall review the proposed RAP and provide Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the RAP before the RAP has been approved shall be at Respondent's risk and Paragraph 44 shall apply.

33. In the event that additional information is necessary for the Department to evaluate the RAP, or if the RAP does not adequately address the objectives and requirements set



forth in Paragraph 31, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within forty five (45) days from receipt of said request, unless the requested information requires additional time for a response, in which case the Respondent shall submit, in writing to the Department, within forty five (45) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

34. If the Department determines upon review of the resubmitted RAP that the RAP adequately addresses the objectives set forth in paragraph 31, then the Department shall approve the RAP. If the Department determines that the RAP still does not adequately address the requirements of the RAP, the Department may choose one of the options listed in Paragraph 43.

35. Once a RAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days from receipt of the Department's notification to the Respondent that the RAP has been approved. The approved RAP shall incorporate all required modifications to the RAP identified by the Department. All reporting and notification requirements spelled out in Part 6 below shall be complied with during the implementation of the RAP tasks.

36. If at any time during RAP implementation, it becomes apparent that the selected remedial alternative or treatment technology will be unable to achieve the SRLs, the Respondent may conduct a FS pursuant to Paragraph 26 to evaluate other alternatives and technologies to improve site remediation.

#### **Part 5 Termination of Remedial Actions**

37. Following termination of remedial action (clean up of contaminated media to the approved SRLs), designated monitoring wells shall be sampled on a schedule approved by the Department.

38. Following completion of monitoring requirements pursuant to the approved MOP or of the remedial action and post-remedial action monitoring, the Respondent shall submit a Site Rehabilitation Completion Report (SRCR) to the Department for approval. The SRCR shall contain documentation that site cleanup objectives have been achieved. Applicable portions of the SRCR shall be signed and sealed by an appropriate professional.

39. Within sixty (60) days of receipt of the SRCR, the Department shall approve the SRCR or make a determination that the SRCR does not contain reasonable assurances that site clean-up objectives have been achieved. If the Department determines that the SRCR is not adequate based upon information provided, the Department will notify the Respondent in writing. Site rehabilitation activities shall not be deemed completed until such time as the Department provides the Respondent with written notice that the SRCR is approved.

## **Part 6 Progress Reporting and Notifications**

40. On the first working day of each month, or on another schedule approved by the Department after initiating an IRAP, CAP or RAP, Respondent shall submit written progress reports to the Department. These progress reports shall evaluate progress, describe the status of each required IRAP, CAP and RAP task, and discuss any new data. The effectiveness of the IRAP and RAP shall be evaluated. The Progress Reports shall propose modifications and additional work as needed. The reports shall be submitted until planned tasks have been completed in accordance with the approved IRAP, CAP, or RAP. Each final report shall be signed and sealed by the appropriate professional. The final report shall include all data, manifests, and a detailed summary of the completed work.

41. The Respondent shall notify the Department at least ten days prior to installing monitoring or recovery wells, and shall allow Department personnel the opportunity to observe the location and installation of the wells. All necessary approvals must be obtained from the water management district before the Respondent installs the wells.

42. The Respondent shall notify the Department at least ten (10) days prior to any sampling, and shall allow Department personnel the opportunity to observe sampling or to take split samples. When the Department chooses to split samples, the raw data shall be exchanged between the Respondent and the Department as soon as the data are available.

## **Part 7 Conflict Resolution and Other Requirements**

43. In the event that the Department determines a document to be inadequate or if there are disagreements, the Department, at its option, may choose to do any of the following:

A. Draft specific modifications to the document and notify the Respondent in writing that approval of the document is being granted contingent upon those modifications being incorporated into the document.

B. Resolve the issues through repeated correspondence, telephone discussions, and/or meetings.

C. Notify the Respondent that Respondent has failed to meet the stated objectives for the document, in which case the Department may do any or all of the following: take legal action to enforce compliance with the Order; file suit to recover damages and civil penalties; or complete the corrective actions outlined herein and recover the costs of completion from the Respondent.

44. The Respondent is required to comply with all applicable local, state and federal regulations and to obtain any necessary approvals/permits from local, state and federal authorities in carrying out these corrective actions.

45. The Respondent shall immediately notify the Department of any circumstances encountered by the Respondent which require modification of any task in the approved IRAP, CAP or RAP, and obtain Department approval prior to implementing any such modified tasks.

46. With regard to any agency action or determination made or taken by the Department under any of the provisions of this document "Corrective Actions for Contamination Site Cases", that portion of the Order containing dispute resolution procedures and remedies shall apply.

**SENDER:** *Expedited Consent Order #04-0131*

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

4a. Article Number

7003 1680 0006 6184 798

4b. Service Type

- |   |                                    |
|---|------------------------------------|
| <input type="checkbox"/> Registered                     | <input type="checkbox"/> Certified |
| <input type="checkbox"/> Express Mail                   | <input type="checkbox"/> Insured   |
| <input type="checkbox"/> Return Receipt for Merchandise | <input type="checkbox"/> COD       |

7. Date of Delivery

MAR 19 2004

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

X *Monica Taylor*

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Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-1352

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*Stephanie Petro - Solid Waste*



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7986 4879 9000 0897 0002



# Department of Environmental Protection

Jeb Bush  
Governor

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

David B. Struhs  
Secretary

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RETURN RECEIPT REQUESTED

March 18, 2004

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Executed Model Consent Order  
OGC Case No. 04-0131  
Sumter County Composting Facility, Permit No. 126940-001-SO  
Sumter County Materials Recovery Facility, Permit No. 126941-001-SO  
Sumter County Closed Class I Landfill, Permit No. 22926-002-SF  
Sumter County

Dear Mr. Dew:

Enclosed please find a copy of the executed Model Consent Order for the above-referenced case. The effective date of the order is March 17, 2004. Please pay particular attention to the activities and deadlines specified in Paragraphs 6 through 12 of the Consent Order.

The Department appreciates your cooperation towards resolution of this matter. If you have any questions, you may contact Ms. Stephanie Petro at telephone number (813) 744-6100, extension 451.

Sincerely,

Susan J. Pelz, P.E.  
Solid Waste Section Manager  
Southwest District

Enclosure  
SJP/msp

cc: Susan Pelz, P.E., FDEP  
Stephanie Petro, FDEP  
Steve Morgan, FDEP  
Lora Ross, FDEP  
Lisa London, OGC

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BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE  
SOUTHWEST DISTRICT

Complainant,  
vs.

OGC FILE NO. 04-0131

SUMTER COUNTY  
BOARD OF COUNTY COMMISSIONERS,

Respondent.  
\_\_\_\_\_ /

CONSENT ORDER

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department") and Sumter County Board of County Commissioners ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and the Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to administer and enforce the provisions of Chapter 403, Florida Statutes, and the rules promulgated thereunder, Title 62, Florida Administrative Code. The Department has jurisdiction over the matters addressed in this Consent Order.
2. Respondent is a person within the meaning of Section 403.031(5), Florida Statutes.
3. Respondent is the owner and operator of Sumter County Composting Facility, Sumter County Closed Class I Landfill, and Sumter County Materials Recovery Facility



("facilities"). The facilities are located at 28 degrees, 44 minutes, and 30 seconds latitude, and 82 degrees, 5 minutes, and 20 seconds longitude, and 1 mile east of Interstate 75, along the south side of C. R. 470. Respondent operates the Sumter County Composting Facility under Department permit No. 126940-001-SO, which expired May 1, 2003, and the Sumter County Materials Recovery Facility (MRF) under Department permit No. 126941-001-SO, which expired May 1, 2003. Respondent is also required to perform long-term care, monitoring, and maintenance of the Closed Class I Landfill under Department permit No. 22926-002-SF, which expired May 1, 2003.

4. The Department finds that the following violations occurred at the facilities: on an inspection of the facilities, dated February 5, 2003, Department personnel observed large depressions in the asphalt pad at the finished composting storage area on top of the Closed Class I Landfill, standing water at the finished composting storage area on top of the Closed Class I Landfill, and standing water around the biosolids storage area; on an inspection of the facilities, dated May 27, 2003, Department personnel observed large depressions in the asphalt pad near the finished composting storage area on top of the Closed Class I Landfill, cracks throughout the asphalt pad on top of the Closed Class I Landfill, and a loading ramp that was located outside the MRF building was being used to load waste outside the leachate collection system; on an inspection of the facilities, dated October 16, 2003, Department personnel observed depressions, cracks, and ruts in the asphalt pad on top of the Closed Class I Landfill, standing water on top of the Closed Class I Landfill, seepage from the biosolids storage area, and a loading ramp that was located outside the MRF building was being used to load waste outside the leachate collection system.

According to a file review conducted on January 30, 2004, the following exceedances of ground water standards were reported:

**Summary of Ground Water Standard Exceedances, Sumter County Closed Class I Landfill**

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-2	Aluminum	July 1999	5.49	0.2
		October 1999	2.67	0.2
		February 2000	1.09	0.2
		April 2000	1.12	0.2
		July 2000	9.71	0.2
		October 2001	0.7	0.2
		January 2002	4.3	0.2
		August 2002	0.39	0.2
		February 2003	0.52	0.2
	Iron	July 1999	1.19	0.3
		October 1999	0.737	0.3
		July 2000	3.95	0.3
		January 2001	0.678	0.3
		January 2002	0.9	0.3
	Manganese	July 1999	0.266	0.05
		October 1999	0.166	0.05
		July 2000	0.506	0.05
		January 2002	0.17	0.05
	Nitrate	August 2002	29	10
		October 2002	46	10
		February 2003	19	10
	TDS	October 2002	530	500

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-4	Aluminum	July 1999	3.21	0.2
		October 1999	1.69	0.2
		February 2000	0.419	0.2
		April 2000	0.231	0.2
		July 2000	1.59	0.2
		October 2001	2.7	0.2
		January 2002	7.3	0.2
		May 2002	0.83	0.2
		October 2002	0.49	0.2

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-4 (cont'd)	Aluminum	February 2003	0.3	0.2
		April 2003	0.48	0.2
		July 2003	0.28	0.2
		October 2003	0.23	0.2
	Antimony	April 2000	0.00972	0.006
	Cadmium	July 2000	0.0111	0.005
	Iron	January 2002	0.7	0.3
	Nitrate	July 1999	18.3	10
		February 2000	15.3	10
		April 2000	11.4	10
		July 2000	14.6	10
		October 2000	14.5	10
		January 2001	10.6	10
		April 2001	19	10
		July 2001	15	10
		October 2001	26	10
		January 2002	32	10
		May 2002	16	10
		August 2002	23	10
		October 2002	25	10
		February 2003	15	10
		April 2003	18	10
		July 2003	20	10
		October 2003	17	10
	TDS	October 1999	574	500
		February 2000	506	500
		April 2001	520	500
		July 2001	502	500
		October 2001	660	500
		January 2002	560	500
		May 2002	530	500
		August 2002	550	500
	Thallium	October 1999	0.00224	0.002
		January 2001	0.00409	0.002

The Department and Respondent met on January 14, 2004 to discuss resolution of the above-mentioned non-compliance issues. On January 28, 2004, the Department received the Temporary Corrective Action Plan – Phase I submitted by the Respondent.

5. Having reached a resolution of the matter Department and the Respondent mutually agree and it is,

ORDERED:

6. The Temporary Corrective Action Plan (TCAP) – Phase I, received January 28, 2004, shall be incorporated herein and made a part of this Consent Order as Exhibit A. The objectives of the TCAP include immediate corrective actions to cease loading waste outside of the MRF building and to submit TCAP - Phase II, which includes details of and schedule for completion of additional corrective actions needed to resolve the outstanding non-compliance issues at the facilities.

7. Upon review of the submittals required by the TCAP, the Department may request additional information. All additional information shall be submitted to the Department within 30 days of receipt of the Department's written request.

8. Upon approval, the TCAP – Phase II shall be incorporated herein and made a part of this Consent Order. Respondent shall implement the corrective actions proposed in the TCAP - Phase I and Phase II pursuant to the approved schedule and deadlines.

9. Immediately upon the effective date of this Consent Order, Respondent shall implement the "Preliminary Contamination Assessment Actions" incorporated herein as Exhibit B in the manner and within the time frames specified therein.

10. In the event the Preliminary Contamination Assessment described in Exhibit B reveals the presence of contaminants in the soil, sediment, surface water and/or ground water in

violation of the Department's water quality standards or minimum criteria, or reveals the presence of contaminants which may reasonably be expected to cause pollution of the surface and/or ground water of the state in excess of such standards or criteria, Respondent shall implement the corrective actions in the manner and within the time frames set forth in the document entitled "Corrective Actions for Contamination Site Cases," incorporated herein as Exhibit C. Such time frames shall begin upon notification by the Department that the presence of contaminants has been confirmed and that such corrective actions are necessary.

11. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department \$2,900 in settlement of the matters addressed in this Consent Order. This amount includes \$500 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalty in this case includes one violation of \$2,000.00 or more. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund".

12. Respondent agrees to pay the Department stipulated penalties in the amount of \$500.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 6 through 11 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to "The Department of Environmental Protection" by cashier's check or money order and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund". Payment shall be sent to the Department of

Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. The Department may make demands for payment at any time after violations occur. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any of the terms of this Consent Order. Any penalties assessed under this paragraph shall be in addition to the settlement sum agreed to in paragraph 11 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this paragraph.

13. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondent, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondent intends to implement these

measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's right to request an extension of time for compliance with the requirements of this Consent Order.

14. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or

statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department,



and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
- (h) The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

15. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

16. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), Florida Statutes.

17. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation and criminal penalties.

18. Respondent shall allow all authorized representatives of the Department access to the property and facility at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

19. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352.

20. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order.

21. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations outlined in this Consent Order; provided, however, should the Department conclude that clean up of the contaminated area to site rehabilitation levels is not feasible; or should the Respondent not completely implement the remedial or corrective action plan (however denominated) as approved by the Department; the Department expressly reserves its right to seek restitution from Respondent for environmental damages. Within 20 days of receipt of the Department's written notification of its intent to seek said restitution, Respondent may pay the amount of the damages or may, if it so chooses, initiate negotiations with the Department regarding the monetary terms of restitution to the state. Respondent is aware that should a negotiated sum or other compensation or environmental damages not be agreed to by the Department and Respondent within 20 days of receipt of Department written notification of its intent to seek restitution, the Department may institute appropriate action, either administrative through a Notice of Violation, or judicial, in a

court of competent jurisdiction through a civil complaint, to recover Department assessed environmental damages as provided by law.

22. Respondent acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, on the terms of this Consent Order. Respondent acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

23. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both Respondent and the Department.

24. In the event of a sale or conveyance of the facility or of the property upon which the facility is located, if all of the requirements of this Consent Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the property or facility, (1) notify the Department of such sale or conveyance, (2) provide the name and address of the purchaser, or operator, or person(s) in control of the facility, and (3) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the facility, or the property upon which the facility is located shall not relieve the Respondent of the obligations imposed in this Consent Order.

25. This Consent Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Consent Order is not a settlement of any criminal liabilities that may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

26. Respondent shall use all reasonable efforts to obtain any necessary access for work to be performed in the implementation of this Consent Order. If necessary access cannot be obtained, or if obtained, is revoked by owners or entities controlling access to the properties to

which access is necessary, Respondent shall notify the Department within (5) business days of such refusal or revocation. The Department may at any time seek to obtain access as is necessary to implement the terms of this Consent Order. The Respondent shall reimburse the Department for any damages, costs, or expenses, including expert and attorneys fees, that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain access as is necessary to implement the terms of this Consent Order. Respondent shall pay these sums to the Department or arrange a payment schedule with the Department within 30 days of written demand by the Department.

27. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Consent Order will not be effective until further order of the Department.

**FOR THE RESPONDENT:**

I, BERNARD DEW on behalf of SUMTER COUNTY BOCC, HEREBY  
ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.

By: Bernard Dew  
Bernard Dew, County Administrator

Date: 3-5-04

DONE AND ORDERED this 5<sup>TH</sup> day of MARCH, 2004,  
in BUSHWELL, Florida.

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**

James F. Geary  
Deborah A. Getzoff  
District Director  
Southwest District

2-16-04

**FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52 Florida  
Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.**

Anna Black  
Clerk

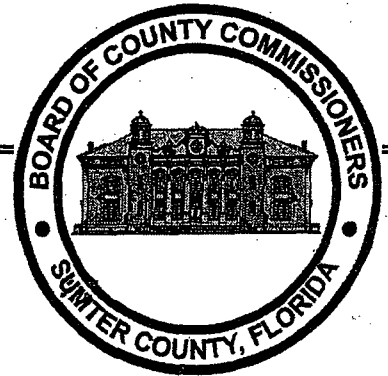
March 17, 2004  
Date

Copies furnished to:  
Larry Morgan  
Mary Wilson

# Board of County Commissioners

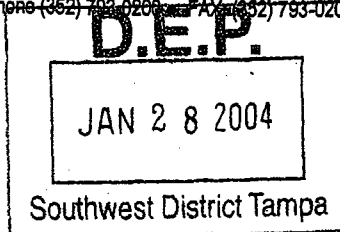
## Sumter County, Florida

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX (352) 793-0207  
 SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



January 28, 2004

Ms. Susan J. Pelz, P.E.  
 Department of Environmental Protection  
 3804 Coconut Palm Drive  
 Tampa, Florida 33619



RE: Proposed Temporary Corrective Action Plan for the Sumter County Solid Waste, Recycling, and Composting Facility, (SCSWRCF), Sumter County, Florida

Dear Ms. Pelz:

Please find attached Sumter County's proposed Temporary Corrective Action Plan (TCAP) as discussed in our meeting on January 14, 2004. It is my understanding that the original deadline of January 22<sup>nd</sup> to transmit the TCAP was extended based on your discussions over the course of the last week with David Springstead, the County engineer. The plan presents the proposed corrective actions as well as the time frame to complete these corrective measures, which address the DEP issues of concern at the facility.

As we discussed, since both digesters are at this time not operating, the county is concerned with the continued transfer of all the County waste from the facility and would like to resolve the DEP issues and begin operation of the *new* digester as quickly as possible. As you are aware from our discussion with you during our meeting, until the *original* digester is operable and the County identifies the funds, we will continue to transport some waste out of the county until we are back at full capacity with both digester tubes.

Please review the attached document and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

Bernard Dew  
 County Administrator

Attachment

xc: Chuck Jett, Superintendent, SCSWRCF, Sumter County  
 David Springstead, Springstead Engineering  
 Miriam Zimms, Kessler Consulting, Inc.

Benny G. Strickland, Chairman  
 Dist 1, (352) 753-1592 or 793-0200  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Joey A. Chandler, Vice Chairman  
 Dist 2, (352) 748-5005  
 6255 CR 429  
 Lake Panasoffkee, FL 33538

Billy "Tiny" Rutter, Dist 3  
 (352) 753-1592 or (352) 748-4220  
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Gloria R. Hayward, Clerk & Auditor  
 (352) 793-0215  
 209 North Florida Street  
 Bushnell, FL 33513

Randall N. Thornton  
 County Attorney  
 (352) 793-4040 P.O. Box 58  
 Lake Panasoffkee, FL 33538

back into the building and be loaded indoors. This will provide a covered loading area with an existing leachate collection system to be used for transfer loading. The concrete pushwall separating the commercial and homeowners tipping area will be demolished. Plans for construction of these improvements will be submitted for DEP approval within 45 days of approval of this TCAP. **Estimated County Expenditure: \$50,000**

***Sumter County Follow-up Corrective Actions/Measures to be Taken:***

Sumter County will address and correct these issues using solutions approved by DEP and in accordance with the time frames presented.

2. Construction of a slab and foundations for a new bay on the south end of the MRF building including curbing will be constructed around the biosolids storage area and the base of the direct feed conveyor to eliminate the potential for run-off water into the ground. **Estimated County Expenditure: \$50,000**
3. The "hill" area of the closed Class I landfill covered with asphalt will be releveled with limerock, sealed and repaved with 1-inch of type S-III asphalt to insure that rain water will not pond and/or infiltrate, but will run-off to the permitted stormwater facilities. **Estimated County Expenditure: \$160,000**
4. New groundwater monitoring wells will be constructed to evaluate contaminant exceedances, which have occurred over the past several monitoring periods. **Estimated County Expenditure: \$25,000**

Sumter County agrees to perform the work associated with the issues of concern, provide plans for construction, which will be submitted within 90 days of approval of the TCAP, and complete construction of the improvements in accordance with the following schedule:

Item No.	Time to Complete Construction
1	6 to 9 months
2	3 to 6 months
3	9 to 12 months (level & seal within 9 months, pave by 12 months)
4	3 to 6 months to install develop and collect and analyze samples

Sumter County agrees to complete these improvements to the solid waste facility within the time frames proposed and understands from conversations with DEP staff that if these improvements are not completed in the time frame specified, the DEP will begin enforcement actions which will include, but not be limited to, fining Sumter County for not adhering to this plan.



## EXHIBIT B

### PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS

1. Within 20 days of entry to this Order, Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a DEPARTMENT APPROVED Comprehensive Quality Assurance Plan (Comp QAP) in which they are approved for the sampling and analysis intended to be used for the assessment of the site. The documentation shall, at a minimum, contain the TITLE PAGE and TABLE OF CONTENTS of the approved Comp QAP meeting the requirements of Rule 62-160, F.A.C. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment, documentation of their DEPARTMENT APPROVED Comp QAP will be required. If at any time sampling and analysis are to be conducted which are not in the Approved Comp QAP, documentation of amendments and approvals pursuant to Rule 62-160.210, F.A.C., shall be required.

2. Within 30 days of the effective date of the Order incorporating these Preliminary Contamination Assessment Actions, Respondent shall submit a Preliminary Contamination Assessment Plan ("PCAP") to the Department. Applicable portions of the PCAP shall be signed and sealed by an appropriate professional. The PCAP shall describe the tasks that Respondent proposes to perform in order to determine whether the soil, sediment, surface water or ground water are contaminated at Respondent's facility; and, if so, whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 62-520 and 62-302 or constitutes a risk to the public health, the environment or the public welfare. The PCAP shall include a time schedule for each task so that all tasks can be completed and a Preliminary Contamination Assessment Report ("PCAR") can be submitted to the Department within 90 days of approval of the PCAP by the Department.

3. The PCAP shall include provisions for the installation and sampling of, in most cases, a minimum of four monitor wells to determine the groundwater quality and flow direction at the site. Proposal of fewer wells or an alternate well configuration is subject to Department approval. Provision to sample surface waters, sediments and soils shall be included as necessary.

A. One of the wells shall be located in the area suspected of greatest contamination and two wells shall be located downgradient of the area suspected of highest contamination.

B. One of the wells shall be an unaffected background well.

C. The wells, surface waters, sediments and soils, as applicable, shall be sampled and analyzed for the following parameters with the listed method;

(1) priority pollutant metals using DEP approved Methods;

materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile.

6. The Department shall review the PCAP and provide Respondent with a written response to the proposal. In the event that additional information is necessary for the Department to evaluate the PCAP, the Department shall make a written request to Respondent for the information and Respondent shall provide the requested information within 20 days from receipt of said request. The PCAP shall incorporate all required modifications to the PCAP identified by the Department. Any action taken by Respondent with regard to the implementation of the PCAP prior to the Respondent receiving written notification from the Department that the PCAP has been approved shall be at Respondent's risk.

7. Within (60) days of the Department's approval of the PCAP (unless a written time extension is granted by the Department), Respondent shall submit a written Preliminary Contamination Assessment Report ("PCAR") to the Department. Applicable portions of the PCAR shall be signed and sealed by an appropriate professional. The PCAR shall:

A. Summarize and analyze all "PCAP" tasks;

B. Include, but not be limited to, the following tables and figures:

(1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations;

(2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;

(3) A table with water quality information for all monitor wells;

(4) Site maps showing contaminant concentrations and contours of the contaminants; and

(5) Cross sections depicting the geology of the site at least to the top of the confining unit. In general there should be at least one north to south cross section and one east to west cross section.

C. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; and

D. Specify results and conclusions regarding the objectives of the Preliminary Contamination Assessment;

E. Provide the following quality assurance data along with the analytical data from all media;

(1) dates of sample collection, sample preparation including extraction and sample analysis;

(2) the detection limits for these analyses;

(3) the results from the analyses of field quality control samples; including field equipments, trip blanks and duplicates;

(4) the results from reagent water blanks run on that day (5% of samples run, minimum);

(5) the spike and surrogate percent recoveries for the data set;

(6) the actual chromatograms, if requested by the Department.

(7) any other QA/QC information Department deems necessary to evaluate validity of the submitted data.

## EXHIBIT C

### CORRECTIVE ACTIONS FOR CONTAMINATION SITE CASES

*[Note: The "Corrective Actions for Contamination Site Cases" is to be used for sites where contamination of the groundwater, surface water, soils or sediments is known or documented by data or where the probability of finding such contamination is so high that implementation of the Preliminary Contamination Assessment Actions is an unnecessary action.]*

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#### Part 1 Quality Assurance Certification

*[Note: The purpose of Quality Assurance is to ensure that the data will be reliable, accurate and defensible. It includes confirmation that the selected consultant and lab are capable of doing the work, that appropriate analytical methods with appropriate detection limits are selected, and that sampling equipment/procedures do not alter the sample properties.]*

1. Within 30 days of the effective date of the Order, the Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a Department-approved Comprehensive Quality Assurance Plan (Comp QAP) in which each is approved for the sampling and analysis activities each will perform as part of the assessment and corrective actions at the site. The documentation shall, at a minimum, contain either the most recent TITLE PAGE (signed by the FDEP QA Officer) and TABLE OF CONTENTS of the Department-approved CompQAP (if the CompQAP is a 15-section document) or the most current CompQAP letter of approval signed by the FDEP QA Officer. All identified organizations and laboratories must follow the protocols outlined in their respective CompQAP(s) in order for the data to be reliable. At this time, the FDEP QA Officer will issue a letter which summarizes the activities each organization is qualified to perform. These activities must be consistent with the activities proposed in the IRAP, CAP, MOP, pilot tests/bench tests and RAP.

A. If at any time sampling and/or analysis activities are anticipated which are not in the Department-approved CompQAP, and the Respondent wishes to maintain the services of the affected organization(s), the organization(s) shall submit amendments to add the capabilities to

D. Operation and maintenance plan for the IRA including, but not necessarily limited to daily, weekly, and monthly operations under routine conditions; a contingency plan for nonroutine conditions;

E. Details of the treatment or disposition of any contaminated soils or sediments;

F. Proposed methodology including post-IRA soil, sediment, surface water, and ground water monitoring, as applicable, to confirm the effectiveness of the interim remedial action; and

G. Schedule for the completion of the IRA;

3. The Department shall review the proposed IRAP and provide Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the IRAP before the IRAP has been approved shall be at Respondent's risk and Paragraph 44 applies.

4. In the event that additional information is necessary for the Department to evaluate the IRAP, or if the IRAP does not adequately address the objectives set forth in Paragraph 2, the Department will make a written request to Respondent for the information, and Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request. If the requested information requires additional time for a response, the Respondent shall submit in writing to the Department within thirty (30) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

5. If the Department determines upon review of the resubmitted IRAP that the IRAP adequately addresses the objectives set forth in paragraph 2, then the Department shall approve the IRAP. If the Department determines that the IRAP still does not adequately address the objectives of the IRAP, the Department may choose one of the options listed in Paragraph 43.

6. Once an IRAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days from receipt of the Department's notification to the Respondent that the IRAP has been approved. The approved IRAP shall incorporate all required modifications to the IRAP identified by the Department. All reporting and notification requirements spelled out in Part 6 shall be complied with during the IRAP implementation.

### **Part 3 Contamination Assessment and Risk Assessment**

*[Note: A Contamination Assessment Plan (CAP) is required for all sites where contamination of the groundwater, surface water, soils or sediments is known or documented or highly probable. The CAP proposes work to generate the information needed to clean up the contamination. This information includes establishment of the source areas, specific chemicals present, lateral and vertical extent, and contaminant migration. The details of the contamination from completed assessment must be known before cost effective and environmentally safe remediation can be performed. A meeting prior to CAP development is encouraged especially for organizations*

(8) Analysis of soils, drum and tank residues, or any other media for hazardous waste determination and contaminant characterization;

(9) Use of organic vapor analyzers or geophysical equipment such as magnetometers, ground penetrating radar, or metal detectors to detect tanks, lines, etc.;

(10) Determination of the horizontal and vertical extent of soil and sediment contamination;

(11) Use of soil and well borings to determine pertinent site-specific geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones such as aquifers, confining beds, and unsaturated zones;

(12) Use of geophysical methods, aquifer pump tests and representative slug tests to determine geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones; and

(13) As a mandatory task, preparation and submittal of a written Contamination Assessment Report ("CAR") to the Department.

C. The CAP shall provide a detailed technical approach and description of proposed methodologies describing how proposed tasks are to be carried out. The CAP shall include, as applicable, the following information:

(1) A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile;

(2) Details of any previous site investigations including results of any preliminary ground water flow evaluation and/or stratigraphy investigation. If no reliable information exists, consider following a phased approach or conducting a limited pre-CAP investigation to determine groundwater flow direction and stratigraphy.

(3) Proposed sampling locations and rationale for their placement;

(4) A description of methods and equipment to be used to identify and quantify soil or sediment contamination, including dry bulk density, soil porosity, soil moisture and total organic carbon (for site specific leachability cleanup goals);

(5) A description of water and air sampling methods;

(6) Parameters to be analyzed for, analytical methods to be used, and detection limits of these methods with justification for their selection;

(7) Proposed piezometer and well construction details including methods and materials, well installation depths and screened intervals, well development procedures;

(8) A description of methods proposed to determine aquifer properties (e.g., aquifer pump tests, representative slug tests, permeability tests, computer modeling);

(9) A description of geophysical methods proposed for the project;

(10) Details of any other assessment methodology including innovative assessment technologies proposed for the site;

*[Note: The Contamination Assessment Report (CAR) compiles the results of the assessment, evaluates and draws conclusions from those results, and includes recommendations from the Respondent/Consultant regarding the next appropriate phase of work. A No Further Action (NFA) recommendation is appropriate for sites with no free product, no contaminated soil, and no groundwater contamination above standards or minimum criteria. A Monitoring Only Plan (MOP) applies to sites with minor violations of groundwater standards and criteria that do not extend offsite, will not migrate offsite, and the contaminants of concern are expected to attenuate via natural processes. A Remedial Action Plan (RAP) for contaminated soil may include a MOP for groundwater. The Department provides the target cleanup levels for most sites and requires a Risk Assessment only when toxicity data are not readily available to the Department. In most instances the Department will not approve the use of a Risk Assessment/Justification (RAJ) to develop alternative Site Rehabilitation levels (SRLs) for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. A Feasibility Study (FS) recommendation would be appropriate if detailed evaluation of cleanup technologies and remedial actions is needed. A RAP recommendation would be appropriate for sites where the remedial alternative(s) are obvious and include large volumes and/or extensive work.]*

12. The Respondent shall submit a written Contamination Assessment Report (CAR) to the Department in accordance with the CAP schedule approved by the Department. Applicable portions of the CAR shall be signed and sealed by an appropriate professional. The CAR shall:

- A. Summarize all tasks which were implemented pursuant to the CAP;
- B. Provide the results, discussion and conclusions regarding the Contamination Assessment objectives outlined in Paragraph 7.A;
- C. Include, the following tables and figures as appropriate:
  - (1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations (The top of casing elevations should be referenced to the National Geodetic Vertical Datum (NGVD) of 1929 if at all possible.);
  - (2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;
  - (3) A table with water quality information for all monitor wells and surface water sampling locations;
  - (4) Site maps showing contaminant concentrations and contours of the contaminants for all contaminated media;
  - (5) Cross sections depicting the geology of the site at least to the top of the first confining unit. In general there should be at least one north to south cross section and one east to west cross section;
  - (6) A table with soil and sediment quality information;
  - (7) A map showing the locations of all monitor wells, soil, surface water, and sediment samples; and
  - (8) If applicable, a map showing the locations of all potable wells located within a quarter mile of the site. A table with the names and addresses of private and public potable wells should be included.

the Department will provide written approval of the CAR, MOP, or NFA as applicable to the Respondent. If the Department approves a "no further action" proposal, this approval shall terminate Respondent's actions under the Order unless previously unavailable information becomes known and connects other contamination to the site.

15. If the Department determines upon review of the CAR or the CAR Addendum that the CAR still does not adequately address the objectives in Paragraph 7.A, or that the next proposed action is not acceptable, the Department may choose one of the options listed in Paragraph 43.

*[Note: The Department has the option to provide the Respondent with the cleanup target levels (SRLs) or to require the Respondent to develop the SRLs via a Risk Assessment. In most cases, the Department provides the cleanup target levels which saves time and eliminates a significant expense for the Respondent. The Department requires the Respondent to prepare a Risk Assessment only when toxicity data are not readily available to the Department.]*

16. The Department, at its option, may establish from review of the CAR and other relevant information the Site Rehabilitation Levels (SRLs) to which the contamination shall be remediated or may require the Respondent to implement the risk assessment process to develop such SRLs for the site. The SRLs for ground water as determined by the Department shall be the Chapter 62-520, (which references Chapter 62-550) F.A.C. standards and the Department's numerical interpretation of the Rule 62-520.400, F.A.C. minimum criteria. The SRLs for surface waters shall be the standards specified in Chapter 62-302, F.A.C., the minimum criteria and the toxicity criteria per Rule 62-302.530(62) F.A.C. The Department, at its option, may define the SRLs for soils and sediments or may require the Respondent to complete a risk assessment to define SRLs for soils or sediments that are sufficiently contaminated to present a risk to the public health, the environment or the public welfare. The cleanup goals for soils will be risk based and if ground water contamination is present, may also be based on potential leachate generation. If the Department does choose to provide SRLs to the Respondent and does not choose to require a risk assessment and requires the Respondent to remediate the site to those SRLs, the Respondent shall implement the FS, if required by the Department as set forth in Paragraph 26, or submit the RAP as set forth in Paragraph 31. The Respondent may choose to develop site specific soil cleanup goals utilizing site specific parameters such as total organic carbon, soil porosity, soil moisture content, and dry bulk density in combination with Department acceptable exposure assumptions.

17. After Department approval of the CAR and the RAJ proposal, the Respondent shall prepare and submit a RAJ. . In most instances the Department will not approve the use of a RAJ to develop alternative SRLs for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. The RAJ which includes a risk assessment and a detailed justification of any alternative SRLs or "monitoring only" or "no further action" proposals shall be submitted within ninety (90) days of the Department's written approval of the CAR and notice that a RAJ is required, or within ninety (90) days of the Department's written approval of the CAR and the RAJ recommendation. Unless otherwise approved by the Department, the subject document shall address the following task elements, divided into the following five major headings:

affected population and the environment from contaminants found at the site. Based on contaminant levels presently found at the site, a risk and impact evaluation will be performed which considers, but is not limited to:

- (1) Risks to human health and safety from the contamination including,
  - (a) carcinogenic risk (FDEP's acceptable risk level is  $10E-6$ ), and
  - (b) non-carcinogenic risk (FDEP considers a hazard index of one as acceptable).
- (2) Effects on the public welfare of exposure to the contamination which may include but not be limited to soils and to adverse affects on actually and potentially used water resources; and
- (3) Environmental risks in areas which are or will be ultimately affected by the contamination including,
  - (a) other aquifers,
  - (b) surface waters, including wetlands,
  - (c) sediments,
  - (d) sensitive wildlife habitats, and
  - (e) sensitive areas including, but not limited to, National Parks, National Wildlife Refuges, National Forests, State Parks, State Recreation Areas, State Preserves.

*[Note: The following "justification" is not applicable to a Risk Assessment prepared to develop SRLs for the site where the toxicity data are not readily available to the Department. This justification is required for a Risk Assessment prepared to develop alternative SRLs.]*

D. Justification for the alternative Site Rehabilitation Levels (SRLs) - The purpose of this section is to provide justification on a case-by-case basis for alternative SRLs at which remedial action shall be deemed completed. Factors to be evaluated shall be, at a minimum:

- (1) The present and future uses of the affected aquifer and adjacent surface waters with particular consideration of the probability that the contamination is substantially affecting or will migrate to and substantially affect a public or private source of potable water;
- (2) Potential for further degradation of the affected aquifer or degradation of other connected aquifers;
- (3) The technical feasibility of achieving the SRLs based on a review of reasonably available technology;
- (4) Individual site characteristics, including natural rehabilitative processes; and
- (5) The results of the risk assessment.

18. The Department shall review the RAJ document and determine whether it has adequately addressed the risk assessment task elements and justification. In the event that additional information is necessary to evaluate any portion of the RAJ document, the Department shall make a written request and Respondent shall provide all requested information within twenty (20) days of receipt of said request.



23. If the Department determines upon review of the resubmitted MOP that the MOP still does not adequately address the requirements in Paragraph 20, the Department may choose one of the options listed in Paragraph 43.

24. Once a MOP has been approved by the Department, it shall become effective and made a part of the Order, and shall be initiated within thirty (30) days of the Department's written notification to the Respondent that the MOP has been approved. The approved MOP shall incorporate all required modifications to the MOP identified by the Department.

25. The Respondent shall submit the required monitoring data and data analysis products to the Department according to the time table in the approved MOP. If at any time trends are discovered by the Respondent that require any action proposed in the approved contingency plan, the Respondent shall notify the Department and initiate the Contingency Plan in a timely manner. Paragraph 43 applies to any exceptions to this paragraph.

*[Note: The Department may require or the Respondent may request the option to prepare a Feasibility Study. It probably is not necessary except for very complex sites where multiple contaminant classes are present or multiple media are contaminated. It may be necessary where the Respondent recommends a cleanup technology that the Department thinks is unable to achieve an adequate remediation or it may be necessary where a previously implemented technology has failed on the site and a different technology needs to be evaluated for an alternative remedial action.]*

26. The Department, at its option, shall also determine from review of the CAR and other relevant information whether the Respondent should prepare and submit a FS to the Department. The Respondent may request the option to prepare a FS. Applicable portions of the FS shall be signed and sealed by an appropriate professional. The FS may be required in complex cases to evaluate technologies and remedial alternatives, particularly if multiple contaminant classes are represented or multiple media are contaminated. The FS evaluates remedial technologies and remedial alternatives with the objective of identifying the most environmentally sound and effective remedial action to achieve clean up of the site to SRLs or alternative SRLs (if approved). The FS shall be completed and a report submitted within sixty (60) days of receipt of written notice that a FS is required or within the time frame approved by the Department, unless the Respondent has approval to submit a RAJ pursuant to Paragraphs 16 or 17. The FS shall include the following tasks:

A. Identify and review pertinent treatment, containment, removal and disposal technologies;

B. Screen technologies to determine the most appropriate technologies;

C. Review and select potential remedial alternatives using the following criteria:

- (1) long and short term environmental effects;
- (2) implementability;
- (3) capital costs;

shall be to achieve the clean up of the contaminated media to the SRLs or the approved alternative SRLs referenced in paragraphs 16 or 17, 18, and 19. The RAP shall summarize the CAR findings and conclusions and state the approved SRLs for all media. The RAP shall include as applicable:

A. Rationale for the remedial action proposed which shall include at a minimum:

(1) Results from any pilot studies or bench tests;  
(2) Evaluation of results for the proposed remedial alternative based on the following criteria:

- a. long and short term environmental impacts;
- b. implementability, which may include, but not be limited to, ease of construction, site access, and necessity for permits;
- c. operation and maintenance requirements;
- d. estimates of reliability;
- e. feasibility; and
- f. estimates of costs.

(3) (If applicable and not previously addressed) Soil cleanup criteria such that any remaining contaminated soils will not cause groundwater contamination in excess of the SRLs or alternative SRLs referenced in paragraphs 16 or 17, 18, and 19.

B. Design and construction details and specifications for the remedial alternative selected;

C. Operational details of the remedial action including the disposition of any effluent, expected contaminant concentrations in the effluent, an effluent sampling schedule if treated ground water is being discharged to soils, to ground water or to surface waters, and the expected concentrations and approximate quantities of any contaminants which are reasonably expected to be discharged into the air as a result of remedial action;

D. Tables which summarize the proposed samples and analyses for each pertinent medium and include the appropriate number and type of quality assurance samples consistent with the requirements of Part 1;

E. Details of the treatment or disposition of any contaminated soils or sediments;

F. Proposed methodology including post remedial action soil sampling and ground water monitoring as applicable for evaluation of the site status after the remedial action is complete to verify accomplishment of the objective of the RAP; and

G. Schedule for the completion of the remedial action.

32. The Department shall review the proposed RAP and provide Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the RAP before the RAP has been approved shall be at Respondent's risk and Paragraph 44 shall apply.

33. In the event that additional information is necessary for the Department to evaluate the RAP, or if the RAP does not adequately address the objectives and requirements set

## **Part 6 Progress Reporting and Notifications**

40. On the first working day of each month, or on another schedule approved by the Department after initiating an IRAP, CAP or RAP, Respondent shall submit written progress reports to the Department. These progress reports shall evaluate progress, describe the status of each required IRAP, CAP and RAP task, and discuss any new data. The effectiveness of the IRAP and RAP shall be evaluated. The Progress Reports shall propose modifications and additional work as needed. The reports shall be submitted until planned tasks have been completed in accordance with the approved IRAP, CAP, or RAP. Each final report shall be signed and sealed by the appropriate professional. The final report shall include all data, manifests, and a detailed summary of the completed work.

41. The Respondent shall notify the Department at least ten days prior to installing monitoring or recovery wells, and shall allow Department personnel the opportunity to observe the location and installation of the wells. All necessary approvals must be obtained from the water management district before the Respondent installs the wells.

42. The Respondent shall notify the Department at least ten (10) days prior to any sampling, and shall allow Department personnel the opportunity to observe sampling or to take split samples. When the Department chooses to split samples, the raw data shall be exchanged between the Respondent and the Department as soon as the data are available.

## **Part 7 Conflict Resolution and Other Requirements**

43. In the event that the Department determines a document to be inadequate or if there are disagreements, the Department, at its option, may choose to do any of the following:

A. Draft specific modifications to the document and notify the Respondent in writing that approval of the document is being granted contingent upon those modifications being incorporated into the document.

B. Resolve the issues through repeated correspondence, telephone discussions, and/or meetings.

C. Notify the Respondent that Respondent has failed to meet the stated objectives for the document, in which case the Department may do any or all of the following: take legal action to enforce compliance with the Order; file suit to recover damages and civil penalties; or complete the corrective actions outlined herein and recover the costs of completion from the Respondent.

44. The Respondent is required to comply with all applicable local, state and federal regulations and to obtain any necessary approvals/permits from local, state and federal authorities in carrying out these corrective actions.

45. The Respondent shall immediately notify the Department of any circumstances encountered by the Respondent which require modification of any task in the approved IRAP, CAP or RAP, and obtain Department approval prior to implementing any such modified tasks.

# Memorandum

## Florida Department of Environmental Protection

### ENFORCEMENT/COMPLIANCE COVER MEMO

TO: X <sup>3/16</sup> Deborah A. Getzoff, Director of District Management  
James Cleary, Asst. Director of District Management  
William Kutash, Program Administrator  
OGC

FROM/THROUGH: <sup>WP</sup> William Kutash, Environmental Administrator  
Susan Pelz, Program Supervisor <sup>3/15/04</sup>  
Stephanie Petro, Environmental Specialist III <sup>3/2/04</sup>

DATE: March 12, 2004

FILE NAME: Sumter County MRF, Closed Class I, and Composting Facilities OGC FILE# 04-0131  
PROGRAM: Solid Waste COUNTY: Sumter

#### TYPE OF DOCUMENT:

WARNING        FINAL ORDER        CASE REPORT         
DRAFT        OR FINAL X NOV        CONSENT ORDER         
PENALTY AUTHORIZATION        MODEL CONSENT ORDER X

#### BRIEF DESCRIPTION OF VIOLATION:

Department personnel observed, on the last three inspections, large depressions, ruts, and cracks in and/or standing water on the asphalt pad on top of the Closed Class I Landfill, standing water/seepage around the biosolids storage area, and a loading ramp used to load waste outside of the building/leachate collection system.

**SUMMARY OF CORRECTIVE ACTIONS:** Representatives from the Sumter County Board of County Commissioners and the facilities requested a meeting with the Department on January 14, 2004, in which the County initiated a discussion of the existing non-compliance issues at the facilities and potential corrective actions, prior to Department enforcement action. On January 28, 2004, the County submitted a Temporary Corrective Action Plan to correct non-compliance issues.

#### PENALTY SUMMARY:

ELRA PENALTY	<u>\$2,400</u>	POTENTIAL FOR HARM:	<u>      </u>
EXTENT OF DEVIATION:	<u>      </u>	COST AND EXPENSES:	<u>\$ 500</u>
PENALTY AMOUNT:	<u>\$2,400</u>		
TOTAL PENALTY AMOUNT:	<u>\$2,900</u>	APPROVED BY SECRETARY:	<u>N/A</u>

**Petro, Stephanie**

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**From:** Petro, Stephanie  
**Sent:** Friday, March 12, 2004 4:41 PM  
**To:** Pelz, Susan  
**Cc:** Morgan, Steve  
**Subject:** Bernard Dew convo

Steve and I spoke with Bernard Dew today. I explained that a Model Consent Order can't be modified without review by our Office of General Counsel. He said the County attorney had advised him to sign the CO and that in his letter dated March 5, 2004, he just wanted to make us aware of the County's concerns. Steve and I asked if we should execute the CO as is and he said yes. Steve explained that the Digester could operate upon execution of the CO. I said that I was going to route the CO for our Director's signature and that hopefully he would receive a copy of the executed CO next week.

Stephanie Petro  
Environmental Specialist III  
Solid Waste Compliance/Enforcement  
Southwest District

3/12/2004

**FAX**

Date: 3/11/04  
Number of pages including cover sheet: 3

TO:	<u>Lisa London</u>	FROM:	<u>Stephanie Petro</u>
PHONE:		PHONE:	<u>(813) 744-6100,</u>
FAX #:	<u>890-245-2301</u>	FAX #:	<u>(813) 744-6125</u>
CC:			
REMARKS:	<u>Urgent</u>	<u>For your review</u>	<u>Reply ASAP</u>
	<u>Please comment</u>		
<u>Wiga Lisa, I wrote you an email regarding this</u>			
<u>letter from Sumter County. Could you please contact</u>			
<u>me when you return on Friday? Thanks,</u>			
<u>Stephanie</u>			

818502452301	NORMAL	11,10:03	3'53"	3	* O K	
Telephone Number	Mode	Start	Time	Pages	Result	Note

Mar 11 2004 10:07

P.1

\*\* Transmit Conf. Report \*\*

WASTE MGT TAMPA SUD Fax:8137446125

# **Board of County Commissioners**

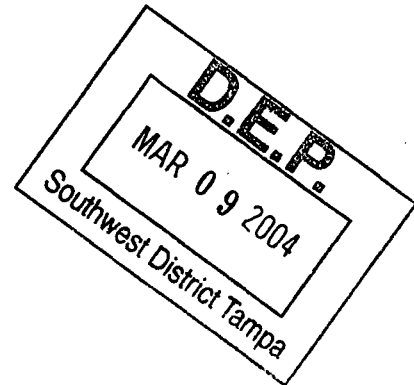
## **Sumter County, Florida**

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX: (352) 793-0207  
SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



Certified Mail 7003 0500 0002 0979 9973  
Return Receipt Requested

March 5, 2004



Ms. Deborah A. Getzhoff  
District Director  
Florida Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619

Dear Ms. Getzhoff:

The Board of Sumter County Commissioners authorized acceptance of the terms set forth in the draft consent order for OGC Case No.04-0131. Enclosed you will please find a copy executed by me for Sumter County.

Our attorney provided the following comments after review of the document:

1. (Addition to the beginning of paragraph #13.) Upon a showing of good cause, Respondent may request the Department to grant an extension of any deadline or time period set forth in this consent Order. Such request shall be in writing, and the deadline or other time period shall be tolled while the Department considers and takes final action on the request. The Department's proposed denial of such request shall be deemed proposed agency action for purposes of Sections 120.569 and/or 120.57 Florida Statutes.
2. Paragraph 17 should be stricken. It is inconsistent with the stipulated penalties provisions in paragraph 12. Either the stipulated penalties are the sole penalty or failure to comply with the consent order, or there is no point in including stipulated penalties in the document.

Benny G. Strickland, Chairman  
Dist 1, (352) 753-1592 or 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Joey A. Chandler, Vice Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Billy "Tiny" Rutter, Dist 3  
(352) 753-1592 or (352) 748-4220  
5885 CR 472  
Oxford, FL 34484

Jim Roberts, Dist 4  
(352) 793-4776  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Robin Cox, Dist 5  
(352) 793-6910  
P.O. Box 1482  
Webster, FL 33597

Bernard Dew, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

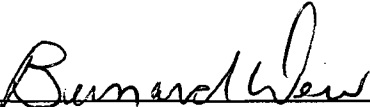
Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

If at all possible, we would like to see these changes made.

Your attention and consideration in this matter is appreciated.

Very truly yours,

  
\_\_\_\_\_  
Bernard Dew  
County Administrator

County Commission Minute File



**Petro, Stephanie**

---

**From:** Pelz, Susan  
**Sent:** Thursday, March 04, 2004 2:17 PM  
**To:** Petro, Stephanie  
**Cc:** Morgan, Steve  
**Subject:** RE: Sumter Co Draft CO: revisions

ok

-----Original Message-----

**From:** Petro, Stephanie  
**Sent:** Thu 3/4/2004 2:12 PM  
**To:** Pelz, Susan  
**Cc:** Morgan, Steve  
**Subject:** Sumter Co Draft CO: revisions

Susan,  
Sumter Co.'s attorney will call you on Monday, March 8th, to discuss minor revisions to the Draft Consent Order language. On Thursday, during our conversation with Mitch Kessler, Steve noted that there is no target date for submittal of TCAP - Phase II in the Ordered section. Because this CO is still a draft, perhaps in your discussion with the attorney, you can both agree to modify the language of Paragraph 6 to include a deadline to "Submit TCAP - Phase II within 30 days of the effective date of the Consent Order" or something like that.

Thank you,

Stephanie Petro  
Environmental Specialist III  
Solid Waste Compliance/Enforcement  
Southwest District



FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION  
SOLID WASTE MANAGEMENT FACILITY  
INSPECTION CHECKLIST

1041 68383 M  
WMP 38928 M  
MAF 45061 M  
WTCC 18575 M

2/12

Facility Name: Sumter County Volume Reduction  
WACS No. SW060053008 GMS I.D. Number (if available): 4060C0009a  
Inspection Date: 2/5/04 Permit No.: 126941-001-50 (MAF) 126946-002-54 (LTC) 126940-001-50 (COMP) 126848-003-47 (WT) Expiration Date: 10/31/07 (WT) 5/1/03 (MAF, COMP, LTC)  
Facility Address: CR 470  
City: Bushnell County: Sumter Zip: 33513  
Permittee or Operating Authority: Sumter County Public Works  
Telephone Number (Permittee or Operating Authority): \_\_\_\_\_  
Inspection Participants (Include ALL Landfill and Department Employees Specifying Titles):  
Principal Inspector: Lora Ross, Stephanie Petko, Kelly Honey  
Other Participants: Chuck Jett

TYPE OF FACILITY (check all that apply):

Landfill: ☒ Class I  
☐ Class II  
☐ Class III  
C&D Facility: ☐ Disposal  
☐ Disposal w/Recycling  
☐ Land Clearing  
Waste Processing Facility: ☐ Transfer Station  
☐ C&D Recycling  
☐ Class III MRF  
☒ MSW MRF  
☐ Pulverizer/Shredder  
☐ Compactor/Baling  
☒ Other WTCC  
Other Facilities: ☒ Composting  
☐ WTE Facility  
☐ Incinerator/Trench Burner  
☐ Unauthorized Disposal  
☐ Other \_\_\_\_\_

TYPE OF INSPECTION (check all that apply):

☐ Construction Completion  
☒ Operation  
☐ Closure  
☒ Long-Term Care  
☐ Complaint Investigation  
☒ Routine Inspection  
☐ Reinspection  
☐ Facility File Review  
☐ Other \_\_\_\_\_

REQUIREMENTS:

THE REQUIREMENTS LISTED IN THIS INSPECTION CHECKLIST ARE BASED UPON RULES OF THE FLORIDA ADMINISTRATIVE CODE. A "NO" RESPONSE TO A REQUIREMENT (UNLESS OTHERWISE NOTED) REFLECTS A VIOLATION OF THE CORRESPONDING DEPARTMENT RULE(S). EACH VIOLATION IS DISCUSSED IN THE NARRATIVE SECTION OF THIS REPORT.

I. SOLID WASTE PROHIBITIONS (unless "grandfathered" in, see 62-701.300(16))		YES	NO	Unk	N/A
1. Unauthorized disposal/storage prohibited in areas lacking geological support? 62-701.300(2)(a)					
2. Unauthorized disposal/storage prohibited, except yard trash, within 500' of a potable water well? 62-701.300(2)(b)					
3. Unauthorized disposal/storage prohibited in a dewatered pit unless pit is lined and has leachate controls? 62-701.300(2)(c)					
4. Unauthorized disposal/storage prohibited in an area subject to frequent and periodic flooding unless flood protection measures in place? 62-701.300(2)(d)					
5. Unauthorized disposal/storage prohibited in any natural or artificial body of water including ground water? 62-701.300(2)(e)					

II. CLASS I, II & III LANDFILLS (CLOSURE)		YES	NO	Unk	N/A
<b>C. CLOSURE</b>					
55.	Final cover installation according to approved design plans and does the present condition and function appear adequate? 62-701.600(5)(f)(2)		✓		
56.	Gas pressures not interfering with or causing failure of the final cover? 62-701.530(1)(a)4.	✓			
57.	Facility meets closure requirements prohibiting unauthorized dumping? 62-701.600(5)(l)	✓			
58.	All actions for closure completed satisfactorily according to approved closure operation plan? 62-701.600(6)	✓			
59.	Have a final survey or an as-built report with all survey monuments and other permanent markers for waste filled areas been received? 62-701.610(2) & (3)	✓			
60.	Authorized use of closed landfill and integrity of environmental protection measures maintained? 62-701.610(7)		✓		
61.	If waste is being relocated, is this performed according to the Department's requirements? 62-701.620(8)				✓
62.	Long term care performed adequately? 62-701.620		✓		
63.	Financial assurance adequate? 62-701.630			✓	
64.	Are cost estimates current and adjusted every year? 62-701.630(4)			✓	

III. WASTE PROCESSING FACILITIES		YES	NO	Unk	N/A
<b>A. OPERATION AND MAINTENANCE</b>					
1.	Do the tipping, processing, sorting, storage and compaction areas that are in an enclosed building or covered area have ventilation systems? 62-701.710(3)(a)	✓			
2.	Are areas of the facility that are not enclosed equipped with litter control devices and visual screening? 62-701.710(3)(a)		✓		
3.	Except for C&D Recyclers, is the facility designed with a leachate control system to prevent discharge of leachate and mixing of leachate with stormwater, and to minimize the presence of standing water? 62-701.710(3)(b)		✓		
4.	If the facility is a C&D Recycler, is it designed with a leachate control system to prevent discharge of leachate and mixing of leachate with stormwater, and to minimize the presence of standing water or are all areas where waste is stored or processed covered by an approved ground water monitoring program? 62-701.710(10)(b)				✓
5.	Is an Operation and Maintenance Manual available at the facility and is it <u>being followed</u> ? 62-701.710(4)(a)1.		✓		
* 6.	Are there procedures available at the facility to handle unauthorized wastes? 62-701.710(4)(a)2.	✓			
7.	Is a Contingency Plan available at the facility which addresses operational interruptions and emergencies such as fires, explosions or natural disasters? 62-701.710(4)(a)3.	✓			
8.	Are putrescible wastes not allowed to be stored unprocessed longer than 48 hours or longer than seven days if adequate vector and odor controls are provided? 62-701.710(4)(b)			✓	
9.	Are areas where waste is stored or processed cleaned at least weekly to prevent odor and vector problems? 62-701.710(4)(b)	✓			
10.	Are all drains and leachate conveyances kept clean so that leachate flow is not impeded? 62-701.710(4)(b)	✓			
11.	Are the operating hours posted at the facility? 62-701.710(4)(c)1.	✓			
12.	Is a trained operator on duty whenever the facility is operating? 62-701.710(4)(c)1.	✓			
13.	Is at least one trained spotter on duty at all times that waste is received at the facility to inspect the incoming waste? 62-701.710(4)(c)2.	✓			
14.	Are prohibited materials removed from the waste stream and placed into appropriate containers for disposal at a permitted facility? 62-701.710(4)(c)2.		✓		
15.	Is the facility operated to control objectionable odors? 62-701.710(4)(d)	✓			
16.	Is adequate fire protection equipment available at all times? 62-701.710(4)(e)	✓			
17.	Is access to the facility controlled by fencing or other effective barriers to prevent disposal of unauthorized waste? 62-701.710(4)(f)	✓			
18.	Except for Transfer Stations, is financial assurance for the facility adequate? 62-701.710(7)(a)			✓	
19.	Except for Transfer Stations, are cost estimates current and adjusted as required? 62-701.710(7)(b)			✓	

III. WASTE PROCESSING FACILITIES (CONTINUED)		YES	NO	Unk	N/A
<b>A. OPERATION AND MAINTENANCE (CONTINUED)</b>					
20.	If the facility is a Transfer Station, is it exempt from providing financial assurance because it accepts primarily household waste, commercial waste or recovered materials and manages the waste on a first-in, first-out basis and stores waste for no greater than 7 days? 62-701.710(10)(a)				✓
21.	Is stormwater controlled in accordance with Department requirements? 62-701.710(8)		✓		
22.	Are adequate operational records available at the facility and maintained for at least three years? 62-701.710(9)(a)	✓			
23.	If the facility is a C&D Recycler, is an Annual Report for the recycling operation submitted to the Department by April 1 of each year? 62-701.710(9)(b)				✓
24.	Are all specific conditions in the permit being followed? 62-701.320(1)		✓		
<b>B. CLOSURE</b>					
25.	Are all wastes removed or disposed of in accordance with the approved Closure Plan within 30 days of receiving the final solid waste shipment? 62-701.710(6)(c)				
26.	Are stored putrescible wastes managed in accordance with Rule 62-701.710(4)(b)? 62-701.710(6)(c)				
27.	Has closure been completed within 180 days after receiving the final solid waste shipment? 62-701.710(6)(d)				

IV. C&D DEBRIS FACILITIES		YES	NO	Unk	N/A
<b>A. DISPOSAL</b>					
1.	Is the facility only disposing of C&D wastes and are prohibited wastes properly managed? 62-701.730(4)(c), (6) & (7)(d)				
2.	Ground water wells intact and functioning properly? 62-701.510(2)(b), 62-701.730(4)(b)				
3.	Water quality sampling and testing according to standard procedures and at required frequency? 62-701.730(4)(b) & (10)				
4.	Is stormwater controlled in accordance with Department requirements? 62-701.730(5)				
5.	Are wastes compacted and sloped as necessary for later closure? 62-701.730(7)(b)				
6.	Is access to the facility properly controlled? 62-701.730(7)(c)				
7.	Is a trained operator on duty at the facility at all times the facility is operating and are there a sufficient number of spotters on duty at the working face to inspect the incoming wastes at all times waste is being accepted? 62-701.730(7)(d)				
8.	Are objectionable odors controlled in accordance with Department requirements? 62-701.730(7)(e)				
9.	Are fuels, solvents, lubricants, etc. safely stored in areas separate from disposal or sorting areas? 62-701.730(7)(f)				
10.	Are plastic buckets empty before disposal? 62-701.710(7)(g)				
11.	Are the spotters or operators properly trained? 62-701.730(8)				
12.	Are areas of the facility requiring final cover properly closed? 62-701.730(9)				
13.	Is financial assurance adequate? 62-701.730(11)(a)				
14.	Are cost estimates current and adjusted as required? 62-701.730(11)(b)				
15.	Are Annual Reports submitted to the Department for the disposal operation by April 1? 62-701.730(12)				
16.	If an air curtain incinerator is also used at the facility, is it properly operated? 62-701.730(14)				
17.	Is the facility operated so that adverse environmental and public health impacts, such as blowing litter and vectors, are minimized? 62-701.730(18)				
18.	Are asbestos-containing waste materials regulated pursuant to 40 CFR Part 61, Subpart M, prohibited from disposal at the facility? 62-701.730(19)				
19.	Are all specific conditions in the permit for the disposal operation being followed? 62-701.320(1)				

V. OTHER SOLID WASTE FACILITY		YES	NO	Unk	N/A
1.	WTE facility in compliance with all permit conditions and applicable requirements? 62-701.320(1)				✓
2.	Compost facility in compliance with all permit conditions and applicable requirements? 62-701.320(1)		✓		

## VI. NARRATIVE

Explanation for all "NO" responses and other comments (continue on separate sheet if necessary)

- ✓ II.C.55, 60, 62 → Low depressions w/ ponding water was observed @ the asphalt pad. Cracks & erosion were noted @ the pad. A few bare spots were noted around the vegetation. (SC 7.e)
- III.A.2, 21, 24, 5 → Department personnel observed litter around the facility - outside the new MRF, @ the new Citizen Drop-off Center (SC 6.b, 7.e, 1.1 OPS Plan)
- III.A.3, II.2 → Department personnel noted area outside sludge holding area where material was being pulled outside the building. Please ensure that the material stays inside the building. (SC 7.h)
- \* III.A.6 → A white good was observed @ the asphalt pad inside a roll-off (SC 6.f.2)
- III.A.14 → Same response as III.A.6. SC 6.f.4 - ensure proper handle of paint cans
- III.A.5, 24 → Please see the above mentioned Sp. Cond (SC) & OPS Plan
- IV.A.2 → Please see III.A.2, III.A.3.
- SC 2 of the Waste Tire permit - please ensure that all tires are stored on top of the closed site until authorization from DEP is received.
- NOTES**
- Facility has moved most of the material from the asphalt pad to the new CDA. Some ponded water was observed @ the C3, C4 area - please ensure to separate C3 & C4 w/ barriers. Digesters have been down ~ Nov/Oct & have been transferring everything out. Ramp outside has been moved inside the building. Maintain building better - oil containment needs to be empty (see Kelly Honey's report).

Signed:

Jana Ross

DEP Representative

2-5-04

Date

Received:

[Signature]

Site Representative

2-5-04  
Date

PLEASE RESPOND TO THE ABOVE DEFICIENCIES IN WRITING TO THE DEPARTMENT WITHIN 15 DAYS STATING CORRECTIVE ACTIONS.

# Memorandum

## Florida Department of Environmental Protection

### ENFORCEMENT/COMPLIANCE COVER MEMO

TO: ☒ Deborah A. Getzoff, Director of District Management  
☐ James Cleary, Asst. Director of District Management  
☐ William Kutash, Program Administrator  
☐ OGC

FROM/THROUGH: William Kutash, Environmental Administrator  
Susan Pelz, Program Supervisor  
Stephanie Petro, Environmental Specialist III  
JASP 2/4/04

DATE: January 29, 2004

FILE NAME: Sumter County MRF, Closed Class I, and Composting Facilities OGC FILE# 04-0131  
PROGRAM: Solid Waste COUNTY: Sumter

#### TYPE OF DOCUMENT:

WARNING ☐ FINAL ORDER ☐ CASE REPORT ☐  
DRAFT ☒ OR ~~FINAL~~ ☒ NOV ☐ CONSENT ORDER ☐  
PENALTY AUTHORIZATION ☐ MODEL CONSENT ORDER ☒

#### BRIEF DESCRIPTION OF VIOLATION:

Department personnel observed, on the last three inspections, large depressions, ruts, and cracks in and/or standing water on the asphalt pad on top of the Closed Class I Landfill, standing water/seepage around the biosolids storage area, and a loading ramp used to load waste outside of the building/leachate collection system.

**SUMMARY OF CORRECTIVE ACTIONS:** Representatives from the Sumter County Board of County Commissioners and the facilities requested a meeting with the Department on January 14, 2004, in which the County initiated a discussion of the existing non-compliance issues at the facilities and potential corrective actions, prior to Department enforcement action. On January 28, 2004, the County submitted a Temporary Corrective Action Plan to correct non-compliance issues.

#### PENALTY SUMMARY:

ELRA PENALTY	<u>\$2,400</u>	POTENTIAL FOR HARM:	
EXTENT OF DEVIATION:		COST AND EXPENSES:	<u>\$ 500</u>
PENALTY AMOUNT:	<u>\$2,400</u>		
TOTAL PENALTY AMOUNT:	<u>\$2,900</u>	APPROVED BY SECRETARY:	<u>N/A</u>

# PENALTY COMPUTATION WORKSHEET

Permittee / Respondent: Sumter Board of County Commissioners  
 Facility: Sumter County Composting Facility, Materials Recovery Facility, and Closed Class I Landfill  
 Permit Numbers: 126940-001-SO, 126941-001-SO, and 22926-002-SF

Name of Department Staff Responsible for the Penalty Computations: Stephanie Petro

Date of Initial Computation: February 3, 2004      Revision Date(s):

## PART I - Penalty Determinations

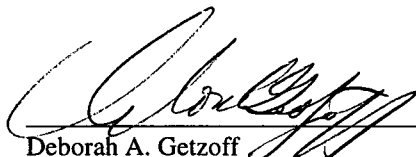
WL item		Violation Type	ELRA Schedule	Potential for Harm	Matrix Amount	Multi day	Adjust ments	Total
# 1 Loading Class I waste outside of MRF building's leachate collection system	1	Storage, process, and/or disposal of Class I waste without a Department permit SW-2	\$ 3,000					\$3,000

1. Under 403.121(3)(e) of the Environmental Litigation and Reform Act, the administrative penalty for unpermitted disposal or storage of Class I waste is \$3,000.

Costs/Exp.									\$500
------------	--	--	--	--	--	--	--	--	-------

## Summary of Penalty Determinations and Costs

VIOLATION TYPE	ELRA AMOUNT	PART II & III ADJUSTMENTS	FINAL Matrix Calculation	FINAL PENALTY AMOUNT \$
1 Storage, process, and or disposal of Class I waste without a Department permit	\$3,000	- 20%		\$2,400
Costs:	\$500			\$ 500
Total				\$2,900

  
 Deborah A. Getzoff  
 District Director  
 Southwest District

2/6/04  
 Date

Part II - Multi-day Penalties and Adjustments

ADJUSTMENTS:

Total Dollar Amount: - 20% or \$600

1. Good faith/Lack of good faith prior to discovery:

Justification:

2. **Good faith after discovery:** The Department noted on its last two inspections, dated 5/27/03 and 10/16/03, that the facility was loading outside the MRF building's leachate collection system, not in accordance with its permit or Operation Plan.

**Justification:** Representatives from the Sumter County Board of County Commissioners and the facilities requested a meeting with the Department on January 14, 2004, in which the County initiated a discussion of the existing non-compliance issues at the facilities and potential corrective actions. The Department believes that Sumter County was proactive in its approach and demonstrated initiative to correct its deficiencies prior to Department enforcement action. Therefore, the Department believes that a twenty percent reduction of the ELRA penalty of \$3,000 is justified.

3. History of Non-compliance:

4. Economic Benefit:

5. Ability to pay:

MULTI-DAY PENALTIES:

1.

Dollar Amount:

Number of days adjustment factor(s) to be applied:

Justification:

Part III - Other Adjustments Made After Meeting with the  
Responsible Party

ADJUSTMENT:

Dollar Amount:

Relative merits of the case:



Resource considerations:

Other justification:

\_\_\_\_\_  
Date

\_\_\_\_\_  
District Director

Departmental Costs & Expenses

The following guidelines were followed in estimating the costs to be recovered in settling this enforcement action.

Level of Enforcement Case:

- Minimal Enforcement Case: \$100-\$500.00
- Average Enforcement Case: \$ 500.00-\$1,000.00
- Complex Enforcement Case: \$ 1,000.00-\$5,000.00

This case has been classified as a Minimal Enforcement Case, for an Enforcement Cost of \$ 500.00.

U.S. Postal Service

**CERTIFIED MAIL RECEIPT**

*(Domestic Mail Only; No Insurance Coverage Provided)*

**O F F I C I A L U S E**

Postage

\$

Certified Fee

Return Receipt Fee  
(Endorsement Required)

Restricted Delivery Fee  
(Endorsement Required)

Total Postage &

Mailed  
2-9-04  
Postmark  
Here

**Sent To**

Street, Apt. No.;  
or PO Box No.

City, State, ZIP+

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

7001 1940 0006 5800 9923  
E266 0085 9000 0461 1001

Is your RETURN ADDRESS completed on the reverse side?

Draft Consent Order OLC No 04-0131

**SENDER:**

SUMTER COUNTY

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

7001 1940 0006 5800 9923

Mr. Bernard Dew, County Adm.  
Sumter County BCC  
209 North Florida Street  
Bushnell, FL 33513

4b. Service Type

- ☐ Registered
- ☐ Express Mail
- ☒ Return Receipt for Merchandise
- ☒ Certified
- ☐ Insured
- ☐ COD

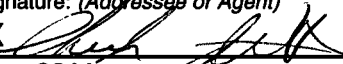
7. Date of Delivery

5. Received By: (Print Name)

Chuck Jett

6. Signature: (Addressee or Agent)

X



8. Addressee's Address (Only if requested and fee is paid)

Receipt Service.

Thank you for using Return Receipt Service.

UNITED STATES POSTAL SERVICE



First-Class Mail  
Postage & Fees Paid  
USPS  
Permit No. G-10

● Print your name, address, and ZIP Code in this box ●

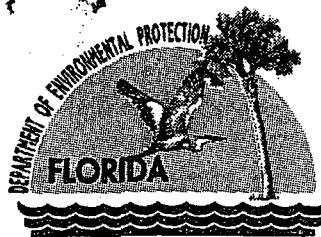
State of Florida  
Department of Environmental Protection  
Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619-1352

Southwest District Tampa

FEB 10 2004

D.E.P.

Stephane Petro, Solid Waste



Jeb Bush  
Governor

# Department of Environmental Protection

Southwest District  
3804 Coconut Palm Drive  
Tampa, Florida 33619

David B. Struhs  
Secretary

February 9, 2004

CERTIFIED MAIL 7001 1940 0006 5800 9923  
RETURN RECEIPT REQUESTED

Mr. Bernard Dew, County Administrator  
Sumter County Board of County Commissioners  
209 North Florida Street  
Bushnell, Florida 33513

RE: Draft Consent Order, OGC Case No. 04-0131  
Sumter County Composting Facility, Permit No. 126940-001-SO  
Sumter County Materials Recovery Facility, Permit No. 126941-001-SO  
Sumter County Closed Class I Landfill, Permit No. 22926-002-SF  
Sumter County

Dear Mr. Dew:

Enclosed please find a copy of the draft Consent Order for settlement of the above-referenced enforcement case. Please review the document with your attorney and, if acceptable, return a signed copy of the document to the Department for execution within 30 days of receipt of this letter.

Should you or the County attorney have any questions or comments, please contact Susan Pelz at 744-6100, ext. 386, within 14 days of receipt of this letter.

Sincerely,

Deborah A. Getzoff  
District Director  
Southwest District

cc: Susan Pelz, P.E., FDEP  
Stephanie Petro, FDEP

"More Protection, Less Process"

Printed on recycled paper.

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION,

IN THE OFFICE OF THE  
SOUTHWEST DISTRICT

Complainant,  
vs.

OGC FILE NO. 04-0131

SUMTER COUNTY  
BOARD OF COUNTY COMMISSIONERS,

Respondent.  
\_\_\_\_\_ /

CONSENT ORDER

This Consent Order is entered into between the State of Florida Department of Environmental Protection ("Department") and Sumter County Board of County Commissioners ("Respondent") to reach settlement of certain matters at issue between the Department and Respondent.

The Department finds and the Respondent admits the following:

1. The Department is the administrative agency of the State of Florida having the power and duty to administer and enforce the provisions of Chapter 403, Florida Statutes, and the rules promulgated thereunder, Title 62, Florida Administrative Code. The Department has jurisdiction over the matters addressed in this Consent Order.
2. Respondent is a person within the meaning of Section 403.031(5), Florida Statutes.
3. Respondent is the owner and operator of Sumter County Composting Facility, Sumter County Closed Class I Landfill, and Sumter County Materials Recovery Facility

("facilities"). The facilities are located at 28 degrees, 44 minutes, and 30 seconds latitude, and 82 degrees, 5 minutes, and 20 seconds longitude, and 1 mile east of Interstate 75, along the south side of C. R. 470. Respondent operates the Sumter County Composting Facility under Department permit No. 126940-001-SO, which expired May 1, 2003, and the Sumter County Materials Recovery Facility (MRF) under Department permit No. 126941-001-SO, which expired May 1, 2003. Respondent is also required to perform long-term care, monitoring, and maintenance of the Closed Class I Landfill under Department permit No. 22926-002-SF, which expired May 1, 2003.

4. The Department finds that the following violations occurred at the facilities: on an inspection of the facilities, dated February 5, 2003, Department personnel observed large depressions in the asphalt pad at the finished composting storage area on top of the Closed Class I Landfill, standing water at the finished composting storage area on top of the Closed Class I Landfill, and standing water around the biosolids storage area; on an inspection of the facilities, dated May 27, 2003, Department personnel observed large depressions in the asphalt pad near the finished composting storage area on top of the Closed Class I Landfill, cracks throughout the asphalt pad on top of the Closed Class I Landfill, and a loading ramp that was located outside the MRF building was being used to load waste outside the leachate collection system; on an inspection of the facilities, dated October 16, 2003, Department personnel observed depressions, cracks, and ruts in the asphalt pad on top of the Closed Class I Landfill, standing water on top of the Closed Class I Landfill, seepage from the biosolids storage area, and a loading ramp that was located outside the MRF building was being used to load waste outside the leachate collection system.

According to a file review conducted on January 30, 2004, the following exceedances of ground water standards were reported:

**Summary of Ground Water Standard Exceedances, Sumter County Closed Class I Landfill**

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-2	Aluminum	July 1999	5.49	0.2
		October 1999	2.67	0.2
		February 2000	1.09	0.2
		April 2000	1.12	0.2
		July 2000	9.71	0.2
		October 2001	0.7	0.2
		January 2002	4.3	0.2
		August 2002	0.39	0.2
		February 2003	0.52	0.2
	Iron	July 1999	1.19	0.3
		October 1999	0.737	0.3
		July 2000	3.95	0.3
		January 2001	0.678	0.3
		January 2002	0.9	0.3
	Manganese	July 1999	0.266	0.05
		October 1999	0.166	0.05
		July 2000	0.506	0.05
		January 2002	0.17	0.05
	Nitrate	August 2002	29	10
		October 2002	46	10
		February 2003	19	10
	TDS	October 2002	530	500

Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-4	Aluminum	July 1999	3.21	0.2
		October 1999	1.69	0.2
		February 2000	0.419	0.2
		April 2000	0.231	0.2
		July 2000	1.59	0.2
		October 2001	2.7	0.2
		January 2002	7.3	0.2
		May 2002	0.83	0.2
		October 2002	0.49	0.2



Well Number	Parameter	Sampling Date	Result (mg/L)	MCL (mg/L)
MW-4 (cont'd)	Aluminum	February 2003	0.3	0.2
		April 2003	0.48	0.2
		July 2003	0.28	0.2
		October 2003	0.23	0.2
	Antimony	April 2000	0.00972	0.006
	Cadmium	July 2000	0.0111	0.005
	Iron	January 2002	0.7	0.3
	Nitrate	July 1999	18.3	10
		February 2000	15.3	10
		April 2000	11.4	10
		July 2000	14.6	10
		October 2000	14.5	10
		January 2001	10.6	10
		April 2001	19	10
		July 2001	15	10
		October 2001	26	10
		January 2002	32	10
		May 2002	16	10
		August 2002	23	10
		October 2002	25	10
		February 2003	15	10
		April 2003	18	10
		July 2003	20	10
		October 2003	17	10
	TDS	October 1999	574	500
		February 2000	506	500
		April 2001	520	500
		July 2001	502	500
		October 2001	660	500
		January 2002	560	500
		May 2002	530	500
		August 2002	550	500
	Thallium	October 1999	0.00224	0.002
		January 2001	0.00409	0.002

The Department and Respondent met on January 14, 2004 to discuss resolution of the above-mentioned non-compliance issues. On January 28, 2004, the Department received the Temporary Corrective Action Plan – Phase I submitted by the Respondent.

5. Having reached a resolution of the matter Department and the Respondent mutually agree and it is,

ORDERED:

6. The Temporary Corrective Action Plan (TCAP) – Phase I, received January 28, 2004, shall be incorporated herein and made a part of this Consent Order as Exhibit A. The objectives of the TCAP include immediate corrective actions to cease loading waste outside of the MRF building and to submit TCAP - Phase II, which includes details of and schedule for completion of additional corrective actions needed to resolve the outstanding non-compliance issues at the facilities.

7. Upon review of the submittals required by the TCAP, the Department may request additional information. All additional information shall be submitted to the Department within 30 days of receipt of the Department's written request.

8. Upon approval, the TCAP – Phase II shall be incorporated herein and made a part of this Consent Order. Respondent shall implement the corrective actions proposed in the TCAP - Phase I and Phase II pursuant to the approved schedule and deadlines.

9. Immediately upon the effective date of this Consent Order, Respondent shall implement the "Preliminary Contamination Assessment Actions" incorporated herein as Exhibit B in the manner and within the time frames specified therein.

10. In the event the Preliminary Contamination Assessment described in Exhibit B reveals the presence of contaminants in the soil, sediment, surface water and/or ground water in

violation of the Department's water quality standards or minimum criteria, or reveals the presence of contaminants which may reasonably be expected to cause pollution of the surface and/or ground water of the state in excess of such standards or criteria, Respondent shall implement the corrective actions in the manner and within the time frames set forth in the document entitled "Corrective Actions for Contamination Site Cases," incorporated herein as Exhibit C. Such time frames shall begin upon notification by the Department that the presence of contaminants has been confirmed and that such corrective actions are necessary.

11. Within 30 days of the effective date of this Consent Order, Respondent shall pay the Department \$2,900 in settlement of the matters addressed in this Consent Order. This amount includes \$500 for costs and expenses incurred by the Department during the investigation of this matter and the preparation and tracking of this Consent Order. The civil penalty in this case includes one violation of \$2,000.00 or more. Payment shall be made by cashier's check or money order. The instrument shall be made payable to the "Department of Environmental Protection" and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund".

12. Respondent agrees to pay the Department stipulated penalties in the amount of \$500.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 6 through 11 of this Consent Order. A separate stipulated penalty shall be assessed for each violation of this Consent Order. Within 30 days of written demand from the Department, Respondent shall make payment of the appropriate stipulated penalties to "The Department of Environmental Protection" by cashier's check or money order and shall include thereon the OGC number assigned to this Consent Order and the notation "Ecosystem Management and Restoration Trust Fund". Payment shall be sent to the Department of

Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352. The Department may make demands for payment at any time after violations occur. Nothing in this paragraph shall prevent the Department from filing suit to specifically enforce any of the terms of this Consent Order. Any penalties assessed under this paragraph shall be in addition to the settlement sum agreed to in paragraph 11 of this Consent Order. If the Department is required to file a lawsuit to recover stipulated penalties under this paragraph, the Department will not be foreclosed from seeking civil penalties for violations of this Consent Order in an amount greater than the stipulated penalties due under this paragraph.

13. If any event, including administrative or judicial challenges by third parties unrelated to the Respondent, occurs which causes delay or the reasonable likelihood of delay, in complying with the requirements of this Consent Order, Respondent shall have the burden of proving the delay was or will be caused by circumstances beyond the reasonable control of the Respondent and could not have been or cannot be overcome by Respondent's due diligence. Economic circumstances shall not be considered circumstances beyond the control of Respondent, nor shall the failure of a contractor, subcontractor, materialman or other agent (collectively referred to as "contractor") to whom responsibility for performance is delegated to meet contractually imposed deadlines be a cause beyond the control of Respondent, unless the cause of the contractor's late performance was also beyond the contractor's control. Upon occurrence of an event causing delay, or upon becoming aware of a potential for delay, Respondent shall notify the Department orally within 24 hours or by the next working day and shall, within seven calendar days of oral notification to the Department, notify the Department in writing of the anticipated length and cause of the delay, the measures taken or to be taken to prevent or minimize the delay and the timetable by which Respondent intends to implement these

measures. If the parties can agree that the delay or anticipated delay has been or will be caused by circumstances beyond the reasonable control of Respondent, the time for performance hereunder shall be extended for a period equal to the agreed delay resulting from such circumstances. Such agreement shall adopt all reasonable measures necessary to avoid or minimize delay. Failure of Respondent to comply with the notice requirements of this Paragraph in a timely manner shall constitute a waiver of Respondent's right to request an extension of time for compliance with the requirements of this Consent Order.

14. Persons who are not parties to this Consent Order but whose substantial interests are affected by this Consent Order have a right, pursuant to Sections 120.569 and 120.57, Florida Statutes, to petition for an administrative hearing on it. The Petition must contain the information set forth below and must be filed (received) at the Department's Office of General Counsel, 3900 Commonwealth Boulevard, MS-35, Tallahassee, Florida 32399-3000, within 21 days of receipt of this notice. A copy of the Petition must also be mailed at the time of filing to the District Office named above at the address indicated. Failure to file a petition within the 21 days constitutes a waiver of any right such person has to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes.

The petition shall contain the following information:

(a) The name, address, and telephone number of each petitioner; the Department's Consent Order identification number and the county in which the subject matter or activity is located; (b) A statement of how and when each petitioner received notice of the Consent Order; (c) A statement of how each petitioner's substantial interests are affected by the Consent Order; (d) A statement of the material facts disputed by petitioner, if any; (e) A statement of facts which petitioner contends warrant reversal or modification of the Consent Order; (f) A statement of which rules or

statutes petitioner contends require reversal or modification of the Consent Order; (g) A statement of the relief sought by petitioner, stating precisely the action petitioner wants the Department to take with respect to the Consent Order.

If a petition is filed, the administrative hearing process is designed to formulate agency action. Accordingly, the Department's final action may be different from the position taken by it in this Notice. Persons whose substantial interests will be affected by any decision of the Department with regard to the subject Consent Order have the right to petition to become a party to the proceeding. The petition must conform to the requirements specified above and be filed (received) within 21 days of receipt of this notice in the Office of General Counsel at the above address of the Department. Failure to petition within the allowed time frame constitutes a waiver of any right such person has to request a hearing under Sections 120.569 and 120.57, Florida Statutes, and to participate as a party to this proceeding. Any subsequent intervention will only be at the approval of the presiding officer upon motion filed pursuant to Rule 28-106.205, Florida Administrative Code.

A person whose substantial interests are affected by the Consent Order may file a timely petition for an administrative hearing under Sections 120.569 and 120.57, Florida Statutes, or may choose to pursue mediation as an alternative remedy under Section 120.573, Florida Statutes, before the deadline for filing a petition. Choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for pursuing mediation are set forth below.

Mediation may only take place if the Department and all the parties to the proceeding agree that mediation is appropriate. A person may pursue mediation by reaching a mediation agreement with all parties to the proceeding (which include the Respondent, the Department,

and any person who has filed a timely and sufficient petition for a hearing) and by showing how the substantial interests of each mediating party are affected by the Consent Order. The agreement must be filed in (received by) the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000, within 10 days after the deadline as set forth above for the filing of a petition.

The agreement to mediate must include the following:

- (a) The names, addresses, and telephone numbers of any persons who may attend the mediation;
- (b) The name, address, and telephone number of the mediator selected by the parties, or a provision for selecting a mediator within a specified time;
- (c) The agreed allocation of the costs and fees associated with the mediation;
- (d) The agreement of the parties on the confidentiality of discussions and documents introduced during mediation;
- (e) The date, time, and place of the first mediation session, or a deadline for holding the first session, if no mediator has yet been chosen;
- (f) The name of each party's representative who shall have authority to settle or recommend settlement; and
- (g) Either an explanation of how the substantial interests of each mediating party will be affected by the action or proposed action addressed in this notice of intent or a statement clearly identifying the petition for hearing that each party has already filed, and incorporating it by reference.
- (h) The signatures of all parties or their authorized representatives.

As provided in Section 120.573, Florida Statutes, the timely agreement of all parties to mediate will toll the time limitations imposed by Sections 120.569 and 120.57, Florida Statutes, for requesting and holding an administrative hearing. Unless otherwise agreed by the parties, the mediation must be concluded within sixty days of the execution of the agreement. If mediation results in settlement of the administrative dispute, the Department must enter a final order incorporating the agreement of the parties. Persons whose substantial interests will be affected by such a modified final decision of the Department have a right to petition for a hearing only in accordance with the requirements for such petitions set forth above, and must therefore file their petitions within 21 days of receipt of this notice. If mediation terminates without settlement of the dispute, the Department shall notify all parties in writing that the administrative hearing processes under Sections 120.569 and 120.57, Florida Statutes, remain available for disposition of the dispute, and the notice will specify the deadlines that then will apply for challenging the agency action and electing remedies under those two statutes.

15. Entry of this Consent Order does not relieve Respondent of the need to comply with applicable federal, state or local laws, regulations or ordinances.

16. The terms and conditions set forth in this Consent Order may be enforced in a court of competent jurisdiction pursuant to Sections 120.69 and 403.121, Florida Statutes. Failure to comply with the terms of this Consent Order shall constitute a violation of Section 403.161(1)(b), Florida Statutes.

17. Respondent is fully aware that a violation of the terms of this Consent Order may subject Respondent to judicial imposition of damages, civil penalties up to \$10,000.00 per day per violation and criminal penalties.



18. Respondent shall allow all authorized representatives of the Department access to the property and facility at reasonable times for the purpose of determining compliance with the terms of this Consent Order and the rules and statutes of the Department.

19. All submittals and payments required by this Consent Order to be submitted to the Department shall be sent to the Florida Department of Environmental Protection, 3804 Coconut Palm Drive, Tampa, Florida 33619-1352.

20. The Department hereby expressly reserves the right to initiate appropriate legal action to prevent or prohibit any violations of applicable statutes, or the rules promulgated thereunder that are not specifically addressed by the terms of this Consent Order.

21. The Department, for and in consideration of the complete and timely performance by Respondent of the obligations agreed to in this Consent Order, hereby waives its right to seek judicial imposition of damages or civil penalties for alleged violations outlined in this Consent Order; provided, however, should the Department conclude that clean up of the contaminated area to site rehabilitation levels is not feasible; or should the Respondent not completely implement the remedial or corrective action plan (however denominated) as approved by the Department; the Department expressly reserves its right to seek restitution from Respondent for environmental damages. Within 20 days of receipt of the Department's written notification of its intent to seek said restitution, Respondent may pay the amount of the damages or may, if it so chooses, initiate negotiations with the Department regarding the monetary terms of restitution to the state. Respondent is aware that should a negotiated sum or other compensation or environmental damages not be agreed to by the Department and Respondent within 20 days of receipt of Department written notification of its intent to seek restitution, the Department may institute appropriate action, either administrative through a Notice of Violation, or judicial, in a

court of competent jurisdiction through a civil complaint, to recover Department assessed environmental damages as provided by law.

22. Respondent acknowledges and waives its right to an administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, on the terms of this Consent Order. Respondent acknowledges its right to appeal the terms of this Consent Order pursuant to Section 120.68, Florida Statutes, and waives that right upon signing this Consent Order.

23. No modifications of the terms of this Consent Order shall be effective until reduced to writing and executed by both Respondent and the Department.

24. In the event of a sale or conveyance of the facility or of the property upon which the facility is located, if all of the requirements of this Consent Order have not been fully satisfied, Respondent shall, at least 30 days prior to the sale or conveyance of the property or facility, (1) notify the Department of such sale or conveyance, (2) provide the name and address of the purchaser, or operator, or person(s) in control of the facility, and (3) provide a copy of this Consent Order with all attachments to the new owner. The sale or conveyance of the facility, or the property upon which the facility is located shall not relieve the Respondent of the obligations imposed in this Consent Order.

25. This Consent Order is a settlement of the Department's civil and administrative authority arising under Florida law to resolve the matters addressed herein. This Consent Order is not a settlement of any criminal liabilities that may arise under Florida law, nor is it a settlement of any violation which may be prosecuted criminally or civilly under federal law.

26. Respondent shall use all reasonable efforts to obtain any necessary access for work to be performed in the implementation of this Consent Order. If necessary access cannot be obtained, or if obtained, is revoked by owners or entities controlling access to the properties to

which access is necessary, Respondent shall notify the Department within (5) business days of such refusal or revocation. The Department may at any time seek to obtain access as is necessary to implement the terms of this Consent Order. The Respondent shall reimburse the Department for any damages, costs, or expenses, including expert and attorneys fees, that the Department is ordered to pay, or that the Department incurs in connection with its efforts to obtain access as is necessary to implement the terms of this Consent Order. Respondent shall pay these sums to the Department or arrange a payment schedule with the Department within 30 days of written demand by the Department.

27. This Consent Order is a final order of the Department pursuant to Section 120.52(7), Florida Statutes, and it is final and effective on the date filed with the Clerk of the Department unless a Petition for Administrative Hearing is filed in accordance with Chapter 120, Florida Statutes. Upon the timely filing of a petition this Consent Order will not be effective until further order of the Department.

**FOR THE RESPONDENT:**

I, \_\_\_\_\_ on behalf of \_\_\_\_\_, **HEREBY  
ACCEPT THE TERMS OF THE SETTLEMENT OFFER IDENTIFIED ABOVE.**

By: \_\_\_\_\_  
Bernard Dew, County Administrator

Date: \_\_\_\_\_

**DONE AND ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 200\_\_\_\_,  
in \_\_\_\_\_, Florida.

**STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION**

\_\_\_\_\_  
Deborah A. Getzoff  
District Director  
Southwest District

**FILING AND ACKNOWLEDGEMENT FILED, on this date, pursuant to §120.52 Florida  
Statutes, with the designated Department Clerk, receipt of which is hereby acknowledged.**

\_\_\_\_\_  
**Clerk**

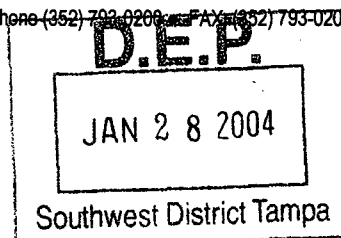
\_\_\_\_\_  
**Date**

Copies furnished to:  
Larry Morgan  
Mary Wilson

# Board of County Commissioners

## Sumter County, Florida

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX (352) 793-0207  
 SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



January 28, 2004

Ms. Susan J. Pelz, P.E.  
 Department of Environmental Protection  
 3804 Coconut Palm Drive  
 Tampa, Florida 33619

RE: Proposed Temporary Corrective Action Plan for the Sumter County Solid Waste, Recycling, and Composting Facility, (SCSWRCF), Sumter County, Florida

Dear Ms. Pelz:

Please find attached Sumter County's proposed Temporary Corrective Action Plan (TCAP) as discussed in our meeting on January 14, 2004. It is my understanding that the original deadline of January 22<sup>nd</sup> to transmit the TCAP was extended based on your discussions over the course of the last week with David Springstead, the County engineer. The plan presents the proposed corrective actions as well as the time frame to complete these corrective measures, which address the DEP issues of concern at the facility.

As we discussed, since both digesters are at this time not operating, the county is concerned with the continued transfer of all the County waste from the facility and would like to resolve the DEP issues and begin operation of the *new* digester as quickly as possible. As you are aware from our discussion with you during our meeting, until the *original* digester is operable and the County identifies the funds, we will continue to transport some waste out of the county until we are back at full capacity with both digester tubes.

Please review the attached document and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

Bernard Dew  
 County Administrator

Attachment

xc: Chuck Jett, Superintendent, SCSWRCF, Sumter County  
 David Springstead, Springstead Engineering  
 Miriam Zimms, Kessler Consulting, Inc.

Benny G. Strickland, Chairman  
 Dist 1, (352) 753-1592 or 793-0200  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Joey A. Chandler, Vice Chairman  
 Dist 2, (352) 748-5005  
 6255 CR 429  
 Lake Panasoffkee, FL 33538

Billy "Tiny" Rutter, Dist 3  
 (352) 753-1592 or (352) 748-4220  
 5885 CR 472  
 Oxford, FL 34484

Jim Roberts, Dist 4  
 (352) 793-4776  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Robin Cox, Dist 5  
 (352) 793-6910  
 P.O. Box 1482  
 Webster, FL 33597

Bernard Dew, County Administrator  
 (352) 793-0200  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Gloria R. Hayward, Clerk & Auditor  
 (352) 793-0215  
 209 North Florida Street  
 Bushnell, FL 33513

Randall N. Thornton  
 County Attorney  
 (352) 793-4040 P.O. Box 58  
 Lake Panasoffkee, FL 33538

***Proposed Temporary Corrective Action Plan – Phase I  
Sumter County Solid Waste Recycling and Composting Facility***

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***Facility Overview:***

This Temporary Correction Action Plan (TCAP) is presented to the Department of Environmental Protection - Solid Waste Division (DEP) by Sumter County (County) in agreement to perform certain activities at the Sumter County Solid Waste, Recycling and Composting Facility to obtain DEP's approval to operate the waste processing equipment known as Digester 2 along with the infeed and discharge and digester related processing areas at the above referenced facility.

Because Digester 1 has experienced a breakdown, the County has requested approval to operate Digester 2 to eliminate the need to utilize the unpermitted outdoor loading ramp and to reduce the financial burden of transferring incoming waste to an out-of-county disposal facility. The County's goal is to have Digester 2 and the associated processing equipment in operation as soon as possible and to process the incoming tipped materials through the facility rather than loading and transferring the material to another disposal facility.

***Compliance Issues:***

Compliance issues at the Sumter County Solid Waste, Recycling and Composting Facility include:

1. Use of the unpermitted outside ramp at the tipping floor/MRF building to load transfer trucks,
2. Proper management and containment of potential leachate from the biosolids (sludge) area including prohibiting runoff of biosolids water on to the ground from the storage and loading area,
3. Maintenance of asphalt surface on "hill" area and recyclable processing area, and
4. Groundwater exceedances in monitoring well test results.

***Sumter County Corrective Actions Already Taken:***

The County has submitted and the DEP has approved the certification of construction completion of the Community Drop-off Area (CDA). Use of the CDA has allowed the county to relocate the Citizens/Homeowners Drop-off Area out of the northeast end of the Materials Recovery Facility (MRF). The county can begin construction of the ramp for truck loading and remodeling of the building and site to allow trucks to enter the building after DEP approval of the construction plans.

***Immediate Sumter County Corrective Actions/Measures to be Taken:***

Sumter County will address and correct this issue after approval by DEP and in accordance with the time frames presented.

1. An interior loading ramp will be built on the tipping floor area in northeast end of the MRF building (currently the homeowner's drop-off area). The walls of the north end of the building and the exterior pavement will be modified to allow transfer trucks to

back into the building and be loaded indoors. This will provide a covered loading area with an existing leachate collection system to be used for transfer loading. The concrete pushwall separating the commercial and homeowners tipping area will be demolished. Plans for construction of these improvements will be submitted for DEP approval within 45 days of approval of this TCAP. **Estimated County Expenditure: \$50,000**

***Sumter County Follow-up Corrective Actions/Measures to be Taken:***

Sumter County will address and correct these issues using solutions approved by DEP and in accordance with the time frames presented.

2. Construction of a slab and foundations for a new bay on the south end of the MRF building including curbing will be constructed around the biosolids storage area and the base of the direct feed conveyor to eliminate the potential for run-off water into the ground. **Estimated County Expenditure: \$50,000**
3. The "hill" area of the closed Class I landfill covered with asphalt will be releveled with limerock, sealed and repaved with 1-inch of type S-III asphalt to insure that rain water will not pond and/or infiltrate, but will run-off to the permitted stormwater facilities. **Estimated County Expenditure: \$160,000**
4. New groundwater monitoring wells will be constructed to evaluate contaminant exceedances, which have occurred over the past several monitoring periods. **Estimated County Expenditure: \$25,000**

Sumter County agrees to perform the work associated with the issues of concern, provide plans for construction, which will be submitted within 90 days of approval of the TCAP, and complete construction of the improvements in accordance with the following schedule:

Item No.	Time to Complete Construction
1	6 to 9 months
2	3 to 6 months
3	9 to 12 months (level & seal within 9 months. pave by 12 months)
4	3 to 6 months to install develop and collect and analyze samples

Sumter County agrees to complete these improvements to the solid waste facility within the time frames proposed and understands from conversations with DEP staff that if these improvements are not completed in the time frame specified, the DEP will begin enforcement actions which will include, but not be limited to, fining Sumter County for not adhering to this plan.

## **EXHIBIT B**

### **PRELIMINARY CONTAMINATION ASSESSMENT ACTIONS**

1. Within 20 days of entry to this Order, Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a DEPARTMENT APPROVED Comprehensive Quality Assurance Plan (Comp QAP) in which they are approved for the sampling and analysis intended to be used for the assessment of the site. The documentation shall, at a minimum, contain the TITLE PAGE and TABLE OF CONTENTS of the approved Comp QAP meeting the requirements of Rule 62-160, F.A.C. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment, documentation of their DEPARTMENT APPROVED Comp QAP will be required. If at any time sampling and analysis are to be conducted which are not in the Approved Comp QAP, documentation of amendments and approvals pursuant to Rule 62-160.210, F.A.C., shall be required.

2. Within 30 days of the effective date of the Order incorporating these Preliminary Contamination Assessment Actions, Respondent shall submit a Preliminary Contamination Assessment Plan ("PCAP") to the Department. Applicable portions of the PCAP shall be signed and sealed by an appropriate professional. The PCAP shall describe the tasks that Respondent proposes to perform in order to determine whether the soil, sediment, surface water or ground water are contaminated at Respondent's facility; and, if so, whether such contamination has resulted in a violation of the water quality standards and minimum criteria established in Florida Administrative Code Chapter 62-520 and 62-302 or constitutes a risk to the public health, the environment or the public welfare. The PCAP shall include a time schedule for each task so that all tasks can be completed and a Preliminary Contamination Assessment Report ("PCAR") can be submitted to the Department within 90 days of approval of the PCAP by the Department.

3. The PCAP shall include provisions for the installation and sampling of, in most cases, a minimum of four monitor wells to determine the groundwater quality and flow direction at the site. Proposal of fewer wells or an alternate well configuration is subject to Department approval. Provision to sample surface waters, sediments and soils shall be included as necessary.

A. One of the wells shall be located in the area suspected of greatest contamination and two wells shall be located downgradient of the area suspected of highest contamination.

B. One of the wells shall be an unaffected background well.

C. The wells, surface waters, sediments and soils, as applicable, shall be sampled and analyzed for the following parameters with the listed method;

(1) priority pollutant metals using DEP approved Methods;



(2) priority pollutant organic chemicals using EPA methods 624/8240 and 625/8250 or 8270;

(3) all non-priority pollutant organic chemicals with peaks greater than 10 micrograms per liter (ug/l) using EPA methods 624/8240 and 625/8250 or 8270;

(4) pesticides and herbicides using EPA methods 8080, 8140, 8150 or 625/8250 or 8270, if applicable, or other Department approved methods for pesticides and herbicides for which the listed methods are not applicable; and

(5) others, as applicable.

Proposal of alternate analytical methods is subject to Department approval. The number of contaminants to be analyzed may be reduced if Respondent can demonstrate to the Department's satisfaction that the contaminants proposed to be deleted from the list cannot be attributed to any activities that have taken place at Respondent's facility. The Department shall submit written notification to the Respondent if the number can be reduced.

4. The PCAP shall include provisions for investigation of the following conditions, as applicable, at the contamination site and the area surrounding the contamination site:

A. The presence and thickness of any free product at the site;

B. The presence of soil contamination at the site;

C. The aquifers present beneath the site and their Chapter 62-502, F.A.C., groundwater classification;

D. The number and locations of all public and private potable supply wells within a 1/2 mile radius of the site;

E. The presence of surface waters of the State within a 1/2 mile radius of the site and, if applicable, their Rule 62-302, F.A.C., classification; and

F. The geology and hydrogeology of the site focusing on aquifers and confining units which are present, the potential for movement of contaminants both horizontally and vertically, zones that are likely to be affected, and actual and potential uses of the groundwater as a resource.

5. The PCAP shall contain the following site specific information;

A. Proposed well construction details including methods and materials, well installation depths and screened intervals and well development procedures;

B. A description of methods and equipment to be used to quantify soil and sediment contamination;

C. A description of water sampling methods, including names of sampling personnel, procedures and equipment;

D. Name of laboratory to be used for analytical work;

E. The parameters to be analyzed for, the analytical methods to be used and the detection limits of these analytical methods;

F. Site map depicting monitoring well locations and other proposed sampling sites and justification for their selection; and

G. A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of

materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile.

6. The Department shall review the PCAP and provide Respondent with a written response to the proposal. In the event that additional information is necessary for the Department to evaluate the PCAP, the Department shall make a written request to Respondent for the information and Respondent shall provide the requested information within 20 days from receipt of said request. The PCAP shall incorporate all required modifications to the PCAP identified by the Department. Any action taken by Respondent with regard to the implementation of the PCAP prior to the Respondent receiving written notification from the Department that the PCAP has been approved shall be at Respondent's risk.

7. Within (60) days of the Department's approval of the PCAP (unless a written time extension is granted by the Department), Respondent shall submit a written Preliminary Contamination Assessment Report ("PCAR") to the Department. Applicable portions of the PCAR shall be signed and sealed by an appropriate professional. The PCAR shall:

A. Summarize and analyze all "PCAP" tasks;

B. Include, but not be limited to, the following tables and figures:

(1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations;

(2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;

(3) A table with water quality information for all monitor wells;

(4) Site maps showing contaminant concentrations and contours of the contaminants; and

(5) Cross sections depicting the geology of the site at least to the top of the confining unit. In general there should be at least one north to south cross section and one east to west cross section.

C. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; and

D. Specify results and conclusions regarding the objectives of the Preliminary Contamination Assessment;

E. Provide the following quality assurance data along with the analytical data from all media;

(1) dates of sample collection, sample preparation including extraction and sample analysis;

(2) the detection limits for these analyses;

(3) the results from the analyses of field quality control samples; including field equipments, trip blanks and duplicates;

(4) the results from reagent water blanks run on that day (5% of samples run, minimum);

(5) the spike and surrogate percent recoveries for the data set;

(6) the actual chromatograms, if requested by the Department.

(7) any other QA/QC information Department deems necessary to evaluate validity of the submitted data.

F. Identify, to the extent possible, the source(s), extent, and concentrations of contaminants, and the existence of any imminent hazards.

8. The Department shall review the PCAR and determine whether it is adequate to meet the objectives of the PCAP. In the event that additional information is necessary to evaluate the PCAR, the Department shall make a written request and Respondent shall provide all requested information within 20 days of receipt of said request.

9. Respondent shall provide notification to the Department at least twenty (20) days prior to the installation or sampling of any monitoring wells, and shall allow Department personnel the opportunity to observe installation and sampling and to take split samples. All necessary approvals must be obtained from the appropriate water management district before any wells are installed. Raw data shall be exchanged between Respondent and the Department as soon as the data is available.

10. The Respondent is required to comply with all local, state and federal regulations and to obtain any necessary approvals from local, state and federal authorities in carrying out these assessment actions.

11. If the Department's review of the PCAR indicates that the soil, sediments, surface water or ground water is contaminated, or constitutes a risk to the public health, the environment or the public welfare, or if the Department rejects the PCAP or PCAR for not meeting the objectives of analyzing or reporting on the analysis of the contaminants that are the subject of the assessment, the Department reserves the right to do any or all of the following:

A. Seek further administrative relief through the filing of a Notice of Violation or entry of a Consent Order which requires Respondent to conduct further assessment and clean-up at its facility;

B. File suit for injunctive relief, civil penalties, damages and expenses; or

C. Perform the necessary corrective actions at Respondent's facility and recover the costs of such actions from Respondent.

12. If the Department's review of the PCAR indicates that the site is not contaminated and does not constitute a risk to the public health, the environment or the public welfare, the Department will so notify the Respondent in writing.

## EXHIBIT C

### CORRECTIVE ACTIONS FOR CONTAMINATION SITE CASES

*[Note: The "Corrective Actions for Contamination Site Cases" is to be used for sites where contamination of the groundwater, surface water, soils or sediments is known or documented by data or where the probability of finding such contamination is so high that implementation of the Preliminary Contamination Assessment Actions is an unnecessary action.]*

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#### Part 1 Quality Assurance Certification

*[Note: The purpose of Quality Assurance is to ensure that the data will be reliable, accurate and defensible. It includes confirmation that the selected consultant and lab are capable of doing the work, that appropriate analytical methods with appropriate detection limits are selected, and that sampling equipment/procedures do not alter the sample properties.]*

1. Within 30 days of the effective date of the Order, the Respondent shall submit to the Department documents certifying that the organization(s) and laboratory(s) performing the sampling and analysis have a Department-approved Comprehensive Quality Assurance Plan (Comp QAP) in which each is approved for the sampling and analysis activities each will perform as part of the assessment and corrective actions at the site. The documentation shall, at a minimum, contain either the most recent TITLE PAGE (signed by the FDEP QA Officer) and TABLE OF CONTENTS of the Department-approved CompQAP (if the CompQAP is a 15-section document) or the most current CompQAP letter of approval signed by the FDEP QA Officer. All identified organizations and laboratories must follow the protocols outlined in their respective CompQAP(s) in order for the data to be reliable. At this time, the FDEP QA Officer will issue a letter which summarizes the activities each organization is qualified to perform. These activities must be consistent with the activities proposed in the IRAP, CAP, MOP, pilot tests/bench tests and RAP.

A. If at any time sampling and/or analysis activities are anticipated which are not in the Department-approved CompQAP, and the Respondent wishes to maintain the services of the affected organization(s), the organization(s) shall submit amendments to add the capabilities to

the CompQAP(s). Such amendments shall be approved before the proposed activity(s) may be conducted. The letter approving such amendments, and signed by the FDEP QA Officer, shall be submitted to the Department.

B. If the organization(s) or laboratory(s) performing the sampling and analysis change at any time during the assessment and corrective actions, documentation of their Department-approved CompQAP (as outlined in 1. above) shall be required.

C. If the approval of the CompQAP for a specified organization expires during the course of the investigation or corrective actions, the Respondent shall discontinue using the organization until 1) the organization obtains CompQAP approval or 2) another organization with a Department approved CompQAP is selected and documentation outlined in 1. above is submitted.

D. The Department reserves the right to reject any results generated by the Respondent if any organization performs an activity that is not specifically approved in its CompQAP, if there is reasonable doubt as to the quality of the data or method used, if the sampling and analysis were not performed in accordance with the approved CompQAPs or if the CompQAP of any organization expires.

## **Part 2 Interim Remedial Actions**

*[Note: The Interim Remedial Action can include the removal of grossly contaminated soil, free product, or sources of contamination (drums, impoundments, tanks, etc.). It may also include specific well head treatment such as granulated activated carbon filters placed on affected private wells.]*

2. If at any time the Department determines or the Respondent proposes that an Interim Remedial Action (IRA) is appropriate to achieve the objectives set forth below, the Respondent shall submit to the Department a detailed written Interim Remedial Action Plan (IRAP). The IRAP shall be submitted within sixty (60) days following Department determination that an IRA is appropriate. Applicable portions of the IRAP shall be signed and sealed by the appropriate professional. The objectives of the IRA shall be to remove specific known contaminant source(s), and/or provide temporary controls to prevent or minimize contaminant migration or protect human health. The IRA shall not spread contaminants into uncontaminated or less contaminated areas through untreated or undertreated discharges or improper treatment. The IRAP may include the following, as appropriate:

A. Rationale for the IRA and the cleanup criteria proposed, incorporating engineering and hydrogeological considerations including, as applicable, technical feasibility, long-term and short-term environmental effects, implementability (including any permits or approvals from federal, state, and local agencies), and reliability;

B. Design and construction details and specifications for IRA;

C. Operational details of the IRA including the disposition of any effluent, expected contaminant concentrations in the effluent, an effluent sampling schedule if treated ground water is being discharged to ground water, surface water, or to the ground; and the expected concentrations and approximate quantities of any contaminants discharged into the air as a result of remedial action;

D. Operation and maintenance plan for the IRA including, but not necessarily limited to daily, weekly, and monthly operations under routine conditions; a contingency plan for nonroutine conditions;

E. Details of the treatment or disposition of any contaminated soils or sediments;

F. Proposed methodology including post-IRA soil, sediment, surface water, and ground water monitoring, as applicable, to confirm the effectiveness of the interim remedial action; and

G. Schedule for the completion of the IRA;

3. The Department shall review the proposed IRAP and provide Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the IRAP before the IRAP has been approved shall be at Respondent's risk and Paragraph 44 applies.

4. In the event that additional information is necessary for the Department to evaluate the IRAP, or if the IRAP does not adequately address the objectives set forth in Paragraph 2, the Department will make a written request to Respondent for the information, and Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request. If the requested information requires additional time for a response, the Respondent shall submit in writing to the Department within thirty (30) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

5. If the Department determines upon review of the resubmitted IRAP that the IRAP adequately addresses the objectives set forth in paragraph 2, then the Department shall approve the IRAP. If the Department determines that the IRAP still does not adequately address the objectives of the IRAP, the Department may choose one of the options listed in Paragraph 43.

6. Once an IRAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days from receipt of the Department's notification to the Respondent that the IRAP has been approved. The approved IRAP shall incorporate all required modifications to the IRAP identified by the Department. All reporting and notification requirements spelled out in Part 6 shall be complied with during the IRAP implementation.

### **Part 3 Contamination Assessment and Risk Assessment**

*[Note: A Contamination Assessment Plan (CAP) is required for all sites where contamination of the groundwater, surface water, soils or sediments is known or documented or highly probable. The CAP proposes work to generate the information needed to clean up the contamination. This information includes establishment of the source areas, specific chemicals present, lateral and vertical extent, and contaminant migration. The details of the contamination from completed assessment must be known before cost effective and environmentally safe remediation can be performed. A meeting prior to CAP development is encouraged especially for organizations*

*having no prior experience with Florida rules and statutes to discuss the CAP objectives and Department expectations in detail.]*

7. Within sixty (60) days of the effective date of the Order incorporating these contamination assessment actions, Respondent shall submit to the Department a detailed written Contamination Assessment Plan (CAP). Applicable portions of the CAP shall be signed and sealed by an appropriate professional. If the Respondent has previously conducted a Preliminary Contamination Assessment, the Respondent shall submit to the Department a detailed written CAP within sixty (60) days of receipt of notice from the Department that a CAP is required. The purpose of the CAP shall be to propose methods for collection of information necessary to meet the objectives of the Contamination Assessment.

A. The objectives of the Contamination Assessment shall be to:

- (1) Establish the horizontal and vertical extent of soil, sediment, surface water and ground water contamination;
- (2) Determine or confirm the contaminant source(s); mechanisms of contaminant transport; rate and direction of contaminant movement in the air, soils, surface water and ground water; and rate and direction of ground water flow;
- (3) Provide a complete characterization, both onsite and offsite, of any and all contaminated media;
- (4) Determine the amount of product lost, and the time period over which it was lost (if applicable);
- (5) If leaking storage tanks may be the source of the contamination, determine the structural integrity of all aboveground and underground storage systems (including integral piping) which exist at the site (if applicable);
- (6) Establish the vertical and horizontal extent of free product (if applicable);
- (7) Describe pertinent geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones;
- (8) Describe geologic and hydrogeologic characteristics of the site which influence migration and transport of contaminants; and
- (9) Provide a site history as specified in Paragraph 7.C. (1).

B. The CAP shall specify the tasks necessary to achieve the applicable objectives described in Paragraph 7.A. above. The tasks may include, but are not limited to, the following:

- (1) Use of piezometers or wells to determine the horizontal and vertical directions of the ground water flow;
- (2) Use of Electromagnetic Conductivity (EM) and other geophysical methods or vapor analyzers to trace extent of ground water contamination;
- (3) Use of fracture trace analysis to discover linear zones in which discrete flow could take place;
- (4) Use of permanent monitoring wells to sample ground water in affected areas and to determine the vertical and horizontal extent of the ground water plume;
- (5) Sampling of public and private wells;
- (6) Sampling of surface water and sediments;
- (7) Sampling of air for airborne contaminants;

(8) Analysis of soils, drum and tank residues, or any other media for hazardous waste determination and contaminant characterization;

(9) Use of organic vapor analyzers or geophysical equipment such as magnetometers, ground penetrating radar, or metal detectors to detect tanks, lines, etc.;

(10) Determination of the horizontal and vertical extent of soil and sediment contamination;

(11) Use of soil and well borings to determine pertinent site-specific geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones such as aquifers, confining beds, and unsaturated zones;

(12) Use of geophysical methods, aquifer pump tests and representative slug tests to determine geologic and hydrogeologic characteristics of affected and potentially affected hydrogeologic zones; and

(13) As a mandatory task, preparation and submittal of a written Contamination Assessment Report ("CAR") to the Department.

C. The CAP shall provide a detailed technical approach and description of proposed methodologies describing how proposed tasks are to be carried out. The CAP shall include, as applicable, the following information:

(1) A detailed site history including: a description of past and present property and/or facility owners; a description of past and present operations including those which involve the storage, use, processing or manufacture of materials which may be potential pollution sources; a description of all products used or manufactured and of all by-products and wastes (including waste constituents) generated during the life of the facility; a summary of current and past environmental permits and enforcement actions; a summary of known spills or releases of materials which may be potential pollution sources; and an inventory of potential pollution sources within 0.25 (one quarter) mile;

(2) Details of any previous site investigations including results of any preliminary ground water flow evaluation and/or stratigraphy investigation. If no reliable information exists, consider following a phased approach or conducting a limited pre-CAP investigation to determine groundwater flow direction and stratigraphy.

(3) Proposed sampling locations and rationale for their placement;

(4) A description of methods and equipment to be used to identify and quantify soil or sediment contamination, including dry bulk density, soil porosity, soil moisture and total organic carbon (for site specific leachability cleanup goals);

(5) A description of water and air sampling methods;

(6) Parameters to be analyzed for, analytical methods to be used, and detection limits of these methods with justification for their selection;

(7) Proposed piezometer and well construction details including methods and materials, well installation depths and screened intervals, well development procedures;

(8) A description of methods proposed to determine aquifer properties (e.g., aquifer pump tests, representative slug tests, permeability tests, computer modeling);

(9) A description of geophysical methods proposed for the project;

(10) Details of any other assessment methodology including innovative assessment technologies proposed for the site;



(11) A description of any survey to identify and sample public or private wells which are or may be affected by the contaminant plume; Surveys should include Water Management District, local and county health department files, utility companies and detailed door-to-door reconnaissance for a minimum distance of a quarter mile.

(12) A description of the regional geology and hydrogeology of the area surrounding the site;

(13) A description of site features (both natural and man-made) pertinent to the assessment;

(14) A description of methods and equipment to be used to determine the site specific geology and hydrogeology; and

(15) Details of how drill cuttings, development and purge water from installation of monitoring wells will be collected, managed and disposed of.

(16) Tables which summarize the proposed samples, analyses, and method detection limits for each medium compared to state standards/criteria or generic cleanup goals. Include the appropriate number and type of quality assurance samples.

(17) Provide information regarding state listed endangered and threatened flora and fauna species within and near the site.

(18) Provide a reasonable time schedule for completing each task, preparing the CAR and submitting the CAR.

8. The Department shall review the CAP and provide the Respondent with written responses to the plan and the quality assurance certification status of Part 1. Any action taken by the Respondent with regard to the implementation of the CAP prior to the Respondent receiving written notification from the Department that the CAP has been approved shall be at Respondent's risk and Paragraph 44 applies.

9. In the event that additional information is necessary for the Department to evaluate the CAP, or if the CAP does not adequately address the CAP objectives set forth in Paragraph 7.A, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request. If the requested information requires additional time for a response, the Respondent shall submit a written reasonable schedule for completing the work needed to provide the requested information.

10. If the Department determines upon review of the resubmitted CAP that the CAP adequately addresses the objectives set forth in paragraph 7, then the Department shall approve the CAP. If the Department determines that the CAP still does not adequately address the objectives and/or requirements in Paragraph 7.A, the Department may choose one of the options listed in Paragraph 43.

11. Once a CAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days of the Department's written notification to the Respondent that the CAP has been approved. The approved CAP shall incorporate all required modifications to the proposed CAP identified by the Department. All reporting and notification requirements spelled out in Part 6 shall be complied with during the implementation of the CAP tasks.

*[Note: The Contamination Assessment Report (CAR) compiles the results of the assessment, evaluates and draws conclusions from those results, and includes recommendations from the Respondent/Consultant regarding the next appropriate phase of work. A No Further Action (NFA) recommendation is appropriate for sites with no free product, no contaminated soil, and no groundwater contamination above standards or minimum criteria. A Monitoring Only Plan (MOP) applies to sites with minor violations of groundwater standards and criteria that do not extend offsite, will not migrate offsite, and the contaminants of concern are expected to attenuate via natural processes. A Remedial Action Plan (RAP) for contaminated soil may include a MOP for groundwater. The Department provides the target cleanup levels for most sites and requires a Risk Assessment only when toxicity data are not readily available to the Department. In most instances the Department will not approve the use of a Risk Assessment/Justification (RAJ) to develop alternative Site Rehabilitation levels (SRLs) for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. A Feasibility Study (FS) recommendation would be appropriate if detailed evaluation of cleanup technologies and remedial actions is needed. A RAP recommendation would be appropriate for sites where the remedial alternative(s) are obvious and include large volumes and/or extensive work.]*

12. The Respondent shall submit a written Contamination Assessment Report (CAR) to the Department in accordance with the CAP schedule approved by the Department. Applicable portions of the CAR shall be signed and sealed by an appropriate professional. The CAR shall:

- A. Summarize all tasks which were implemented pursuant to the CAP;
- B. Provide the results, discussion and conclusions regarding the Contamination Assessment objectives outlined in Paragraph 7.A;
- C. Include, the following tables and figures as appropriate:
  - (1) A table with well construction details, top of casing elevation, depth to water measurements, and water elevations (The top of casing elevations should be referenced to the National Geodetic Vertical Datum (NGVD) of 1929 if at all possible.);
  - (2) A site map showing water elevations, water table contours and the groundwater flow direction for each aquifer monitored for each sampling period;
  - (3) A table with water quality information for all monitor wells and surface water sampling locations;
  - (4) Site maps showing contaminant concentrations and contours of the contaminants for all contaminated media;
  - (5) Cross sections depicting the geology of the site at least to the top of the first confining unit. In general there should be at least one north to south cross section and one east to west cross section;
  - (6) A table with soil and sediment quality information;
  - (7) A map showing the locations of all monitor wells, soil, surface water, and sediment samples; and
  - (8) If applicable, a map showing the locations of all potable wells located within a quarter mile of the site. A table with the names and addresses of private and public potable wells should be included.

D. Include copies of field notes pertaining to field procedures, particularly of data collection procedures; laboratory results to support data summary tables, and soil boring logs, well construction logs, and lithologic logs, and

E. Summarize conclusions regarding the CAP objectives and include a recommendation for either No Further Action (NFA), a Monitoring Only Plan (MOP), a Risk Assessment/Justification proposal (RAJ), a Feasibility Study (FS) or remedial actions requiring a Remedial Action Plan (RAP). If the recommendation is for a MOP (see Paragraphs 20 to 25) or a RAJ (see Paragraphs 17 to 19), the MOP or the RAJ proposal shall be attached to the CAR for review.

*[Note: The following justification is optional and applies only to those sites with mitigating circumstances such as technology or engineering limitations, lithology limitations or documented natural attenuation.]*

F. Justification for a "monitoring only" or "no further action" proposal if the results of the contamination assessment alone do not support a No Further Action or Monitoring Only Alternative. If the Respondent plans to develop alternative Site Rehabilitation Levels (SRLs) for the site, the proposal for a Risk Assessment/Justification (RAJ) shall be included in the CAR for review. In most instances the Department will not approve alternative SRLs for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. Factors to be evaluated shall be, at a minimum:

(1) The present and future uses of the affected aquifer and adjacent surface waters with particular consideration of the probability that the contamination is substantially affecting or will migrate to and substantially affect a public or private source of potable water or a viable wildlife habitat;

(2) Potential for further degradation of the affected aquifer or degradation of other connected aquifers;

(3) The technical feasibility of achieving the SRLs based on a review of reasonably available technology; and

(4) Individual site characteristics, including natural rehabilitative processes.

13. The Department shall review the CAR and determine whether it has adequately met the objectives specified in Paragraph 7.A. In the event that additional information is necessary for the Department to evaluate the CAR or if the CAR does not adequately address the CAP objectives set forth in Paragraph 7.A, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request, unless the requested information requires additional time for a response, in which case the Respondent shall submit in writing to the Department, within thirty (30) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

14. If the Department determines upon review of the CAR or the CAR Addendum that all of the CAP objectives and tasks have been satisfactorily completed and that the recommended next action proposed is reasonable and justified by the results of the contamination assessment,

the Department will provide written approval of the CAR, MOP, or NFA as applicable to the Respondent. If the Department approves a "no further action" proposal, this approval shall terminate Respondent's actions under the Order unless previously unavailable information becomes known and connects other contamination to the site.

15. If the Department determines upon review of the CAR or the CAR Addendum that the CAR still does not adequately address the objectives in Paragraph 7.A, or that the next proposed action is not acceptable, the Department may choose one of the options listed in Paragraph 43.

*[Note: The Department has the option to provide the Respondent with the cleanup target levels (SRLs) or to require the Respondent to develop the SRLs via a Risk Assessment. In most cases, the Department provides the cleanup target levels which saves time and eliminates a significant expense for the Respondent. The Department requires the Respondent to prepare a Risk Assessment only when toxicity data are not readily available to the Department.]*

16. The Department, at its option, may establish from review of the CAR and other relevant information the Site Rehabilitation Levels (SRLs) to which the contamination shall be remediated or may require the Respondent to implement the risk assessment process to develop such SRLs for the site. The SRLs for ground water as determined by the Department shall be the Chapter 62-520, (which references Chapter 62-550) F.A.C. standards and the Department's numerical interpretation of the Rule 62-520.400, F.A.C. minimum criteria. The SRLs for surface waters shall be the standards specified in Chapter 62-302, F.A.C., the minimum criteria and the toxicity criteria per Rule 62-302.530(62) F.A.C. The Department, at its option, may define the SRLs for soils and sediments or may require the Respondent to complete a risk assessment to define SRLs for soils or sediments that are sufficiently contaminated to present a risk to the public health, the environment or the public welfare. The cleanup goals for soils will be risk based and if ground water contamination is present, may also be based on potential leachate generation. If the Department does choose to provide SRLs to the Respondent and does not choose to require a risk assessment and requires the Respondent to remediate the site to those SRLs, the Respondent shall implement the FS, if required by the Department as set forth in Paragraph 26, or submit the RAP as set forth in Paragraph 31. The Respondent may choose to develop site specific soil cleanup goals utilizing site specific parameters such as total organic carbon, soil porosity, soil moisture content, and dry bulk density in combination with Department acceptable exposure assumptions.

17. After Department approval of the CAR and the RAJ proposal, the Respondent shall prepare and submit a RAJ. . In most instances the Department will not approve the use of a RAJ to develop alternative SRLs for water if a standard exists or a numerical interpretation of the minimum criteria has been developed by the Department for the constituent for a particular class of water or in all waters. The RAJ which includes a risk assessment and a detailed justification of any alternative SRLs or "monitoring only" or "no further action" proposals shall be submitted within ninety (90) days of the Department's written approval of the CAR and notice that a RAJ is required, or within ninety (90) days of the Department's written approval of the CAR and the RAJ recommendation. Unless otherwise approved by the Department, the subject document shall address the following task elements, divided into the following five major headings:

A. Exposure Assessment - The purpose of the Exposure Assessment is to identify routes by which receptors may be exposed to contaminants and to determine contaminant levels to which receptors may be exposed. The Exposure Assessment should:

- (1) Identify the contaminants found at the site and their concentrations as well as their extent and locations;
- (2) Identify possible transport pathways;
- (3) Identify actual and potential exposure routes;
- (4) Identify actual and potential receptors for each exposure route; and
- (5) Calculate expected contaminant levels to which actual or potential receptors may be exposed.

B. Toxicity Assessment - The purpose of the Toxicity Assessment is to define the applicable human health and environmental criteria for contaminants found at the site. The criteria should be defined for all potential exposure routes identified in the Exposure Assessment. DEP standards shall be the criteria for constituents and exposure routes to which the standards apply. Criteria for constituents and exposure routes for which specific DEP standards are not established shall be based upon criteria such as Carcinogenic Slope Factor (SF), Reference Doses (RfDs), organoleptic threshold levels, Ambient Water Quality Criteria for Protection of Human Health and for Protection of Aquatic Life, and other relevant criteria as applicable in combination with Department approved exposure assumptions. If there are no appropriate criteria available for the contaminants and exposure routes of concern, or the criteria are in an inappropriate format, the Respondent shall develop the criteria using Department approved equations and current scientific literature acceptable to toxicological experts. Criteria for the following exposure routes shall be defined or developed as applicable:

(1) Potable water exposure route - develop criteria for ingestion, dermal contact, and inhalation of vapors and mists, utilizing applicable health criteria such as SF, RfDs, organoleptic threshold levels, and other relevant criteria as applicable.

(2) Non-potable ground water and surface water usage exposure route - develop criteria for incidental ingestion, dermal contact, and inhalation of vapors and mists, such as through the ingestion of food crops irrigated with such water, lawn watering, ingestion by pets and livestock, and other related exposure.

(3) Soil exposure route - develop criteria for ingestion, dermal contact, inhalation, and ingestion by humans or animals of food crops grown in contaminated soils.

(4) Non-potable surface water and sediment exposure - develop criteria for prevention of adverse effects on human health (e.g. incidental ingestion and dermal contact effects on humans utilizing the resource for recreational purposes and ingesting fish, shellfish, etc.) or the environment (e.g. toxic effects of the contaminants on aquatic or marine biota, bio-accumulative effects in the food chain, other adverse effects that may affect the designated use of the resource as well as the associated biota).

(5) Air exposure route - develop criteria for exposure to the contaminants.

C. Risk Characterization - The purpose of the Risk Characterization is to utilize the results of the Exposure Assessment and the Toxicity Assessment to characterize cumulative risks to the

affected population and the environment from contaminants found at the site. Based on contaminant levels presently found at the site, a risk and impact evaluation will be performed which considers, but is not limited to:

- (1) Risks to human health and safety from the contamination including,
  - (a) carcinogenic risk (FDEP's acceptable risk level is  $10E-6$ ), and
  - (b) non-carcinogenic risk (FDEP considers a hazard index of one as acceptable).

- (2) Effects on the public welfare of exposure to the contamination which may include but not be limited to soils and to adverse affects on actually and potentially used water resources; and

- (3) Environmental risks in areas which are or will be ultimately affected by the contamination including,

- (a) other aquifers,
  - (b) surface waters, including wetlands,
  - (c) sediments,
  - (d) sensitive wildlife habitats, and
  - (e) sensitive areas including, but not limited to, National Parks, National Wildlife Refuges, National Forests, State Parks, State Recreation Areas, State Preserves.

*[Note: The following "justification" is not applicable to a Risk Assessment prepared to develop SRLs for the site where the toxicity data are not readily available to the Department. This justification is required for a Risk Assessment prepared to develop alternative SRLs.]*

D. Justification for the alternative Site Rehabilitation Levels (SRLs) - The purpose of this section is to provide justification on a case-by-case basis for alternative SRLs at which remedial action shall be deemed completed. Factors to be evaluated shall be, at a minimum:

- (1) The present and future uses of the affected aquifer and adjacent surface waters with particular consideration of the probability that the contamination is substantially affecting or will migrate to and substantially affect a public or private source of potable water;

- (2) Potential for further degradation of the affected aquifer or degradation of other connected aquifers;

- (3) The technical feasibility of achieving the SRLs based on a review of reasonably available technology;

- (4) Individual site characteristics, including natural rehabilitative processes; and

- (5) The results of the risk assessment.

18. The Department shall review the RAJ document and determine whether it has adequately addressed the risk assessment task elements and justification. In the event that additional information is necessary to evaluate any portion of the RAJ document, the Department shall make a written request and Respondent shall provide all requested information within twenty (20) days of receipt of said request.

19. The Department shall approve or disapprove the RAJ. If the Department does not approve the alternative SRLs, the Respondent shall use the SRLs as determined by the Department. The Respondent shall implement the Feasibility Study, if required by the Department as set forth in Paragraph 26, or submit the Remedial Action Plan (RAP) as set forth in Paragraph 31.

#### **Part 4 Remedial Planning and Remedial Actions**

*[Note: The Monitoring Only Plan applies to sites with minor violations of the groundwater standards and minimum criteria, where groundwater contamination does not extend offsite, will not migrate offsite, and the contaminants of concern are expected to attenuate via natural processes.]*

20. If at any time following assessment or ground water remediation, it is determined that a MOP is an acceptable alternative for the site, the Respondent shall submit a MOP to the Department either with the CAR or within sixty (60) days of receipt of written Department concurrence. Applicable portions of the MOP shall be signed and sealed by an appropriate professional. The MOP shall provide a technical approach and description of proposed monitoring methodologies. The MOP shall include, but may not be limited to, the following:

A. Environmental media for which monitoring is proposed, monitoring locations and rationale for the selection of each location, and proposed monitoring frequency;

B. Parameters to be analyzed, analytical methods to be used, and detection limits of these methods;

C. Methodology for evaluating contamination trends based on data obtained through the MOP and a proposed format including a time table for submittal of monitoring data and data analysis to the Department; and

D. A detailed contingency plan describing proposed actions to be taken if trends indicate that contaminant concentrations are increasing, ground water standards or criteria are exceeded for monitoring locations at which exceedances did not occur during the previous monitoring period, or monitoring data appear questionable.

21. The Department shall review the MOP, and provide the Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the MOP before the MOP has been approved shall be at the Respondent's risk and Paragraph 44 shall apply.

22. In the event that additional information is necessary for the Department to evaluate the MOP or if the MOP does not adequately address the MOP requirements set forth in Paragraph 20, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within thirty (30) days from receipt of said request, unless the requested information requires additional time for a response, in which case the Respondent shall submit in writing to the Department within 30 days of the Department's request, a reasonable schedule for completing the field work needed to provide the requested information.

23. If the Department determines upon review of the resubmitted MOP that the MOP still does not adequately address the requirements in Paragraph 20, the Department may choose one of the options listed in Paragraph 43.

24. Once a MOP has been approved by the Department, it shall become effective and made a part of the Order, and shall be initiated within thirty (30) days of the Department's written notification to the Respondent that the MOP has been approved. The approved MOP shall incorporate all required modifications to the MOP identified by the Department.

25. The Respondent shall submit the required monitoring data and data analysis products to the Department according to the time table in the approved MOP. If at any time trends are discovered by the Respondent that require any action proposed in the approved contingency plan, the Respondent shall notify the Department and initiate the Contingency Plan in a timely manner. Paragraph 43 applies to any exceptions to this paragraph.

*[Note: The Department may require or the Respondent may request the option to prepare a Feasibility Study. It probably is not necessary except for very complex sites where multiple contaminant classes are present or multiple media are contaminated. It may be necessary where the Respondent recommends a cleanup technology that the Department thinks is unable to achieve an adequate remediation or it may be necessary where a previously implemented technology has failed on the site and a different technology needs to be evaluated for an alternative remedial action.]*

26. The Department, at its option, shall also determine from review of the CAR and other relevant information whether the Respondent should prepare and submit a FS to the Department. The Respondent may request the option to prepare a FS. Applicable portions of the FS shall be signed and sealed by an appropriate professional. The FS may be required in complex cases to evaluate technologies and remedial alternatives, particularly if multiple contaminant classes are represented or multiple media are contaminated. The FS evaluates remedial technologies and remedial alternatives with the objective of identifying the most environmentally sound and effective remedial action to achieve clean up of the site to SRLs or alternative SRLs (if approved). The FS shall be completed and a report submitted within sixty (60) days of receipt of written notice that a FS is required or within the time frame approved by the Department, unless the Respondent has approval to submit a RAJ pursuant to Paragraphs 16 or 17. The FS shall include the following tasks:

A. Identify and review pertinent treatment, containment, removal and disposal technologies;

B. Screen technologies to determine the most appropriate technologies;

C. Review and select potential remedial alternatives using the following criteria:

(1) long and short term environmental effects;

(2) implementability;

(3) capital costs;



- (4) operation and maintenance costs;
- (5) operation and maintenance requirements;
- (6) reliability;
- (7) feasibility;
- (8) time required to achieve clean-up; and

- (9) potential legal barriers to implementation of any of the alternatives;

D. Identify the need for and conduct pilot tests or bench tests to evaluate alternatives, if necessary;

E. Select the most appropriate remedial alternative that meets the objective of the FS and the criteria under paragraph C; and

F. (If applicable and not previously addressed) Develop soil cleanup criteria such that any remaining contaminated soils will not cause groundwater contamination in excess of the SRLs or alternative SRLs referenced in paragraphs 16 or 17, 18 and 19 (if approved).

27. The FS Report shall:

A. Summarize all FS task results; and

B. Propose a conceptual remedial action plan based on the selection process carried out in the FS.

28. The Department shall review the FS Report for adequacy and shall determine whether the Department agrees with the proposed remedial action based upon the objective and the criteria specified under paragraph 26.C. In the event that additional information is necessary to evaluate the FS report, the Department shall make a written request and Respondent shall provide all requested information within thirty (30) days of receipt of said request.

29. If the Department does not approve of the proposed remedial action, the Department will notify the Respondent in writing of the determination. The Respondent shall then have forty-five (45) days from the Department's notification to resubmit a proposed alternate remedial action.

30. If the Department determines upon review of the resubmitted remedial action proposal that it does not agree with the proposal, the Department may choose one of the options listed in paragraph 43.

*[Note: The Remedial Action Plan describes the activities to be performed to clean up media that are contaminated above safe levels for public health and the environment. Leachate generation from contaminated materials also needs to be evaluated to prevent continued groundwater and surface water impacts.]*

31. Within sixty (60) days of receipt of written notice from the Department, Respondent shall submit to the Department a detailed RAP. Applicable portions of the RAP shall be signed and sealed by an appropriate professional. The objective of the remedial action

shall be to achieve the clean up of the contaminated media to the SRLs or the approved alternative SRLs referenced in paragraphs 16 or 17, 18, and 19. The RAP shall summarize the CAR findings and conclusions and state the approved SRLs for all media. The RAP shall include as applicable:

A. Rationale for the remedial action proposed which shall include at a minimum:

(1) Results from any pilot studies or bench tests;  
(2) Evaluation of results for the proposed remedial alternative based on the following criteria:

- a. long and short term environmental impacts;
- b. implementability, which may include, but not be limited to, ease of construction, site access, and necessity for permits;
- c. operation and maintenance requirements;
- d. estimates of reliability;
- e. feasibility; and
- f. estimates of costs.

(3) (If applicable and not previously addressed) Soil cleanup criteria such that any remaining contaminated soils will not cause groundwater contamination in excess of the SRLs or alternative SRLs referenced in paragraphs 16 or 17, 18, and 19.

B. Design and construction details and specifications for the remedial alternative selected;

C. Operational details of the remedial action including the disposition of any effluent, expected contaminant concentrations in the effluent, an effluent sampling schedule if treated ground water is being discharged to soils, to ground water or to surface waters, and the expected concentrations and approximate quantities of any contaminants which are reasonably expected to be discharged into the air as a result of remedial action;

D. Tables which summarize the proposed samples and analyses for each pertinent medium and include the appropriate number and type of quality assurance samples consistent with the requirements of Part 1;

E. Details of the treatment or disposition of any contaminated soils or sediments;

F. Proposed methodology including post remedial action soil sampling and ground water monitoring as applicable for evaluation of the site status after the remedial action is complete to verify accomplishment of the objective of the RAP; and

G. Schedule for the completion of the remedial action.

32. The Department shall review the proposed RAP and provide Respondent with a written response to the proposal. Any action taken by the Respondent with regard to the implementation of the RAP before the RAP has been approved shall be at Respondent's risk and Paragraph 44 shall apply.

33. In the event that additional information is necessary for the Department to evaluate the RAP, or if the RAP does not adequately address the objectives and requirements set

forth in Paragraph 31, the Department will make a written request to the Respondent for the information. The Respondent shall provide all requested revisions in writing to the Department within forty five (45) days from receipt of said request, unless the requested information requires additional time for a response, in which case the Respondent shall submit in writing to the Department, within forty five (45) days of the Department's request, a reasonable schedule for completing the work needed to provide the requested information.

34. If the Department determines upon review of the resubmitted RAP that the RAP adequately addresses the objectives set forth in paragraph 31, then the Department shall approve the RAP. If the Department determines that the RAP still does not adequately address the requirements of the RAP, the Department may choose one of the options listed in Paragraph 43.

35. Once a RAP has been approved by the Department, it shall become effective and made a part of the Order and shall be initiated within thirty (30) days from receipt of the Department's notification to the Respondent that the RAP has been approved. The approved RAP shall incorporate all required modifications to the RAP identified by the Department. All reporting and notification requirements spelled out in Part 6 below shall be complied with during the implementation of the RAP tasks.

36. If at any time during RAP implementation, it becomes apparent that the selected remedial alternative or treatment technology will be unable to achieve the SRLs, the Respondent may conduct a FS pursuant to Paragraph 26 to evaluate other alternatives and technologies to improve site remediation.

#### **Part 5 Termination of Remedial Actions**

37. Following termination of remedial action (clean up of contaminated media to the approved SRLs), designated monitoring wells shall be sampled on a schedule approved by the Department.

38. Following completion of monitoring requirements pursuant to the approved MOP or of the remedial action and post-remedial action monitoring, the Respondent shall submit a Site Rehabilitation Completion Report (SRCR) to the Department for approval. The SRCR shall contain documentation that site cleanup objectives have been achieved. Applicable portions of the SRCR shall be signed and sealed by an appropriate professional.

39. Within sixty (60) days of receipt of the SRCR, the Department shall approve the SRCR or make a determination that the SRCR does not contain reasonable assurances that site clean-up objectives have been achieved. If the Department determines that the SRCR is not adequate based upon information provided, the Department will notify the Respondent in writing. Site rehabilitation activities shall not be deemed completed until such time as the Department provides the Respondent with written notice that the SRCR is approved.

## **Part 6 Progress Reporting and Notifications**

40. On the first working day of each month, or on another schedule approved by the Department after initiating an IRAP, CAP or RAP, Respondent shall submit written progress reports to the Department. These progress reports shall evaluate progress, describe the status of each required IRAP, CAP and RAP task, and discuss any new data. The effectiveness of the IRAP and RAP shall be evaluated. The Progress Reports shall propose modifications and additional work as needed. The reports shall be submitted until planned tasks have been completed in accordance with the approved IRAP, CAP, or RAP. Each final report shall be signed and sealed by the appropriate professional. The final report shall include all data, manifests, and a detailed summary of the completed work.

41. The Respondent shall notify the Department at least ten days prior to installing monitoring or recovery wells, and shall allow Department personnel the opportunity to observe the location and installation of the wells. All necessary approvals must be obtained from the water management district before the Respondent installs the wells.

42. The Respondent shall notify the Department at least ten (10) days prior to any sampling, and shall allow Department personnel the opportunity to observe sampling or to take split samples. When the Department chooses to split samples, the raw data shall be exchanged between the Respondent and the Department as soon as the data are available.

## **Part 7 Conflict Resolution and Other Requirements**

43. In the event that the Department determines a document to be inadequate or if there are disagreements, the Department, at its option, may choose to do any of the following:

A. Draft specific modifications to the document and notify the Respondent in writing that approval of the document is being granted contingent upon those modifications being incorporated into the document.

B. Resolve the issues through repeated correspondence, telephone discussions, and/or meetings.

C. Notify the Respondent that Respondent has failed to meet the stated objectives for the document, in which case the Department may do any or all of the following: take legal action to enforce compliance with the Order; file suit to recover damages and civil penalties; or complete the corrective actions outlined herein and recover the costs of completion from the Respondent.

44. The Respondent is required to comply with all applicable local, state and federal regulations and to obtain any necessary approvals/permits from local, state and federal authorities in carrying out these corrective actions.

45. The Respondent shall immediately notify the Department of any circumstances encountered by the Respondent which require modification of any task in the approved IRAP, CAP or RAP, and obtain Department approval prior to implementing any such modified tasks.

46. With regard to any agency action or determination made or taken by the Department under any of the provisions of this document "Corrective Actions for Contamination Site Cases", that portion of the Order containing dispute resolution procedures and remedies shall apply.

Memorandum

Florida Department of  
Environmental Protection

ENFORCEMENT/COMPLIANCE COVER MEMO

TO: ☒ Deborah A. Getzoff, Director of District Management  
☐ James Cleary, Asst. Director of District Management  
☐ William Kutash, Program Administrator  
☐ OGC

FROM/THROUGH: *WMA* William Kutash, Environmental Administrator  
Susan Pelz, Program Supervisor *2/2/04*  
Stephanie Petro, Environmental Specialist III

DATE: January 29, 2004

FILE NAME: Sumter County MRF, Closed Class I, and Composting Facilities OGC FILE# 04-0131  
PROGRAM: Solid Waste COUNTY: Sumter

TYPE OF DOCUMENT:

WARNING ☐ FINAL ORDER ☐ CASE REPORT ☐  
DRAFT ☒ OR FINAL ☒ NOV ☐ CONSENT ORDER ☐  
PENALTY AUTHORIZATION ☐ MODEL CONSENT ORDER ☒

BRIEF DESCRIPTION OF VIOLATION:

Department personnel observed, on the last three inspections, large depressions, ruts, and cracks in and/or standing water on the asphalt pad on top of the Closed Class I Landfill, standing water/seepage around the biosolids storage area, and a loading ramp used to load waste outside of the building/leachate collection system.

SUMMARY OF CORRECTIVE ACTIONS: The Department met with the Respondents on January 14, 2004 to discuss corrective actions. On January 28, 2004, Respondents submitted a Temporary Corrective Action Plan.

NOTES: Ms. Getzoff, please sign only the cover letter. Thank you.

PENALTY SUMMARY:

ELRA PENALTY  
EXTENT OF DEVIATION: ☐ POTENTIAL FOR HARM: ☐  
PENALTY AMOUNT: ☐ COST AND EXPENSES: \$ 500

TOTAL PENALTY AMOUNT: ☐ APPROVED BY SECRETARY: ☐

EXHIBIT A

**Board of County Commissioners****Sumter County, Florida**

209 North Florida Street, Suite 3 • Bushnell, FL 33513-6146 • Phone (352) 793-0200 • FAX: (352) 793-0207  
SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>

**FAX MEMORANDUM**

**To:** Ms Susan Pelz, P.E.  
Florida Department of Environmental Protection  
**Fax #:** 813-744-6125  
**From:** Bernard Dew, County Administrator  
**Date:** January 28, 2004  
**RE:** TCAP for Sumter County Solid Waste  
**Number of Pages (including this cover sheet):** 4

Susan,

We are forwarding herewith a copy of the proposed Temporary Action Plan – Phase I, Sumter County Solid Waste Facility, for your review and consideration.

Chuck Jett, Sumter County Solid Waste Superintendent, is in route to your office to deliver the original document.

Thank you for your attention and assistance in this matter.

Bernard

Benny G. Strickland, Chairman,  
Dist 1, (352) 753-1592 or 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Joey A. Chandler, Vice Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Billy "Tiny" Rutter, Dist 3  
(352) 763-1592 or (352) 748-4220  
5885 CR 472  
Oxford, FL 34484

Jim Roberts, Dist 4  
(352) 783-4778  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Robin Cox, Dist 5  
(352) 793-6910  
P.O. Box 1482  
Webster, FL 33597

Bernard Dew, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

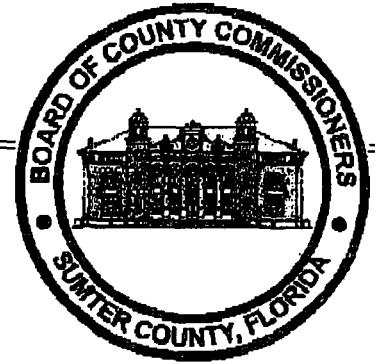
Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Randall N. Thornton  
County Attorney  
(352) 783-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

# Board of County Commissioners

## Sumter County, Florida

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January 28, 2004

Ms. Susan J. Pelz, P.E.  
 Department of Environmental Protection  
 3804 Coconut Palm Drive  
 Tampa, Florida 33619

RE: Proposed Temporary Corrective Action Plan for the Sumter County Solid Waste, Recycling, and Composting Facility, (SCSWRCF), Sumter County, Florida

Dear Ms. Pelz:

Please find attached Sumter County's proposed Temporary Corrective Action Plan (TCAP) as discussed in our meeting on January 14, 2004. It is my understanding that the original deadline of January 22<sup>nd</sup> to transmit the TCAP was extended based on your discussions over the course of the last week with David Springstead, the County engineer. The plan presents the proposed corrective actions as well as the time frame to complete these corrective measures, which address the DEP issues of concern at the facility.

As we discussed, since both digesters are at this time not operating, the county is concerned with the continued transfer of all the County waste from the facility and would like to resolve the DEP issues and begin operation of the *new* digester as quickly as possible. As you are aware from our discussion with you during our meeting, until the *original* digester is operable and the County identifies the funds, we will continue to transport some waste out of the county until we are back at full capacity with both digester tubes.

Please review the attached document and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

Bernard Dew  
 County Administrator

Attachment

xc: Chuck Jett, Superintendent, SCSWRCF, Sumter County  
 David Springstead, Springstead Engineering  
 Miriam Zimms, Kessler Consulting, Inc.

Benny G. Strickland, Chairman  
 Dist 1, (352) 753-1592 or 793-0200  
 209 North Florida Street, Suite 3  
 Bushnell, FL 33513-6146

Robin Cox, Dist 5  
 (352) 793-6910  
 P.O. Box 1482  
 Webster, FL 33597

Joey A. Chandler, Vice Chairman  
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Randall N. Thornton  
 County Attorney  
 (352) 793-4040 P.O. Box 58  
 Lake Panasoffee, FL 33538



***Proposed Temporary Corrective Action Plan – Phase I  
Sumter County Solid Waste Recycling and Composting Facility***

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***Facility Overview:***

This Temporary Correction Action Plan (TCAP) is presented to the Department of Environmental Protection - Solid Waste Division (DEP) by Sumter County (County) in agreement to perform certain activities at the Sumter County Solid Waste, Recycling and Composting Facility to obtain DEP's approval to operate the waste processing equipment known as Digester 2 along with the infeed and discharge and digester related processing areas at the above referenced facility.

Because Digester 1 has experienced a breakdown, the County has requested approval to operate Digester 2 to eliminate the need to utilize the unpermitted outdoor loading ramp and to reduce the financial burden of transferring incoming waste to an out-of-county disposal facility. The County's goal is to have Digester 2 and the associated processing equipment in operation as soon as possible and to process the incoming tipped materials through the facility rather than loading and transferring the material to another disposal facility.

***Compliance Issues:***

Compliance issues at the Sumter County Solid Waste, Recycling and Composting Facility include:

1. Use of the unpermitted outside ramp at the tipping floor/MRF building to load transfer trucks,
2. Proper management and containment of potential leachate from the biosolids (sludge) area including prohibiting runoff of biosolids water on to the ground from the storage and loading area,
3. Maintenance of asphalt surface on "hill" area and recyclable processing area, and
4. Groundwater exceedances in monitoring well test results.

***Sumter County Corrective Actions Already Taken:***

The County has submitted and the DEP has approved the certification of construction completion of the Community Drop-off Area (CDA). Use of the CDA has allowed the county to relocate the Citizens/Homeowners Drop-off Area out of the northeast end of the Materials Recovery Facility (MRF). The county can begin construction of the ramp for truck loading and remodeling of the building and site to allow trucks to enter the building after DEP approval of the construction plans.

***Immediate Sumter County Corrective Actions/Measures to be Taken:***

Sumter County will address and correct this issue after approval by DEP and in accordance with the time frames presented.

1. An interior loading ramp will be built on the tipping floor area in northeast end of the MRF building (currently the homeowner's drop-off area). The walls of the north end of the building and the exterior pavement will be modified to allow transfer trucks to

**Sumter County****Temporary Corrective Action Plan - Phase I****Page 2 of 2**

back into the building and be loaded indoors. This will provide a covered loading area with an existing leachate collection system to be used for transfer loading. The concrete pushwall separating the commercial and homeowners tipping area will be demolished. Plans for construction of these improvements will be submitted for DEP approval within 45 days of approval of this TCAP. **Estimated County Expenditure: \$50,000**

***Sumter County Follow-up Corrective Actions/Measures to be Taken:***

Sumter County will address and correct these issues using solutions approved by DEP and in accordance with the time frames presented.

2. Construction of a slab and foundations for a new bay on the south end of the MRF building including curbing will be constructed around the biosolids storage area and the base of the direct feed conveyor to eliminate the potential for run-off water into the ground. **Estimated County Expenditure: \$50,000**
3. The "hill" area of the closed Class I landfill covered with asphalt will be releveled with limerock, sealed and repaved with 1-inch of type S-III asphalt to insure that rain water will not pond and/or infiltrate, but will run-off to the permitted stormwater facilities. **Estimated County Expenditure: \$160,000**
4. New groundwater monitoring wells will be constructed to evaluate contaminant exceedances, which have occurred over the past several monitoring periods. **Estimated County Expenditure: \$25,000**

Sumter County agrees to perform the work associated with the issues of concern, provide plans for construction, which will be submitted within 90 days of approval of the TCAP, and complete construction of the improvements in accordance with the following schedule:

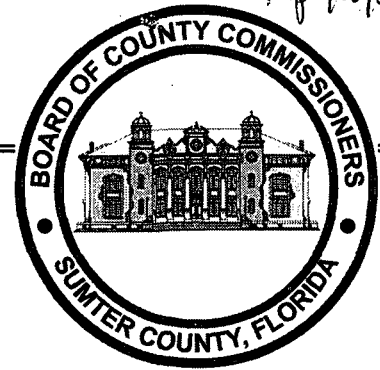
Item No.	Time to Complete Construction
1	6 to 9 months
2	3 to 6 months
3	9 to 12 months (level & seal within 9 months, pave by 12 months)
4	3 to 6 months to install develop and collect and analyze samples

Sumter County agrees to complete these improvements to the solid waste facility within the time frames proposed and understands from conversations with DEP staff that if these improvements are not completed in the time frame specified, the DEP will begin enforcement actions which will include, but not be limited to, fining Sumter County for not adhering to this plan.

# Board of County Commissioners

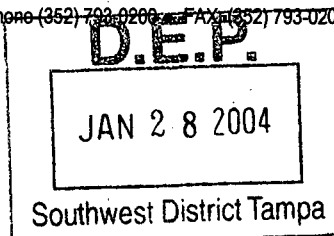
## Sumter County, Florida

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SunCom: 665-0200 • Website <http://bocc.co.sumter.fl.us>



January 28, 2004

Ms. Susan J. Pelz, P.E.  
Department of Environmental Protection  
3804 Coconut Palm Drive  
Tampa, Florida 33619



RE: Proposed Temporary Corrective Action Plan for the Sumter County Solid Waste, Recycling, and Composting Facility, (SCSWRCF), Sumter County, Florida

Dear Ms. Pelz:

Please find attached Sumter County's proposed Temporary Corrective Action Plan (TCAP) as discussed in our meeting on January 14, 2004. It is my understanding that the original deadline of January 22<sup>nd</sup> to transmit the TCAP was extended based on your discussions over the course of the last week with David Springstead, the County engineer. The plan presents the proposed corrective actions as well as the time frame to complete these corrective measures, which address the DEP issues of concern at the facility.

As we discussed, since both digesters are at this time not operating, the county is concerned with the continued transfer of all the County waste from the facility and would like to resolve the DEP issues and begin operation of the *new* digester as quickly as possible. As you are aware from our discussion with you during our meeting, until the *original* digester is operable and the County identifies the funds, we will continue to transport some waste out of the county until we are back at full capacity with both digester tubes.

Please review the attached document and contact me if you have any questions or require additional information. I look forward to hearing back from you.

Sincerely,

Bernard Dew  
County Administrator

Attachment

xc: Chuck Jett, Superintendent, SCSWRCF, Sumter County  
David Springstead, Springstead Engineering  
Miriam Zimms, Kessler Consulting, Inc.

Benny G. Strickland, Chairman  
Dist 1, (352) 753-1592 or 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Joey A. Chandler, Vice Chairman  
Dist 2, (352) 748-5005  
6255 CR 429  
Lake Panasoffkee, FL 33538

Billy "Tiny" Rutter, Dist 3  
(352) 753-1592 or (352) 748-4220  
5885 CR 472  
Oxford, FL 34484

Jim Roberts, Dist 4  
(352) 793-4776  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Robin Cox, Dist 5  
(352) 793-6910  
P.O. Box 1482  
Webster, FL 33597

Bernard Dew, County Administrator  
(352) 793-0200  
209 North Florida Street, Suite 3  
Bushnell, FL 33513-6146

Gloria R. Hayward, Clerk & Auditor  
(352) 793-0215  
209 North Florida Street  
Bushnell, FL 33513

Randall N. Thornton  
County Attorney  
(352) 793-4040 P.O. Box 58  
Lake Panasoffkee, FL 33538

***Proposed Temporary Corrective Action Plan – Phase I  
Sumter County Solid Waste Recycling and Composting Facility***

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***Facility Overview:***

This Temporary Correction Action Plan (TCAP) is presented to the Department of Environmental Protection - Solid Waste Division (DEP) by Sumter County (County) in agreement to perform certain activities at the Sumter County Solid Waste, Recycling and Composting Facility to obtain DEP's approval to operate the waste processing equipment known as Digester 2 along with the infeed and discharge and digester related processing areas at the above referenced facility.

Because Digester 1 has experienced a breakdown, the County has requested approval to operate Digester 2 to eliminate the need to utilize the unpermitted outdoor loading ramp and to reduce the financial burden of transferring incoming waste to an out-of-county disposal facility. The County's goal is to have Digester 2 and the associated processing equipment in operation as soon as possible and to process the incoming tipped materials through the facility rather than loading and transferring the material to another disposal facility.

***Compliance Issues:***

Compliance issues at the Sumter County Solid Waste, Recycling and Composting Facility include:

1. Use of the unpermitted outside ramp at the tipping floor/MRF building to load transfer trucks,
2. Proper management and containment of potential leachate from the biosolids (sludge) area including prohibiting runoff of biosolids water on to the ground from the storage and loading area,
3. Maintenance of asphalt surface on "hill" area and recyclable processing area, and
4. Groundwater exceedances in monitoring well test results.

***Sumter County Corrective Actions Already Taken:***

The County has submitted and the DEP has approved the certification of construction completion of the Community Drop-off Area (CDA). Use of the CDA has allowed the county to relocate the Citizens/Homeowners Drop-off Area out of the northeast end of the Materials Recovery Facility (MRF). The county can begin construction of the ramp for truck loading and remodeling of the building and site to allow trucks to enter the building after DEP approval of the construction plans.

***Immediate Sumter County Corrective Actions/Measures to be Taken:***

Sumter County will address and correct this issue after approval by DEP and in accordance with the time frames presented.

1. An interior loading ramp will be built on the tipping floor area in northeast end of the MRF building (currently the homeowner's drop-off area). The walls of the north end of the building and the exterior pavement will be modified to allow transfer trucks to

back into the building and be loaded indoors. This will provide a covered loading area with an existing leachate collection system to be used for transfer loading. The concrete pushwall separating the commercial and homeowners tipping area will be demolished. Plans for construction of these improvements will be submitted for DEP approval within 45 days of approval of this TCAP. **Estimated County Expenditure: \$50,000**

***Sumter County Follow-up Corrective Actions/Measures to be Taken:***

Sumter County will address and correct these issues using solutions approved by DEP and in accordance with the time frames presented.

2. Construction of a slab and foundations for a new bay on the south end of the MRF building including curbing will be constructed around the biosolids storage area and the base of the direct feed conveyor to eliminate the potential for run-off water into the ground. **Estimated County Expenditure: \$50,000**
3. The "hill" area of the closed Class I landfill covered with asphalt will be releveled with limerock, sealed and repaved with 1-inch of type S-III asphalt to insure that rain water will not pond and/or infiltrate, but will run-off to the permitted stormwater facilities. **Estimated County Expenditure: \$160,000**
4. New groundwater monitoring wells will be constructed to evaluate contaminant exceedances, which have occurred over the past several monitoring periods. **Estimated County Expenditure: \$25,000**

Sumter County agrees to perform the work associated with the issues of concern, provide plans for construction, which will be submitted within 90 days of approval of the TCAP, and complete construction of the improvements in accordance with the following schedule:

Item No.	Time to Complete Construction
1	6 to 9 months
2	3 to 6 months
3	9 to 12 months (level & seal within 9 months. pave by 12 months)
4	3 to 6 months to install develop and collect and analyze samples

Sumter County agrees to complete these improvements to the solid waste facility within the time frames proposed and understands from conversations with DEP staff that if these improvements are not completed in the time frame specified, the DEP will begin enforcement actions which will include, but not be limited to, fining Sumter County for not adhering to this plan.

**Petro, Stephanie**

**From:** Miriam Zimms [mzimms@kesconsult.com]  
**Sent:** Thursday, January 29, 2004 4:48 PM  
**To:** Pelz, Susan  
**Cc:** Bernard Dew (E-mail); Mitch Kessler; David Springstead (E-mail); Petro, Stephanie; Morgan, Steve  
**Subject:** RE: Sumter County Update

Ok, thank you. I've just notified Chuck via telephone that you'll contact him directly.

Regards,  
Miriam

-----Original Message-----

**From:** Pelz, Susan [mailto:Susan.Pelz@dep.state.fl.us]  
**Sent:** Thursday, January 29, 2004 4:36 PM  
**To:** Miriam Zimms  
**Cc:** Bernard Dew (E-mail); Mitch Kessler; David Springstead (E-mail); Petro, Stephanie; Morgan, Steve  
**Subject:** RE: Sumter County Update

Miriam,

That's fine. We'll call Chuck when the draft is ready for him to pick up.

thanks,

Susan J. Pelz, P.E.  
Solid Waste Program Manager  
Southwest District  
813-744-6100 x 386  
susan.pelz@dep.state.fl.us

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Thursday, January 29, 2004 11:43 AM  
**To:** Pelz, Susan  
**Cc:** Bernard Dew (E-mail); Mitch Kessler; David Springstead (E-mail); Petro, Stephanie; Morgan, Steve  
**Subject:** RE: Sumter County Update

Susan,

Chuck Jett of Sumter County would like to request that you notify him when you have completed the MCO for the County's final signature. He would like to pick-it up directly from your office and ask that you not send out via Mail in the effort to condense transfer time. Would you be agreeable to this? I have attached Chuck's contact information for your use.

Regards,  
Miriam Zimms  
#0607F

-----Original Message-----

**From:** Pelz, Susan [mailto:Susan.Pelz@dep.state.fl.us]  
**Sent:** Wednesday, January 28, 2004 5:04 PM  
**To:** Miriam Zimms  
**Cc:** Bernard Dew (E-mail); Mitch Kessler; David Springstead (E-mail); Petro, Stephanie; Morgan, Steve  
**Subject:** RE: Sumter County Update

Miriam,

We received the fax copy of the TCAP from the County today and are currently drafting the MCO. We hope to get the MCO in the mail to the County on Monday. After they receive it, they will need to review it and sign if they have no revisions. Once we get the signed copy back, (except as noted below) we will countersign (execute) it and the terms of the Order will be in effect (including operation of digester #2).

We have not received the as-built drawings or operational information for the digester as of today (I haven't checked today's mail). **We must get the as-built drawings and operational information for digester #2 before we finally execute the MCO.**

Please note that the County should not construct any site improvements or make any modifications to the facility until they get our approval of the design.

If you have any questions, feel free to call or email (usually better).

Thanks,

Susan J. Pelz, P.E.  
Solid Waste Program Manager  
Southwest District  
813-744-6100 x 386  
susan.pelz@dep.state.fl.us

-----Original Message-----

**From:** Miriam Zimms [mailto:mzimms@kesconsult.com]  
**Sent:** Wednesday, January 28, 2004 3:22 PM  
**To:** Pelz, Susan  
**Cc:** Bernard Dew (E-mail); Mitch Kessler; David Springstead (E-mail)  
**Subject:** Sumter County Update

Hi Susan-

At the request of Bernard Dew, Sumter County Administrator, I wanted to follow-up with you on the items communicated to the County based on your recent conversations with Springstead Engineering (SEI) about the TCAP and make sure we are all on the same page.

TCAP:

1. You should have received a draft of the TCAP document from SEI on 1/22 and it is our understanding that the original deadline for the final TCAP was extended by the DEP 1/28 since you were working with SEI on fine tuning the draft document over the course of the last few days.
2. The TCAP is to be hand delivered by the County to you today and it will also be faxed.
3. Once DEP receives the TCAP they will proceed with the draft MCO which will need to be reviewed and approved by the County.
4. As a follow-up to the ramp photos Chuck Jett showed DEP on 1/14, any activities relative to the current status of this issue began prior to the involvement of Bernard in the project under previous staffing. We are committed to the DEP to follow all protocol and the County is relying on its engineer to notify the County (Bernard and Chuck) of any the documentation you need for any construction or changes to operation on site at the facility. The county made this commitment to you in January for better communication between the County project team and the DEP and we look forward to this continued voyage.

The following provides you an update on the status of all documents:

**Digester As-Built Plans:**

These documents have been received from the contractor. "As Built" Plans should have already been distributed to you by SEI.

**Operating Plan:**

We are finalizing all edits to the document this week, we anticipate getting this to you shortly.

**RAI:**

We are finalizing all edits to and review of the document at this time. We anticipate providing this to you within the next week or two.

If you have any questions or comments on all the items referenced above, please don't hesitate to contact me.

Miriam Zimms  
Kessler Consulting, Inc.  
[www.kesconsult.com](http://www.kesconsult.com)  
813-971-8333, x 22

*Celebrating 15 Years of Quality Service*  
*EPA WasteWise Small Business Program Champion*

**#0607F**

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xc: Chuck Jett, SCSWRCF



## **Petro, Stephanie**

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**From:** Petro, Stephanie  
**Sent:** Thursday, January 15, 2004 8:52 AM  
**To:** London, Lisa  
**Cc:** Pelz, Susan  
**Subject:** FW: Sumter County meeting with District

**Importance:** High

hi Lisa, i don't believe you are familiar with this facility as it is not an enforcement case (yet). Sumter County has two digesters for composting MSW. The new one has not yet been certified complete and the old one is defunct. The upshot is that they are having to spend a \$100,000 a month to send their garbage to another county for disposal because Sumter has no landfill. They are panicking because they didn't budget for the increased spending and asked if DEP could somehow quickly permit the digester despite the fact that DEP's last RAI requested information for all three of their permit applications currently in-house. Susan suggested that they could submit a Corrective Action Plan that includes putting the digester on-line to remedy non-compliance issues at the site (loading waste outside of the LCS). This Plan would be incorporated into a Model Long Form Consent Order so that it wouldn't have to go through OGC and would hopefully put Sumter's digester on-line by April.

I still have to take a look at the model CO. Just wanted to give you a heads up. Let me know if you foresee any issues with this, or need more info.

Stephanie

-----Original Message-----

**From:** Pelz, Susan  
**Sent:** Wednesday, January 14, 2004 5:38 PM  
**To:** Petro, Stephanie; Ross, Lora  
**Subject:** FW: Sumter County meeting with District  
**Importance:** High

fyi-- I expect some ripples from this....

Stephanie, please give Lisa a heads up ASAP.

-----Original Message-----

**From:** Joyal, Francine  
**Sent:** Wednesday, January 14, 2004 2:48 PM  
**To:** Hinkley, Bill  
**Cc:** Tedder, Richard; Clark, Jan Rae; Pelz, Susan  
**Subject:** Sumter County meeting with District

Bill,

Susan can correct me if I misunderstood the gist of the meeting, but here is a synopsis.

There was much discussion about what is needed so that Sumter County can get the new digester operational since it is costing so much to truck the waste out for disposal (the old digester is down and needs a large part of the tube replaced -- repairs will take time). The District pointed out that the key items needed were the signed and sealed as-built drawing, construction complete certification and the operating plan. Mitch acknowledged that this information should have been provided to the District 2 years ago. There is no problem processing the permit application for the new digester separately from other facility permits. However, obtaining the permit could take until April-May. Susan suggested entering into a Consent Agreement -- submit the information requested in the RAI pertaining to the new digester and a general schedule for addressing the non-compliance issues. This could allow quicker DEP concurrence for operating the new digester. It was pointed out that the enforcement attorney (Lisa London) will be tied up next month, so that this information needs to be provided to the District by the 21st (next week).

There was also discussion regarding the permit modifications needed for the FORCE projects. The District expressed surprise that the requests had not already been submitted. They had informed the County (and Kessler Consulting representatives) at the December meeting that processing the permit modifications was on a different track than the permit renewal applications. It is hoped that the modification requests will be submitted shortly after the

information needed for the Consent Agreement.

Francine

**Petro, Stephanie**

---

**From:** Seale, Jill  
**Sent:** Wednesday, January 14, 2004 9:14 AM  
**To:** Petro, Stephanie  
**Subject:** RE:

Yes, Kelly Honey did a compliance inspection there on December 12, 2003. The report has not yet been issued, so you will have to ask Kelly about any violations or other issues. It looks like she is scheduled to come in today.

Jill

-----Original Message-----

**From:** Petro, Stephanie  
**Sent:** Wednesday, January 14, 2004 9:10 AM  
**To:** Seale, Jill  
**Subject:**

jill, do you know if RCRA did a used oil inspection of the Sumter Co. Solid Waste facility? we have a meeting with them at 9:30 and Susan was curious. thanks,  
Stephanie Petro  
Environmental Specialist III  
Solid Waste Compliance/Enforcement  
Southwest District

1/16/2004



Mid Finish Pad  
Compost Gone



CLASS III  
GONE



CLASS III RAMP  
GONE



METAL BATER GONE



C & D

GONE





New Door to Load Trucks



New Door to load Trucks



INSIDE Household BAY



NEW  
House hold CDA



NEW  
COA BAKER



GOA

NEW



TIRE AREA  
NEW



**David B. Struhs**  
**Secretary**

1-14-04

9:30 AM

## Sumter County Volume Reduction

Telephone
$$83744 \cdot 6100 \times 451$$

11 " x 375

352,793-0200

813 971-8337

352-793-0206

813-971-8333

352 793-3368

~~813-7446100~~ 813-7446100 x 386

VIA telephone : Françoise Joyal - TAC



1  
Sumter Co. Solid Waste Facility meeting 1/14/04

BS

Chuck is running facilities since Gary retired. Our main problem is lack of communication - we've gotten in a rut w/ the DEP. Having to ship 200 tons of garbage a day out of county - cost \$100,000 a month. Board is committed to spending what needs to be spent - can we (Digester is not running b/c of County's problems) run new digester at 50 ton capacity. total overhaul of old digester. We can't afford to spend the tipping fees - already eaten our budget for tipping fees.

Asphalt cost is \$200,000, finishing building. We're in a position of ~~tripping~~, to be honest.

STP

in terms of new digester, capacity is not issue. hangup is we don't have info on how it was built & how its going to operate. Can't verify that it was built the way it was designed.

Reasonable assurance that you know how to operate it. If we let you operate the new one, the last RAI had operational stuff in it. Temp, reduce residence time, old digester - what's wrong with it. just worn out.

BS, G

STP

RK

no compartments or stages, how do you keep right mix? digester was installed and passed acceptance test 2 yrs. ago. BS + BD were under impression that permit was complete. FORCE meeting - we were surprised that permit wasn't complete - I left shocked & went to County Commissioners - we had lively discussions of status of permit. County was shocked.

BS we questioned Gary and weren't getting satisfactory answers. Bernard Dew is in charge. He sent a memo to David Springstead. Springstead isn't allowed to forward anything to DEP w/o County approval. Bernard talked Chuck. All of cards on are on table.

SJP Please send letter saying Bernard is new permittee. From our perspective, we don't copy the Board b/c they aren't normally involved.

BS I'm not complaining about you (DEP) we should know what we are doing.

SJP we asked <sup>for</sup> info + didn't get it.

MK you asked <sup>RAI</sup> and didn't get the info you needed.

SJP I don't understand why it's so hard to submit a Certification and know how to operate it.

NZ there was an information gap.

MK There's not an engineer sitting here...

FORCE is ~~not~~ one of our main firms.

Gary would say David would follow-up but it didn't get straightened out. David presented back

MZ what was communicated to the Board, was that we would have our permit by end of January.

Engineer has three months left in contract.

Pushing this guy to perform.

MK going forward - we're being asked <sup>by County</sup> to help wrap this thing up.

BS we will probably go through Mitchell + Mitchell sub engineers.

MK my understanding is that <sup>the permits</sup> they are grouped together.

SSP

the waste tire permit is not timed w/ them.

DK

The document is one document (submittals) that addresses all issues, but there are three separate permits.

MK

we could have submitted a ~~an~~ op construction permit separately?

SSP

Sure you could have.

MK

temporary use of new digester. If we could figure out how to operate the digester.

this is the high season. Anything you could do <sup>to help speed up</sup> the process?

The information is out there - I know from talking to the contractor. I think we can get you that information.

BS

1

MK

They have all of their own expenses. Can we break <sup>extract price of</sup> digester out if we can get the certification / operational issues. <sup>to issue first?</sup>

SSP

recom issue permit?

SSP

8 page RAI is for 3 facilities / permits?

MK

we've looked at draft response to RAI.

SSP

how many tons a day?

OJ

175-200 tons, snowbird season

move ramp today to inside building

during transfer, so we're going forward w/ all our other improvements. We want to demonstrate that we can run this site the way it needs to be.

MK

if DEP could do something to let summer process some waste at facility. I don't know how to break it out.

SSP

we don't care about capacity. the issues is how is it built? how is it operated.

SJP that's one of key items in questions about new tube is the residence time

MR the ~~scope~~ articles have been written about times that stay in same place throughout process.

SJP those articles would be helpful.

SJP we let you go ahead & do acceptance tests.

MR when I since I was at that meeting on 12/3/03, we've worked to answer 70% of the questions that have been asked.

SJP we want everything in the Op Plan so someone knows how to operate facility.

MR the last 30% is making sure we are addressing all issues.

SJP

MR could you issue us a temp. operating permit for 90 days starting Feb 1st?

(tonnage discussion)

MR to put in perspective,

SJP say we come up w/ a creative way to issue a temp. permit.

what if you don't aren't committed to spend what's proposed in the permit? when does your fiscal year start?

BS June. Fiscal year starts in Oct.

we are committed to spend the money.

SJP (asks Francesine for comments)

FJ sounds like you need to get info in in order to get permit.

SJP

I'm not opposed to thinking outside of box.  
One things come to mind which might actually.  
Second priority is ongoing compliance issues. We have  
to have a vehicle that give us assurance.

SS

Consent Order. Situation you're in is contributing  
to non-compliance issues. Corrective Action Plan  
which includes info on digistr & operational info.  
~~This is a step~~

In order to issue permit, we will have to  
have a CO anyway to address other compliance  
issues.

CO needs go to Lisa London first - <sup>develop</sup> language  
We will reference <sup>corrective action plan</sup> info in CO. Timeframes in CO.  
Continue to work in response to RAI's.

ME

MK

Do we say  
Here's our Corrective Action Plan. The first step in overall  
CAP for site.

SJP

Part of action plan is addressing loading outside building.  
Don't request a period of time.

Our intention is that we'll send you a CO which ref. CAP.  
second phase needs to be submitted w/in many days.  
Tell us your schedule for implementation.

MK

how long will it take?

SSP

Use model long form maybe not even send it to OGC.

MK

let's come up w/ plan.

SSP

we will start doing before we get info from you.

*[Handwritten signature]*  
*[Handwritten signature]*

MZ

FORCE projects relate to current digester

so digester permit has to be resolved first.

STP

Odor project is in RAI (due to continual odor complaints)

MK

I like to see us go forward w/ cooker project.

so we can do modification?

STP

county was considering one big modification.

MK

Yes we were, but now we want to move ~~forward~~ <sup>forward</sup>.

MZ

we discussed creating concrete pad to hold RTD projects.

STP

You will have to address leachate, air issues, etc.

STP

Corrective Action Plan - put all plans in it.

plan will allow DEP to issues permits, deal w/

non-compliance issues.

Phase 1 plan - no firm dates.

Phase 2 plan - firm dates

1/14/03

Benny Strickland

Chuck is new operator - since Tandy Hunt left

problems w/ facility & permitting  
old digester is currently down & are trucking all  
material out

want to run new digester @ 50 tpd

Admit they put themselves in that position

Bernard Dew will be permittee

to go forward:

Kessler will be more involved in permitting  
temporary use

9:30 AM

Sumter County Volume Reduction

- Benny - Gary Breeden retired (Bernard Dew - replacement)
  - ↳ Chuck took over Terry Hurst
  - ↳ Problem w/permitting
    - + Need to get on same page w/permitting
- Old digester down ~ 200 tons/day needs to be re-done
- Need to get things up to par w/us
  - \* Can Sumter Co. to run new digester & what old could do?
- Can't afford to keep transferring SW out due to old digester breaking.

SSP - Permitting & new digester

- Const + built → Not enough info on how built, or ops for new digester.
- How going to operate new digester - important before allow operation.
- Assurance on how it's going to operate (ex: temp, time in digester)
- Need to notify that BD is new permittee
- Should have included operation in new digester, but didn't get info. (RAJ)
- ↳ Know how built as permitted & how it will operation.

Madium - Communication errors internal

MK - Where do we go from here?

- Go through Mich for engineer's
- Group permits together: All expire @ same time (not 1 permit)
- MRF, Comp, LTC expires @ same time
- Anything county can do to have emergency to use digester?
- Need cert. & probably will be OK for interim operation.
  - ↳ Extract out w/conditions
- MRF, Special Waste, .... all related

CJ - Moved ~ 80% from hill to new pad - moved house outside; move ramp outside to inside.

- Old tube broke ~ Nov → cracked, stressed



- Need to get info to us
- Receive ~ 2/1/04 3/2/04 complete (?)
  - ↳ April to operate (best case scenario)
- Committed to make  $\Delta$ 's no \$ due to digester
- SJP - On-going compliance issues + ensure that will fix.
  - ↳ CO - implementation of CAP (model long form)
  - ↳ Due to \$ crunch; = compliance issue
  - CO - corrective Action for ensurance (CAP) (Brendard)
  - Attorney in Tallahassee (Lisa London) → what to do
    - \* 1) Op + const new digester (ref. in CAP)
    - 2) continue respond to RAI
    - 3) Plan action for compliance issues
- Don't request timeframe
- MH - Grants for FORCE
  - minor mods for projects for pending permits (12-3-03 meeting)
  - Separate tracks. " " " " " " " " " " " "
- CO - stipulated penalties

Sumter County Public Works Department  
Mr. Garry Breeden, Director  
319 E. Anderson Ave.  
Bushnell, Florida 33513

November 7, 2003

**Re: Sumter County Composting, Processing, & Recycling Facility,  
Sumterville, Sumter County**  
**Pending Permit No.: 126940-010-SO - Composting Facility**  
**Pending Permit No.: 126941-003-SO - Material Processing Facility**  
**Pending Permit No.: 22926-003-SF - Closed Class I Long-Term Care**

Dear Mr. Breeden:

This is to acknowledge receipt of additional information prepared by Springstead Engineering, dated October 7, 2003, (received October 9, 2003), for the above referenced permit renewal applications to operate a solid waste composting facility and a waste processing facility, and continue long-term care, monitoring, and maintenance for a closed Class I Landfill.

This letter constitutes notice that a permit will be required for your project pursuant to Chapter(s) 403, Florida Statutes.

Your application for a permit is incomplete. This is the Department's 2nd request for additional information. Please provide the information listed below promptly. Evaluation of your proposed project will be delayed until all requested information has been received.

The following information is needed in support of the solid waste application [Chapter 62-701 and 62-709, Florida Administrative Code (F.A.C.)]. Please provide:

1. **Rule 62-701.320(7)(b), F.A.C.** Application Form #62-701.900(4): Please address the following comments regarding the permit application form and provide a revised application form with the following information, where applicable:

a. Section A. "General Information" Part 13. - Estimated Closure Costs: Please provide the facility's revised closure cost estimate amount, calculated as required by Rule 62-701.630(4)(c), F.A.C., in this section of the application form. (See comment #16 below)

b. Section A. "General Information" Part 15.: Please verify the expected volume of waste to be received by submittal of the waste projection information required in accordance with Rule 62-701.710(2)(a), F.A.C. (see comment #2d below), and revise this section of the application form as appropriate.

c. Rules 62-701.710(2)(g) and 62-709.500(2)(c), F.A.C. Application Form #62-701.900(4) Section B. "Additional Information" Part 8.: There have been several changes in site conditions (e.g. citizen drop-off area, revised storm water management system etc.) that have occurred since January 2001. Therefore a January 2001 topographic survey is not "representative of current site conditions." Please provide a current topographic survey of the site.

2. **Rules 62-701.320(7)(d) and 62-709.300(3), F.A.C. Engineering Report:** Please provide following additional information and revisions to the engineering report. Please provide a comprehensive engineering report that incorporates the responses to these comments.

a. Engineering Report, Overview: This section states, "As this material falls into the hopper, the ram cycles and loads the first compartment of the digester. Based on the volume of the material entering the facility, the material will spend 24 to 72 hours in the digester. The temperature, moisture content, and level of material in each digester compartment will be measured at least daily." This statement is inconsistent with the procedures provided in Section 4.3 of the Operations Manual. Please explain how this procedure applies to Digester #2 since it does not have "compartments." Please provide the basis for requiring only 24-hour residence time in the digester. Please revise this section accordingly.

b. Engineering Report, Contingency Plan: The most recent inspection of the Materials Recycling Facility ("MRF") by Department personnel noted continued use of the loading ramp located outside the north side of the MRF building. Your response letter states, "The loading ramp currently exists and is being used." Please note that this activity is not a part of your permitted contingency plan for the facility and the use of the loading ramp is not authorized under your current facility permit, and continued unauthorized use of the loading ramp will subject you to potential enforcement action by the Department. Please revise Section 6.0 of the Operational Manual to include a description of the facility contingency plans for bypass of waste at the facility and a detailed description of the proposed vehicle loading procedures, including proposed equipment and the building dimensions within the residential drop-off side of the MRF building tipping area. *bypass*

c. Engineering Report, Unauthorized Wastes: This section states, "Bins are provided for storage of unacceptable items..." and "If the source of the hazardous waste cannot be identified, it will be separated and placed in bins located inside the building." Please revise Attachment A - Hazardous Waste Manual to identify the location and types of these "bins".

d. Engineering Report, Unauthorized Wastes: This section provides a description of how "hazardous waste" is identified and handled at "four check points". Please revise this section and Section 3.2 of the Operations Manual to clarify how other non-hazardous unacceptable wastes are identified and handled at these "check points".

e. Engineering Report, Closure Plan For The Facility: Please revise this section to provide procedures for removal and disposal of unfinished compost located in the digesters and the finishing building, remaining biosolids, and leachate in the mixing basin as part of facility closure. The closure plan shall include procedures for removal of all materials located in the digester and finished building, including "classified" materials. Please identify the "reoccurred materials" referenced in this section.

f. Engineering Report, Additional Pertinent Information: Please revise this section to reference procedures for evaluating and minimizing off-site odors associated with facility operations in Section 1.2 of the Operation Manual.

*once CDA  
is moved, ramp  
can be moved  
back in building.*

*encl/  
★ Compliance  
issue*

*tipping for  
mostly biosolids then*

(Comment #2, cont'd)

g. Engineering Report, Additional Pertinent Information: Please revise this section to identify the facility operator(s), verify that they have completed the required training for certification as waste processing facility operator in accordance with Section 62-701.320(15)(b)2., F.A.C., and provide copies of certificates as appropriate. Please revise this section to identify the number of trained spotters that will be located at the Citizen Drop-off Area and the Materials Processing Building tipping area, identify facility personnel that have completed training for certification as trained spotters in accordance with 62-701.320(15)(c), F.A.C., and provide copies of certificates of completion as appropriate.

h. Engineering Report, Waste Projections (Page 7): There continue to be inconsistencies in quantities of waste the facility projects to be received at the facility and the capacity of the facility. Section A. Part 15. of Application Form #62-701.900(4) estimates that the facility will receive 200 tons/day. This section indicates that the facility currently accepts about 100 tons/day and projects a 24% increase by 2009. Your response letter indicates that the MRF has a processing capacity of 100 tons per 8-hour shift and your proposed hours of operation are 8:00 AM - 4:00 PM. Your capacity calculations indicate that the capacity of the two digesters is a combined 135 tons. Unless it is planned that by-pass of waste for alternate disposal is a part of routine facility operation, rather than a contingency plan, or operation hours of the MRF are amended, it appears that the facility's capacity is limited to the current 100 tons/day operating capacity of the MRF, and acceptance of waste at the facility should be limited accordingly. Please address these issues and revise this and all other appropriate sections of this application accordingly.

3. Section 4, Table 1 - Material Quantities For Recycling, Processing, and Composting Facility: There are multiple inconsistencies between this table and the facility site plans. For example, this table indicates multiple "hoppers" for aluminum cans stored at the CDA, however Sheet 1 of 1 "Loading Area Site Plan" shows no area designated for aluminum can hoppers. Sheet 1 of 1 "Loading Area Site Plan" shows a "Loose Tin Can" storage area, but "Loose Tin Cans" are not listed on Table 1. Please verify that all material types, maximum storage quantities, storage methods, required area dimensions, and storage locations identified in Table 1 are consistent with locations and dimensions identified on the site plans for the facility and revise this table and/or the facility site plans accordingly.

4. Section 4, Supplemental Information For Long-term Care: Please provide following additional information in regard to this section:

a. Your response letter indicates that the facility has been recently re-permitted for storm water by SWFWMD. Please provide a copy of the referenced SWFWMD permit issued to the facility along with the associated as-built drawings.

5. Section 4, Report of Effectiveness of Landfill Design: Please provide following additional information in regard to this section:

a. The geotechnical testing referenced in this section and provided as an attachment to this submittal is the subsurface exploration investigation conducted in support of construction of the Compost Finishing Building, and therefore does not address the effectiveness of the landfill design or the "effects on the site... due to landfill operations at the subject site." Please provide or reference the documentation and/or investigations conducted that were utilized to support the conclusion presented in this section and revise this section accordingly.

(Comment #5, cont'd)

b. The geotechnical testing referenced in this section and provided as an attachment to this submittal is the subsurface exploration investigation conducted in support of construction of the Compost Finishing Building, and therefore does not address settlement or sloughing of the closed landfill or foundation support of the landfill. Please provide or reference the documentation and/or investigations conducted that were utilized to substantiate the conclusion that "No settlement or sloughing has occurred due to foundation support" and revise this section accordingly.

c. The facility procedures for repair of the asphalt final cover for Phase III noted in your response letter reiterates the current facility procedures for asphalt cover repair, which have been ineffective in addressing the issue of subsidence, cover integrity and drainage. The letter was unresponsive to subsidence and drainage issues at the outdoor compost pads. The most recent inspection of the facility by the Department noted continuing chronic subsidence of the asphalt cover over Phase III and the outdoor finished compost storage pad, affecting drainage in the area. Please provide the supporting information that was used to substantiate the conclusions provided in this section or provide a plan for correction of the settlement on the closed landfill and revise this section accordingly.

d. During recent inspections, the Department has observed areas of significant settlement on the closed landfill. Please explain how the landfill cover "is effective and has operated as designed" in spite of significant settlement in grassed cover and cracking and settlement in the asphalt cover, and revise this section accordingly.

e. Please provide a current topographic survey that shows the current condition of all of the closed landfill areas.

6. Section 4, General Maintenance for the Covered Areas of the Closed Class I Landfill - Areas Covered with Liner, Soils, and Grass: This section references documentation maintained at the site that identifies areas of repair. Based on recent inspections, the facility operator is unaware of the existence of such documentation. Please explain this discrepancy. Please revise this section to describe the procedures used to verify that repairs are completed to match the designed slope of the cover.

7. Section 4, General Maintenance for the Covered Areas of the Closed Class I Landfill - Area Covered with Asphalt: Contrary to the statement made in your response letter, limerock and/or recycled asphalt materials are frequently used to repair cracks and subsidence in the asphalt cover, without subsequent repaving. Therefore, the current facility procedures for asphalt cover repair, have been ineffective in addressing the issue of subsidence, cover integrity and drainage. Please provide a proposed corrective action plan that addresses the repairs to the asphalt final cover of Phase III that the facility plans on implementing once the recycled materials storage and processing operation is moved. Please revise this section to include revised procedures for monitoring and maintenance of the asphalt cover and procedures for repair of future subsidence, cracking, and ponding that may occur. This section references documentation maintained at the site that identifies areas of repair. Based on recent inspections, the facility operator is unaware of the existence of such documentation. Please explain this discrepancy. Please revise this section to describe the procedures used to verify that repairs are completed to match the designed slope of the cover.

8. Rules 62-701.320(7)(e) and 62-701.710(2)(h), F.A.C. Sumter County Solid Waste Facility Operations Manual, February 2003: Please provide the following additional information and revisions to the facility operation plan. Please provide a comprehensive Operations Manual that incorporates the responses to these comments.

a. Operations Manual: Please revise this section to reference the recyclables storage building and the outdoor finished compost storage pads as components of the facility, as previously requested.

b. Operations Manual, Section 1.2: With the exception of the reference to "odor masking aerosol spraying devices," the description of facility odor control procedures in this section reiterates the current facility procedures, which have been ineffective in minimizing reoccurring and confirmed complaints of off-site odor associated with facility operations. Please revise Section 1.2 of the Operation Manual to provide revised procedures for evaluating and minimizing off-site odors associated with facility operations. Please provide manufacturer's information on the "odor masking aerosol spraying device" and the aerosol masking agents proposed to be used. Please revise Section 1.2 of the Operation Manual to include the specific proposed operational procedures for implementation and use of the "odor masking aerosol spraying devices" as part the facility odor control procedures.

c. Operations Manual, Section 1.7: Please provide a description of the facility procedures for maintenance of the MRF building and the leachate collections system, including proposed frequency of maintenance and revise the Operational Manual accordingly.

d. Operations Manual, Section 3.1.1: Please clarify how often the Class I roll-off will be emptied in the MRF Building and that the Class I roll-off will be covered or tarped at the end of the day or during inclement weather and revise this section accordingly.

e. Operations Manual, Section 3.1.3: Please revise Attachment B to include biosolids as a special waste accepted at the facility, as previously requested.

f. Operations Manual, Section 4.1: Please revise this section to clarify how materials will be "processed" or "prepared" at the CDA.

g. Operations Manual, Section 4.2: Please revise this section to identify where in the process the aluminum cans are re-introduced.

h. Operations Manual, Section 4.2: This section provides that "Sorters at the bulky waste sorting station remove bulky waste..." and "The bulky waste is dropped into a truck..." Please confirm that a truck is located at the bulky waste sorting station or revise this section accordingly to accurately describe operation at the bulky waste sorting station.

i. Operations Manual, Section 4.3: Please provide plans that demonstrate that the direct feed conveyor is suitable for feeding biosolids into the digester system and that all leachate is contained.

*Inspection procedure?*

(Comment #8, cont'd)

j. Operations Manual, Sections 4.3.1 & 4.3.2: These sections state, "The material will stay in the digester for a period of 24 to 72 hours. No materials shall be removed... unless a residence time of 24 hours... has been maintained." Specific Condition #7.k. of the current compost facility permit provides that, "Materials shall remain a minimum of 72 hours in the digester unit, unless the permittee demonstrates that a reduced time period does not adversely affect the effectiveness of the composting process." If it is the permittee's intention to reduce the residence time for materials in both digesters, please provide supporting information, calculations, and data for each digester that demonstrates that a reduced time period does not adversely affect the effectiveness of the composting process. Please revise these sections to describe residence time in each digester, as appropriate.

k. Operations Manual, Section 4.3.1 & 4.3.2: Please provide supporting information, documentation, and calculations from similar digester operations that demonstrate that materials initially loaded in to the digester will not commingle with the previous day's loaded materials in the now combined first two-thirds of Digester #1 and throughout the entire length of Digester #2. Based on the findings of these demonstrations, please revise the narrative of these sections, as appropriate.

l. Operations Manual, Section 4.3.1 & 4.3.2: Assuming that it is demonstrated that that materials initially loaded into each digester will not commingle with the previous day's loaded materials in the now combined first two-thirds of Digester #1 and throughout the entire length of Digester #2, please revise these sections to provide a description of the facility's procedures for measuring the temperature and moisture of each day's batch of composting materials, along with a description of the temperature measuring procedures in the third compartment of Digester #1. Otherwise, please revise these sections to provide a description of alternate temperature measuring procedures.

m. Operations Manual, Section 4.3: Recent inspections have noted improper drainage of the biosolids storage area. Please revise this section to include a description of the operation of the biosolids storage area, including drainage. Please specify the type of biosolids used in the process. Your response letter states, "Please see revised Section 4.3 in the operations manual for this information." Section 4.3 has not been revised to include this description.

n. Operations Manual, Section 4.4: Recent site inspections and discussions with facility and county personnel have revealed that storage and screening of finished compost is occurring in a large area east of the Compost Finishing Building. The existence of this area is not addressed in this section nor is the storage and screening of materials in this area consistent with the composting finishing operations described in this section. Please explain what specific operations are occurring in this area, including the condition and classification of the compost materials that are being stored and processed in this area.

o. Operations Manual, Section 4.4: Please clarify where compost is stored until the analytical results are received and revise this section accordingly.

Compliance  
issue: no  
curb net  
keeps leachate  
from running  
out - doesn't  
drain to sump  
Compliance:

what finished  
product  
needs Type A  
screened to  
3/8"

Finished compost can be used for fill.

(Comment #8, cont'd)

p. Operations Manual, Section 4.5: This section indicates that compost is stored on the north compost pad "to stabilize as it ages" and "Any materials sold and removed from the facility for use will come from this pad." However, recent site inspections and discussions with facility and county personnel have revealed that materials stored and screened in the area east of the Compost Finishing Building are also sold or used as finished compost. In addition, facility personnel indicate that further screening of materials is also occurring on the north compost pad. Please address these inconsistencies and revise this section accordingly.

q. Operations Manual, Section 4.5: Your response letter states, "Wood chips may be placed on the closed center pad for composting. Only wood chips generated at the county facility will be placed on this pad. No other compost materials at the site will be mixed with the wood chips." However, discussions with facility personnel during the most recent site inspection revealed that biosolids are being added to the wood chips on this pad to promote composting. Please address this discrepancy and discuss the potential impacts of runoff from this compost pad into the adjacent "stormwater pond." As appropriate, please revise this section to accurately describe composting operations on the "central compost pad."

r. Operations Manual, Section 4.6: Please revise this section to provide waste handling procedures in the event of equipment failure (such as the loader), fire, or insufficient personnel.

s. Operations Manual, Section 5.1: Please see Comments 6 and 7 above regarding documentation and final cover repair and revise this section accordingly. Please revise this section to clarify the specifics of the "annual survey" referenced in this section. Please specify the time frames for implementation of the corrective actions discussed in this section.

t. Operations Manual, Section 5.3: Please provide a figure that shows all monitoring locations for groundwater, surface water (if applicable) and landfill gas.

u. Operations Manual, Section 6.1: Please clarify where "large quantities of dirt which will be used for fire control" will be stored. Please clarify if the "isolated area away from the active tipping area" is within the MRF building.

9. Appendix A - Hazardous Waste Manual: Please revise Appendix A to include the clarification information provided in your response letter.

10. Section 5., Appendix B - Management of Special Wastes and Miscellaneous Materials: Please identify the specific location at the facility where each of the special wastes and miscellaneous materials are being managed and stored. Your response letter indicated that Appendix B was revised to provide this information, however, no revisions to Appendix B were made.

11. Section 5, Appendix B - Management of Special Wastes and Miscellaneous Materials: Please revise Appendix B to identify the location at the facility where yard waste mulching operations will be conducted. Please revise the Operations Manual to provide a description of how the mulching operation will be conducted in accordance with Rule 62-709.320, F.A.C.

12. Section 5, Appendix B - Management of Special Wastes and Miscellaneous Materials: Please revise Appendix B or the Operations Manual to provide a detailed description of the facility's procedures for recycling automotive parts and recovering recyclable materials from electronics.

no longer  
adding wood  
chips - test  
pond water  
for fecal.

AA can be  
land applied.



13. Section 5, Appendix B - Management of Special Wastes and Miscellaneous Materials: Please revise Appendix B to include the description of the specific precautions and procedures used when removing the valves and releasing the remaining gas from propane tanks provided in your response letter.

14. Section 5, Appendix D - MRF/Processing Building Schematic: This schematic identifies an "Isolated Homeowner Drop-Off Area." Please provide a revised schematic that accurately identifies the proposed future use for this area.

15. Rules 62-701.710(2)(j) and 62-701.630(4)(c), F.A.C. Section 8, Financial Responsibility: Your response letter indicates that responses to most of the Department's March 24, 2003 comments regarding financial assurance would be provided under a separate cover letter. Therefore, the financial assurance will be evaluated as a whole once that information is provided.

16. Rules 62-701.320(9)(a), F.A.C. Certification of Construction Completion DEP Form #62-701.900(2) - Citizen Drop-off Area Construction & Sheet 1 of 1 "Loading Area Site Plan": Please provide the following additional information and revisions to the Certification of Construction Completion and associated plan sheet. Please provide a revised signed and sealed Certification of Construction Completion DEP Form #62-701.900(2) and revised signed and sealed drawings that incorporate the responses to these comments.

a. Sheet 1 of 1 "Loading Area Site Plan": This "as-built" plan sheet shows the "Wood Recycle Pole Barn" as a separate structure. Recent Department inspection of the facility revealed that it was constructed as an attachment to the "Modular Building." Please explain this discrepancy and revise the plan sheet accordingly.

b. Sheet 1 of 1 "Loading Area Site Plan": This "as built" plan sheet shows that the "Ramp" proposed at the west end of the Citizen Drop Off Area ("CDA") has been eliminated and the "Ramp" proposed next to the "Densifier" has not been constructed. Please explain how the Class III and C&D waste stored at the CDA will be loaded into vehicles for disposal and how the densifier will be loaded without the proposed ramps. If ramps are to be built, please identify the location of these ramps and indicated the proposed timeframe for completion of construction.

c. Sheet 1 of 1 "Loading Area Site Plan": This "as-built" plan sheet shows that the CDA was constructed at the "exact" elevations that were permitted. Please provide a copy of the survey utilized to confirm this or alternatively survey the CDA and provide a revised plan sheet with actual constructed elevations.

d. Sheet 1 of 1 "Loading Area Site Plan": This "as-built" plan sheet shows that the electronics and battery storage areas are "covered." However no "cover" has been constructed over these areas. Please explain this discrepancy, and revise this plan sheet accordingly.

e. Sheet 1 of 1 "Loading Area Site Plan": Information provided by the County on April 26, 2002 as part of the approved permit modification application indicated that the used oil tank "will be set up as it is currently setup at the new location shown on the plan." The used oil tank is currently located within a curbed containment area. A curbed containment area has not been constructed at the proposed "used oil" area at the CDA. Please explain this discrepancy, provide the proposed timeframe for completion of construction of this containment area and revise the "as-built" plan sheet accordingly.

*CDA is link  
to a lot of other items.*

(Comment #16, cont'd)

f. Sheet 1 of 1 "Loading Area Site Plan": Information provided by the County on April 26, 2002 as part of the approved permit modification application indicated that "The densifier... will be relocated under roof in the area shown." A roof has not been constructed at the proposed "densifier" area at the CDA. Please explain this discrepancy, provide the proposed timeframe for completion of construction of this roofed area and revise the "as-built" plan sheet accordingly.

17. Rules 62-701.320(9)(a), F.A.C. Certification of Construction Completion DEP Form #62-701.900(2) - Digester #2 and In-feed/Discharge and associated record drawings: Please provide the following additional information and revisions to the Certification of Construction Completion and associated record drawings. Please provide a revised signed and sealed Certification of Construction Completion DEP Form #62-701.900(2) and revised signed and sealed record drawings that incorporate the responses to these comments.

a. Sumter County Solid Waste Management Facility Sheet 1 of 1 "Force Infeed/Discharge ": This "record drawing" plan sheet shows no notations of any deviations in construction from the permitted design drawings. Please verify that, in fact, no deviations occurred in construction. Alternately, please provide a revised "record drawing" plan that identifies all deviations that occurred during construction.

b. Sumter County Solid Waste Management Facility Sheet 1 of 1 "Ram Wall", Springstead Engineering, February 11, 2002": Please provide "record drawing" of the construction completed in accordance with the proposed construction depicted on this permitted design plan sheet, including notations of deviations in construction from the design plans.

c. Compost Finishing Building Secondary Digester Bay Addition Sheet 1 of 1 "Force Infeed/Discharge ": This "record drawing" plan sheet shows no notations of any deviations in construction from the permitted design drawings. Please verify that, in fact, no deviations occurred in construction. Alternately, please provide a revised "record drawing" plan that identifies deviations that occurred during construction.

d. Compost Finishing Building Secondary Digester Bay Addition Sheet 2 of 2 "Details": This "record drawing" plan sheet shows no notations of any deviations in construction from the permitted design drawings. Please verify that, in fact, no deviations occurred in construction. Alternately, please provide a revised "record drawing" plan that identifies deviations that occurred during construction.

e. F.O.R.C.E. Solid Waste Digester II Sheet 1 of 2 "Site Plan": This "record drawing" plan sheet shows no notations of any deviations in construction from the permitted design drawings. Please verify that, in fact, no deviations occurred in construction. Alternately, please provide a revised "record drawing" plan that identifies deviations that occurred during construction.

f. F.O.R.C.E. Solid Waste Digester II Sheet 2 of 2 "Foundation Plan": This "record drawing" plan sheet shows no notations of any deviations in construction from the permitted design drawings. Please verify that, in fact, no deviations occurred in construction. Alternately, please provide a revised "record drawing" plan that identifies deviations that occurred during construction.

g. Plan Sheets #69-4133, 69-4134, 69-4135, 69-4136, 69-4138, 69-4152A, 69-4154A, 69-4154B, 69-4155, 69-4157, and 69-4144A, dated October 2, 2001, prepared by A-C Equipment Services: Please provide "record drawings" of the construction completed in accordance with the proposed construction depicted on these permitted design plan sheets, including notations of deviations in construction from the design plans.

**The following comments are for information only at this time and do not require an immediate response:**

1. Please be advised that pursuant to Rule 62-4.070(5), F.A.C., the Department shall take into consideration a permit applicant's violation of any Department rules at any installation when determining whether the applicant has provided reasonable assurances that Department standards will be met. As indicated in Comment #2.b., 5.c., 5.d., 6, 7, 8.b., 8.k., 8.m., 8.n., 8.p., 8.q., and 8.s. above, it appears that the facility has not been operated in accordance with its permitted design.

2. The Record Drawings provided do not appear to accurately reflect the as-built condition or that construction is complete. Please be advised that the Department cannot approve the construction completion or operation of these areas or systems until sufficient as-built information is provided. The as-built information must demonstrate that the area or system was constructed in accordance with the permitted plans and is ready for operation. The operation of Digester #2 and its appurtenances and the CDA are not approved at this time.

**Please provide all responses that relate to engineering for design and operation, including plan sheets, signed and sealed by a professional engineer. Responses that relate to the facility operations should be included as part of the Operation Plan. All replacement pages should be numbered, and with revision date.**

"NOTICE! Pursuant to the provisions of Section 120.60, F.S., if the Department does not receive a response to this request for information within 90 days of the date of this letter, the Department may issue a final order denying your application. You need to respond within 30 days after you receive this letter, responding to as many of the information requests as possible and indicating when a response to any unanswered questions will be submitted. If the response will require longer than 30 days to develop, you should develop a specific timetable for the submission of the requested information for Department review and consideration. Failure to comply with a timetable accepted by the Department will be grounds for the Department to issue a Final Order of Denial for lack of timely response. A denial for lack of information or response will be unbiased as to the merits of the application. The applicant can reapply as soon as the requested information is available."

You are requested to submit 3 copies of your response to this letter as one complete package with an original and two copies of all correspondence (with one copy sent to Ms. Susan Pelz). It is strongly recommended that you contact the Department as soon as possible to set up a meeting to discuss this letter and subsequent submittals. Please contact me at (813) 744-6100 ext. 385 to schedule the meeting.

Sincerely,

Steven G. Morgan  
Solid Waste Section  
Southwest District

SM/sgm

Attachment

cc: David Springstead, P.E., Springstead Engineering 727 South 14<sup>th</sup> Street, Leesburg, Fl.  
34748  
Virginia Watson, Sumter County, 209 N. Florida Street, Bushnell, Florida 33513  
Francine Joyal, FDEP Tallahassee  
Susan Pelz, P.E., FDEP Tampa  
John Morris, P.G., FDEP Tampa