

Borderieux, Scott

From: Borderieux, Scott
Sent: Friday, October 4, 2019 3:19 PM
To: Henry C. Norris
Cc: Madden, Melissa
Subject: FW: Citrus County Central Landfill Whistle-blower Complaint, Citrus County Central Landfill FDEP Permit No, 21375-025-SO/018-01

Henry,

Here is the text of the complaint we referenced yesterday. Thanks.

Scott

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From: Ray Oates <rayoates.ro@gmail.com>
Sent: Thursday, September 26, 2019 3:59 AM
To: Randy.Oliver@citrusbocc.com; june.randall@citrusbocc.com
Cc: Fuller, Candie <Candie.Fuller@dep.state.fl.us>; Madden, Melissa <Melissa.Madden@FloridaDEP.gov>
Subject: Citrus County Central Landfill Whistle-blower Complaint, Citrus County Central Landfill FDEP Permit No, 21375-025-SO/018-01

Dear Mr. Oliver:

I am submitting this correspondence to you as the Chief Executive Officer/Administrator of Citrus County. I am currently an employee of the Citrus County Department of Public Works, Division of Solid Waste Management as the Compliance Manager for the Citrus County Central Landfill (CCCLF). I am a Professional Geologist in the State of Florida, and have been since 1988.

I am formally requesting protection under Florida Statute 112.3187 (Whistle-blower/s Act) for adverse actions against an employee for disclosing information of a specified nature prohibited by an employee and his or her remedy and relief. I am scheduled for a Pre-Determination Conference on September 27, 2019 at 9:00; based upon a recommendation from my supervisor to terminate me for "negligence".

The CCCLF has been in a consent order (#05-1078) with the FDEP since 2005 for the migration of groundwater and landfill gas contamination that exceed State standards (Florida Administrative Code 62-701.510(3), 620701.510(4), 62-701.730(10), 62-730(8)(f) and 62-713.400(3). The Consent Order has resulted in several millions of dollars in additional operating and long-term care costs. There are several locations within

the CCCLF that have explosive methane gas concentrations, yet workers there do not know where they are, nor are any safety procedures in place for when work is being done in those areas.

Since the inception of my employment in the Spring of 2017, I have discussed with my supervisors several critical applicable regulatory requirements of a Class III landfill, for which I feel were being avoided or not reported as required by the CCCLF's permit from the FDEP. The responses I received to my concerns were always ignored

and was repeatedly told "that this is the way we always do it". A great additionally monetary burden has been absorbed by the County as it pertains to annual monitoring costs for groundwater and landfill gas monitoring and mitigation, and long-term care cost (currently estimated at above \$12,000,000) due to the current operations at the CCCLF. I feel the taxpayers of Citrus County deserve better.

I feel the accusations made against my employment record reflect the desire of my supervisors to silence my objections to on-going operations at the Citrus County Central Landfill, which seems to be to norm for employees that "buck the system" at the CCCLF. It is widely believed among the employees at the CCCLF that if you make objections about the operations there that management will discipline you to the point of dismissal to avoid having to address your concerns.

I have been relegated to a half-time cashier position in the last few months and I have been disciplined repeatedly for not "securing" a \$100.00 petty cash box that was assigned to me. The cash box is secured at all times within a locked cash drawer, within a locked building having both security cameras and an alarms, within a that is kept within a locked (after 4:30 pm) landfill. I can find no requirement within the County's Cash Handling Administrative Regulation (AR.6.07, Procedure 4. dated April 12, 2016). that clarifies the definition of "secured".

I admit I am not a good "cashier", I have left the cash box in the locked drawer on days which I had leave late in the day for dentist or doctors appointments, when my cash box was not used on those particular days. I feel that my supervisor refused to move the cash box from the locked drawer to the safe at night in order to initiate disciplinary action and hasten my employment with the CCCLF because I disagreed with the way critical operations at the landfill were being or not being performed.

I believe the "cashier" activity is not a "related duty" in respect to my other duties included in my job description as the Compliance Manager at the CCCLF.

Feeling that my concerns and objections regarding operational matters have been ignored, I feel that it is in the best interest of Citrus County that these allegations be heard. The following are some of my greatest concerns:

1. Leachate pump operations and reporting. This issue is addressed within the CCCLF's permit which is referenced above. I believe that the CCCLF has failed to accurately report facts and data concerning the operation, maintenance and repair of the leachate monitoring system. Leachate pumps are are being turned on and off on a daily basis to avoid compliance reporting requirements for the secondary liner exceedances in Phase I, II and III which are submitted through me to the Florida Department of Environmental Protection (FDEP).

Additionally no maintenance program exists for the pumps, which often fail and take several weeks or more to repair. When the pumps are down, more that a foot of leachate (the regulatory limit) accumulate adding additional stress upon the secondary liner which can result in leachate migration. Reports that I am referring to include the Quarterly Leachate Reports sent to the FDEP throughout 2018 and 2019. Evidence that the pumps are being manipulated manually are recorded within Citrus County Utilities Leachate Collection Operators Log Book, dated, July 6, 2017 through ?, located within the CCCLF's Administrative Office.

2. Inappropriate maintenance of leachate seeps located within Phase I and II of the landfill (FDEP Inspection 06/05/19, comment 2.21) which contaminate the storm water holding pond known as Dry Retention Area (DRA) located on the south of the landfill. The DRA is contaminating up gradient portions of the landfill and the contiguous property owned by the Florida Division of Forestry and the Director of the CCCLF is aware of this and nothing is being done to prevent it from occurring.

3. Strong landfill gas odors in the areas of the office due to the inappropriate application of alternate daily cover (ADC, consisting of ground yard waste and/or sand).

4. Unauthorized confined space entry work in the leachate tanks at the CCCLF (Chapter 29 Code of Federal Regulations Part 1910.146). My supervisors routinely ignore Federal Health and Safety regulations in order to "get the work done" with little or no regard to worker safety. In the past, Citrus County Jail prisoners and CCCLF employees have been utilized to perform these tasks, for which they are untrained and non-certified to do, which endanger both their health and safety. Last week (September 18), a County worker was injured within a tank that he should not have been in without proper planning, air monitoring and entry permitting.

5. Non-reporting of annual site life calculations to the Citrus County Board of County Commissioners (BOCC) to disclose the actual remaining air-space within the landfill. The CCCLF has intentionally not reported these calculations because of Compactor equipment malfunctions and mis-management which have reduced compaction densities far below industry standards. The BOCC should know exactly how long the landfill has remaining air-space, as it is being consumed at an abnormally high annual rate, due the way the CCCLF is being operated.

6. False reporting (September 2019) pertaining to the County's intent to increase recycling rates which do not meet the FDEP's mandate of achieving a 70% recycling rate by 2020.

I have discussed these sorts of issues with my supervisor's at the CCCLF on many occasions and have documented many of them as the CCCLF's Records Manager through "e-bridge" and FDEP OCULUS Reporting System submittals. I look forward to discussing these items with your staff this Friday at 9:00 am in the Human Resource Office.

Respectfully,

Ray Oates, PG
Compliance Manager
Citrus County Division of Solid Waste Management