



FLORIDA DEPARTMENT OF Environmental Protection

Southwest District Office
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Temple Terrace, Florida 33637-0926

Ron DeSantis
Governor

Jeanette Nuñez
Lt. Governor

Noah Valenstein
Secretary

November 20, 2020

Kim Byer, P.G., Director
Hillsborough County Solid Waste Management Division
332 N. Falkenburg Rd.
Tampa, FL 33619
ByerK@hillsboroughcounty.org

RE: Notice of Evaluation Monitoring for Monitoring Well TH-83
Hillsborough County Southeast Class I Landfill
15960 County Road 672, Lithia, FL 33547
WACS Facility ID No. 41193
DEP Permit No. 35435-022-SO/01

Dear Ms. Byer:

The Florida Department of Environmental Protection (Department) has reviewed supplemental groundwater monitoring reports submitted for the referenced facility as required by OGC Case No. 17-0058 to evaluate ground water quality south and east of Phase II of the permitted landfill. A review of the last ten supplemental sampling events (1st Quarter 2018 through the 2nd Quarter 2020) indicates the following groundwater standards and minimum criteria were exceeded during one or multiple sampling events conducted during this timeframe:

- Monitoring well TH-83 (WACS Testsite No. 30399), a detection well completed in the surficial aquifer exceeded groundwater standards/minimum criteria and/or resulted in concentrations significantly above background levels for sodium, total dissolved solids (TDS), chlorides, pH and ammonia.

Appendix 3, Section I, Specific Condition 4 of the approved Water Quality Monitoring Plan included in Permit No. 35435-022-SO/01, provides the opportunity for the permittee to conduct a confirmatory sampling event within 30 days of receipt of laboratory data that indicates parameters are present at concentrations significantly above background or that exceed the Department's water quality standards or minimum criteria. As no subsequent confirmatory resampling events were submitted, the Department considers the results of the samples collected during the 1st Quarter of 2018 through the 2nd Quarter of 2020 to be representative of ground water conditions at the facility.

Appendix 3, Section I, Specific Condition 4 of the approved Water Quality Monitoring Plan also states that upon notification by the Department, the permittee shall initiate evaluation monitoring, prevention measures and corrective action as described in Rule 62-701.510(6)(a), Florida Administrative Code (F.A.C.). This letter serves as written notice that implementation of evaluation monitoring is required, including the following:

1. In accordance with Rule 62-701.510(6)(a)1., F.A.C.: Continue routine monitoring of all monitoring wells and surface water monitoring locations as specified in the above-referenced permit.
2. In accordance with Rule 62-701.510(6)(a)2., F.A.C.: On or before February 18, 2021 and annually thereafter, detection well TH-83 and background well TH-22A shall be sampled and analyzed for the parameters listed in Rule 62-701.510(7)(c), F.A.C. and a groundwater lab analysis report should be submitted to the Department. Any new parameters detected and confirmed in TH-83 shall be added to the routine ground water monitoring parameter lists required in the referenced permit (per Rule 62-701.510(6)(a)2., F.A.C.).
3. In accordance with Rule 62-701.510(6)(a)3., F.A.C.: On or before February 18, 2021, a compliance well shall be installed at the edge of the zone of discharge and downgradient from monitoring well TH-83 at a previously agreed upon location. The zone of discharge has been established as extending horizontally 100 feet from the limits of the liner (Phase II). The compliance well shall be installed according to the requirements of Rule 62-701.510(3)(d), F.A.C. The compliance well shall be sampled and analyzed for the parameters listed in Rule 62-701.510(7)(a), F.A.C. and any other parameters detected in TH-83 and quarterly thereafter. The compliance well and affected detection well shall be sampled and analyzed annually for the parameters listed in Rule 62-701.510(7)(c), F.A.C.
4. In accordance with Rule 62-701.510(6)(a)4., F.A.C.: Within 180 days of the date of this letter, please submit a Contamination Evaluation Plan to the Department. The plan shall be designed to delineate the extent and cause of the contamination, predict the likelihood that Department water quality standards will be violated outside the zone of discharge and evaluate methods to prevent any such violations.
5. Upon agreement between the Department and the permittee that the Contamination Evaluation Plan is appropriately designed, the plan shall be implemented and a Contamination Evaluation Report shall be submitted in accordance with the schedule presented in the plan. All reasonable efforts shall be made by the permittee to prevent further degradation of water quality from the facility's activities.
6. In accordance with Rule 62-701.510(6)(a)5., F.A.C.: If the quarterly groundwater lab analysis reports or the Contamination Evaluation indicates that water quality standards or criteria are likely to be violated outside the zone of discharge, the permittee shall, within 90 days, submit a Prevention Measures Plan to the Department. Upon the Department's approval, the permittee shall initiate preventative measures to prevent such violations.
7. If any contaminants are detected and confirmed in the compliance well in concentrations that exceed both background levels and Department water quality standards or criteria, then the permittee shall notify the Department within 14 days of this finding and shall either pursue a demonstration that the exceedance is not related to the solid waste disposal unit in accordance with the requirements of Rule 62-701.510(6)(a), F.A.C., or shall initiate corrective actions that shall comply with the applicable provisions of Chapter 62-780, F.A.C.

The Department's agency action shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, F.S., before the deadline for filing a petition. The procedures for petitioning for a hearing are set forth below.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by other persons must be filed within 14 days of publication of the notice or receipt of the written notice, whichever occurs first. Under Section 120.60(3), F.A.C., however, any person who asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication. The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57, F.S., or to intervene in this proceeding and participate as a party to it. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205, F.A.C.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner, the applicant's name and address, the Department File Number and the county in which the project is proposed;
- (b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- (c) A statement of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of all material facts disputed by petitioner or a statement that there are no disputed facts;
- (e) A statement of the ultimate facts alleged, including a statement of the specific facts which the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action the petitioner wants the Department to take with respect to the Department's action or proposed action.

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If you have any questions, please contact Mr. Justin Chamberlain, by email at justin.chamberlain@floridadep.gov or by phone at (813) 470-5725. In an effort to reduce costs and waste, the agency is requesting all future submittals be sent in electronic format.

Sincerely,



Mary E. Yeargan, P.G.
Southwest District Director
Florida Department of Environmental Protection

KB/mm/jc

ec: Jeffrey Greenwell, Hillsborough County Public Utilities, GreenwellJ@hillsboroughcounty.org
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