



Florida Department of Environmental Protection

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October 27, 2009

Certified Mail Return Receipt No. 7008 0150 0003 4893 8404

Chairman John Thrumston
Citrus County Board of County Commissioners
110 North Apopka Avenue
Inverness, Florida 34450

RE: Status of Compliance
Consent Agreement OGC Case No. 05-1078
Citrus County Central Class I Landfill and Closed Class I Landfill
Citrus County

Dear Chairman Thrumston:

This letter has been prepared as a follow-up to the Department's February 5, 2008 "Status of Compliance" letter and provides the Department's summary of the Citrus County Board of County Commissioner's (the County's) compliance with the Consent Agreement No. 05-1078, which was executed on September 20, 2005, as summarized below.

Paragraph 6 states "The approved 'Groundwater Investigation Plan' shall be incorporated herein and made a part of this Consent Agreement, as Exhibit A, and the Respondent shall implement the proposals in the Groundwater Investigation Plan pursuant to the approved schedule."

Compliance Status:

- Compliance with this Consent Agreement requirement is **pending at this time** because site assessment activities in accordance with Rule 62-780.600, F.A.C. have not been concluded. The Department received the submittal, "Citrus County Central Landfill, Site Assessment Report in Accordance with Chapter 62-780.600(8), F.A.C., Response to FDEP Request for Additional Information Received September 4, 2008," prepared by Jones Edmunds & Associates, Inc. (JEA), on January 27, 2009. The Department has not yet provided written comments on this submittal to the County, but discussed preliminary concerns with the County in a meeting on September 17, 2009.

Paragraph 7 states "The approved 'Landfill Gas Compliance Action Plan' shall be incorporated herein and made a part of this Consent Agreement, as Exhibit B, and the Respondent shall implement the proposals in the Landfill Gas Compliance Action Plan pursuant to the approved schedule."

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 8 states "Within 90 days of the effective date of the Consent Agreement, the Respondent shall install and develop ground water monitoring wells MW-10 through MW-15 and MW-17 within 100 feet of the edge of waste disposal cells, conduct an "initial sampling event" at these wells, and submit a summary report of the initial sampling event results to the Department with recommendations regarding the need to conduct further assessment activities, as summarized in Exhibit A."

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 9 states "Within 90 days of the effective date of the Consent Agreement, the Respondent shall install new landfill gas monitoring probes GP-1 through GP-18, submit a to-scale construction drawing of the new gas monitoring probes, and submit gas monitoring data results to the Department, as summarized in Exhibit B. Existing gas monitoring probes shall not be abandoned until the lease expansion agreement referenced in Paragraph 10 is submitted to the Department and the permit modification referenced in Paragraph 11.a. is issued."

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 10 states "Within 90 days of the effective date of the Consent Agreement, the Respondent shall obtain a lease expansion agreement from the Division of Forestry/State Lands and submit a copy of this lease agreement to the Department. If the lease expansion agreement is not obtained within 90 days of the effective date of the Consent Agreement, the Department reserves the right to grant an extension of 30 days to Respondent to obtain such lease expansion agreement if an extension is warranted. If the Department grants a 30-day extension, then such 30-day extension shall automatically apply to Ordered Sections Paragraphs 11.a., 11.b., 11.c., 12.a. and 12.b."

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 11.a. states "Within 120 days of the effective date of the Consent Agreement, Respondent shall submit an application for a permit modification to the Department that addresses changes in the facility's boundaries, zone of discharge (ZOD), monitoring well network, routine ground water sampling frequency, and landfill gas monitoring system."

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 11.b. states "If exceedances of ground water standards (primary drinking water standards listed in Rule 62-550.310, F.A.C.) or minimum criteria as specified in Chapter 62-520, F.A.C., are reported in the initial sampling event results referenced in Paragraph 8, then within 150 days of the effective date of the Consent Agreement, the Respondent shall commence site assessment activities at the affected new wells (MW-10 through MW-15 and MW-17) at the new ZOD in accordance with Chapter 62-780, F.A.C. The Respondent shall conduct site assessment activities and submit a Site Assessment Report in accordance with the requirements of Rule 62-780.600, F.A.C., as summarized in Exhibit A."

Information Received:

- Document entitled "Citrus County Central Landfill Groundwater Investigation Report – Response to FDEP Request for Additional Information," prepared by JEA, dated September 2006, received September 15, 2006;

Department Action:

- The above document indicates that monitoring well MW-10 demonstrated exceedances of the ground water standard of 1 ug/L for vinyl chloride. The July 2006 sampling result was 5 ug/L and the August 2006 resampling result was 2 ug/L. The Department October 26, 2006 letter notified the County that site assessment activities at the affected well MW-10 were needed and that a Site Assessment Report was required to be submitted to the Department within 270 days of September 1, 2006, or by October 26, 2007.

Information Received:

- The Department received the Site Assessment Report (SAR), prepared by JEA, on October 22, 2007.

Department Action:

- The Department's September 4, 2008 letter notified the County that the SAR did not contain information adequate to support the conclusions regarding the applicable site assessment objectives in Rule 62-780.600(3), F.A.C., and that the recommendation to implement Natural Attenuation with Monitoring was not supported by the applicable criteria in Rule 62-780.600(8), F.A.C. The Department requested the submittal of a Site Assessment Report Addendum (SARA) within 60 days (by November 3, 2008) that included a recommendation to prepare either a Remedial Action Plan as required by Rule 62-780.700, F.A.C. or a risk assessment or a Risk Assessment work plan as required by Rule 62-780.650, F.A.C.

Information Received:

- On October 16, 2008, the Department received via email from JEA on behalf of the County a request for an extension until February 2, 2009 to submit the SARA. On November 4, 2008, the Department approved this request;
- On January 27, 2009, the Department received the submittal entitled, "Citrus County Central Landfill, Site Assessment Report in Accordance with Chapter 62-780.600(8), F.A.C., Response to FDEP Request for Additional Information Received September 4, 2008," (the County's SARA), prepared by JEA.

Department Action:

- On September 17, 2009, at the County's request, the Department met with the County to discuss permitting, enforcement, and compliance issues at to the Citrus County Class I Landfill and Closed Class I Landfill. During the meeting, the Department verbally provided an overview of its review comments on the County's SARA. In an October 8, 2009 email to the County, the Department summarized its review comments on the County's SARA from the September 17, 2009 meeting and indicated that the Department would provide detailed technical review comments to the County at a later date.

Compliance Status:

- Compliance with this Consent Agreement requirement is **pending at this time** because site assessment activities in accordance with Rule 62-780.600, F.A.C. have not been concluded.
- Please note that if exceedances of ground water standards or minimum criteria are reported in future routine sampling event results for compliance wells MW-11 through

MW-15 and MW-17, then the additional affected wells shall be included in site assessment activities.

Paragraph 11.c., 11.d., and 11.e. states "If exceedances of Rule 62-701.530(1)(a), F.A.C., are reported in the gas monitoring data results referenced in Paragraph 9, then within 150 days of the effective date of the Consent Agreement, the Respondent shall complete installation of passive gas vents, as described in "Phase 2" of the approved Landfill Gas ("LFG") Compliance Action Plan, at the new property boundary,..."

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 12 states "If the lease expansion agreement referenced in Paragraph 10 is not obtained and submitted to the Department within 90 days of the effective date of this Consent Agreement, or in accordance with an extension granted by the Department..."

Compliance Status:

- This paragraph is not applicable because the lease expansion agreement was obtained. The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 13 states "Upon review of the submittals required by this Consent Agreement, 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."

Compliance Status:

- The facility is considered to be **in compliance** with this Consent Order requirement because the Department has not requested, and is not waiting on information from the County at this time.

Paragraph 14 requires the payment of \$3,000.00 in costs and expenses incurred by the Department during investigation of this matter, within 30 days of the effective date of the Consent Agreement.

Information Received:

- This payment was due to the Department on October 20, 2005. The Department received a check for \$3,000.00 from the County on August 15, 2005.

Compliance Status:

- The requirements of this paragraph have been **completed**. No further action is required.

Paragraph 15 states "Respondent agrees to pay the Department stipulated penalties in the amount of \$100.00 per day for each and every day Respondent fails to timely comply with any of the requirements of paragraphs 6-14 of this Consent Agreement..."

Department Action:

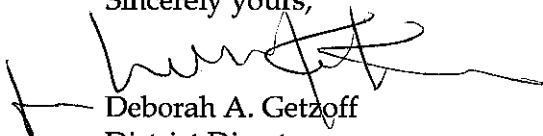
- No stipulated penalties have been assessed to date.

Compliance Status:

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

If the County has any questions about this letter, please contact me at (813) 632-7600, ext. 352,
Susan Pelz, P.E., ext. 386, or Stephanie Watson, ext. 451.

Sincerely yours,



Deborah A. Getzoff
District Director
Southwest District

dag/sw

ec:

- William Kutash, P.G., Waste Program Administrator, FDEP SWD
- Susan Pelz, P.E., FDEP SWD
- Steve Morgan, FDEP SWD
- John Morris, P.G., FDEP SWD
- Glenn McCracken, Director, Citrus County Public Works
- Susan Metcalfe, P.G., Citrus County Solid Waste Management Division Director