



Updated Preapproval Remediation System Equipment Guidance

The Florida Department of Environmental Protection (FDEP) has announced changes in the Petroleum Cleanup Preapproval Program procedures pertaining to remediation systems. **As of August 11, 2009, the mandatory re-use of existing State-owned remediation systems has been temporarily suspended.**

Previously, the June 12, 2009, *Revised Petroleum Cleanup Preapproval Program Procedure Modifications to Address the FY 2009-2010 Budget Reduction* had included the provision "Any site with a score of 60 or greater (or otherwise authorized) for which a remedial action plan (RAP) has been approved that requires an active remediation system shall be required to utilize an existing State-owned system, with necessary repairs and modifications, for implementation of active remediation." This requirement has been suspended until more comprehensive guidance is finalized.



For applicable sites, the requirement in Section VI of the March 1, 2004 (Revised February 15, 2008), Remedial Action Initiative (RAI) to provide a cost benefit analysis "to determine whether leasing of the remediation equipment will be more cost effective overall than purchase" as part of a proposal for RA Construction will again take precedent.

The August 11, 2009, FDEP Equipment Reuse Announcement, and the February 15, 2008, RAI can be found at:

<http://www.dep.state.fl.us/waste/categories/pcp/pages/announcements.htm>

http://www.dep.state.fl.us/waste/categories/pcp/pages/ra_initiative.htm

For additional information, please contact David Singleton, P.G., at (954) 519-1429 or dsingleton@broward.org.

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Limited Source Removal Initiative (LSRI) Extension

The Florida Legislature has authorized the Florida Department of Environmental Protection (FDEP) to provide funding for limited source removals of contaminated soil performed in conjunction with underground storage tank (UST) upgrade activities. The expiration date for the existing Limited Source Removal Initiative (LSRI) program has recently been extended from June 30, 2009 to June 30, 2010. The eligibility requirements for this funding are:

- The discharge must be determined eligible in a cleanup program,
- The eligible discharge must be scored below the priority score funding threshold (currently 60), or is not otherwise funded with state money,
- Tanks must be replaced at the facility in accordance with Secondary Containment requirements in 62-761, F.A.C.,
- Tank removal occurs in an area in which the associated soils would be inaccessible for remediation in the future,
- There is a limit of 10 sites per owner / Responsible Party / related party each fiscal year, and,
- There is a limit of \$50,000 per facility (exceptions can be made to allow up to \$100,000).



Allowable costs associated with the LSRI are limited to specific activities, such as supplemental soil assessment, soil screening and sampling, soil removal, backfilling, treatment or disposal of contaminated soil, dewatering (with conditions), treatment and/or disposal of contaminated groundwater, and preparation of the Source Removal Report. Additional benefits may apply if the site qualifies for No Further Action or Natural Attenuation Monitoring following the source removal. Specifically, the FDEP may continue funding of monitoring to qualify the site for Site Rehabilitation Completion with or without conditions. Please note that having a Site Rehabilitation Funding Allocation (SRFA) agreement in place or in negotiation does not necessarily exclude a site from participating in the LSRI.

LSRI funds will be distributed on a “first-come, first-served” basis. The order will be determined based on the date that a *complete* proposal is received by the FDEP. Facilities that have already upgraded their USTs to meet secondary containment standards will not be eligible for any costs associated with prior source removal activities. Funding provided under the LSRI will not count towards a facility's cleanup eligibility program cap, if applicable.

Very broadly, LSRI-eligible facilities will be facilities for which the following can be demonstrated:

- 1) Documented or “to-be-documented” soil contamination:
 - A qualifying soil sample can be collected which demonstrates soil contamination levels in exceedance of Soil Cleanup Target Levels (SCTLs),
 - The subject facility already has a documented, qualifying soil sample, or,
 - Free product is present in the vicinity of the petroleum storage system in a significant quantity to indicate there is contaminated soil.
- 2) Contingent funding – LSRI funds may be made available for sites where it is demonstrated that there is a reasonable expectation that soil contamination exists in an exclusion zone that is inaccessible for sample collection prior to UST removal activities. All funds will be strictly dependent on documentation of soil contamination.
- 3) Contingent funding, 2nd option – If an applicant cannot meet the criteria required in Option 1 or 2 listed above, LSRI funds may still be made available; however, only costs for impacted soil transportation, disposal, backfill, and a Source Removal Report will be allowed under this option.

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The options provided above are for applications for costs up to the \$50,000 funding cap. To be considered for an amount greater than \$50,000 (up to \$100,000), the proposal must demonstrate that it is cost-effective and environmentally beneficial to exceed that amount.

The FDEP's complete guidance document, titled *Revised Procedural and Technical Guidance for the Limited Source Removal Initiative in Conjunction with an Early Underground Storage Tank Upgrade*, effective July 1, 2005, and revised July 1, 2009, is available at the following FDEP website: http://www.dep.state.fl.us/waste/categories/pcp/pages/pg_documents.htm

Before commencing any work under the LSRI, the Preapproval Contractor Designation Form & Real Property Owner/Responsible Party Affidavit (CDF) must be completed and submitted by the current applicant to indicate their choice of Contractor for the Petroleum Preapproval Program. Refer to section 2.1 of the FDEP – Bureau of Bureau of Petroleum Storage Systems - Petroleum Cleanup Preapproval Program, Standard Operating Procedures (SOP), dated October 3, 2008, for more information on CDFs and Contractor Qualification requirements.

A copy of the SOP may be downloaded from the FDEP's website, here: <http://www.dep.state.fl.us/waste/categories/pcp/pages/SOP.htm>

FDEP's announcement concerning the LSRI Extension can be found at: <http://www.dep.state.fl.us/waste/categories/pcp/pages/announcements.htm>

Questions or comments concerning LSRI submittals to the FDEP should be directed to Diane Pickett, P.G. at (850) 222-6446, extension 265, or Kristin Bailey at extension 224. Questions regarding this article can be directed to Matthew Theisen, P.G., at (954) 519-0323 or mtheisen@broward.org.



Broward County Work Order Website Reminder

A reminder to all contractors working on sites in the Petroleum Preapproval Program — Broward County regularly posts updated versions of the spreadsheet workbooks for active Preapproval Work Orders on our website. The intent is to eliminate discrepancies identified during the invoice process by providing one original version of each Work Order that can be accessed by both the Consultant and the Broward County project manager. The website is updated weekly. Please download the workbook from the website and use it when preparing your Preapproval submittals!

To find a Work Order, click on the “FDEP Preapproval Program Work Orders” link on the Environmental Assessment and Remediation Section webpage located at: <http://www.broward.org/pprd/ppi01500.htm>

This will direct your browser to the following Work Order webpage: http://www.broward.org/pprd/fdep_workorders.htm



On the Work Order webpage you will find a list of consultants. Click on the name of a consultant and a list of all of their Work Orders currently active in Broward County will be displayed. You can download the Work Order by clicking on the provided link. Each Work Order is password protected. The five-digit contractor identification (CID) number for the applicable consultant acts as the password for that Work Order.

For additional information about the work orders or the website, please contact David Singleton, P.G., at (954) 519-1429 or dsingleton@broward.org, or Paul Waite, P.E., at (954) 519-1467 or pwaite@broward.org.

FDEP Releases Brownfields Program Annual Report

The Florida Department of Environmental Protection (FDEP) has released the Florida Brownfields Redevelopment Program 2008 Annual Report. The Report describes FDEP's progress and level of activity in implementing the Florida Brownfields Redevelopment Act established in 1997.

Highlights from the 2008 Annual Report include:

Brownfield Areas: 55 additional brownfield areas were designated, increasing the total number of brownfield areas in Florida to 222.

Brownfield Site Rehabilitation Agreements: Seventeen brownfield site rehabilitation agreements (BSRAs) were executed, bringing the Program total to 129.

Site Rehabilitation Completion Orders: Four site rehabilitation completion orders (SRCOs) were issued for sites that completed cleanup. The total number of SRCOs issued since inception of the Program is 24.

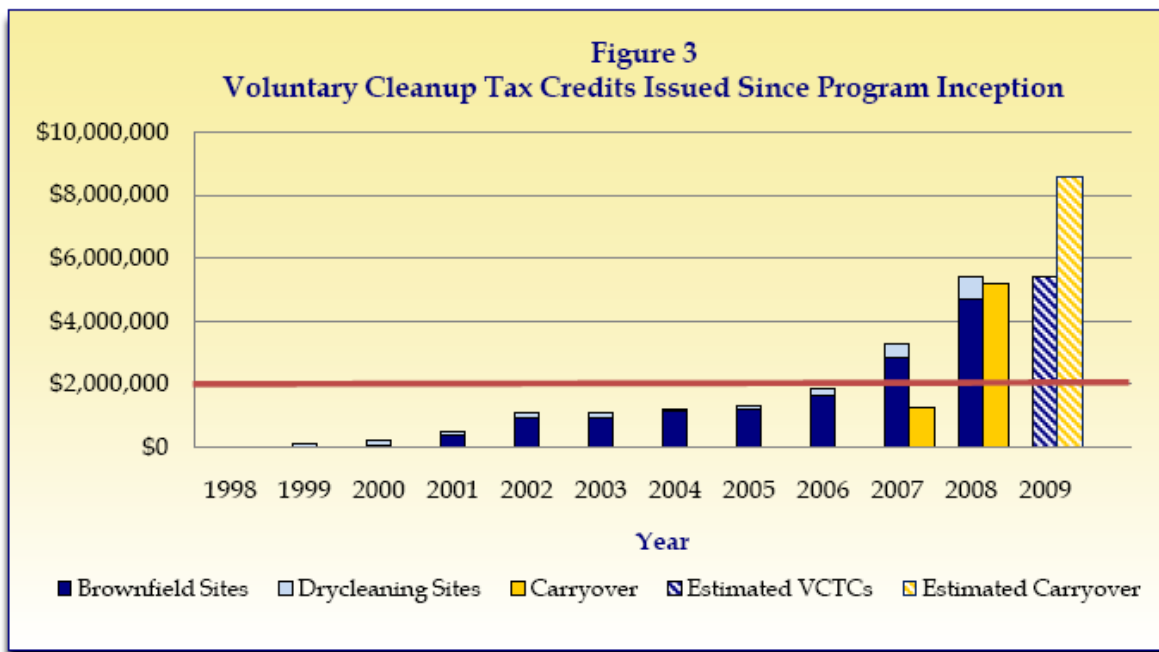
Voluntary Cleanup Tax Credits: FDEP received 40 tax credit applications, totaling close to \$4.7 million for site rehabilitation work completed at brownfield sites in 2008.

New Jobs: 2,232 new direct jobs, 5,873 new indirect jobs, and \$407,922,598 in new capital investment were attributable to the Florida Brownfields Redevelopment Program in 2008.

The cumulative totals for new job creation and capital investment attributable to the program from its inception in 1997 through December 31, 2008, are nearly 11,000 new direct jobs, more than 13,000 new indirect jobs, and nearly \$1.3 billion of capital investment in designated brownfield areas.

The Report is available from the FDEP website: <http://www.dep.state.fl.us/waste/categories/brownfields/pages/annual.htm>. This webpage includes links to past FDEP annual reports as well as annual reports by Broward, Hillsborough, and Miami-Dade Counties.

The main website for the Brownfields Redevelopment Program is: <http://www.dep.state.fl.us/waste/categories/brownfields/>.



For additional information, you may contact Paul Waite, P.E., at (954) 519-1467 or pwaite@broward.org.

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12th Annual Florida Brownfields Conference & Exhibition to Be Held in Tampa

The 12th Annual Florida Brownfields Conference & Exhibition will be held November 1-4, 2009, at the Hyatt Regency in Downtown Tampa, Florida. The Conference is presented by the Florida Brownfields Association (FBA) and brings together members of the regulatory, scientific, legal, financial, health, academic, and legislative communities. The theme of this year's conference is "Brownfields: Finding Green in the New Economy".

Attendance fees vary from \$250 per attendee in the non-profit sector (members of the FBA) to \$650 in the private sector (nonmembers of the FBA). Non-member rates include a one-year membership to the FBA.

Register by August 28 to receive an early registration discount. You can get more information and register for the conference online at

<http://www.floridabrownfields.org/>.

A block of rooms has been reserved at the hotel. Please call the Hyatt Regency at (800) 233-1234 and reference the "Florida Brownfields Conference" to receive the special conference rates. If you need additional information, you may also contact Gene Jones at gene@swix.ws or by phone at 850-558-0648.



Announcing the 15th Annual Florida Remediation Conference



The 15th Annual Florida Remediation Conference will be held October 15 and 16, 2009, at the Radisson WorldGate Resort in Kissimmee. Produced by the National Technical Communications Co., Inc. (publishers of the *Florida Specifier*), the Conference provides members of the environmental consulting, regulatory, and support service communities with the opportunity to learn about emerging treatment technologies and the state of environmental issues and science in a relaxed, casual atmosphere.

The technical agenda for the conference includes presentations on the remediation of petroleum contaminants, chlorinated solvents, arsenic, pesticides, and other contaminants. A panel discussion on the Florida Petroleum Cleanup Program is scheduled for the second day of the conference.

Registration for the 2009 Florida Remediation Conference is \$395 (For one day, \$225). Register by August 31 and receive an early registration discount.

The Conference registration form and agenda can be found at <http://www.enviro-net.com>. The fee includes registration for the conference, conference presentation materials, continental breakfasts, breaks, and luncheon(s). Room reservations should be made directly with the hotel by calling (407) 396-1400 or online at www.worldgateresort.com. Identify yourself as an attendee of the conference when booking your room.

Florida-registered Professional Engineers can earn continuing education credit for attending the Conference. In addition, the Florida Environmental Assessors Association and The International Society of Technical and Environmental Professionals have approved the conference for continuing education credit. For general questions about attending the 2009 Florida Remediation Conference, call (407) 671-7777, toll-free 1-800-881-6822, or email mreast@worldramp.net.