



Pilot Test Plans and the Remedial Action Initiative

With the advent of the Florida Department of Environmental Protection's (FDEP) Remedial Action Initiative (dated March 1, 2004), pilot tests must now be conducted at most Preapproval Petroleum Cleanup Program sites prior to choosing and implementing an active remediation strategy. Proposals to not conduct a pilot study must be submitted in writing, include the reasoning, and be approved by FDEP or the Local Program during the pre-Remedial Action Plan (RAP) meeting. The pilot test is critical in establishing the correct type, size, scale and scope of the proposed system. It is also used to determine if the proposed technology will be suitable for the site, to measure the radii of influence, and to establish design parameters for full-scale system design.

Prior to implementing a Pilot Test at Preapproval site, a Pilot Test Plan **must** be approved by FDEP or the appropriate Local Program. The FDEP has provided detailed guidance on Pilot Test planning and performance both within and in addition to the Remedial Action Initiative. In addition, the following issues are important to note:

- Wells - whether for extraction or injection (chemical, biological, or air sparging) - should not be installed prior to regulatory approval of the Pilot Test Plan. The FDEP or Local Program may not agree with the well location or well construction specifications on wells installed prior to plan approval.
- Any wells proposed for the pilot test should be designed so that they may be integrated into the final remediation design if the pilot test indicates that the technology is effective.
- When testing vacuum extraction, the highest groundwater elevations should be considered when determining if vapor extraction wells should be vertical or horizontal. This data should also be used to determine the appropriate vertical screen length. If the proper type of well is questionable, it may be appropriate to test both vertical and horizontal wells in order to determine which will be more effective.
- It may be appropriate to test more than one technology during one pilot test. For instance, extraction wells may be installed for both the purposes of soil vapor extraction and dual-phase extraction. This is important in determining whether or not vertical wells should intersect the groundwater table.

More information on the Remedial Action Initiative may be found at: http://www.dep.state.fl.us/waste/categories/pcp/pages/ra_initiative.htm. Any questions regarding this article may be directed to Mr. David Vanlandingham, P.E., at (954) 519-1478 or dvanlandingham@broward.org.

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Broward County Right-of-Way Maintenance of Traffic Permit Application Process

Obtaining a Maintenance-of-Traffic (MOT) Permit from Broward County involves interaction with two County divisions, the Traffic Engineering Division and the Engineering Division. There are two general MOT conditions recognized by these agencies are an emergency situation requiring an immediate response (i.e. a tanker truck on its side leaking petroleum) and the follow-up assessment or remediation.

With regards to an emergency situation, the purpose of the MOT is to safely maintain traffic while emergency crews work to accomplish the containment of any pollutant discharge. In this event, the person responsible for traffic control, referred to hereafter as the traffic control supervisor (TCS), should set up the MOT using his/her best judgment and the available temporary traffic control devices. In other words, the TCS will have to do the best with what they have to ensure safety. The type of MOT setup in an emergency situation should be based on the TCS's familiarity with:

- 1) A Federal reference titled *The Manual for Uniform Traffic Control Devices* which is available at <http://www.atssa.com/products/MUTCD.htm>,
- 2) The FDOT reference titled *Design Standards 2002* (the Index 600 series section), and;
- 3) Judgements based on prior MOT setup experience.

During the course of the emergency action, it is likely that representatives of the Broward County Engineering and Traffic Engineering Divisions will visit the site and review the MOT. In the event that something was overlooked, the representatives will assist the TCS or supply a suggestion to improve the MOT and make it as complete and safe as possible for emergency response workers and the flow of traffic.

The permit process for follow-up assessment and remediation is a bit more involved since there is time for advance planning to maximize safety in MOT design for a given situation. The following is the permit application process:

- 1) The permittee will need to obtain a MOT permit number from the Broward County Engineering Division. The primary contact at the Engineering Division is Mr. Brian Hack who can be reached at (954) 577-4585 or bhack@broward.org. The permittee will have to demonstrate that they have a bond in place to cover the costs of unforeseen issues due to or resulting from the work performed.
- 2) The Broward County Engineering Division will issue a permit number to the permittee.
- 3) The MOT will then be prepared to include the applicable 600 Series from the FDOT *Design Standards Index* which most closely represents the roadway upon which the work is being performed, labeling the 600 Series with the roads it represents. Include the Broward County Permit number, a copy of the certification card for the TCS submitting the MOT, and the names of the personnel who will be setting up and maintaining the MOT at the site.
- 4) The MOT application should then be submitted to Mr. Steven Hessler at the Traffic Engineering Division. Mr. Hessler can be reached at 954/484-9600, ex. #251, or shessler@broward.org.
- 5) Mr. Hessler will review and refine the MOT if needed. After approval, he will return it to the permittee.
- 6) It is the responsibility of the permittee to bring the approved MOT back to the Broward County Engineering Division in order to obtain the physical permit.



The MOT is valid for the duration of the permit, which is generally 18 months unless otherwise specified. Please note that Broward County also performs MOT review and approval for many of the municipalities within the County. For further information on MOTs within non-contracted municipalities, you must contact that particular municipality directly.

Note: This article is the last of a three-part series on Maintenance of Traffic. For the first and second articles, please see "An Introduction to Maintenance of Traffic" in the November/December 2003 Edition and "Obtaining an FDOT Maintenance of Traffic Permit" in the January/February 2004 of the *Times*. Any questions regarding these articles may be directed to Mr. John Gomolka, P.G., at (954) 519-1279 or jgomolka@broward.org.

Reminder: Professional Certifications of Assessment and Remediation Documents

In the November/December 2000 Edition of the *Broward Environmental Remediation Times*, we first presented a detailed article regarding the professional certification language requirements for assessment and remediation documents. Since that time, there has been dramatic improvement in the number of documents containing the appropriate certification. However, Environmental Assessment and Remediation (EAR) Section staff still receive many such documents that are submitted by companies or individuals not authorized to perform geology or engineering within the State of Florida, or that do not contain the appropriate certification language. We are, therefore, republishing the original article here. Please note that Broward County EAR and State FDEP staff adhere strictly to these certification requirements and reserve the right to reject a document outright not meeting the requirements.

Meeting Professional Certification Requirements

Most of the documents (and associated work) related to the assessment and remediation of contamination must be certified (not just signed and sealed) by a licensed Professional Engineer (P.E.) Or licensed Professional Geologist (P.G.), as applicable, in accordance with Chapters 471, F.S., and 492, F.S., respectively. From time to time, the Environmental Assessment and Remediation Section receives telephone inquiries, particularly from consultants, regarding Broward County's requirements for professional certifications in documents. Broward County does not have any particular requirements for professional certifications other than those specified in the applicable state statutes and rules. Accordingly, professional certifications are accepted if they meet the following criteria:

1. The firm submitting the document must have a certificate of authorization to practice Geology or Engineering, as applicable. The practice or offer to practice engineering or geology by individuals through a corporation or partnership is authorized only if the corporation or partnership has obtained a certificate of authorization from the appropriate board. For example, if *ABC Environmental, Inc.*, submits an engineering document such as a Remedial Action Plan, *ABC* has to have a certificate of authorization to practice engineering even if the document has been prepared, signed, and sealed by a P.E. Naturally, this requirements does not apply to a licensed professional who submits the document under his/her own name.
2. The professional must certify that the document and associated work meet the requirements and purpose of the applicable section of the state cleanup rule (62-770, F.A.C., for petroleum), and the requirements of the applicable state statute (471 for engineers and 492 for geologists). A statement that the document has been (merely) reviewed by the certifying professional is **not** acceptable. Both state statutes require that the documents and associated work be performed by the professional or under his/her direct supervision. The following is an example of language that may be used by a P.E. employed by *ABC Environmental, Inc.*, to certify compliance with the requirements of 62-770, F.A.C., and 471, F.S.: "*I, John White, P.E. #12345, certify that I currently hold an active license in the state of Florida and am competent through education or experience to provide the engineering service contained in this report. I further certify that, in my professional judgement, this report meets the requirements of Section 62-770.700 for Active Remediation, and was prepared by me or under my responsible charge. Moreover, I certify that ABC Environmental, Inc., holds an active certificate of authorization #67890 to provide the engineering service.*"
3. Disclaimers are not acceptable, including those which exempt certain aspects of the document from the certification. A qualified professional must have overall responsibility for the document, although specific portions of the document may be certified by another professional(s) as required by law.

Still have questions? Contact Mr. Lorenzo Fernandez, P.E., at (954) 519-1249 or lfernandez@broward.org.

Related Links: Florida Board of Professional Engineers:
Florida Board of Professional Geologists:

<http://www.fbpe.org>

http://www.state.fl.us/dbpr/pro/geolo/geo_index.shtml

Important News from the Preapproval Program

Implementation of Remedial Action Initiative (RAI) Program

All aspects of the Florida Department of Environmental Protection (FDEP) RAI Program went into effect March 1, 2004. Information concerning the RAI, including all procedures and related documents, is available on-line at http://www.dep.state.fl.us/waste/categories/pcp/pages/ra_initiative.htm. It is required that the RAI be implemented at all new remediation systems. Exceptions to this requirement include:



- Sites for which a Remedial Action Plan (RAP) or RAP Modification (RAPM) Approval Order were issued prior to July 1, 2003.
- Sites with existing Performance Based Cleanup (PBC) agreements.
- Sites either at or near Natural Attenuation Default Concentrations.
- Sites with a small, localized contaminant plume for which source removal, short-term remediation, or intermittent remediation events are determined to be the best remedial strategy.
- Sites where bio-injection or chemical injection is the sole remedial strategy.
- Sites where soil is the only medium requiring cleanup.

Score Drop

Effective Tuesday, March 9, 2004, the score for initiating the cleanup process of contaminated sites has been lowered from 50 to 46. Site owners will be notified in writing upon availability of Preapproval funds, pending verification by the Bureau of Petroleum Storage Systems of actual site score.

New Preapproval Template

Effective March 1, 2004, the Preapproval Template was updated. Changes to the template, which may be found on-line at <http://www.dep.state.fl.us/waste/categories/pcp/pages/preapproval.htm>, include:

- 5% Labor increase in all Labor Categories.
- Increase per diem and expendables costs associated with all equipment kits.
- Increase in Capital markup from \$2,500 to \$4,000.
- Increase in General/SA Report calculation from 20% to 25%.
- Change in Pilot Test Proposal and Plan allowances.
- Increase in hours to build up half-day site supervision (from 4 to 5 hours), and whole-day site supervision (from 8 to 10 hours).
- Addition of Remedial Action Initiative (RAI) allowances for system operation and maintenance.

Questions regarding this update may be directed to Mr. David Singleton, P.G., at (954) 519-1429 or dsingleton@broward.org.