

BROWARD ENVIRONMENTAL REMEDIATION TIMES



AUTUMN 2020

Update to Benzo(a)pyrene Soil Alternative Cleanup Target Level for the Residential Direct Exposure Scenario

The [Summer 2018 edition](#) of the Broward Environmental Remediation Times documented Alternative Soil Cleanup Target Levels (ASCTLs) for benzo(a)pyrene (BaP) (and therefore for associated benzo(a) pyrene toxic equivalents) that had been calculated by the University of Florida for the residential and the commercial-industrial direct exposure scenarios as presented in its August 1, 2017 letter. Subsection 62-780.680(3), Florida Administrative Code (F.A.C.), allows for the adoption of ACTLs under Risk Management Options Level III.

The ASCTLs adopted:

- 1.0 milligram per kilogram (mg/kg) for the residential direct exposure scenario
- 3.1 mg/kg for the commercial-industrial direct exposure scenario.

The Letter states that age-depend adjustment factors (ADAFs) for mutagenic carcinogens is an important issue that needs to be considered as these **ADAFs address the potential for higher cancer risk during early life stages.** If the appropriate ADAF factor for BaP is not included, the increased susceptibility of early life stages to mutagens as wells as **risk to children may be underestimated.**

The inclusion of ADAF would lower the BaP SCTL for residents. Using current Chapter 62-777, F.A.C. equations, the exact amount the SCTL would be lowered is determined by the equation used. Per the Florida

Department of Environmental Protection, if the ADAF is incorporated into the calculation of the BaP ASCTL using accepted practices, it would lead to a reduction from the current ASCTL of 1.0 mg/kg to 0.1– 0.4 mg/kg (the variability depends on how the ADAF is incorporated).

As such, it has been determined that the **1.0 mg/kg BaP ASCTL is not sufficiently protective of children in a residential land use** and that the Chapter 62-777, F.A.C., SCTL of 0.1 mg/kg should be used as the residential direct exposure scenario SCTL for BaP. Other exceptions allowed by Chapter 62-780., F.A.C., such as background or best achievable detection limit, still apply.

The ASCTL of 3.1 mg/kg allowed by Chapter 62-780., F.A.C. for BaP for the commercial/industrial scenario is still protective because under this scenario, exposure to children does not play a role as children are not expected to be present/exposed.

CONTENT

Revised ATC Payment of Subcontractors Documentation Procedures.....	2
Monitoring Well Transfer Agreement.....	2-3
Announcements.....	4

Brought to you by the Environmental Engineering and Permitting Division
Website: Broward.org/Environment
Email: EAR@broward.org
Phone: (954)519-1483

Petroleum Restoration Program Revises ATC Payment of Subcontractors Documentation Procedures



Effective September 8, 2020:

In accordance with Section 376.3071(6)(h), Florida Statutes and Section 9 of the Amended and Restated Agency Term Contract (ATC), except for the final payment, **subcontractors are to be paid within 30 working days of receiving payment from the Florida Department of Environmental Protection (FDEP)** in at least the same

proportion as that paid by the FDEP. Subcontractors must be paid in full prior to submitting the final invoice to the FDEP as attested to in the Contractor Affidavit/Release of Claims.

To verify this requirement has been met, complete the ATC Payment of Subcontractors Summary Form and submit along with copies of all subcontractor invoice(s) with the purchase order final invoice package. This will serve as backup documentation for the certification of payment of all subcontractors on the Affidavit/Release of Claims.

All subcontractor invoices must be listed, though no order is required.

Subcontractor invoices should have the following information annotated on the invoice.

- Date Paid, ex. 01/01/2020
- Amount Paid or Paid in Full
- Payment Method; Check, Electronic Funds Transfer (EFT), Online payment o Check #, ETF#, or confirmation # included
- Redact all financial routing or account numbers

The completed ATC Payment of Subcontractors Summary Form and annotated subcontractor invoices must be submitted along with the purchase order final invoice package to: PRP_AcctingInvoices@dep.state.fl.us.

⇒ Agency Terms Contracts (ATC) Procedures, forms, and documentation can be found [here](#).

Monitoring Well Transfer Agreement

The abandonment of monitoring wells is important because damaged wells may act as conduits allowing contamination to migrate from the surface to the aquifer. The Department of Environment Protection (FDEP) issues a Site Rehabilitation Completion Order (SRCO) that officially closes wells after their abandonment.

After a discharge of petroleum contamination receives a No Further Action (NFA) status, the monitoring wells are properly abandoned and grout fills the interior of the well from the bottom to the top.

Monitoring Wells Transfer Agreement Continued

Before Issuing a SRCO

Sites contain either discharges funded by the FDEP's Petroleum Restoration Program (PRP) or discharges funded by the responsible party (not funded by the PRP). In many situations, a cost share agreement between the responsible party and the FDEP is completed together in the cleanup of both funded and non-funded discharges. The cost share agreement is the Site Rehabilitation Funding Allocation (SRFA) Agreement. To issue a SRFA, a limited site assessment needs to be completed to determine the relative contributions from each discharge to determine the cost share percentage paid by the FDEP and the responsible party. After the cleanup is completed under the SRFA, the discharges receive a NFA status together. The site wells are abandoned and the discharges are closed through the issuance of a SRCO.

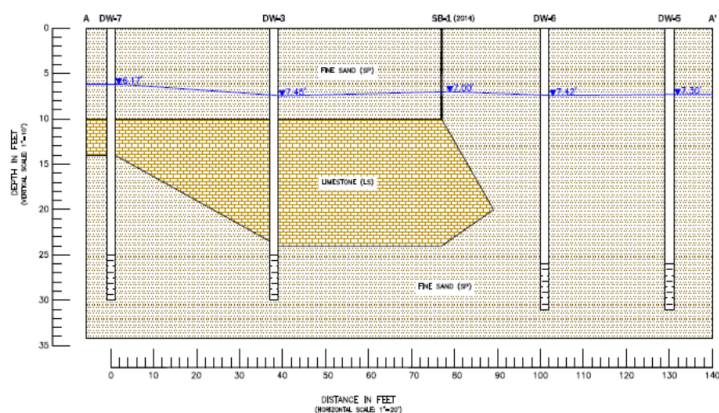


Figure 1. A cross section illustrating deep monitoring wells at a site. Wells not properly abandoned can act as conduits for

In some situations, a SRFA is not issued for the sites with both funded and non-funded discharge. An example may be a site where the discharges are not overlapping, and the cleanup of each individual discharge can be completed separately. After the funded discharge receives an NFA, the wells are usually abandoned. If the wells installed under the PRP program are required for the cleanup of the non-funded discharge, the responsibility of the funded wells can be transferred to the responsible party through a Monitoring Well Transfer Agreement.

After the RPR wells are transferred to the responsible party from the PRP, the responsible party is required to properly maintain the wells and abandon the wells after the non-funded discharge receives a NFA status.

To summarize, after a discharge receives a NFA status, the abandonment of the wells is required to receive an SRCO. Wells installed under the PRP can be transferred to a responsible party to aid in the cleanup of a non-funded discharge through Monitoring Well Transfer Agreement. Since damaged wells can act as conduits allowing pollution to enter the aquifer from the surface, please carefully consider if the wells are required for the non-funded cleanup before requesting the transfer of responsibility. If the wells are not necessary for the cleanup of the non-funded discharge, the wells installed under the PRP should be abandoned.

Resources:

The Monitoring Well Transfer Agreement is available [here](#).

For proper monitoring well abandonment, please read the Florida Administrative Code, [Rule 62-532.500\(5\)](#).

Questions about this article? Contact Mr. Fraser Mickle at (954) 519-1288 or fmickle@broward.org.



ANNOUNCEMENTS

Using art to communicate environmental issues is a great way to get your kid's creativity flowing and keeps them busy while indoors. The 2022 Clean Air Calendar Poster Contest is accepting submission for all K-12 youth in Broward County! Check out the details [here](#).

The Environmental Engineering and Permitting Division is hiring a Natural Resources Specialist (Environmental Planning and Outreach Specialist). Join our dynamic team of environmental professionals! View the job description and apply [here](#).


Chief Financial Officer Jimmy Patronis and FDEP Secretary Noah Valenstein Visit Red Hills Conservation Florida Forever Project. Read about their visit [here](#).

To learn more about various remediation technologies used at contaminated sites, check out the [collection of technologies](#).

Gratitude

It's the season of gratitude and extending oneself to help others. Practicing gratitude each day has a plethora of benefits to your physical and mental well-being. It has been a challenging year for many and despite the challenges, there is always something to be grateful for.

We are grateful for the environmental work that is being done statewide for the protection and restoration of our environment.



The heart that gives, gathers

www.brainquotes.org

- Lao Tzu
Gratitude Quotes