

CONSULTANT'S UPDATE

ISSUE 14

OCTOBER—DECEMBER 2004

CHANGES IN THE RESIDUALS RULES ARE ON THE HORIZON

By Paul A. Bizier, PE, DEE



The Florida Department of Environmental Protection (FDEP) has initiated new rule-making activities related to the treatment and disposal of wastewater residuals. These rules have the potential to have a significant impact on utilities' operations, and we urge our clients to continue to monitor this rule-making activity.

The current interest in regulating wastewater residuals arose out of several health-related incidents which have occurred in DeSoto County. While there were several potential sources for the illnesses, including septage and cattle waste, the public outcry has been significant and has been focused on residuals. This led to several public workshops being hosted by FDEP during 2003.

During those workshops, two viewpoints regarding wastewater residuals were very much in evidence. The first, from citizens and county governments, called for stricter regulation, if not an outright ban, on beneficial reuse of Class B biosolids. This group believes that public health is threatened and more expensive solutions are justifiable. The second group consisted primarily of utilities. This group pointed to the benefits of residuals in agriculture, the very limited number of residuals-related problems, and the high costs of upgrading.

Based on those public hearings, FDEP has been considering potential rule-making and

has formed a Technical Advisory Committee to help write the proposed rule. This Committee consists of 13 individuals, representing citizens, various state agencies, Federal agencies, wastewater systems, engineers, and agricultural interests. The first meeting of the Committee was on August 17 in Tallahassee, and it is anticipated that the Committee will continue to meet periodically. The goal is to publish the new rule in approximately one year, with it becoming effective in two years.

As part of this meeting, Maurice Barker, the state Biosolids Coordinator, released a list of potential revisions to the rule. It should be stressed that not all the revisions were discussed during this August meeting, and that not all the revisions will make it into the final rule. However, the list does provide a viewpoint into FDEP's concerns. Proposed revisions/requirements include:

- Site registration for all land application sites – including site fees, requirements for a site manager, public notice requirements, and potential notification requirements in the land title.
- Groundwater monitoring plans for application sites – this was heavily critiqued during the August meeting and may not be included.
- Soil monitoring requirements – this was also a point of extensive discussion and may be dropped.
- Odor control plan requirements for fa-

(Continued on page 4)

EOH NEWS

◆ **State of the Art "DNA" Testing for "Mold"**

Polymerase Chain Reaction (PCR) Based Mold Testing

◆ **FEMA Issues Warning About Mold for Charley and Frances Victims**

◆ **National Academy of Science, Institute of Medicine Report on Mold Essentially Says, the evidence that is available does not support an association of mold and health problems, but with evidence of well-conducted studies and reliable data, the committee could not rule out the possibility**

Mandates OSHA reform including the third-party work-place review program, material safety data sheets and a global harmonized system for hazard communication

◆ **HUD Commissions Study to Establish "Normal" Urban Residential Mold Levels**

◆ **SAFE Act Reintroduced on Capital Hill**

Mandates OSHA reform including the third-party work-place review program, material safety data sheets and a global harmonized system for hazard communication

Inside this issue:

Changes in the Residuals Rules are on the Horizon	1
Federal Emergency Management Agency	2
Delivering Effective Presentations—Tips and Thoughts to Consider	2
Upcoming Secondary Containment Requirements for Underground and Aboveground Storage Tank Systems	3
SWFWMD: Emergency Activity Approvals	4
Announcements	5

FEDERAL EMERGENCY MANAGEMENT AGENCY

By Jeffrey M. Crouse

Due to changes to the flood maps, residents are becoming aware, through their mortgage company, that they now reside in a flood zone. This usually occurs when a person refinances or the mortgage company conducts a random audit.

If such a notice is received, the mortgage company will require flood insurance be added to the homeowner's policy. The Federal Emergency Management Agency (FEMA) in its National Flood Insurance Program (NFIP) has an Elevation Certificate form to assist residents.

The Elevation Certificate is to be used to provide elevation information necessary to ensure compliance with community flood plan management's ordinances, to determine the proper insurance premium rate, and to support a request for a Letter of Maps Amendment or Revision (LOMA or LOMR).

The Elevation Certificate may not provide a waiver of the flood insurance purchase requirement, but can be used to certify building elevations and must be completed by a surveyor or engineer in order to support a LOMA or LOMR request.

For additional information on FEMA and NFIP, go to FEMA's website at <http://www.fema.gov> or call 1-800-427-4661.

Jeffrey Crouse is a Survey Technician for Chastain-Skillman's Lakeland office with 7 years experience in the survey profession. He can be reached at (863) 646-1402 or jcrouse@chastainskillman.com.

DELIVERING EFFECTIVE PRESENTATIONS – TIPS AND THOUGHTS TO CONSIDER

By Allan S. Duhm, CLU



At some point in a person's career, most individuals likely have been on the giving or receiving end of one or more presentations. Truly effective presentations are easily identified.

Unfortunately, so too are the poorly designed ones. With that in mind, what will give the presenter the best shot at delivering a most memorable, and effective presentation the next time around? Nowadays, when the word 'presentation' rears its ugly head, it is automatically associated with PowerPoint. Has PowerPoint outlived its welcome and usefulness? Would another medium for delivery be a better selection? These are questions that presenters, selection panels, and audiences in general are asking with more and more frequency. With the advent of PowerPoint, the general feeling was that it immediately endowed the creator of any and every presentation to assemble a montage of slides, fact, pho-

tos, graphs, bullets, and above all, slide transitions, sounds, colors and special affects that would undoubtedly awe and inspire the receiving audience. It was too often wrongly assumed that "more is better" in a presentation. So where do presenters go from here? How can presenters get started on the right track for an effective presentation?

For certain, a well designed and delivered presentation which accomplishes the intended mission is not only satisfying, it can often be rewarding in the business or academic setting. However, the same set of information, displayed or delivered in all the wrong ways, can also produce a negative impact. Whether it is a presentation given orally, with limited visual aids, or via a full-blown slide or movie presentation with all the bells and whistles, there are some key factors individuals might want to consider.

Primary consideration must not be given to the plethora of information to be provided. No matter how wonderful the story or project might seem, the most

important question to be asked is, "How can I best transfer the most critical information to the target audience, in an interesting manner that is easily and clearly understood, moving them to the action I wish for them to take?" No doubt, this can be a tall order.

- Tip one: Understand the real reason for doing the presentation. What is the purpose? What outcome is expected? Now the Objective has been established.
- Tip number two: Research the recent history of the audience to discover the type of presentation delivery preferred. Usually an appropriate contact person exists for any group. Use this source for guidance in this area.
- Tip number three: Design the medium selected for maximum effectiveness in achieving the objective, remembering above all that usually, less is better. Too many facts or options, and just as important, too many

(Continued on page 3)

UPCOMING SECONDARY CONTAINMENT REQUIREMENTS FOR UNDERGROUND AND ABOVEGROUND STORAGE TANK SYSTEMS

By Charles B. Browning, PG



Performance standards for underground and aboveground petroleum storage tanks are established in Florida Administrative Code Chapters 62-761 and 62-762. The rules generally apply to aboveground stationary storage tanks with individual capacities of greater than 550 gallons and for underground tanks with individual capacities of greater than 110 gallons. The purpose of

these rules is to minimize the occurrence and environmental risks posed by leaking storage tanks. One way to minimize these risks is to impose minimum standards for tank and piping construction. Since at least 1989, petroleum storage tank owners have been required to periodically upgrade their storage systems to improve corrosion protection, overflow and spill containment, and release detection monitoring.

The next major upgrade which is expected to significantly impact storage tank owners is the requirement that all petroleum storage tanks and associated small diameter piping be upgraded with secondary containment by December 31, 2009, for underground tanks and January 1, 2010, for aboveground tanks. Secondary containment is a release detection and prevention system that can include dispenser liners, piping sumps, double-walled tanks and piping systems, or single wall tanks or piping

systems that are contained within an impervious liner. The Florida Department of Environmental Protection (FDEP) has recently estimated that more than 18,000 underground tanks and 4,000 aboveground tanks will require the secondary containment upgrade or face removal from service.

Owners and operators of storage tank systems that will require secondary containment should consider upgrading as soon as possible. During previous upgrade events, many facility owners chose to wait until the deadline was imminent before contracting for the necessary modifications. This delay unfortunately resulted in an insufficient number of qualified contractors, storage tank system components, and/or equipment available to meet the demand. As such, many owners likely were forced to pay higher prices for substandard service and/or were out of compliance, as they were not able to meet the storage tank upgrade deadlines. It should be noted that these rule requirements have been in effect for more than 10 years and, as such, it is likely that the FDEP will not grant time extensions.

Charles Browning is a Senior Geologist in Chastain-Skillman's Lakeland office. His work focuses on environmental site rehabilitation and geologic/hydrogeologic projects. Charles received a Bachelor of Science degree in Geology from the University of Florida in 1986. He can be reached at (863) 646-1402 or charlieb@chastainskillman.com.

(Continued from page 2)

charts, graphs, slides, or too many words or bullets on a slide, while possibly pertinent to the chosen topic, will more often than not cause the main objective to become clouded and possibly even lost in the presentation. As information is selected for the presentation, continually ask if this information specifically helps reach the Objective. If it does not, it is counter-productive and will require too much explanation. Ditch it and move on.

- Tip four: It is possible to establish the objective more clearly if beginning the planning process at the end. To

clarify this statement, in other words, clearly identify the conclusion of the presentation. That decided, now the goal is clear. Devise and select every part of the presentation with the sole purpose being that it must specifically aid in getting the audience to move to the action intended. They must want to "buy the product" or "support the cause" or take whatever action desired as a result of attending the presentation. State the conclusion first, and clearly devise the path that will best help guide the audience to that goal.

- Conclusion: Start at the end, stay focused, keep it simple, and deliver it in the medium preferred by your

audience.

Since PowerPoint will likely remain a very widely utilized method of presentation delivery for some time, hopefully this has provided some simple basics on slide design, color and theme selection, and other presentation tips that will make your next presentation a big winner!

Allan Duhm is the Director of Client Relations and Business Planning in Chastain-Skillman's Lakeland office. His work focuses on obtaining feedback from current clients, as well as the development of new business opportunities. Allan received a Bachelor of Arts degree in Education and Natural Science from the University of South Florida in 1972. He can be reached at (863) 646-1402 or aduhm@chastainskillman.com

SWFWMD: EMERGENCY ACTIVITY APPROVALS

By Christopher B. Sipe, P.E.

Given the recent extraordinary storm events of this hurricane season, a number of the storm water management systems in the area are stressed beyond their capabilities. Most storm water management systems (i.e. retention/detention areas) are designed based upon specific storm criteria. For example, many systems are sized for a 25-year, 24-hour storm event with 7.5 inches of rainfall. When conditions exceed the design criteria for these systems, such as the back-to-back hurricane events recently experienced, failure of a number of the storm water management systems is inevitable. The Southwest Florida Water Management District recognized this situation

and issued directives regarding emergency activities relating to these systems. The paragraphs below provide the background for the District's actions.

- On September 1, 2004, Governor Jeb Bush issued Executive Order No. 04-192, declaring a state of emergency for the State of Florida in anticipation of the pending landfall of Hurricane Frances. In conjunction with the Governor's Executive Order, the Southwest Florida Water Management District issued Executive Order No. SWF-04-076. The latter Executive Order provided that the Executive Director may suspend District rules to assist with meeting

the emergency.

- Executive Director Order No. SWF-076 declared an emergency relating to permitting of activities under Chapter 373 FS, and set forth modified permitting and compliance activities pursuant to Rules 40D-2, 40D-4, 40D-40, and 40D-400, F.A.C. to facilitate and expedite hurricane recovery activities. Paragraph 19 of Order No. SWF-076 authorized Regulation Directors to issue authorizations for activities determined by District personnel to have the potential to result in only minimal adverse

(Continued on page 5)

(Continued from page 1)

cilities and application sites – the question in this area was how compliance would be determined.

- A formal nutrient management plan for all sites. This would potentially include a full NRCS nutrient plan, and could result in a four-fold increase in land requirements due to phosphorus limitations which arise under the NRCS model.
- Mandatory injection/incorporation of all Class B residuals.
- All alkaline materials (including Class AA) to be transported and injected or incorporated within a 24 hour period, with a minimum pH of 10.5 at time of application.
- Tighter transportation regulation. This includes closed/covered vehicles, cleaning of vehicles prior to leaving the site, and spill response requirements.
- Tighter regulations on signage.
- Requiring a minimum depth to seasonal high water of 2 feet for all sites.
- Tighter restrictions on Class AA solids, including the potential elimination of certain class AA alternatives (probably alkaline-based methods) and fertilizer registration.
- More stringent Class B management restrictions (limiting public access and grazing further).
- Revise Class B treatment requirements to mandate fecal monitoring in addition to the treatment techniques.
- Increased monitoring requirements, including treatment

processes, and tracking of all residuals. TCLP monitoring is being considered.

- Requiring enclosed storage on impervious pads at all facilities and sites.
- No application of Class A or B residuals in floodplains or frequently flooded sites – this was the source of most of the complaints in DeSoto County.
- Rule scope and intent to reflect concerns and issues of public acceptance. This could severely limit utilities options because of the "Not In My Backyard" reaction.
- Clarify restricted public access and its requirements. This could include worker training and site fencing.
- Increased setback requirements.
- Limiting land reclamation to Class A and AA residuals.

Depending on which of these recommendations are incorporated into the final rule, and how they are incorporated, the impact on utilities could be very significant. We suggest that persons involved with utility systems periodically check the FDEP web site (www.dep.state.fl.us) to review the progress of this rule-making activity. Chastain-Skillman has extensive experience in residuals treatment and management and will continue to work with you to meet these new requirements.

Paul Bizier is a Principal/Director of Environmental Engineering for Chastain-Skillman's Environmental Engineering Department. He earned a Master's Degree in 1997 from Georgia Tech. He can be reached at (863) 646-1402 or pbizier@chastainskillman.com.

ANNOUNCEMENTS



Bruce D. Kelly, manager of the Environmental and Occupational Health group in Chastain Skillman's Orlando office, has been appointed to the position of District Team Coordinator of Florida's District 4 for the Certified in Homeland Security (CHS) Program Preparation & Response (P & R) Team.

The CHS program is an association of professional field experts networking together to establish a comprehensive private sector organization in order to support and supplement efforts to achieve the objectives of the National Strategy for Homeland Security. The ultimate goal of the CHS program is to facilitate collaborative partnerships and strong working relationships between Homeland Security professionals from the public and private sector and emergency management/response organizations.

One of the main contributions of the CHS program is the formation of CHS P & R Teams across the nation. These teams are multi-disciplinary, geographically-based and are comprised of CHS members from one or more of the 14 Specialty Divisions within the program. These specialty areas include security, law enforcement, military, medical, accounting, engineering & technology, communications, mental health & crisis intervention, clergy, transportation, emergency management & preparedness, public health & safety, weapons of mass destruction/chemicals, ordnance, biological and radiological agents (WMD/COBRA), and first responders. The teams are organized with a division team leader for each of the 14 divisions under a district team coordinator who is in turn under the state team coordinator. Each of the state team coordinators communicates with the regional and/or national leadership. This program was created to develop proactive support units to assist first responder groups at the local level in order to achieve the maximum standard of preparedness and coordinated response to incidents of terrorism and other disasters.

The CHS program is one of the certification programs within the American College of Forensic Examiners International (ACFEI), an independent, scientific and professional society whose purpose is to actively promote the dissemination of forensic information and continue the advancement of forensic examination and consultation across the many professional fields of our membership. ACFEI has elevated standards through education, basic and advanced training, Diplomate Status, and certification programs.

Bruce, who holds a level III certification in Homeland Security, is a member of both the Public Health & Safety and the WMD/COBRA divisions. For more information, please call Bruce at our Orlando office location at (407) 851-7177.

(Continued from page 4)

individual or cumulative impacts on water resources within the declared Emergency Areas.

Based upon these directives, the District is able to authorize emergency procedures, on an expedited basis, to help protect the health, safety, and welfare of the public. These procedures can include such activities as emergency pumping of storm water management systems to provide additional storage volume for anticipated rainfall events. Often, these approvals can be provided verbally with supporting information or documenta-

tion being provided at a later date. Typically, these authorizations are contingent on several factors as noted below.

- It is the permittee's responsibility to obtain legal rights-of-way, easements, or authorizations from adjacent affected parcels.
- Proper sediment and erosion control measures shall be implemented.
- The pump intake shall be located at the top of the water column to minimize the discharge of sediments, nutrients, etc. from the storm water pond to the receiving system.
- Pump information shall be provided

(i.e. size of pump, number of pumps, hours of operation, expected duration, drawdown elevation/depth, diameter of discharge, etc.).

The emergency authorization from the District is valid only for the duration necessary to attain reasonable assurance that health, safety and welfare concerns have been addressed.

Chris Sipe has a bachelor's degree in civil engineering from the University of Florida, and has been a registered engineer in Florida for 14 years. He is a Senior Project Engineer in the Lakeland Civil Engineering department. He can be reached at (863) 646-1402 or csipe@chastainskillman.com

This newsletter is provided solely for informational purposes and presents only highly condensed summaries relating to the topics presented. Therefore, it should not be relied upon as a complete record for purposes of regulatory compliance, nor is it intended to furnish advice adequate to any particular circumstances. For additional information on any of the topics in this newsletter, please contact the author, or Allan Duhm, (863) 646-1402, or e-mail us.

General Information	Info@chastainkillman.com
Architecture	Architecture@chastainkillman.com
Civil Engineering	Civil@chastainkillman.com
Environmental Engineering	Environmental@chastainkillman.com
Structural Engineering	Structural@chastainkillman.com
Environmental/Occupational Health & Safety	EOH@chastainkillman.com
Hydrogeology	Hydrogeology@chastainkillman.com
Survey	Survey@chastainkillman.com

Atlanta, Georgia
Phone (770) 980-9880
Fax (770) 980-9810

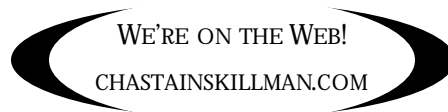
Lakeland, Florida
Phone (863) 646-1402
Fax (863) 647-3806

Orlando, Florida
Phone (407) 851-7177
Fax (407) 851-7123

Sebring, Florida
Phone (863) 382-4160
Fax (863) 382-3760

Tallahassee, Florida
Phone (850) 942-9883
Fax (850) 878-0945

Tampa, Florida
Phone (813) 621-9229
Fax (813) 626-9698



engineers scientists surveyors
 **chastain
skillman**
incorporated
4705 Old Highway 37
Lakeland, FL 33813-2031

Addressee