

FLORIDA BEACON



From the President's Desk
Erik Neugaard

**Florida Association of
Environmental Professionals**

July 2010



DEEPWATER HORIZON OIL SPILL

Greetings current and future members:

This is my first time writing an article for our *Florida Beacon* since becoming your president on April 9th. Though I had originally intended to provide a simple update on the improvements we are implementing to our website, memberclicks, and other programs, I feel these accomplishments have been overshadowed by the British Petroleum/Transocean Deepwater Horizon Mississippi Canyon 252 Incident, which began on April 20th. As I write this on June 30th, this has become the world's second largest offshore oil spill and worst environmental disaster in U.S. history. Unfortunately a significant portion of the environmental and economic impacts will occur in Florida. The following summarizes information I found about the spill on the internet.

- Eleven crewmembers on the Transocean Deepwater Horizon Oil Rig were killed by the explosion.
- The rig has a capacity of 146 crew members.
- The rig was drilling for oil in the Gulf of Mexico at water depth of approximately one mile.
- Approximately 35,000 to 60,000 barrels (1 barrel = 36 gallons) of oil are being spilled per day.
- Approximately 4,167,000 to 9,167,000 barrels of oil have spilled since April 20th.
- The 1991 Gulf War Oil Spill was approximately 5,500,000 to 11,000,000 barrels.
- The 1989 grounding of the Exxon Valdez in Alaska spilled approximately 257,000 barrels of oil.
- The oil spilled every 4 days in the Gulf of Mexico is equivalent to another Exxon Valdez oil spill.
- The Gulf of Mexico spill is approximately 2,500 square miles on the surface.
- The size of the dispersed/deepwater oil spill in the Gulf of Mexico is unknown.
- Approximately 25,223 barrels (only 0.275% of the upper estimate) have been recovered.
- Approximately 1,686,000 gallons of chemical dispersants have been released.
- The oil spill has already washed ashore and into the estuaries of Escambia, Santa Rosa, Okaloosa, Walton, and Bay Counties (in our Northwest Florida Chapter), and is extending east along our coast.
- Approximately 42,000 personnel are working on the spill response.
- Approximately 6,850 response vessels are available.
- Approximately 646,361 feet (122 miles) of oil containment boom have been deployed in Florida.
- The spill response is costing approximately \$100 million per day

Continued on page 2

FAEP 2009-2010

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Upcoming Conferences and Workshops

Event	Date	Place
<u>The Greater Everglades: Ecosystem Restoration</u>	July 12-16	Naples
<u>FL Petroleum Marketers & Convenience Store Assoc.</u>	July 17-21	Kissimmee
<u>FL Chamber of Commerce Environmental Permitting Summer School</u>	July 21-23	Marco Island
<u>FL Local Environmental Resource Agencies Conference</u>	July 28-30	Sarasota
<u>American Planning Association FL Chapter Conference</u>	Sept. 14 - 17	Tampa
<u>American Institute of Professional Geologists Conference</u>	Sept. 11 - 15	Orlando
<u>FL Air & Waste Management Association Conference</u>	Oct 4-6	Crystal River
<u>Florida Remediation Conference</u>	Oct. 14-15	Kissimmee
<u>Florida Brownfields Association Conference</u>	Nov. 14-17	Jacksonville

Deepwater Horizon Oil Spill Continued.....

- As of June 28, BP had spent approximately \$2.65 billion on its response effort.
- BP claims in Florida total 22,986 with approximately \$19,441,171.33 paid.
- Analysts estimate the total cleanup and legal costs may reach \$90 billion.
- The estimated total cleanup and legal costs for the Exxon Valdez spill were approximately \$4 billion.
- The Exxon Valdez captain, who admitted to drinking vodka before the spill, was convicted of a misdemeanor, and sentenced to 1,000 hours of community service.
- It will likely be impossible to quantify all the environmental impacts from the Gulf of Mexico spill.
- The U.S. Fish and Wildlife Service is concerned about 38 federally listed species protected under the Endangered Species Act that could potentially be impacted by the Gulf of Mexico oil spill.
- The Gulf of Mexico is the only place in the world that the endangered Kemp's Ridley nests, and they are now in the peak of their nesting season and foraging in the vicinity of the spill.
- Approximately 439 stranded sea turtles have died in the spill area.
- Approximately 52 stranded dolphins have died in the spill area.
- A dead 25-foot endangered sperm whale was found approximately 77 miles south of the spill site.
- Approximately 700 oil-impacted birds have been captured.
- The oil spill may be entering the Loop Current, which could bring it to South Florida.
- If impacted, mangrove forests, which are extremely susceptible to oil, may take decades to recover.
- If impacted, some of our coral reefs may never recover.

The graphic below illustrates the approximate extent of the surface spill. The plethora of unknown long-term environmental impacts will need to be assessed to fully understand the true magnitude of this disaster, and if possible, quantify the costs to mitigate them. I strongly believe Florida's environmental professionals, who already have a vested interest in protecting the environment, should be conducting these analyses and implementing the needed mitigation before bringing in resources from elsewhere, and I would like to take a stand for you on this issue. However, as with most initiatives, there is usually strength in numbers, and representing an organization with more than a thousand members is usually more successful than representing a smaller one. If you are not currently a member of FAEP and your local chapter, please join as soon as possible, and if you know of environmental professionals who are not members, please encourage them to join too. There are many other benefits to being a member. Please see our website for more information (www.faep-fl.org). Discounted student and group membership rates are now available.

You can contact me at erik.neugaard@rsandh.com if you have any questions or comments.

Thank you

Erik Neugaard

FAEP President

Florida Beacon

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Nearshore Surface Oil Forecast Deepwater Horizon MC252

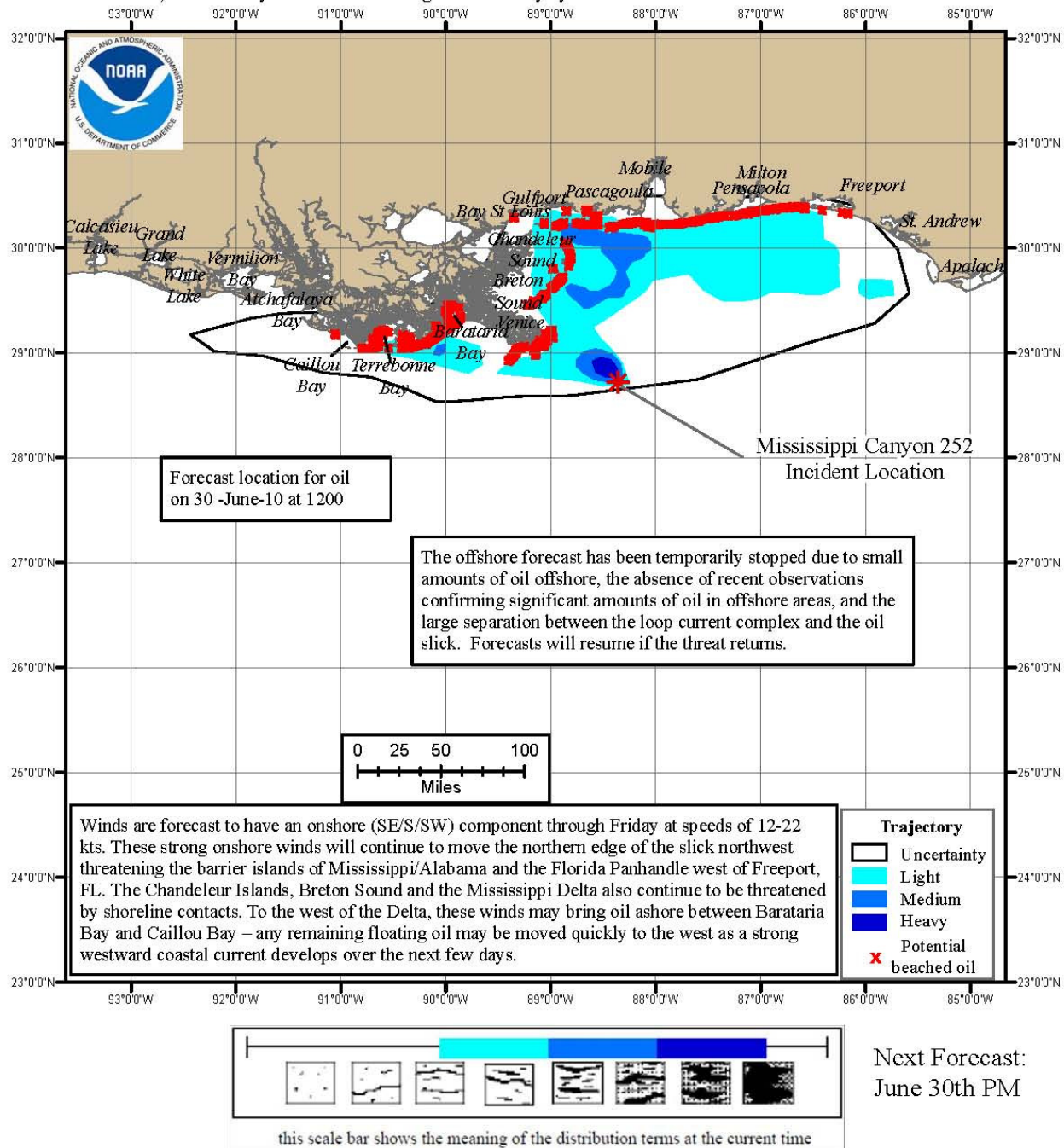
NOAA/NOS/OR&R

Nearshore

Estimate for: 1200 CDT, Wednesday, 6/30/10

Date Prepared: 2100 CDT, Tuesday, 6/29/10

This forecast is based on the NWS spot forecast from Tuesday, June 29 PM. Currents were obtained from several models (NOAA Gulf of Mexico, West Florida Shelf/USF, TGLO/TAMU, NAVO/NRL) and HFR measurements. The model was initialized from Monday-Tuesday satellite imagery analysis (NOAA/NESDIS) and Tuesday overflight observations. The leading edge may contain tarballs that are not readily observable from the imagery (hence not included in the model initialization). Oil near bay inlets could be brought into that bay by local tidal currents.



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US EPA

FOR IMMEDIATE RELEASE - June 30, 2010

EPA Releases First Round of Toxicity Testing Data for Eight Oil Dispersants

WASHINGTON —The US Environmental Protection Agency today released peer reviewed results from the first round of its own independent toxicity testing on eight oil dispersants. EPA conducted testing to ensure that decisions about ongoing dispersant use in the Gulf of Mexico continue to be grounded in the best available science.

EPA's results indicated that none of the eight dispersants tested, including the product in use in the Gulf, displayed biologically significant endocrine disrupting activity. While the dispersant products alone – not mixed with oil - have roughly the same impact on aquatic life, JD-2000 and Corexit 9500 were generally less toxic to small fish and JD-2000 and SAF-RON GOLD were least toxic to mysid shrimp. While this is important information to have, additional testing is needed to further inform the use of dispersants.

"EPA is performing independent tests to determine the potential impacts of various dispersants. We will continue to conduct additional research before providing a final recommendation," said EPA Administrator Lisa P. Jackson. "We want to ensure that every tool is available to mitigate the impact of the BP spill and protect our fragile wetlands. But we continue to direct BP to use dispersants responsibly and in as limited an amount as possible."

EPA continues to carefully monitor BP's use of dispersant in the Gulf. Dispersants are generally less toxic than oil and can prevent some oil from impacting sensitive areas along the Gulf Coast. EPA believes BP should use as little dispersant as necessary and, on May 23, Administrator Jackson and then-Federal On-Scene Coordinator Rear Admiral Mary Landry directed BP to reduce dispersant usage by 75 percent from peak usage. EPA and the Coast Guard formalized that order in a directive to BP on May 26. Over the next month BP reduced dispersant use 68% from that peak.

Before directing BP to ramp down dispersant use, EPA directed BP to analyze potential alternative dispersants for toxicity and effectiveness. BP reported to EPA that they were unable to find a dispersant that is less toxic than Corexit 9500, the product currently in use. Following that, EPA began its own scientific testing of eight dispersant products on the National Contingency Plan Product Schedule (NCP-PS). Those dispersant products are: Dispersit SPC 1000, Nokomis 3-F4, Nokomis 3-AA, ZI-400, SAF-RON Gold, Sea Brat #4, Corexit 9500 A and JD 2000. Today's results represent the first stage of that effort.

EPA tested these eight products for endocrine disrupting activity and potential impacts on small fish and mysid shrimp. The testing found:

- None of the eight dispersants tested displayed biologically significant endocrine disrupting activity.
- While all eight dispersants alone – not mixed with oil – showed roughly the same effects, JD-2000 and Corexit 9500 proved to be the least toxic to small fish, and JD-2000 and SAF-RON GOLD were the least toxic to the mysid shrimp.

The next phase of EPA's testing will assess the acute toxicity of multiple concentrations of Louisiana Sweet Crude Oil alone and combinations of Louisiana Sweet Crude Oil with each of the eight dispersants for two test species.

To view the first round of test results please visit: <http://www.epa.gov/bpspill/dispersants>

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Tampa Bay Association of Environmental Professionals Student Chapters

TBAEP recently held their annual student chapter paper competition. This competition requires students to write a paper answering questions that are derived from the NAEP Annual Conference topic.

The winner of this year's competition is **Jacqueline Ayala** from Eckerd College.

Jacque won an all-expenses paid trip to the NAEP conference in Atlanta.

FAEP, TBAEP & NAEP all shared the expenses for this award.

Jacque has provided us with a review of the conference from her perspective:

First, I'd like to thank all the members of FAEP, TBAEP & NAEP for the opportunity to attend the NAEP 35th Annual Conference. The scholarship gave me the chance to speak with environmental professionals from around the country and from a variety of backgrounds. I cannot thank you enough for your help and your dedication to students.

When I arrived in Atlanta, I immediately felt welcomed by all the incredibly friendly and interested people attending the conference. I volunteered at the Registration Desk for most of the first day and some of the second, which was great because I was able to meet a lot of the professionals as they arrived and give back a little at the same time. Working with the conference staff was also a wonderful experience – they were extremely helpful and amiable people. The good-spirited energy of both the staff and the attendees really made the week memorable for me. They were always happy to share their stories with me and were tremendously encouraging, something that I was very grateful for.

The various keynote speakers that attended the conference were both informative and encouraging. They highlighted projects such as ensuring protection for national historic sites and buildings, and developing plans for mixed-use, smart growth policies in cities. The speakers illustrated what it was like to actually implement these ideas and strategies they used to make their projects successful. The insight I gained from their projects have really helped me understand how to make the places we live in sustainable. One keynote speaker that I greatly enjoyed listening to was Garret Graves from the Office of Coastal Activities for the State of Louisiana. His presentation on the Louisiana's Comprehensive Master Plan for a Sustainable Coast highlighted the integrated approach the state is taking on wetland restoration, environmental mitigation, and storm protection. In light of the recent oil disaster in the Gulf of Mexico, the information he offered was both incredibly important for environmental professionals to be acquainted with and cause for hope.

Throughout the conference I attended a number of seminars that ranged from Brownfields to Environmental Education to Climate Change and Renewable Energy planning. The sessions were incredibly informative, and often offered new and innovative ideas on the environmental issues we face today. One of the concepts I learned in implementing environmental policy was to employ *cooperative modeling* – a method of approaching environmental policy in which we consider all environmental and social systems. This approach was one of the most valuable strategies I learned at the conference – not only is it useful for planners and government regulators, but it can also be implemented at the local, community, regional, and national levels. The idea of modeling using systems thinking is definitely something that could be adopted by Eckerd College as well as government agencies.

The conference allowed me to gain insight into the role of both regulators and private agencies and how they implement strategies to make sustainability a reality locally. Sessions like Climate Change Planning at the Local Level and Funding Renewable Energy were essential to the overall great experience I had at the conference. The absolutely wonderful evening at the Georgia Aquarium was also a terrific experience and I felt really connected the group of individuals at the conference through the collective admiration of the wonders of the sea.

I hope to apply what I have learned at the conference into my forthcoming career in Environmental Studies in order to promote sustainability and positive interactions with our environment in the future. Once again, I must thank the Tampa Bay chapter of NAEP for the scholarship and this wonderful opportunity – your dedication to and interest in students and our potential careers is greatly appreciated.

Jacqueline Ayala
Senior in Environmental Studies
Eckerd College

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NAEP News from Paul Looney

As I stated in my first article, I would like for this column to be a forum for feedback from FAEP to NAEP as well as a means for me to provide FAEP members with the latest developments in NAEP. The end of April marked the 35th NAEP Annual Conference and the 40th anniversary of NEPA. As you can see from the picture at the left, the theme of the President's dinner; "catch-your-own-dinner" at the Georgia Aquarium, while a novel idea and certainly cheaper than having it served to us, did not make the choice any easier (I'll try the snapper, if I can catch it). John Irving, the Chapter Committee Chairman and I were discussed whether we would be vegetarians that night.

Arguably, NEPA is the source of employment for us all. Yet, the environmental professions are much more than NEPA. Anyone who works in Brownfields or on HazMat /HazWaste sites will provide quite a good argument concerning the breadth of the professions.

I was lucky enough this year to be the moderator for the Brownfields track in the conference. We had four contributions, two of which were from Florida, and both of those were NAEP award winners for Environmental Excellence. Florida has been a leader in Brownfields for several years; Teri Hasbrouck has been the NAEP strength in providing the national stage with a great forum for presenting the advances being made in that arena. I had some big shoes to fill and missed her skills at running the track.

Elsewhere in NAEP, there is a new chapter that has been formed in the Virginia/DC/Maryland area. Actually, NAEP is looking at the expansion to possibly three more chapters in the next year. This couldn't have happened at a better time. With the new Managing Director, Tim Bower there are exciting membership benefits being rolled out.

NAEP is also now offering the option for Chapters to come under the NAEP umbrella coverage for Liability Insurance instead of them each having to pay their own separately. It will be a money saver for those chapters that decide to do it. The NEPA Working Group has started the process of developing a series of NEPA training courses that will be made available to NAEP members and their affiliates within the next year. The plan is to provide everything from a basic introductory course to a more complex course on Cumulative Impact Analysis.

Another plan in the works is to bring the conference to the members. NAEP is starting an initiative whereby we will take the best of the presentations at the conference, expand them, and provide them in a web based format for FAEP members to experience and learn.

There are a lot of other plans being developed under the direction of Tim Bower and the Member Benefits Committee, with the leadership of Ron Lamb, that are aimed at providing the NAEP membership as well as the Affiliated Chapters and their local members with a reason to look to NAEP as the national source for information and networking as well as training.

Keep your eyes peeled for new things showing up in your email as NAEP's messages are provided to FAEP members as part of the commitment of NAEP to provide benefit to anyone who is affiliated with the parent group. FAEP was founded as a NAEP chapter and remains the largest chapter in the network. I believe that the new policies and actions will prove to have benefit to even FAEP members.



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EPA RECOGNIZES HILLSBOROUGH COUNTY, FL., FOR TAYLOR ROAD LANDFILL SUPERFUND SITE REUSE

(ATLANTA – June 24, 2010) At a ceremony this morning, EPA honored Hillsborough County, Florida, with the 2010 EPA Region 4 Excellence in Site Reuse award for creatively reusing the former Taylor Road Landfill site to serve multiple purposes that benefit the community. Region 4 created the Excellence in Site Reuse award to recognize those who have gone above and beyond in redeveloping a Superfund site.

Since clean up actions were taken under EPA oversight, Hillsborough County has established a recycling center, a Community Collection Center, a Household Chemical/Electronics Collection Center, a Site Maintenance Facility, and Environmental Field Office at the site. The County also uses part of the landfill to grow hay that is used for erosion control. The County collaborated with the Tampa Radio-control Aircraft Club and the Academy of Model Aeronautics to build model airplane park that includes a paved runway and covered working areas. The County worked with the U.S. Department of Energy on a study to evaluate using methane from landfills as a renewable energy source, providing valuable information on using landfill gas for power generation. The reuse of the site enhances the monitoring of the institutional controls and reduces the burden of long-term maintenance. Further, Hillsborough County enhanced the selected remedy by voluntarily extending water lines to additional residents to provide a larger buffer than required between private wells and the compliance ring of monitoring wells.

The 42-acre Taylor Road Landfill was a Florida Department of Transportation borrow pit until it was permitted as a solid waste landfill for Hillsborough County in 1975. From 1976 until 1980, the county operated the landfill, which was intended for disposal of residential, commercial and industrial refuse. An unknown quantity of hazardous waste is suspected to have been buried in this landfill as well. Volatile organic compounds and metals contaminated monitoring wells on site and nearby private wells. The Record of Decision (ROD) for the site was issued in 1995. Major cleanup elements for the site included the closure of the landfill under the Florida landfill closure program, installing monitoring wells, monitored natural attenuation of groundwater contamination, and providing County water service to residents within a 270-ft setback of the monitoring wells. Today, groundwater data clearly indicates the effectiveness of natural attenuation in reducing contamination at the site.

For more information on EPA's Superfund Redevelopment Initiative in Region 4: <http://www.epa.gov/region4/waste/sf/sri/>.

For information on the Taylor Road Landfill Superfund site, visit: <http://www.epa.gov/region4/waste/npl/nplfn/taylorfl.htm>

EPA TO RECOGNIZE BROWARD COUNTY, FL., FOR LANDFILL SITE REUSE

(ATLANTA – June 24, 2010) On Friday, the U.S. Environmental Protection Agency (EPA) will present an Excellence in Site Reuse Award to Broward County, FL., for the redevelopment of the Davie Landfill into the Vista View Park. EPA Region 4 created the Excellence in Site Reuse Awards Program to recognize developers, site owners, and local governments that have worked closely with the Agency to ensure that sites are redeveloped in a manner that enhances the remedial actions taken and/or minimizes the Agency's responsibilities for long-term care and maintenance.

Contact Information: Dawn Harris-Young, (404) 562-8421, harris-young.dawn@epa.gov



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Lewis, Longman & Walker Attorneys Named 2010 Florida Super Lawyers & Rising Stars

June 9, 2010 – Lewis, Longman & Walker, P.A., attorneys Terry E. Lewis, Anne Longman, Stephen A. Walker, Michelle Diffenderfer and Dennis M. Stotts have been selected as *2010 Florida Super Lawyers* in the area of Environmental Law. Wayne E. Flowers has been selected as a *Super Lawyer* in the area of Environmental Litigation and H. Hamilton “Chip” Rice, Jr., has been selected as a *Super Lawyer* in the area of Government, Cities and Municipalities. These attorneys share this designation with only 5% of the attorneys in Florida. *Florida Super Lawyers* are nominated by fellow attorneys who have personally observed them in action, whether as opposing counsel, co-counsel or through other firsthand observations in the courtroom. The background and professional achievement of each candidate are researched before the final decision is made to include the attorneys in this list.

Additionally, Tara W. Duhay and F. Joseph Ullo, Jr. have been named *Rising Stars* in the area of Environmental Law in the 2010 edition of *Florida Super Lawyers*. *Super Lawyers* selects its *Rising Stars* using peer nominations in combination with third party research. Each candidate is 40-years-old or younger or in practice for 10 years or less, and is evaluated on 12 indicators of peer recognition and professional achievement.



National Association of Environmental Professionals

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<http://www.naep.org/mc/page.do?sitePageId=106245&orgId=naep>

Call for papers for publication in the scholarly journal:

Environmental Practice WATER ISSUE

Deadline for submittal is
July 15, 2010

For questions, please contact
Dan Carroll, Managing Editor at
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Dcarro17@depaul.edu

Manuscripts are sought with an emphasis on wastewater, whether in terms of recycling, treatment, or quality; surface water quality; stormwater treatment and reuse; drinking water quantity, quality, treatment, and reuse; urban demand and conservation measures; non-sustainable water uses; farming use and groundwater depletion; watershed planning and management; water rights; rivers, wetlands, and oceans; invasive aquatic species; and innovative treatment methodologies, or means for extending freshwater supplies in a world of growing demand.

<http://data.memberclicks.com/site/naep/EP12.4callforpapers.pdf>

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Training in Environmental Conflict Resolution

U.S. Institute for Environmental Conflict Resolution

The U.S. Institute for Environmental Conflict Resolution is an impartial federal program created in 1998 to provide conflict resolution and other services to assist in collaboratively resolving environmental conflicts involving federal agencies (www.ecr.gov). The Institute is part of the Udall Foundation, an independent federal agency established in recognition of the commitment of Morris K. and Stewart L. Udall to consensus and civility in addressing environmental issues. Based on a decade of experience helping people work collaboratively and resolve environmental conflicts, the U.S. Institute provides powerful training where all parties can learn how to work together more effectively. If you are interested in this training please contact Paul Looney at: PLooney@Volkert.com

FAEP WELCOMES THESE NEW & RENEWING MEMBERS

Andres Acosta	Michael Arnold	Carl Asprinio	Timothy Atkinson
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