



Florida Department of Environmental Protection

South District
Post Office Box 2549
Fort Myers, Florida 33902-2549
SouthDistrict@dep.state.fl.us

Rick Scott
Governor

Carlos Lopez-Cantera
Lt. Governor

Noah Valenstein
Secretary

May 15, 2018

SENT BY ELECTRONIC MAIL

Mr. Saeed Kazemi
City Manager
City of Fort Myers
Email: skazemi@cityftmyers.com

RE: ID # COM_288039, City Block Bordered by South Street, Henderson Ave,
Jeffcott Street, and Midway Avenue

Dear Mr. Kazemi:

The Department has reviewed the Lime Residual Removal and Disposal Plan (Plan) submitted by the City of Fort Myers (City) for the referenced site on May 2, 2018. While the Plan did not provide detailed information regarding the clean-up or the specific timeline for the ultimate disposal of the lime residual, the Plan did confirm that the City understands that all phases of removal and ultimate disposal must be consistent with Department's waste cleanup rule, 62-780, Florida Administrative Code.

The Plan indicates that the City plans to move forward with interim source removal of the sludge from the South Street site, and to move this material to a temporary staging area until the ultimate end use or disposal options for the removed soil is identified. The Plan included several parallel timelines with a completion of soil excavation by December 27, 2018, and site closure by January 31, 2019.

The Department understands that there are many complexities to this Plan, but believes the timelines presented are achievable if each is aggressively pursued. In order to follow the City's progress in achieving the proposed Plan, the Department requests a weekly written update on the status of each of the timeline variables. This will provide assurance that the lime residual removal is moving forward and enable the Department to provide appropriate direction to ensure consistency with the rule.

While the waste cleanup rule allows for removal of contamination to occur prior to completion of a full assessment, if the requested weekly progress reports indicate a lack of progression towards removal in the timelines proposed, the Department will require the City to complete the Phase II portion of the assessment.

We remind you to please review Exhibit A from the Department's letter dated March 12, 2018, for important requirements related to interim source removal. These include, but are not limited to the following:

- After excavation of the contaminated material, sufficient confirmatory soil/sediment samples for arsenic must be collected at the bottom and perimeter of the excavation, regardless of whether excavation is above or below the water table.
- Throughout the process, the excavated material must be secured to prevent public contact and all necessary reasonable precautions to prevent fugitive dust emissions must be implemented.
- If an iron oxide filter is utilized to reduce arsenic in leachate from the drying area, then confirmatory sampling will be needed to demonstrate the efficacy of the filter system.

The City's Plan includes continued quarterly monitoring of 11 existing monitoring wells. However, the monitoring well data collected during the Phase 1 assessment revealed increased levels of arsenic in the post-2017 storm season samples both on and off site. Further, as the Plan calls for site preparation work that includes tree removal and other potential disturbances to the sludge residual, the Department will increase the monitoring requirement to monthly sampling of the 11 wells for arsenic, radium 226/228, iron, aluminum, manganese, TDS, and molybdenum, until further notice.

Finally, the Department wants to take this opportunity to remind the City that this project is one of heightened public concern. The Department remains committed to continuing to perform its review and oversight to ensure clean-up and monitoring is done in accordance with Florida law. We will also continue to post all the reports and information we receive from the City and its consultants concerning this effort to our online database. We strongly encourage the City to provide frequent updates to the community and operate as transparently as possible as you continue to move forward to remediate the site.

Sincerely,



Jon M. Iglehart
Director of District Management

cc: Richard Moulton, rmoulton@cityftmyers.com
Richard Thompson rthompson@cityftmyers.com