



# Florida Department of Environmental Protection

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Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

March 12, 2018

**SENT BY ELECTRONIC MAIL**

Mr. Saeed Kazemi  
City Manager  
City of Fort Myers  
Email: [skazemi@cityftmyers.com](mailto:skazemi@cityftmyers.com)

RE: ID # COM\_288039, City Block Bordered by South Street, Henderson Ave,  
Jeffcott Street, and Midway Avenue

Dear Mr. Kazemi:

Thank you for submitting the City of Fort Myers' ("City") Site Assessment Report - Phase I, for the South Street Property, Facility ID: COM\_288039, prepared by GFA International, Inc., dated February 14, 2018, GFA Project No. 17-5281 (hereinafter "SAR Phase I Report").

The Department has completed its review of the SAR Phase I Report for compliance with the state's environmental rules and regulations, and offers the following guidance and feedback with the acknowledgement of the City's stated intent to move forward with complete sludge removal.

This report confirms the conclusion of the City's preliminary assessment, submitted January 12, that arsenic is present in the groundwater both on and offsite, moving in a general northwest direction. The detected off-site groundwater arsenic levels ranged from 4.41 to 35.5 micrograms per liter. Although these levels do not pose any immediate health risk, as this area is served by a public water supply, some of these results do exceed the drinking water standard for arsenic, which is 10 micrograms per liter. Therefore, the Department has notified potentially affected property owners in accordance with 376.30702(3) F.S.

Per Chapter 62-780, Florida Administrative Code (F.A.C.), because there are arsenic levels in the groundwater on the site that exceed drinking water standards, additional sampling by the City will be required. This sampling must either be performed as part of a Phase II Assessment or conducted as part of the City's sludge removal process. As the City has not yet submitted a work plan for source removal for Department review, we want to reaffirm the importance that such activities meet the criteria and requirements

contained in Chapter 62-780, F.A.C. We request that the City submit its plan of action, including timelines, for Department review by April 11, 2018.

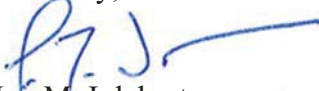
The more detailed requirements based on whether the City moves forward with sludge removal, rehabilitation, and possible redevelopment of the site, or first conducts a Phase II assessment are listed below.

Plan A: Interim source removal (remove the lime sludge from the site). Commence such removal by May 11, 2018, and follow Exhibit A (attached). [62-780.525].

Plan B: Complete site assessment. Commence supplemental assessment as soon as possible. Submit a Site Assessment Report Addendum by May 11, 2018, that addresses Exhibit B (attached). [62-780.600(3)].

We remain available to assist the City as needed, and are committed to working closely with the City to ensure that all aspects of the work plan are achieved and that all requirements of Chapter 62-780, F.A.C., are satisfied.

Sincerely,



Jon M. Iglehart  
Director of District Management

ec: Richard Moulton, [rmoulton@cityftmyers.com](mailto:rmoulton@cityftmyers.com)  
Richard Thompson [rthompson@cityftmyers.com](mailto:rthompson@cityftmyers.com)

## EXHIBIT A

- A1. Prior to excavation, the City must provide to the Department a written notification that includes a description of the type of contamination, estimated volume of soil to be removed, and proposed disposal methods to be utilized. *[62-780.525(5)(a)1.]*.
- A2. If discharge of groundwater from dewatering operations will occur, then the City will need appropriate Industrial Wastewater prior authorization. The applicable forms are available at the following link: <https://floridadep.gov/water/industrial-wastewater/content/industrial-wastewater-forms-list>.
- A3. If one of the objectives of the interim source removal is to excavate all the contaminated soil, confirmatory soil samples must be collected. Soil samples must be collected at the bottom of the excavation (unless the bottom is below the water table) and walls or perimeter of the excavation. Sediment samples must be collected at the bottom and perimeter of the excavation, if applicable. *[62-780.525(5)(a)5.]*.
- A4. The excavation site must be secured to prevent entry by the public. *[62-780.525(5)(a)7.]*.
- A5. When excavated contaminated soil or sediment is temporarily stored or stockpiled onsite, the soil or sediment must be placed on an impermeable surface to prevent leachate infiltration and secured in a manner that prevents human exposure to contaminated soil or sediment and prevents soil or sediment exposure to precipitation that may cause surface runoff. The temporary storage or stockpiling of excavated contaminated soil or sediment must not exceed 60 days, unless it is stockpiled on a right-of-way, in which case it must be removed for proper treatment or proper disposal as soon as practical but no later than 30 days after excavation. *[62-780.525(5)(a)7.]*.
- A6. If the City intends to do Interim Groundwater Remediation, then the City must submit for approval an Interim Source Removal Proposal that includes the same level of engineering detail as a Remedial Action Plan pursuant to Rule 62-780.700, F.A.C. Applicable sections must be signed and sealed pursuant to Rule 62-780.400, F.A.C. *[62-780.525(4)(a)]*.
- A7. The City must submit Interim Source Removal Status Reports within 60 days of initiating interim source removal activities and every 60 days thereafter. *[62-780.900 Table A]*.
- A8. Within 60 days of terminating interim source removal field activity, the City must submit an Interim Source Removal Report containing the information listed in Rule 62-780.525(7)(a)1 through 15, F.A.C. *[62-780.525(7)(a)]*.
- A9. The groundwater delineation, migration, and flow determination requirements of Rule 62-780.600(3), F.A.C., continue to be applicable. Within 60 days of terminating interim source removal field activity, please submit a proposed plan as required by Rule 62-780.600(8)(b), F.A.C., which is supported by appropriate analytical results, and meets the applicable criteria for the proposed plan. *[62-780.600(8)(b)1 – 4.]*.

## EXHIBIT B

- B1. While Figure 7 appears to provide a contour of the horizontal extent of the arsenic, we request that you provide additional clarification regarding the vertical extent supported by appropriate analytical results. Deeper wells, as included in the City's work plan, may be necessary to determine the vertical extent contour. *[62-780.600(3)(b)].*
- B2. For all identified cleanup target level (CTL) and/or maximum contaminant level (MCL) exceedances (i.e., arsenic, radium 226/228, iron, aluminum, manganese, TDS, and molybdenum), please submit the horizontal and vertical delineation, the rate and direction of migration (considering three dimensions), and the potential for further migration in relation to the property boundary, supported by appropriate analytical results. Again, deeper wells may be necessary as included in the City's work plan. Additional wells may also be necessary. *[62-780.600(3)(a)].*
- B3. Please determine the horizontal and vertical rate and direction of groundwater flow (at all affected depths, as appropriate) and provide the appropriate supporting analytical results. *[62-780.600(3)(g)4.].*
- B4. Please evaluate the potential effect of seasonal variations and vertical groundwater flow components on the rate and direction of groundwater flow and contaminant migration, and provide the appropriate supporting analytical analysis. At a minimum, quarterly groundwater monitoring (for at least arsenic, radium 226/228, iron, aluminum, manganese, TDS, and molybdenum) will be necessary to support this evaluation. Please initiate such monitoring in all the wells. *[62-780.600(3)(g)4.].*
- B5. If the City wishes to utilize groundwater background concentrations to support its conclusions, then please submit a determination of the relevant background concentrations, supported by appropriate analytical results. *[62-780.600(3)(d)].* For convenience, here is a helpful guidance link: Groundwater Background Guidance: [https://floridadep.gov/sites/default/files/7-GroundwaterBackgroundGuidance2013\\_0.pdf](https://floridadep.gov/sites/default/files/7-GroundwaterBackgroundGuidance2013_0.pdf).
- B6. Please submit a proposed plan as required by Rule 62-780.600(8)(b), F.A.C., which incorporates the additional information requested above, is supported by appropriate analytical results, and meets the applicable criteria for the proposed plan. *[62-780.600(8)(b)1 – 4.].*