

Jeb Bush
Governor

Department of Environmental Protection

Southwest District
3804 Coconut Palm Drive
Tampa, Florida 33619

David B. Struhs
Secretary

August 22, 2002

B.J. Lower, Technical Director
Save Our Bays, Air and Canals (SOBAC)
485 Flamingo Drive
Apollo Beach, Fl. 33572

RECEIVED

AUG 26 2002

RE: Violation of Consent Decree
Complaint receive via email July 30, 2002, concerning
Tampa Electric Company, Big Bend Power Station

BUREAU OF AIR REGULATION

Dear Mr. Lower:

The Department has received your email correspondence referenced above and would like to offer the following information to address your concerns. Although it is not clear if the concerns raised in your letter are related to recent or past events, the Department hopes that the information provided herein will clarify its understanding of the activities you have expressed concern with at the TECO Big Bend site.

On April 10, 2001, Tampa Electric Company (TEC) entered into Consent Order (CO) number 01-1275 with the Department to correct violations at the Big Bend power-generating facility related to waste and wastewater practices at the facility. As part of that CO, TEC agreed to cover the solid waste disposal unit DA-2A with rain cell covers (a 12 mil plastic liner), as an immediate corrective action, while developing a permanent final cover design for the unit and conducting a comprehensive site-wide evaluation of the facility's waste and wastewater management practices.

Since DA-2A is an unlined disposal unit, the expeditious installation of rain cell covers was critical to prevent infiltration of rainfall and potential leaching of contaminants into the environment during the approaching rainy season. To that end, on June 18, 2001, TEC requested that the Department allow TEC to use the Polk Power slag which had already been previously moved to the Big Bend site to grade and contour disposal area DA-2A to create a domed top for the cell to promote drainage when the rain cell covers were installed. Since time was of the essence with the approaching rainy season, the Department did not object to the concept of using the existing Polk Power slag to expedite the liner covering of the DA-2A unit. On July 27, 2001, TEC notified the Department that the rain cell cover installation had been completed and on July 30, 2001, the Department inspected the site verifying that the installation was complete and as approved.

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It is possible that during this timeframe an unusual number of trucks were observed transporting the material from the Coal Storage area on the east part of the Big Bend site to the area of the DA-2 unit. The Polk Power slag material was quickly covered by the temporary cell cover within the DA-2A unit to minimize infiltration of precipitation into the material.

With regard to your concern that the transportation of the Polk Power slag across the Big Bend site was a violation of EPA's Consent Decree, it is the Department's understanding that the relocation of the Polk Power slag to the Big Bend site for re-burning was not addressed by or in violation of the terms of that enforcement settlement. However, TECO was required to apply for and receive specific approval, in the form of an air construction permit, from the Department last year to burn the material at the Big Bend Facility. In addition, part of that air construction permit required the construction of a building within the coal storage area to store the Polk Power slag to control blowing dust and similar fugitive emissions. While the air construction permit was being processed early last year, TECO stopped all transport of material from their Polk County facility to Big Bend.

The Department believes that the relocation of the stock pile of Polk ash material from its previous storage location at the Big Bend facility and into area DA-2A was environmentally beneficial for the following reasons: 1) it allowed the construction of the containment building in the coal storage area as required by the air construction permit; 2) reuse of the ash facilitated the immediate installation of rain cell covers over the (unlined) unit DA-2A; and 3) it minimized the potential impacts of this material to the environment by permanently disposing of the ash under an impermeable liner.

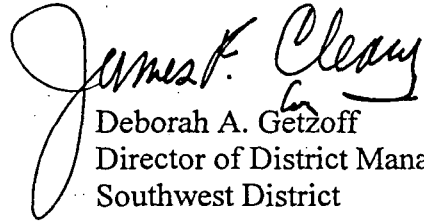
In response to your concerns that TECO may be continuing to relocate this ash material from Polk County to the Big Bend Facility, or disposing of this material in the area of DA-2A, we would like to update you on the construction that is currently ongoing at Big Bend. The rain cell covers installed last year over the DA-2A unit and the relocated Polk facility ash were intended to be temporary corrective actions while TEC developed a permanent final cover design for disposal area DA-2A as required by CO #01-1275. The permanent final cover design was received and approved in the spring of this year. This final cover design included permanent surface water drainage features and a permanent 40 mil plastic liner that would be placed above the waste to prevent infiltration of rainwater and resulting leaching of contaminants into the groundwater below the DA-2 unit. A two-foot soil protective layer would be placed above the plastic liner, and the entire area would be vegetated. Department staff inspected the site on July 24, 2002 to observe the construction progress at the DA-2A cell. At that time, the installation of the protective soil layer over the plastic liner was almost complete. A dump truck that had just dumped its load of soil was observed leaving the area. The soil that is being used to cover the permanent liner at DA-2A is very dark topsoil, and can easily be mistaken for the Polk County ash material. During the period from April until present, and as you described in your letter, trucks have been dumping this topsoil in the DA-2A area. This soil is the protective soil layer over the plastic liner, which is required to permanently cover the disposal area to provide greater protection to the environment and is not ash material from the Polk County TECO facility. During the July 24, 2002 inspection, no exposed liner was noted and the placement of this topsoil over the plastic liner appeared to be in accordance with the specifications approved by the Department and was consistent with industry practices for landfill closures.

Save Our Bays, Air and canals
Mr. B.J. Lower, Technical Director

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We hope that you will find this additional information helpful and that it will relieve your concerns about the movement and use of the Polk County TECO facility ash at the Big Bend facility. If you have any further questions about the DA-2 unit or disposal of the Polk ash material, please contact Susan Pelz at 813 744-6100 x 386 in our Southwest District Office. She is the Program manager for our Solid Waste Program and can continue to provide updates on the ongoing corrective actions at the Big Bend facility.

Sincerely,



Deborah A. Getzoff
Director of District Management
Southwest District

sjp/wk/DAG

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