

Memorandum

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Doug Outlaw  
Florida Department of  
Environmental Protection

XC: CLAIR  
10/18

RECEIVED

TO: Virginia B. Wetherell, Secretary *VBW*  
Department of Environmental Protection

THRU: Dan Thompson, Assistant Secretary *DT*  
Department of Environmental Protection

FROM: Howard L. Rhodes, Director *HR*  
Division of Air Resources Management

DATE: October 7, 1993

SUBJ: Emergency Order for Disposal of Offshore Oil Spill Debris  
from John U. Lloyd State Park

OCT 18 1993  
Division of Air  
Resources Management

The attached order is provided to assist the Emergency Response Section in the Bureau of Waste Cleanup with disposal of tarry residue from an emergency cleanup at John U. Lloyd State Park in Broward County. The tarry residue drifted onto the beach from an unknown offshore source.

There is little or no environmental reason the residue cannot be burned as proposed in a well equipped Resource Recovery Facility (RRF) such as the Broward North or Broward South RRFs.

Please ask your secretary to call Debbie Preble, Chief, Office of Coastal Protection at 8-2974, when this is signed. She will pick up the order, if approved. Also, I would like a signed copy for our files.

HLR/DO/plm

Doug Outlaw  
921-9527

BEFORE THE STATE OF FLORIDA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION

In re:

EMERGENCY AUTHORIZATION FOR  
INCINERATING WEATHERED TAR  
BALLS PICKED UP FROM THE  
BEACH AREA OF JOHN U. LLOYD  
STATE PARK IN BROWARD COUNTY

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CASE NO. 93-3820

EMERGENCY FINAL ORDER

Under Section 120.59(3) of the Florida Statutes, the State of Florida Department of Environmental Protection enters the following Emergency Final Order including findings of fact and conclusions of law, in response to an emergency clean up action at John U. Lloyd State Park, Broward County, as a result of tarry residue (tarballs) deposited on the beach area from an unknown source or sources.

FINDINGS OF FACT

1. The Department's Emergency Response Team accumulated approximately one to two tons of tarry residue during emergency clean up of John U. Lloyd State Park, Broward County. The residue is not acceptable for disposal at the Broward County Landfill.
2. Failure to properly dispose of these substances may result in runoff into the ground water or coastal waters. Also, the tarry substances may be redistributed within the park and render the park an undesirable and unhealthy place to visit.
3. The amount of material to be disposed of consists of less than two tons and has a sulfur content of less than 1%. If the sulfur content is 1%, no more than 80 lbs of sulfur dioxide could result from incineration. When incinerated in the manner specified

herein at a facility utilizing acid gas and fabric filter baghouse control, no more than 16 lbs of SO<sub>2</sub> is expected to be emitted. This is considered a negligible amount and would result in no detrimental impact on air quality. Trace amounts of metals may also exist. However, the fabric filter baghouse control will preclude an adverse impact on the environment.

4. Both Broward North and Broward South Resource Recovery Facilities utilize acid gas and fabric filter baghouse control.

#### CONCLUSIONS OF LAW

1. Section 120.59(3) of the Florida Statutes gives the Department the authority to issue an emergency final order if as agency head I find that an immediate danger to the public health, safety, or welfare so requires and the order recites with particularity the facts underlying that conclusion.

2. Based on the findings recited above, I find and conclude that the need to dispose of deposits of tarry residue from unknown sources requires an immediate order of the Department to protect the public health, safety, and welfare.

THEREFORE, IT IS ORDERED:

1. Disposal of not more than 4000 lbs of tarry residue which was deposited on the beach at John U. Lloyd State Park in Broward County is authorized by incineration at the Broward County North Refuse Recovery Facility or Broward County South Refuse Recovery Facility, provided the following procedures are adhered to:

(a) The tarry substance shall be commingled with no less than 50 tons (one half hour's normal charging rate) of municipal waste.

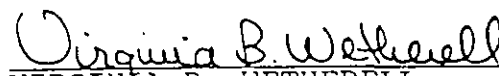
(b) The resulting mixture shall not be incinerated unless all control devices and the incinerator are being operated within the limits of the conditions of certification pursuant to the Florida Electric Power Plant Siting Act.

DONE AND ORDERED on this \_\_\_\_\_ day of October 1993, in Tallahassee, Florida.

NOTICE OF RIGHTS

Any party adversely affected by this Emergency Final Order is entitled to judicial review under Section 130.68, F.S. The Florida Rules of Appellate Procedure govern the review proceedings. Such proceedings are commenced by filing one copy of a notice of appeal with the Agency Clerk of the Department of Environmental Regulation and a second copy, accompanied by filing fees prescribed by law, with the First District Court of Appeal or with the district court of appeal in the appellate district in which the party resides. The notice of appeal must be filed within thirty days of rendition of the order to be reviewed.

STATE OF FLORIDA DEPARTMENT  
OF ENVIRONMENTAL PROTECTION

  
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VIRGINIA B. WETHERELL  
Secretary

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