



Site Specific Discharge Review

Lewis Cornman, Storage Tank Regulation Section, BPSS

Program History

Early Detection Incentive Program: 1986-1988

Owners of petroleum storage systems with suspected contamination that was reported to the Department between July 1, 1986 and December 31, 1988 were eligible for either state-contracted cleanup or reimbursement of costs for the cleanup. A critical component of the Early Detection Incentive (EDI) was the creation of a “grace period” or exemption from departmental enforcement actions for sites that reported contamination. Around 10,000 contaminated sites were submitted under the EDI program with about 5,000 sites being submitted just prior to the deadline the last two weeks of 1988.

“First” cleanup program.

Application period was from July 1, 1986 to December 31, 1988.

Program is closed.

No Cap on cleanup costs.

No Deductible.

Florida Petroleum Liability and Restoration Insurance Program: **1989-1998**

The Florida Petroleum Liability and Restoration Insurance Program (FPLRIP) was created in 1989 in response to anticipated federal financial responsibility requirements. FPLRIP was an optional program that provided owners and operators of petroleum storage tank systems with restoration coverage to provide funding assistance for cleanup of a release from the system. Initially, FPLRIP provided \$1 million worth of site restoration coverage that was gradually reduced to \$150,000 of coverage. This phased out approach allowed owners and operators to obtain affordable financial responsibility while gradually shifting site rehabilitation to the responsible party.

Voluntary program for active petroleum storage systems.

Application period was from January 1, 1989 - December 31, 1998.

Program is closed – but claims can still be filed on discharges that have been reported to the Department prior to December 31, 1998.

Phased in caps and deductibles – depending on discharge date.

\$1 million, \$300,000, \$150,000 - \$500, \$10,000.

Abandoned Tank Restoration Program: 1990-1996

Indigent Abandoned Tank Restoration Program: 1996 - Present

The Abandoned Tank Restoration Program (ATRP) was created in 1990 by the Legislature to address the problem of out of service or abandoned tanks that had contamination associated with previous operations. The original program created in 1990 had a one-year application period. The application deadline to participate in the program subsequently was extended to 1992, 1994, and finally in 1996 the deadline was waived indefinitely for owners financially unable to comply with tank closure.

Abandoned petroleum storage tanks.

Application period was from June 1, 1990 - June 30, 1996.

Program is closed - unless indigent.

No Cap on cleanup costs.

\$500 deductible.

Petroleum Cleanup Participation Program: 1996-1998

In 1996, the Petroleum Cleanup Participation Program (PCPP) was created to implement a cost-sharing cleanup for properties or sites not otherwise eligible under EDI, ATRP, or PLRIP for which contamination occurred prior to January 1, 1995. Sites qualifying for the program are eligible for up to \$300,000 of site rehabilitation funding with a co-payment of 25% of the costs by the owner, operator, or responsible party. The co-payment percentage can be reduced if the owner demonstrates an inability to pay.

Discharges that occurred prior to January 1, 1995.

Application period was from July 1, 1996 – December 31, 1998.

Program is closed.

\$300,000 Cap on cleanup costs – 25% Co-pay – LCAR.

IPTF Program Overview

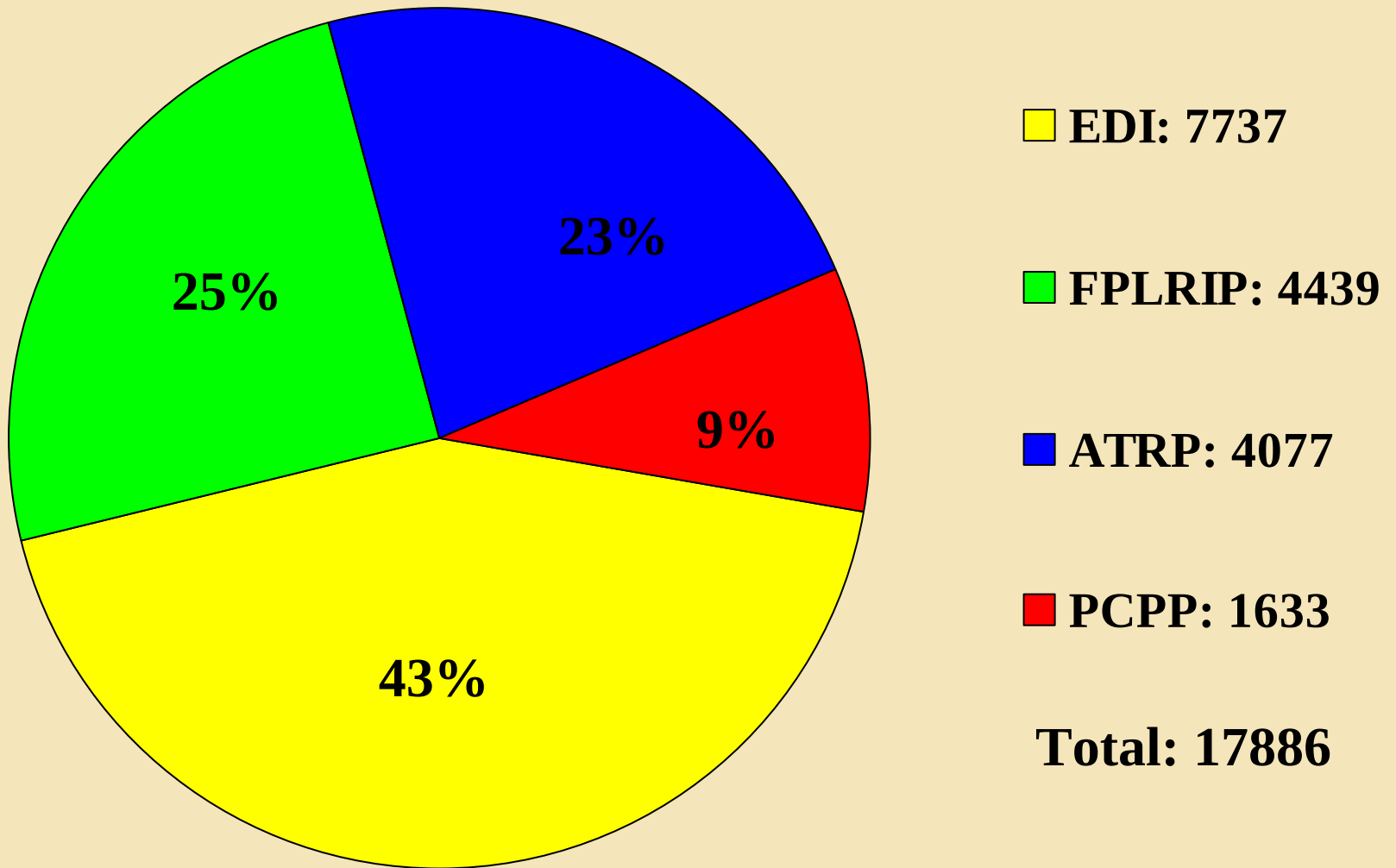
IPTF Program	Application Dates	Program Open	Deductible / Co-pay	Cap	Ability to Pay Review	Reduction of Deductible / Co-pay
EDI	1986 - 1988	No	N/A	N/A	N/A	N/A
ATRP	1990 - 1996	No	\$500	N/A	N/A	No**
Indigent ATRP	1996 - Present	Yes	N/A	N/A	Yes	N/A
FPLRIP	1989 - 1998	No*	Usually \$500 or \$10,000 ***	\$1,000,000 \$300,000 \$150,000 ***	N/A	No**
PCPP	1996 - 1998	No	25%	\$300,000	Yes	Yes

*** Claims may be filed for discharges prior to 12/31/98.**

**** Payment options available.**

***** Based on discharge date.**

Program Eligible Discharges





Jeb Bush
Governor

Department of Environmental Protection

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Colleen M. Castille
Secretary

May 2, 2006

**-CERTIFIED MAIL-RETURN RECEIPT REQUESTED-
-NUMBER 8361 6746**

Mr. Hugh Howell
Dion's Quick Mart #5
3228 Flagler Avenue
Key West, Florida 33040

**RE: Dion's Quick Mart #5 – 3228 Flagler Avenue, Key West, FL
Incident Date: December 2, 1993 - DEP Facility #448511705
Total Deductible: \$500.00**

Dear Mr. Howell:

In accordance with Section 376.3072, Florida Statutes (F.S.), the Department has completed its review of documentation submitted for eligibility under the Florida Petroleum Liability and Restoration Insurance Program (FPLRIP). The Department has determined that the contamination related to the storage of petroleum products as defined in Section 376.301(31), F.S., at this site is eligible for state-funded remediation assistance. **This site's eligibility is restricted to unleaded gasoline contamination from the 6000 gallon underground storage tank removed on December 2, 1993 only.** In accordance with Section 376.30711, F.S., future state assisted rehabilitation will be dictated by the site's priority ranking score, and shall be conducted on a pre-approval of scope of work and costs basis. The Department will notify you regarding the start of site remediation at a later date.

This Order only applies to FPLRIP eligibility and does not apply in any way to any storage tank regulation or compliance matters, including any discharges not addressed herein. You continue to be responsible for compliance with all environmental regulations and will be subject to enforcement should you fail to comply with any environmental regulations.

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under sections 120.569 and 120.57, Florida Statutes ("F.S."), within 21 days of receipt of this Order. Persons who have filed such a petition may seek to mediate the dispute and choosing mediation will not adversely affect the right to a hearing if mediation does not result in a settlement. The procedures for petitioning for a hearing and pursuing mediation are set forth below.

"More Protection, Less Process"

Printed on recycled paper.



Storage Tank/Contamination Tracking - Discharge Information

Co / Facility 44 8511705		Facility Name and Address DION'S QUICK MART #5		Manager	Role	
Facility Status OPEN		3228 FLAGLER AVE KEY WEST Florida		Facility Cleanup Status APPL	Highest Discharge Score 9	
				Discharge Record	1 of 1	
Cleanup Info ACTIVE	Info Source D	DISCHARGE NOTIFICATI		Discharge Score	9	
	Lead Agency DST	DISTRICT		Score Effective Date	03/08/2001	
	Clean Required R	CLEANUP REQUIRED		Rank	11086 of 14917 on 05/02/2005	
Discharge Info	Discharge Date	12/02/1993		Inspection Date		
	Combined With			Cleanup Status/Date	PNTD 04/25/2006	
Eligibility and Application Info	Application Received	Cleanup Program	Lead	Status	Determination Letter Sent	Redetermined?
	04/20/2006	P	P	P	05/02/2006	N



Storage Tank/Contamination Tracking - Discharge Information

Co / Facility	Facility Name and Address	Manager	Role
44 8511705	DION'S QUICK MART #5		APPL
Facility Status	3228 FLAGLER AVE	Highest Discharge Score	9
OPEN	KEY WEST Florida	Discharge Record	1 of 1

Cleanup	Info Source	Discharge Score
	D DISCHARGE NOTIFICATI	9

Storage Tank/Contamination Tracking - Discharge CAP and Copay Information

Discharge CAP and Copay Information

Cleanup Program *	Admin Changed?	CAP Amount	CAP Paid	Deductible Amount	Deductible Paid	Co-pay Percent	Co-pay Paid
P		1000000		500			

Information is HIGHLIGHTED when Cleanup has been completed.

Application Info	04/20/2006	P	P	P	05/02/2006	N

Non Program Discharges

Need a copy of the DRF and any compliance/closure inspections, and any contamination reports related to the discharge.

Contact the contracted Storage Tank Compliance Program or the DEP District Office for DRF's and inspections.

Check Oculus – usually historical compliance records are not found here, but contamination reports can be located.

Once all the documentation collected, determine if the discharge is an actual new discharge or re-reporting of a prior discharge.

Discharge Resolution

New Discharge

After a review of the discharges at the site, if it is determined that a discharge is an actual new discharge, compile all of the documentation collected and review it with your Supervisor. After the supervisory review if it still appears that an actual new discharge occurred, forward the documentation collected to the Eligibility Coordinator. An eligibility determination will be made, and an eligibility Order issued.

Note: Eligibility determinations will be made for discharges prior to 12/31/1998.

Discharge Resolution

Deleted Discharges

Some discharge reports in PCT represent re-reports of existing contamination or a data entry error. Upon discovery that a discharge listed in PCT meets one of these criteria and therefore should be removed from the database, the *Site Manager* must send a memo to the *Eligibility Coordinator* with the details of why the discharge should be removed from PCT. See the “Rescission of a Discharge Report for Discharges With No Program Eligibility Indicated” memo dated May 30, 2001, in *Appendix C.11*, for more information and details on routing the memo.

1.2.5.5. Rescission of a Discharge Report with No Program Eligibility

Memorandum

Florida Department of Environmental Protection

TO: All District and Local Program Compliance Supervisors
All District and Local Program Cleanup Supervisors
All BPSS Team Leaders

THROUGH: Michael E. Ashey
Chief, Bureau of Petroleum Storage Systems

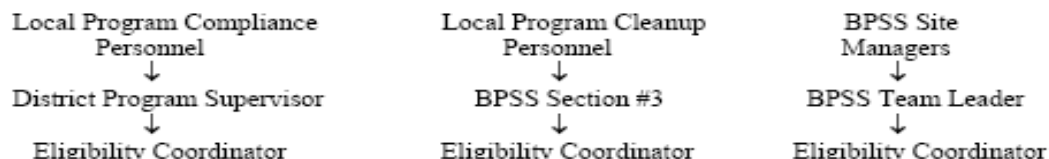
FROM: Lewis J. Comman, Jr.
Environmental Manager (Eligibility Coordinator)

DATE: May 30, 2001

SUBJECT: Rescission of a Discharge Report in PCT for discharges with no program eligibility indicated.

The purpose of this memo is to clarify the procedure to delete a discharge from the PCT database that the Department does not consider to be an actual new discharge and has no program eligibility associated with that discharge. Upon discovery of a DRF listed in PCT that, after investigation, is determined not to be a new discharge, but is a data entry error or re-reporting of a prior contamination incident, the following procedure should be used. For data entry errors prepare a memo to the Eligibility Coordinator with the DEP facility numbers involved describing how the data entry error occurred and why the DRF needs to be rescinded. The memo to the Eligibility Coordinator for DRF's which are re-reporting of prior contamination incidents should also contain the facility number involved and briefly describe the circumstances that led to the reporting/entry of the DRF, the reason why the DRF should be rescinded, and include any necessary backup documentation.

The review process and chain of command for the memo should be as follows:



Upon completion of the memo and review process, the Eligibility Coordinator will delete the DRF from PCT. PCT will show from that point on that the facility has deleted discharge records. Review of the deleted discharge information can be seen by selecting *Deleted discharge* from the History menu. If you have any questions, please contact me at SC 278-3935 or (850) 488-3935.



Storage Tank/Contamination Tracking - Discharge Information

Co / Facility 		Facility Name and Address 		Manager	Role
Facility Status 				Facility Cleanup Status	
				Highest Discharge Score	
		Florida		Discharge Record 1 of	

Cleanup Info 	Info Source ☐	Discharge Score
	Lead Agency ☐	Score Effective Date
	Clean Required ☐	Rank of on

Discharge Info	Discharge Date	Inspection Date
	Combined With	Cleanup Status/Date

Eligibility and Application Info	Application Received	Cleanup Program	Lead	Status	Determination Letter Sent	Redetermined?
		☐	☐	☐		☐
		☐	☐	☐		☐
		☐	☐	☐		☐
		☐	☐	☐		☐

Discharge Resolution

NREQ Discharges

Occasionally a discharge that has been made eligible for funding from the IPTF is later found to be a re-report of a previous eligible discharge. In some of these cases, the property owner or responsible party may want to rescind the discharge report and associated eligibility. The FDEP will not rescind an eligibility order once it has become final. If a file review verifies that the discharge is simply a re-report of the eligible discharge, then the discharge will be given No Cleanup Required for that discharge. Other instances where no cleanup required may be entered for a discharge are:

1.2.5.4. Eligible Discharges that are Determined not to be New Discharges

Discharge Resolution

NREQ Discharges

The Department issued a letter to a responsible party indicating the no further action is required for the reported incident/discharge or closure event.

Minor spill that was addressed quickly via interim source removal that will not require a 62-770 cleanup.

Minor spill that was not addressed via interim source removal but occurred on top of a significant spill and it was determined that the contribution of the new spill was de minimus or otherwise insignificant compared to the total cost of the cleanup.

BER reported discharges that have been determined to be adequately addressed and do not require 62-770 cleanup.

A discharge was reported/submitted, application made to an eligibility program, but evidence of contamination from the reporting incident was never provided or documented.

Discharge Resolution

Combined Discharges

Many discharges recorded in PCT have been combined with a previous discharge for cleanup. In some cases, the later reported discharge was determined to be a re-report of the discharge with which it is combined. In other cases, the discharges were combined for cleanup even though they may represent two separate events. In either case, *Site Managers* will need to review the site file to determine, if possible, why the discharges were combined and take corrective action if needed.

1.2.5.2. Combined Discharges

Discharge Resolution

Multiple Discharges

It is incumbent upon the *Site Manager* to be familiar with all of the reported discharges at a facility and what, if any, program eligibility applies to those discharges. The *Site Manager* must compare the file information, and assessment information as it is collected, to attempt to apportion the eligibilities to their respective discharges. The *Site Manager* must determine the relative contribution of each discharge to the contaminant plume and establish the proportional share for the cost of the cleanup. Once the *Site Manager* generates a recommendation on apportionment the *Team Leader* should review and approve that apportionment.

1.2.5.1. Facilities With Multiple Eligibilities

1.2.5.3. Facilities With Eligible and Ineligible Discharges

Compliance/Eligibility History

Site Files

Registration File

Cleanup File

Files at District or Storage Tank Compliance Program

STCM – Compliance Project

Compliance / Projects / Project Summary

Oculus

FIRST – Florida Inspection Reporting for Storage Tank Systems

Email notification

Compliance inspection in Oculus



 Storage Tank/Contamination Tracking - Facility Compliance

Co Facility	District	SD	County	MONROE	Fac Status	OPEN	
44	8511705	DION'S QUICK MART #5			Fac Type	A Retail Station	
	3228 FLAGLER AVE					Contractor Owned?	N
	KEY WEST			33040	4604	Insp Tanks	A 0 U 3
Fac Contact	SUE BANKS			Phone	305-296-2000		
				Tank Office	TKMOPH		

Project Summary

PROJECT SUMMARY Press [PAGE DOWN] to view details

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Oculus 4.0 - Microsoft Internet Explorer

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OCULUS™ Contractor Lookup search insert workspace ? help logout

Search

Catalog

BPSS

Search by
Profile

Profile

Petroleum
Restricted

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Search Clear

CountyID =

FacilityID = 8511705 ... DION'S QUICK MART #5

Document Date = (MM-DD-YYYY) To (MM-DD-YYYY)

Received Date = (MM-DD-YYYY) To (MM-DD-YYYY)

Category ID = 02 - ELIGIBILITY

Category Name = *i*

Doctype ID = *i*

Doctype Name = *i*

Contractor ID =

Search Clear

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Oculus 4.0 - Microsoft Internet Explorer

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Address <http://dwmedms.dep.state.fl.us/Oculus/servlet/login?action=login> Go Links

OCULUS™ Contractor Lookup search insert workspace ? help logout

Search Results

BPSS
3 total

Result/Page Sort Refresh

Operations Select

☐ Add to Favorites

☐ Turn Previewer on

Showing Result(s) 1 to 3

Pages: 1

		Document Date	Received Date	CountyID	FacilityID	Category ID	Category Name	Doctype ID	Doctype Name
☐		05-20-2004	05-20-2004	11	8626248	03	CLEANUP	323	APPROVAL LETTER
☐		04-26-2006	05-02-2006	11	8626248	01	COMPLIANCE	118	NONCOMPLIANCE LET
☒		04-13-2006	04-20-2006	11	8626248	01	COMPLIANCE	108	INSPECTION REPORT

Local intranet