



MANASOTA - 88

A Project for Environmental Quality 1968 - 1988

NEWSLETTER

APRIL 1983

STEERING COMMITTEE

GLORIA RAINS, Chairman
(813) 722-7413

Meets April 27, 3 P.M.
Music Room, New College

Dr. Mary Jelks will report on air quality legislation and health impacts associated with conversion of oil-fired power plants to coal.

MINING AND

DRINKING WATER Manasota-88's major job is to provide information to the public about environmental issues, to support actions that are beneficial to the public health and environment, and to oppose activities that will be harmful to residents of Manatee and Sarasota Counties.

Years of research and consultation with appropriate scientists about phosphate mining have convinced us there is no way mining can take place in the Lake Manatee watershed without affecting both the quality and quantity of water available to area residents.

Even if all mining presently permitted and proposed for the Lake Manatee watershed goes according to plan with no unexpected problems or deliberate violations of company permits, because of run-off from mining tracts, permitted and unregulated discharges to surface and groundwater, water quality will still be degraded.

The quantity of water available, both from the reservoir and proposed wells in the Lake Manatee watershed, will be reduced through destruction of the surficial aquifer which feeds the lake, through destruction of recharge areas and drawdown of the aquifer from mining operation withdrawals.

There is no way these harmful effects can be avoided.

As reported, by a county consultant, who is advising the county to settle with Estech, Inc. and permit them to mine, the cumulative impacts of proposed mining in the watershed on water quantity will be so great that ultimately the county will have to look out of the Lake Manatee watershed for its drinking water supplies. (To understand how serious the cumulative impact of mining will be on water quantity, it is important to note that, according to county consultants, up to 80% of land in the watershed is either owned or leased, with options to buy, by mining companies. Prior to receiving this information Manasota-88 computed the effects on water quantity on the basis of 48% mine ownership of watershed lands and still found the quantity of drinking water to be seriously reduced by this amount of mining). When representatives of Manasota-88 suggested, both because of water quantity

and quality problems, the Peace River, the Myakka, Alafia, Little Manatee, Ward Lake (even with its expansion) and the proposed Sarasota County well-fields are not adequate to supply our needs, the county consultant suggested we would have to look to the Suwannee River as our source. This is an example of the type of planning and advice the taxpayers of Manatee County have paid for to date.

Manasota-88 objected to the county permitting Beker Phosphate Company to mine in the watershed. The county looked at tax dollars and voted to give an operating permit to the company. Subsequent legal and environmental problems with the Beker operation make it apparent that the vote was as irresponsible as we said it was.

Manasota-88 objected to the county permitting W.R. Grace to mine in the watershed. The county said since W.R. Grace was just getting permits to mine in the corner of the watershed; that in order for the county to appear reasonable in its future efforts to keep mining out of the center of the watershed, a permit should be given to the company. Problems re: mining in wetlands, discrepancies in company maps, questions re: mining operations are just beginning to emerge. Mining has not yet begun.

Manasota-88 objected and still is in court re: the proposal of Estech, Inc. to mine in the middle of the watershed and to construct a slime pond 12 miles upstream from the reservoir. Strong rumbles are emerging from the county that since we permitted W.R. Grace to mine, we cannot deny Estech a permit. (A reversal of the reason for giving Grace's permits and precisely what we said was likely to happen). We are also told the county could stand to lose a lot of concessions from Estech if permits to mine are denied. (Concessions to date, as far as we know, are a couple of wells whose water quality, if mining is permitted, will require expensive treatment if it can even be used as a potable water source.)

An additional rationale being developed which will permit Estech to mine a few hundred feet back from the river is a study conducted by county consultants during an extremely wet season which will show that Estech's proposed operation will not have much effect on river recharge from the surficial aquifer. An earlier study done by county consultants during a relatively dry period showed the surficial aquifer was a major contributor to river flow.

Cumulative impacts of mining operations on both water quantity and quality apparently are being ignored.

If the county, based on the information we have received, continues on a course of retreat from its earlier efforts to deny Estech permits to mine in the watershed, officials will be completely abdicating their trust to protect the people's health and welfare.

The long-term increased costs to area residents of procuring safe water to drink will be enormous. Additionally, over the long term, the trade-off of a good, reasonably priced water source in exchange for a relatively few phosphate mine tax dollars is going to pose a substantial threat to future county growth and could cripple several of the county's main industries, including building.

Thanks to the dedication and efforts of attorney Tom Reese, Manasota-88

will continue its efforts to prevent further harm to the primary drinking water source of 235,000 people - the Lake Manatee watershed.

SUPPORT IMPACT

FEES Members of Manasota-88 continue to support Chairman Bob Anderson and other members of the Sarasota County Commission in their efforts to pass an impact fee ordinance. The passage of this ordinance will ensure the costs of growth will be fairly distributed and will permit present residents to better bear the burden of paying the costs of catch-up for the unwise growth practices of the past.

Our members commend the Commission for taking this much needed step.

SEPTIC

TANKS Representing Manasota-88 before the Environmental Quality Subcommittee of the House Natural Resources Committee in Tallahassee, Gloria Rains was the only member of the public to testify in support of PCB-7, an improved on-site sewage disposal system bill.

The bill limited septic tanks to two per acre where on-site private wells existed and sewage flow did not exceed an average of 1000 gallons per acre. Where public water systems existed and flow did not exceed 1500 gallons per acre, three septic tanks were permitted.

Minimum distances septic tanks could be placed from private and public wells and from surface waters were increased under the bill.

Since, according to Dr. Flora Mae Wellings of HRS and other responsible scientists, it appears Florida's groundwater is contaminated with viruses, the bill was a step in the right direction to protect the people of Florida.

However, the bill, inadequately defended by HRS lobbyists and attacked by representatives of the construction industry, was drastically weakened before being passed out of the subcommittee.

Subsequently, Tom Reese, attorney for Manasota-88, notified Rep. Jon Mills that PCB-7, as amended, is totally unacceptable to our members and requested the full House Natural Resources Committee reject the bill and, instead, adopt the recommendation of the Water Task Force limiting septic tanks to one per acre. Mr. Reese also advised Chairman Mills that the use of septic tanks within the cone of influence of any public potable water supply should be prohibited.

HAZARDOUS WASTE

BILLS Representatives of Manasota-88 expressed our support of most sections of the House Committee on Natural Resources Hazardous Waste Management Bill, PCB-8.

Our members wholeheartedly support the section of the House Bill which, except for emergency situations, essentially forbids the siting of hazardous waste landfills in the state.

However, we have let both Rep. Mills and Senator Neal know that members of Manasota-88 feel strongly that both house and senate bills should permit hazardous waste transfer stations to be sited only in industrial zones outside the coastal flood plain. Hurricanes or flood waters could create serious environmental health problems if hazardous waste transfer stations are permitted in coastal areas.

HAZARDOUS WASTE

INCINERATORS The pressure to cite hazardous waste incinerators in all regions of Florida is strong but the knowledge of problems with the federal laws regulating the use and actual operation of hazardous waste incinerators is generally lacking in the state. Before the legislature moves forward to permit incinerators, both legislators and regulators need to understand the following: (1) the degree to which conventional hazardous waste incinerators can dirty the air with uncombusted bits of chemicals and other pollutants; (2) that the location of a conventional incinerator is important because meteorology and population distribution both affect the actual level of risk to human health and the environment; (3) the risk posed by federally permitted emissions of four pounds of hazardous emissions per hour if the incinerator is working properly; and (4) that because of the inadequate federal laws governing incinerator operation and construction, there is a need to develop state rules before permitting additional conventional hazardous waste incinerators in Florida.

Waiting to write laws regarding the siting of hazardous waste incinerators until state rules are developed to govern their operation and location could also be beneficial because a new combustion technique using "supercritical" water promises to be cleaner, safer, and cheaper than conventional hazardous waste incinerator operations.

GROUND

WATER Manasota-88 expressed our appreciation to Representatives H. Lee Moffitt and Jon Mills for their proposed legislation re: a much needed ground water protection program for the state.

We are hopeful the entire legislature will support this proposal.

While we have supported adequate funding for state roads and an improved education program and feel they are of great importance, we also believe that the protection of our ground water resources, which 92% of our population depend upon for our drinking water, should have first priority for state funding. By comparison, good schools will be of little import if, via a continued grossly underfunded and inadequate groundwater protection program, our children are subject to unnecessary birth defects, sickness and death.

AIRPORT

STUDY Representing Manasota-88, Gloria Rains will participate as a member of the Planning Advisory Committee in the Sarasota-Bradenton Noise Control and Land Use Compatibility Study. Doris Schember will serve as alternate representative to the committee.

The study will consist of an analysis of the impact of existing and future aircraft noise on nearby neighborhoods and ways these impacts can be reduced or prevented from occurring.

ESTECH

APPEAL Attorney Tom Reese has asked the First District Court of Appeal to grant a rehearing on the Court's March 9 opinion and to certify that the March 9 decisions directly affecting the potable water supply of a quarter million people in Manatee and Sarasota Counties present a question of great public importance.

POWER INDUSTRY

PRESSURES Manasota-88 is closely tracking efforts by the Florida electric utility industry to lower groundwater standards. Presently a number of industry members are not meeting secondary water quality standards. Rather than upgrade the treatment of their effluent, industry representatives and their attorneys are purported to be applying pressure on regulators to get standards lowered to the existing level of industry effluent discharges.

Proposing to set standards, not to improve or protect environmental health, but to accomodate industry at the public's expense, makes a complete mockery of environmental regulation.

OCEAN

DUMPING Representing Manasota-88, Tom Reese notified Governor Graham that we are opposed to the use of any spoil disposal site for the Tampa Harbor deepening project which would adversely affect or impair the marine resources of the Gulf of Mexico. The proposed Site 4 location located 17 miles west of Egmont Key is unacceptable because the area is an important marine habitat, is ecologically similar to the site the federal district court enjoined the Corp from using, and is inconsistent with Florida's Coastal Zone Management Plan. Mr. Reese suggested that alternative sites 30 miles or more offshore should be evaluated. However, upland disposal is the best technology.

ATOMIC

ENERGY ACT Manasota-88 is supporting plans to ask Congress to amend the Atomic Energy Act so that state and local governments can act to protect citizens.

The Act is presently interpreted by the courts to mean that all matters related to preventing nuclear accidents are exclusively the domain of the federal government. In effect, the courts ruled that all state and local laws to protect Americans from nuclear accidents are illegal - that states cannot award punitive damages when nuclear accidents or careless contamination occurs.

Amending the Atomic Energy Act is the only way to ensure the public does not face a nuclear industry insulated from the results of its own carelessness or intentional mishandling of nuclear materials by the federal government itself.

MODEL BUILDING

ORDINANCE Under the direction of the Department of Health and Rehabilitative Services, members of the Phosphate Related Radiation Task Force met in March to review the interim model building ordinance for homes to be built on phosphate mine reclaimed lands. John and Gloria Rains and Tom Reese attended this meeting.

We agree with Mr. Reese in his subsequent comments to the Chairman of the Task Force that the Model Building Ordinance is completely unacceptable and misrepresents the risk of living on reclaimed phosphate land and does not even set forth the best technology for building on such lands - that the end result of the model ordinance is that it is a complete sham which will adversely affect the health of a great number of citizens in the State of Florida.

Additionally, we advised HRS Task Force Chairman Dr. King that Manasota-88 feels the impetus to approximately double the Working Level exposure and ensuing excess lung cancer deaths for those

uninformed people who might be unfortunate enough to live in these houses appear to be based on several considerations. (The recommendation to double the exposure comes from a National Commission on Radiological Protection consultant hired by the Florida Institute of Phosphate Research).

If the increased Working Level Exposure is permitted:

1. The potential liability of whoever might be determined in the courts to be responsible for these projected needless (excess) lung cancer deaths would be reduced.
2. The best defense to potential damage suits would be that the houses were built in compliance with state standards written to protect human health and the environment. Few people would be well-informed enough to realize the standards were not written to protect human health but rather to protect industry.
3. Standards would be in conformance with other countries where concern for individual safety is not supposed to be as great as ours and we would not be an embarrassment to the NCRP (as was mentioned at the last Task Force meeting) and their mentor the International Commission on Radiological Protection, an international group of 12 scientists who have assigned themselves the right to make moral, political and social decisions - a right not yet questioned by many.
4. Some concrete block houses built on phosphate reclaimed lands possibly could meet the increased Working Level exposure standard proposed by NCRP representative Dr. Harley without special building techniques.
5. Such a Working Level exposure might permit the use of phosphogypsum in some home construction in areas other than reclaimed lands.

Rather than accepting such a high risk for innocent and uninformed people, members of Manasota-88 recommended: (1) Ensure the buyer is informed of the possible risk involved in living on reclaimed lands and (2) Require wood construction with open ventilated crawl space to minimize exposure for those living on reclaimed lands.

Much of the problem with housing on reclaimed lands could be avoided if the state adopted the radiation standard adopted by Sarasota County, the latter essentially a non-degradation standard which former EPA Administrator Douglas Costle said was both economically and technically feasible.

However, it appears that unless the Governor intervenes, the economically insignificant phosphate industry is going to be permitted to continue to create the chaos and destruction it has for so many years.

Manasota-88 has sent copies of our comments and Mr. Reese's to Governor Graham in hope that he will be concerned enough to issue directions to the members of the Task Force to develop an ordinance that will really protect the public's health and well-being.

UNDERGROUND STORAGE

TANKS _____ Manasota-88 supports a petition from Tom Reese to the Department of Environmental Regulation to establish a permitting

system for existing and new underground gasoline, oil and chemical storage tanks. Currently, no government agency regulates or inspects such tanks for leaks.

Poorly constructed underground tanks containing the latter materials are "leaking into Florida groundwater at an alarming rate. Numerous potable water supplies in the state have recently been discovered to be polluted by such leaking tanks. A hole as small as a quarter in one of these underground tanks can leak up to a gallon of material in an hour depending upon soil conditions. One gallon of gasoline, oil, or chemicals can pollute and contaminate a million gallons of ground water beyond state standards. The current technology to clean up ground water contamination from such tanks is marginal and extremely expensive."

The State grants DER the power and duty to establish a permit system for the operation, construction or expansion of any installation that may be a source of air and water pollution. It is time the Department assumes this responsibility.

SARASOTA

SEWAGE The City of Sarasota is trying to move forward with revised plans for its effluent spray irrigation site on the Myakka.

Wetland filters, holding vats for excess effluent during wet periods, additional treatment of effluent, are some of the measures proposed to address problems with the spray irrigation system that have been identified in the past.

The city's reluctance to adopt a plan using advanced wastewater treatment for effluent discharged into Sarasota Bay is presently based on a recent review of bay conditions and studies by Smith and Gillespie.

The review states the Sarasota Bay Study incorrectly calculated the assimilative capacity of the bay and that the nutrient discharge from the Sarasota treatment plant has a very significant impact on marine ecology of the bay. The reason for the latter is that Sarasota Bay is basically a very low nutrient flow estuary with major productivity not dependent on plankton. The review also states "The Bay's shallow nature, few tributaries, little freshwater dilution and clear waters allow for a system well suited to the benthic flora, especially the sea grasses" and that only very small quantities of nutrients are needed and the most important water quality parameter is water clarity which allows the benthic community to grow.

The consultants also advised the City that more studies of the Vanderipe Slough and also the Myakka River below the dam are needed for a proper evaluation of waste load allocation for the city's spray irrigation project.

We hope the effect of discharges of nutrients and pollutants from the Beker site are being factored into this study.

MANATEE

SEWAGE Members of Manasota-88 have expressed our concern about the inadequacy of the Manatee County Utility System plans for a new sewage disposal plant in north county.

There are no firm, long-range plans for effluent disposal. There seemingly is no priority placed on providing sewage treatment for areas that are currently having serious septic tank problems.

The County cannot continue to spend millions of dollars on ventures based on incomplete and inadequate plans.

Before purchase of a new treatment facility site, definite, long-range plans must be provided for the treatment and ultimate disposal of sewage effluent.

ORLANDO DISPOSAL

PLAN _____ Manasota-88 has objected to a plan by Orlando utilities to inject their treated wastewater effluent into the Florida Aquifer, the drinking water source of hundreds of thousands of people.

It appears the Department of Environmental Regulation and the EPA have approved this proposed plan. Yet, research by our members finds there have been a number of studies done, including EPA studies, that show treated effluent contains mutagens which can cause birth defects.

PERMITTED

WATER POLLUTION _____ Over Manasota-88's objections, some months ago, the DER adopted a waste-load allocation approach to addressing surface water quality problems.

Waste-load allocation means determining what volume of pollutants can be dumped in a body of water before the water quality becomes so bad, all marine life ceases and the water is essentially dead.

Studies are going on now in the state to determine at what point various bodies of water can no longer assimilate "garbage".

Not only is the premise for such an approach to "protecting" water quality dreadful, the sampling methods to determine acceptable load allocations are inadequate and suspect. Certainly, the sampling procedures set out by DER do not produce results indictative of general water quality conditions.

In the case of Tampa Bay, sampling is only going to be done for one period to determine data re: future waste load allocations. Robin Lewis, in a recent letter states, "The Tampa Bay Study Committee is greatly concerned about the presently proposed Tampa Bay Wasteload Allocation Study due to scientific concerns about the validity and applicability of the expected results. The Committee feels these scientific issues need to be fully addressed prior to study initiation considering the large expenditure of public funds and the likelihood that major decisions affecting the water quality of Tampa Bay for at least several decades will be based upon the results of the study."

"Several major deficiencies are apparent at the present time. The first problem concerns the use of only one period for intensive water quality sampling to obtain data for calibration and verification of a water quality simulation model. At least two periods are essential. Secondly, the study should cover the entire bay, not just old Tampa Bay and Hillsborough Bay. Finally, adequate biological sampling and analysis of historical data related to biological resources are essential to characterize all nutrients and other water quality parameters (e.g. light) that influences nuisance algal growth and reduce the beneficial uses

of the bay.

Another equally suspect wasteload allocation study is being done by the Manatee County Utilities System to justify dumping partially treated effluent into the Manatee River.

Attorney Tom Reese has communicated Manasota-88's concerns about the waste-load allocation program to DER Secretary Tschinkel.

DNR

RULES Although members of Manasota-88 spent considerable time, money, and effort to participate in the early Department of Natural Resources phosphate reclamation rule-making process, we have been informed that Manasota-88 and other interested parties have not been notified of meetings involving the final draft rule-making phase and have not been asked to provide comments.

We have informed DNR Director Dr. Elton Gissendanner of our concern that a phosphate company attorney appears to be actively assisting in writing the rules while the assistance of our attorney and organization was not requested nor were we informed of the meetings. There can certainly be no question of our interest in this proceeding.

The members of Manasota-88 are growing increasingly weary of departments in theory established to protect the public interest instead actually permitting industry to develop their own self-serving, harmful to the public's interest, rules.

WATER SHORTAGE

PLAN Manatee County Water Quality Chairman Doris Schember attended the Southwest Florida Water Management District's meeting to discuss a proposed water shortage plan by the District. The purpose of this plan is to "efficiently and equitably achieve desired reductions in overall total water use during declared water shortages."

SUPPORT

PETITION Members of Manasota-88, including those living in Pinellas County, have notified the Department of Environmental Regulation of our support for Tom Reese's petition to initiate rulemaking to designate the surficial and the Floridan Aquifers of the Middle Gulf Hydrologic System as G-1 waters.

The ground water in these areas are the only feasible source of potable water for the people living in the Middle Gulf area in light of existing environmental, technological, water quality, institutional, and social, legal and economic factors. This reclassification is clearly in the public interest since not reclassifying the area will result in the water supplies being threatened by pollution from zones of discharges granted to dischargers of pollutants in the area.

MOBIL

MESS DER has received a cash settlement from Mobil Chemical Co. for environmental damage along the Peace River. A clay settling area being capped by sand tailings disposal washed out, discharging 10,000 cubic yards of sand and some clay material over a five acre area along the Peace River.

Although the water quality impact of the spill was small, plants and animals in the floodplain and in the river were covered with the

illegal fill. The settlement also required Mobil to remove the sand and clay fill down to the original substrate in those areas where the fill exceeded one foot in depth.

COASTAL ISLAND

DEVELOPMENT BILL Members of Manasota-88 support a proposed legislative bill developed by the Coastal Islands Subcommittee of Florida's Coastal Management Citizens' Advisory Committee that will establish minimum standards for development and construction on coastal islands, with their associated beaches, dunes and wetlands, for the purposes of protecting public safety and natural resources on the entirety of a coastal island. The standards are to apply statewide to all coastal islands, whether already developed, partially developed or undeveloped.

POLITICS &

CANCER Dr. Samuel Epstein and Joel Swartz disagree with recent news releases indicating cancer will be cured in the next few decades. "In recent weeks that prediction has surfaced repeatedly, most often in stories tied to March's designation as National Cancer Month. Whatever the advances in treatment, however, the fact remains that similar advances must be made in eliminating cancer's causes if the disease is truly to be "cured". Unfortunately, the evidence suggests that no such effort is being made."

"Indeed, U.S. cancer incidence and mortality rates have actually been rising sharply since the beginning of the last decade. Between 1969 and 1976, overall cancer death rates rose by 1 percent a year for white males and by half that rate for white females; mortality rates for black males have climbed twice as fast as those for whites."

While cigarette smoking has been clearly linked with rising rates of lung cancer and is generally accepted as a cause, there are also other factors at work. Lung cancer deaths jumped by 21 percent for white men and 75 percent for white women over the 1969-1976 period, an increase that cannot be assigned solely to smoking, which has been declining among men for 30 years. The rise in female lung cancer has been far steeper than would be expected from changed smoking patterns alone."

"That excessive alcohol consumption and bad diets have contributed to cancer risks has long been acknowledged by research specialists. Less understood are causes unrelated to personal lifestyles, in particular the impact of people's exposure to a huge array of industrial chemicals and products developed and marketed since World War II. Because of the long period between exposure to carcinogenic agents and appearance of cancers - 15 to 20 years or more - the current rapid rise in cancer rates is precisely what one would see if the expanded production and use of industrial carcinogens were a major cause of cancer."

The production of all synthetic organic compounds increased tenfold between 1950 and 1975, with concomitant rises in output of industrial carcinogens such as vinyl chloride and acrylonite. And many comprehensive studies have demonstrated a cancer link with such natural carcinogens as asbestos, uranium ore and other radiation sources."

No matter what our life style, until regulatory policies "yield to a genuine offensive against known carcinogens, cancer will still be with us - and its promised cure still distant."

Tax-deductible contributions to Manasota-88 may be mailed to Hilda Guy, 1619 Palma Sola Blvd., Bradenton, Fl. 33529.