

Memorandum

Florida Department of Environmental Protection

TO: Cleanup Team Supervisors and Local Program Cleanup Contract Managers

FROM: District Tanks Section Managers

DATE: February 15, 2006

SUBJECT: Referring Cleanup Cases Involving Suspected New Discharges For Enforcement

When referring a case to the district for formal enforcement that involves a suspected new discharge, it is important that you provide as much information as possible to assist us in developing the case. All cleanup staff and local program cleanup staff should be familiar with the guidance memo from Mike Ashley dated November 4, 2002, entitled "Procedures for Management of Eligible Sites with IPTF funding Caps and Transition to Non-program Voluntary or Enforcement Status" and Attachment K of the cleanup contracts at enforcement level 1. All of these required procedures must be completed before referring any cases to the Districts for enforcement.

Referral packages will vary in volume; however, every package for a newly referred case should include the following information:

1. A cover letter or memorandum to the District Tanks Section Manager from the team supervisor stating that you are referring the case for formal enforcement. The letter/memo should include recommendations that you may have for handling the case. The memo should name the cleanup staff that will act as project manager and will be managing the technical issues involved and who will be available for questions, meetings, depositions, hearings and other enforcement related activities. This may involve travel to the District Office and county where the facility is located and/or court jurisdiction resides
2. A chronology of events describing the events leading to the referral. The chronology should list inspections, telephone calls, and other pertinent correspondence between the Department and the RP and property owner.
3. Location and source of the suspected discharge.
4. Names, telephone numbers, e-mail address if known, and addresses of the property owner and other potential RP's including corporate information if an RP is a corporate entity. Links to the county appraisers office (<http://www.state.fl.us/dor/property/appraisers.html>) and clerk of the courts (<http://www.flclerks.com>) are helpful to determine ownership. The link for corporate records is (<http://www.sunbiz.org>).
5. Supporting evidence that indicates a new discharge. This should include analyticals that confirm the existence of contamination in excess of standards.

Memorandum
February 16, 2006
Page Two

6. A drawing of the site layout, with any notes that help explain the location and extent of the suspected discharge.

The above listed minimum information should always be sent when suspected new discharge is first referred to the District. District staff may contact the project manager for additional information as the case develops.