From: **Jeanne Zokovitch Paben** <jeanne.pabenlaw@gmail.com>
Date: Thu, Aug 8, 2024 at 1:29 PM

Subject: Lockheed Contamination in Tallevast: Comments from RES on FDEP's 2023 RASR Review

To: Bland, Mike <Mike.Bland@floridadep.gov>, <philip.wilkerson@floridadep.gov>, Sellers, Robert <Robert.Sellers@floridadep.gov>, Smith, Leah J. <Leah.J.Smith@floridadep.gov>, Bahr, Tim <Tim.Bahr@floridadep.gov>

Mike and Bob,

On behalf of Laura Ward and Wanda Washington as Co-Executive Directors of FOCUS and the Tallevast community attached are comments from RES, FOCUS' independent scientific consulting firm, addressing FDEP's Review of Lockheed's 2023 RASR, which substantively are contained in the internal memo from Mike Bland. We previously submitted to you comments from Dr. Powell at Ramboll, the consultant under Lockheed's Consent Order with the State on this review. As you will see these letters overwhelmingly express the same serious concerns with the status of the cleanup. We again reiterate our request for consideration of these comments in FDEP following up with Lockheed and stress the importance of FDEP and Lockheed engaging with the affected community. We hope to hear from you this week about a time for a meeting.

Sincerely, Jeanne

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August 2, 2024

Mrs. Laura Ward, Executive Director
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Subject: **FDEP's July 1, 2024 Review of Remedial Action Summary Report dated October 27, 2023**
Lockheed Martin Tallevast Site (Former American Beryllium Company Site)
1600 Tallevast Road
Tallevast, Manatee County, Florida
Project Number PRJ108482

Dear Mrs. Ward and Mrs. Washington:

RES Florida Consulting, LLC dba E Sciences (RES) is pleased to submit this in response to FDEP's July 1, 2024 letter review of the Remedial Action Status Report (RASR) dated October 27, 2023 for the Lockheed Martin Tallevast (former American Beryllium Company) site ("the Facility"). FDEP's comments are outlined in an attached DBSP Review Memorandum dated June 26, 2024. In the District and Business Support Program (DPBS) memo, FDEP indicates that they concur with Lockheed Martin's recommendations with one exception. Based on the groundwater analytical data, FDEP staff recommends that PZ-USAS-19 (or its replacement) continue to be monitored for 1,4-dioxane, as the concentrations of 1,4-dioxane at this monitoring well have been steadily increasing since the December 2, 2021 groundwater sampling event.

While RES agrees with FDEP's recommendation for continued groundwater monitoring at PZ-USAS-19, we still have concerns that have not been addressed.

Lockheed Martin failed to conduct Direct Push Technology (DPT) testing required by FDEP. FDEP has indicated the DPT investigation is needed and should be conducted because it is important for the owners of the private residences to know the groundwater contaminant levels beneath their properties. Despite repeated requests from the community and FDEP, Lockheed Martin refused to assess potential shallow groundwater impacts in the residential neighborhood located immediately south and east of the source property in the apparent downgradient direction of the shallow plume movement. In an October 24, 2023 letter to the FDEP, Lockheed Martin provided inadequate justification citing that they had conducted vibra-push assessment in in a February 2005 Site Assessment Addendum (SARA) I and installed a large number of monitoring wells in 2005-2006. Lockheed Martin also asserted that they did not need to do the DPT assessment because the 2006 SARA III document concluded the assessment task.

This historical information is not sufficient for residents to know the contaminant levels beneath their properties for the following reasons:

- 1,4-dioxane was not assessed during that time.
- No shallow groundwater data has been collected in the residential neighborhood.
- The data that has been collected is nearly 20 years old.

Additional assessment has been required by FDEP on multiple occasions since the SARA III document was approved and FDEP provided assurances to FOCUS that additional assessment beyond the SARA was expected in "exchange" for FOCUS's agreement to not pursue a formal hearing on the SARA III approval.

Additionally, in a February 4, 2021 FDEP memorandum, FDEP commented that there are several hot spots where contaminant concentrations remain quite a bit above the cleanup goals. If there are gaps in data in this area it also means that there could be undetected hot spots. Undetected hot spots in the shallow groundwater could mean that evaluations of remedial effectiveness cannot be accurately achieved, and that unassessed pathways of exposure still exist. It is important to note that there is no water supply well moratorium for this area nor any other deed restrictions preventing people from contacting the shallow water table in the USAS. Additionally, undetected contamination in the shallow groundwater could be a source of vapor encroachment into homes and cause community exposure to volatile contaminants of concern.

It is very concerning that FDEP requires the DPT assessment, then Lockheed Martin disputes the need for the assessment and does not conduct it, and then FDEP does not address this in its RASR Review letter. This lack of continuity in the review comments being carried through could be interpreted by Lockheed Martin that the DPT assessment is no longer required by FDEP. If in fact, FDEP has changed its position then it should clearly state that and explain its rationale for the change in position.

As there was no sound rationale to no longer require the DPT assessment recommend that direct push testing be conducted on residential properties located south of Tallevast Road between the railroad tracks and the golf course on a minimum 100-foot grid spacing, with at least one test location per private property and groundwater samples be tested for all COCs to assist in evaluating potential for contamination exposure through direct contact with the water table or via vapor encroachment impacts to the residents of the community. Without knowing the concentrations of contaminants in the shallow groundwater, the risks of exposure to the groundwater or vapor encroachment continue to be unassessed.

Data from extraction wells continues to be used to represent static groundwater conditions. Dynamic samples were used to justify discontinuing post active remediation monitoring and EWPARM activities. As previously stated, it is insufficient to make decisions about water quality for assessment purposes or to determine if an extraction well should be removed from service or EWPARM. Based on the RASR, this practice is still occurring. **We recommend that a minimum of four quarterly sampling events include the extraction wells and associated monitoring wells for site COCs using quiescent sampling methods. Quarterly sampling should be conducted until both the extraction well and associated monitoring wells are below GCTLs for the last two consecutive quarterly sampling events, consistent with the RAP. This should be done to demonstrate that undiluted (static groundwater) samples meet GCTLs consistent with industry standards.**

The locations where the highest concentrations of 1,4-dioxane, TCE and 1,1-dichloroethene (1,1-DCE) are in the golf course and on the private property to the south and these were analyzed using dynamic samples collected from extraction wells, which as outlined above should not be used to define plumes as they are not representative of static groundwater conditions.

Lockheed Martin also used data from extraction wells to identify the western edge of the shallow groundwater plume, approximately 150 feet from the capture zone. There is no groundwater elevation monitoring data to substantiate the placement of the capture zone.

We recommend that monitoring of extraction wells cease as it is providing a false sense of plume delineation. If this data is not reported on the maps, it will be clearer where the data gaps are so that the plume delineation can be properly addressed. Without accurate data to define the magnitude and edges of the plume decisions about cleanup effectiveness cannot be made.

Lower Shallow Aquifer System (LSAS) Plume and Capture Zone are still not defined, and the AF Gravels is not property assessed. Lockheed Martin drew downgradient LSAS plume lines based on data collected from monitoring wells that are more than ¼ mile apart, leaving the downgradient area in between them unassessed. We appreciate that it was acknowledged that Lockheed Martin will install at least one LSAS monitoring well near MW-260 to confirm the southeast plume delineation. However, the LSAS plume is still defined to the west based on extraction well data. **We recommend that Lockheed Martin install LSAS monitoring wells to the west of MW-98, EW 3019, and EW-3020 to delineate both the plume and the capture zone in this area.**

There are also no deeper wells in this area to define the vertical extent of impacts beneath the most contaminated area**. We recommend AF Gravel wells be installed in the golf course to delineate the vertical extent of contamination in the area of highest contaminant concentrations in the LSAS.**

Monitoring Well Replacements-We note that Lockheed Martin intends to remove and replace multiple monitoring wells and piezometers due to third party commercial construction in the southeast area of the contaminant plume. They state that the work will proceed as allowed by the third-party construction schedules. These monitoring points define and monitor the edge of the shallow contaminant plume, which is critical. **We urge FDEP to actively monitor this and ensure that the wells and piezometers are not removed until necessary and re-installed as soon as construction allows if construction does take place.** Additionally, these monitoring points are in an area that has not been assessed for new contaminants of concern (see next section below).

Per- and polyfluoroalkyl Substances (PFAS)-We have become aware that PFAS contamination has been detected in the Tallevast Community. We were initially made aware back in February 2024 by FOCUS, when you forwarded an email from FDEP where they indicated that a PFAS report had been submitted to FDEP and that they would send a copy and an update to you. To date, this has never been provided to FOCUS and this information was not located on the Lockheed Martin Tallevast Site OCULUS document repository. We identified reports by separate means, through doing a file review for a Phase I ESA that we were conducting in the area for another purpose. We identified two reports:

- January 25, 2024 Limited Subsurface Investigation Summary for SRQ_Sarasota property for SRQ 300 LLC by GHD; and
- June 28, 2024 Groundwater Monitoring Report prepared by Arcadis U.S. Inc. (Arcadis) for FDEP under FDEP site number ERIC_18522.

The June 28, 2024 report included testing for the Lockheed Martin Tallevast Site and PFAS compounds associated with the Team Success Charter School property, previously used for spraying firefighting foam and alleged to be the source of the PFAS. Groundwater samples were collected from several of the monitoring wells used for the Lockheed Martin Tallevast Site assessment and monitoring activities. For the purposes of this report, groundwater analytical results for PFAS compounds were screened against the existing FDEP Provisional Groundwater Cleanup Target Level (PGCTL) of 70 nanograms/Liter (ng/L) for perfluorooctane sulfonic acid (PFOS), perfluorooctanoic acid (PFOA), and additive concentrations of PFOS and PFOA. However, on April 10, 2024, the United States Environmental Protection Agency (EPA) published the final PFAS maximum contaminant levels (MCL) rule for drinking water. In this rule, U.S. EPA established MCLs for the five PFAS compounds listed, including a value of 4.0 ng/L for PFOA and PFOS. PFAS compounds were identified above the MCL in 19 of the 23 USAS monitoring locations and two of the seven LSAS monitoring locations. While no PFAS compounds were detected in the AF Gravels Formation, two of three monitoring wells showed PFAS compounds above the MCL in the deeper clay/Sand Zone and one of four monitoring locations in the deeper S&P Sands zone. It is notable that Lockheed Martin monitoring wells MW-25 and MW-85 where the MCL is exceeded in both the USAS and LSAS are in the residential area where FDEP and FOCUS are requesting that the direct push study be conducted.

We further note that Lockheed Martin operates numerous groundwater extraction and infiltration wells associated with the groundwater recovery and disposal system throughout the area with PFAS detections above the MCL. Without the PFAS assessment documents being part of the Lockheed Martin cleanup records, we are concerned that DBSP is not informed on the comingled plume and that DBSP did not include any comments related to this concern in their July 1, 2024 comment letter. We are further concerned that the community was not made aware of this information in a timely manner. This is a community that has been extremely impacted by contamination issues and has been subject to years of direct exposure through drinking contaminated groundwater through the use of private wells in a documented solvent contamination plume. FOCUS has regularly and strongly requested involvement and information as it relates to contamination and impacts of the large-scale remediation system in their community. It is critical that FDEP be more responsive to community requests and concerns. **We recommend that PFAS compounds be added to the list of COCs as it is likely that the Lockheed Martin groundwater recovery system has impacted the historic PFAS conditions and caused spread of the contamination. As such, FDEP should require Lockheed Martin to conduct a full groundwater assessment to characterize and delineate the PFAS concentrations based on the MCL and add PFAS monitoring to the remedial action monitoring plan to include influent and effluent samples as well as static groundwater samples. Again, it is important for the community to know the nature, magnitude, and extent of the contamination to understand the impact and potential risk to the community.**

Wetland Monitoring Concerns-RES has expressed concerns about the remediation system impact on wetlands in the community. Most recently, we are preparing a letter to respond to Lockheed Martin's Response to Request for Additional Information from the Southwest Florida Water Management District prepared by AECOM, dated April 26, 2024. In this

response, Lockheed Martin is proposing to use a reference wetland that is located within the influence of the groundwater recovery system, and it is therefore not an appropriate wetland. This, and additional concerns, are outlined in our recent letter to you dated July 30, 2024 because these concerns are also relevant to the RASR review, please consider that letter incorporated here by reference.

HISTORIC CONCERNS

Several areas of concern that we raised during our review of the 2022 RASR and before still have not been addressed. Without Lockheed Martin conducting further evaluation of these areas of concern, we are unable to assess their impact to the community and Lockheed Martin is unable to determine if adjustments to the remediation system or other measures should be implemented.

- The model conflicts with Lockheed Martin's finding and this information was never reconciled. Concerns in the area north and west of the site became apparent during our review of the updated 2018 groundwater model because it forecasted that contamination existed outside of the northwest area of the predicted USAS capture zone. FOCUS has requested that Lockheed Martin re-run the model since 2019, but that has not occurred. Lockheed Martin indicates that the next model update will include the period from 2019 to 2023 and will be provided in the 2024 RASR. We would also like to add that Lockheed Martin needs to include the five-acre stormwater pond associated with the Amazon warehouse and any additional stormwater features added or changed during other construction to provide assurances that the pond will not have a detrimental impact on the contaminant plume and to substantiate claims that it is actually assisting in the groundwater plume capture. **We recommend that the updated model be provided when it is available, rather than wait another full year.**
- There is insufficient information to substantiate the capture zone boundaries. We note that in several cases, the groundwater elevations within the capture zone within the USAS are at higher elevations than those from outside the capture zone. There are numerous instances where there are no datapoints to estimate the capture zones at all, as previously discussed. The report simply indicates that capture boundaries shown on figures are estimated using data from monitoring wells, stilling wells, and piezometers, and by applying professional judgment. It is unclear how these "inferred" capture zones can be estimated without data to support them. The RASR does not provide sufficient rationale to justify why the capture zones do not match groundwater elevations. **We urge an independent expert review of the potentiometric figures and the 2019-2023 groundwater model to confirm the extent of the estimated capture zones and to evaluate if additional piezometers should be installed to substantiate the estimated capture zone configuration.**
- Lockheed Martin has eliminated monitoring nearly all of the private wells and when asked to provide justification for removal of private wells from monitoring, incorrect and confusing information was provided to FDEP. Only two private wells are being monitored at this time, PW-7 (one of the original wells in the RAP) and PW-132. Also, one of the private wells that is no longer being monitored is PW-38 which was only sampled one time and displayed a 1,4-dioxane concentration of 95 ug/L and it was never sampled again and since excluded that well location from the 1,4-dioxane plume. It was abandoned without rationale and never replaced or discussed further. Lockheed Martin has yet to provide sufficient justification and reasoning for why all the private wells are not being monitored and if they were abandoned why they were not replaced with monitoring wells. If their rationale is insufficient justification, then those private wells should be monitored as was agreed. **We encourage FDEP to continue to request that a proper response to FDEP's request for sufficient information related to removal of private wells be provided by Lockheed Martin.**

In summary, we appreciate the FDEP asking for consideration of the community in its response after reviewing the 2022 RASR, but we are concerned about the lack of follow through in mandating actions. Additionally, we strongly recommend that FOCUS' concerns outlined herein be taken into consideration by FDEP and Lockheed Martin and addressed.

We appreciate the opportunity to offer our professional services to you. If you have any questions concerning our evaluation, please contact us at 954-484-8500.

Sincerely,
RES Florida Consulting, LLC dba E Sciences

Kathryn Eisnor
Senior Scientist

Nadia G. Locke, P.E.
Senior Engineer

Cc: Ms. Jeanne Zokovitch Paben

Attachment July 30, 2024 Letter

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July 30, 2024

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Subject: **Review of SWFWMD Request for Additional Information Response**
Lockheed Martin Tallevast Site, Manatee County, FL
RES PRJ Number: 108482

Dear Mrs. Ward and Mrs. Washington:

RES Florida Consulting, LLC (RES) is pleased to submit this review of the Response to Request for Additional Information from the Southwest Florida Water Management District prepared for the Lockheed Martin Tallevast Site by AECOM, dated April 26, 2024.

SWFWMD COMMENTS

1. **The 2022 Annual Wetlands Monitoring Report indicated that monitoring ceased for Reference Wetland 3 (RW-3) following the sale of the property. There are currently no monitored reference wetlands in the monitoring network. The permitted wetland network was part of the reasonable assurance that activities would not impact environmental features presented in the original water use permit application. A Request for Additional Information (RAI) Letter was sent out on December 9, 2022, notifying the permittee that an application to modify the Water Use Permit is required to amend the Environmental Monitoring Plan (EMP). A paper application was also delivered during the November 29, 2023 site visit to the property. Please apply to modify the Water User Permit to update the EMP to reflect the changes and provide reasonable assurance that permitted activities have and will not impact environmental features. The application to modify the Water Use Permit should include analysis of potential replacement wetlands outside of the project area. The online application portal is linked here for your convenience. Refer to WUP Applicant's Handbook Section 3.3.1.1.4 40D-2.091, F.A.C. and Rule 40D-2.301(1), F.A.C.**

Lockheed Martin Response:

A completed Water Use Permit Letter Modification Short Form Application and an updated Wetlands Monitoring Plan (WMP) are provided in Attachment A for continued protection of environmental features during active remediation. The updated WMP provides a summary of historical changes that have occurred in the wetland monitoring program, provides details of the current monitoring program, and recommends an alternate reference wetland to replace former RW-3**.**

RES Response:

While an updated Water Use Permit Application was provided by the respondent in the April 26, 2024 response, reasonable assurance has not been provided to ensure that permitted activities have not impacted and will not impact wetlands. Reference Wetland RW-3 was abandoned for monitoring, prior to SWFWMD permit modification submittal and approval. Lockheed Martin indicated that they reviewed the possibility of using RW-1 and RW-2 as a reference

wetland and the report indicated that they are not suitable due to them having water levels influenced by stormwater control features. Wetlands TW-1 and TW-18 were also evaluated as a potential replacement for RW-3, but the 2024 Wetland Monitoring Plan states that they are too near recharge gallery RC-7001 and have elevated water levels. Lockheed Martin then evaluated TW-2 as a potential suitable replacement for RW-3. The RAI response package and updated Wetland Monitoring Plan indicated that TW-2 would be an acceptable replacement reference wetland to monitor because their former target wetland TW-2 was outside of the one foot drawdown of system capture as presented in the 2009 RAPA and no discharge from RC-7002 occurred in 2019 to 2023 to supplement water levels at TW-6. We note that the hydrodynamics of the groundwater capture zone have been modified over the years and differ from the model presented in the 2009 RAPA document. SWFWMD evaluated 10 years of water levels and other indicators and conducted a field visit with Lockheed Martin to evaluate if wetland TW-2 would suffice as a replacement reference wetland. Former station TW-2 is now considered to be reference wetland RW-6 and is replacing reference wetland RW-3 to continue monitoring levels per the SWFWMD Water Use Permit Number 20020198.002.

RES reviewed the water pumping volumes from the EW-4010 and EW-4001 which are nearest to the proposed RW-6 (formerly TW-2) reference wetland in the 2023 RASR. The RASR indicates that the actual monthly pumping volumes far exceeds the pumping allowances approved for those extraction wells per SWFWMD permit (No. 200020198.001). Total quantities authorized by the previous permit and the recent SWFWMD permit modification (No.200020198.002) have not changed, 230,200 gpd annual average and 251,400 gpd peak month. Regardless of the 2009 RAPA's one foot drawdown Lockheed's most recent data per the 2023 Remedial Action Status Report indicates that target wetland TW-2 located is within the cone of influence of the groundwater recovery system per the 2023 Remedial Action Status Report and therefore should not be considered a viable reference wetland as it is hydrologically inundated and does not reflect previously established or unaffected wetlands within the community. This pumping is expected to cause significant impact of water elevations in RW-6 (formerly TW-2) due to the large pumping volumes from nearby extraction wells EW-4010 and EW-4001 and the resulting documented groundwater elevation depression in that area. Lockheed Martin has not provided justification that TW-2 should be considered a reference wetland to meet the requirements of the original SWFWMD permit (No. 200020198.001) per these concerns. We request that the SWFWMD require an unaffected wetland be used as a reference wetland in order to meet the permitting requirements of SFWMD permit number 200020198.001. We also request that SWMFMD note that Lockheed Martin has consistently violated the allowable individual well pumping volumes outlined in the permit.

2. **The 2023 Annual Wetland Monitoring Report indicated the ground cover, shrubs/small trees, and trees strata WAP scores at TW-6 were a 3, 4, and 4, respectively. Please review the WAP Ranking Scale Guidance Sheet (linked below) and the submitted WAP forms and re-score the strata. For example, 35% cover of Eupatorium capilifolium, an adaptive plant in the deep zone, would constitute at most a score of 2, for having moved in two zones in high numbers and distribution (above 25%). The pictures submitted in support of the WAP forms also appear to have more than 10% cover of Urena lobata. This was verified on a recent site visit by District Staff. Please review and resubmit the scoring of all strata and ensure that the explanations provided match the score sheets appropriately. Please visit the following link to reference the WAP Instruction Manual and WAP Ranking Scales. Refer to Rules 40D-2.091, 40D-2.101 and 40D-2.301, FAC.**

Lockheed Martin Response:

After reviewing the WAP field data sheets, a score of 2 is applicable for groundcover due to the increase in cover of Eupatorium capilifolium in two zones. The zonation scoring explanation provided in the WAP field data sheet states this observation, however an incorrect scoring value of 3 was used. A revised WAP scoring sheet for groundcover is provided in Attachment B.

RES Response:

The WAP Form was revised to reflect SWFWMD assessment of WAP scores. Based on the photographs provided in the report, RES agrees with the revised WAP score of vegetation coverage at wetland TW-6. This reduced WAP score shows species have moved in two zones in high numbers and distribution and are species with an upland classification that have moved into the deep zone in enough numbers and distribution to be of concern. The migration of these invasive upland species into the deep zone shows higher degradation in the overall wetland

quality than was previously reported. If the continued migration of these upland species into the deep zone of the wetland occurs, TW-6 will cease to be a functioning wetland. It is RES recommendation that Lockheed Martin be required to provide adequate hydrological measures to ensure TW-6 is a functioning wetland and that invasive species management become a part of the Wetlands Monitoring Plan to confirm TW-6 is meeting the required goals of SWFWMD permits (No. 200020198.001).

3. **Review of the 2023 Remedial Action Plan (RAP) in parallel with the 2023 Wetland Monitoring Report indicated that water quality monitoring occurs on property where wetland monitoring has been deemed inaccessible. Please clarify how the permittee has access to take water level/quality readings at Staff Gage 8 on parcel ID 1985310000; and MW 97 and 162-166 on parcel ID 1986400008, but not at the wetlands located on the same parcels. Please investigate and report the feasibility of establishing vegetation monitoring transects at these locations and include this information in your permit modification application. Refer to Rules 40D-2.091, 40D-2.101 and 40D-2.301, FAC.**

Lockheed Martin Response:

The above referenced monitoring locations MW-97 and MW-162 through 166 are located within the Manatee County public right-of-way of 19th St East. Staff gauge SG-8 and former TW-2 are located on an adjacent property to the east of the right-of-way. Former target wetland TW-18 is located on an adjacent property to the west of the right-of-way. Monitoring of target wetlands TW-2 and TW-18 was discontinued as they were determined to be outside of the groundwater recovery and treatment system influence. The recommendation to remove these wetlands from the monitoring program was acknowledged by FDEP on September 27, 2019, in association with the five-year review of the wetlands monitoring program as allowed in Section 13.6.1 of the 2009 RAPA. As requested by the SWFWMD, an investigation was conducted to locate a suitable replacement for former reference wetland RW-3. The results of this search indicated former TW-2 was the best alternative for a replacement reference wetland. Henceforth, former target wetland TW-2 will be redesignated as reference wetland RW-6. The search process details are included in the updated WMP provided in Attachment A.

RES Response:

This comment does not address why the staff gauges were accessible, but wetland monitoring was not completed in the 2023 Wetlands Monitoring Plan. While the recommendation for these locations to be removed was acknowledged by FDEP, it was not requested in a modification for the existing Water Use Permit 20020198.002. Both agencies should be consulted as their technical purviews are distinctly different. In order for a responsible decision to be made both must weigh in with their expertise. Staff gauge 8 located on former TW-2 is designated to be monitored as RW-6 within the 2024 Wetlands Monitoring Plan.

4. **Table 9-2 of the 2020-2023 Wetland Monitoring Reports indicate that water levels in TW-6 were below the land surface from September 2020-May 2023. District Staff also observed a dry staff gage in November 2023. The dry period coincided with the decrease in WAP scores and does not appear to have been corrected by turning on adjacent RC-7002, as there has not been an above surface water level reading since restarting utilization of the recharge gallery. Section 13.6.2 of the 2009 Remedial Action Plan Addendum states that DEP must be notified if the water levels are below the p50 for three consecutive monitoring periods within a target wetland. This threshold has been surpassed. Please notify FDEP of this occurrence and provide the District with proof of this report and any subsequent correspondence with FDEP. Refer to Rules 40D-2.091, 40D-2.101 and 40D-2.301, FAC.**

Lockheed Martin Response:

The 2022 and 2023 WMRs submitted to the FDEP and SWFWMD discussed the water level elevation in TW-6 being below the normal pool (NP) threshold during their respective reporting periods. The 2022 WMR stated that the monitoring period of June 2021 through June 2022 was the first monitoring period in which the water level elevation was below the NP threshold throughout the entire monitoring period and that implementation of a mitigation plan

would be discussed with FDEP if the water level elevation remained below the NP threshold throughout the entirety of the next two monitoring periods. The review letter provided by FDEP on October 22, 2022, which is included in Attachment C, acknowledged that the hydroperiod was showing influence due to the RAPA treatment system, with no further comments provided.

The 2023 WMR stated that the water levels were above the NP threshold for approximately two weeks in September and October 2022 and that implementation of a mitigation plan would be discussed with the FDEP if the water level elevation remains below the NP threshold throughout the entirety of the next monitoring period or if the health of TW-6 declines. Correspondence provided by FDEP dated September 27, 2023, included in Attachment C, acknowledged that water levels reported were relatively higher in the June 2022 to June 2023 monitoring period than observed in the previous reporting period (June 2021 to June 2022).

As previously mentioned, flow to recharge gallery RC-7002 was re-started in January 2023 at minimal flow rates. During 2024, discharge flow rates to RC-7002 have been incrementally increased based on operational conditions observed. As observed during our March 15, 2024 visit, water levels observed at TW-6 in March 2024 were approximately 2 feet higher than observed in March 2023, and 4 feet higher than observed in December 2023. The operation of the recharge gallery has contributed to the replenishment of water in the wetland. This information will be included in the 2024 WMR.

RES Response:

FDEP was not notified that water levels were below the p50 threshold for the monitoring periods outside of the 2022 and 2023 Wetland Monitoring Report submittals. Incorporating this information into a comprehensive annual report does not meet Lockheed's obligation of reporting this to FDEP. This reporting requirement exists to allow for more timely intervention to assure that permittees can continue meeting their permitting goals of maintaining the wetland. Although penalties on failing to report are discretionary to SWFWMD, the community may want to evaluate its role in addressing this for the past violations as well as ongoing failures if Lockheed continues to fail to perform this obligation. Additionally, this comment does not address if additional information was provided to FDEP regarding the water elevation levels nor the dry staff gauge reported by SWFWMD in November 2023. The new permit modification notes there is no change in the annual average quantity (230,200 gallons per day), yet there is no reference to the excess pumping from individual wells and their potential impact on RW-6 in comparison to TW-6. The 2024 Wetlands Monitoring Report to be submitted September 1, 2024, will be reviewed by RES to confirm discharge flow rates and surface water levels at TW-6. Additionally, if the water levels do remain higher the report will need to be reviewed for a change in health at TW-6.

Additional Historic Comments/Concerns:

Lockheed Martin submitted the response to request for additional information April 26, 2024. SWFWMD issued a memorandum dated May 21, 2024 identifying the changes to the Wetland Monitoring Plan and the modification to the existing Water Use Permit. SWFWMD then issued the permit modification on May 23, 2024. Total quantities authorized by the revised SWFWMD Water Use Permit modification (No. 20020198.002) have not changed and Reference Wetland 6 will now be monitored in conjunction with Target Wetland 6.

Lockheed Martin is monitoring selective staff gauges and stilling wells associated with wetlands and other surface waters as part of the Remedial Action System monitoring. However, a limited amount of this information is provided to the SWFWMD as part of its wetlands monitoring reports. An example is the spring fed pond located northwest of RW-6 which currently has a staff gauge that is being monitored by Lockheed Martin as part of the remediation action plan reporting, but not included in the Wetlands Monitoring Report. RES recommends including monitoring data from staff gauges and stilling wells and inclusion of this data in the future Wetlands Monitoring Reports to better understand impacts of pumping on wetlands and other surface waters within the project area.

Per the letter provided by RES dated October 19, 2023, there are concerns regarding the 2023 Wetlands Monitoring Report and the newly identified Reference Wetland 6. No field monitoring has occurred at RW-6 (TW-2) since 2019 and Lockheed Martin has yet to provide sufficient scientific justification as to why a previous target wetland will now be an acceptable reference wetland per the revised Wetlands Monitoring Plan.

Sincerely,

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