



# CHARLOTTE HARBOR NATIONAL ESTUARY PROGRAM

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October 4, 2004

Mike Leavitt, Administrator  
and  
Elizabeth Cotsworth, Director  
Office of Air and Radiation  
Environmental Protection Agency  
Ariel Rios Building  
1200 Pennsylvania Avenue, N.W.  
Washington, DC 20460

Re: March 15 Phosphogypsum Hearing

Dear Mr. Leavitt and Ms. Cotsworth:

This letter is to provide comment on the Subcommittee on Technology, Information Policy, Intergovernmental Relations and The Census written testimony submitted to Oversight Hearing entitled, "Phosphogypsum: Should We Just Let It Go To Waste?" held on March 15, 2004, in Bartow, Florida.

The Charlotte Harbor NEP is a partnership program, created by Section 320 of the Clean Water Act, to protect and preserve the Charlotte Harbor estuary, recognized as an estuary of national significance and one of the most productive estuaries in Florida. The Peace and Myakka Rivers are major tributaries to and key components of the Charlotte Harbor estuary; protecting the natural flow regime and ecological integrity of these rivers is of great importance to the Charlotte Harbor NEP. The Charlotte Harbor NEP adopted a *Comprehensive Conservation and Management Plan (CCMP)* for the estuary and its watershed. This plan was developed utilizing four committees of citizens, scientists, resource managers, industry representatives and policy makers. Our partnership includes, among others, Polk, Manatee, Sarasota, Hardee, DeSoto, and Charlotte Counties; the U.S. Environmental Protection Agency; U.S. Army Corps of Engineers; U.S. Fish and Wildlife Service; the Florida Fish and Wildlife Conservation Commission; the Florida Department of Environmental Protection; and both the South and the Southwest Florida Water Management Districts. Section 320(b)(7) of the Clean Water Act establishes that the implementation of the CCMP includes the determination of the consistency of proposed actions in the Charlotte Harbor watershed with the CCMP.

**The Charlotte Harbor National Estuary Program urges that the U.S. Environmental Protection Agency facilitate continuing research towards developing beneficial uses for phosphogypsum to reduce the problems inherent in its long-term storage.** Phosphogypsum waste generated by phosphate-ore chemical processing, and disposed of in gypsum stacks, is a known challenge. Continuing research to determine safe and beneficial uses of phosphogypsum should consider the risks of converting a relatively manageable point source of phosphogypsum waste into potentially multiple non-point sources. In addition, any negative impacts of alternative uses to nutrient loads, radiation, sulfur compounds, and acidic properties of the waste slurry within

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the Charlotte Harbor watershed and pre-existing dissolution cavities within the underlying limestone formations should be characterized and analyzed.

The Charlotte Harbor NEP supports the EPA in considering expedited petitions for additional research on alternative methods of beneficial uses of waste phosphogypsum, however, the current EPA rules should stand until sound, peer-reviewed research supports otherwise. Beneficial uses of phosphogypsum should be further explored in conjunction with appropriate health and environmental risk assessments.

We appreciate your consideration of our comments; should you or your staff have any questions or comments, please feel free to contact Dr. Lisa B. Beever at [lbeever@swfrpc.org](mailto:lbeever@swfrpc.org)

Best Regards,



Lisa B. Beever, Director  
Charlotte Harbor National Estuary Program

cc:

Congressman Adam Putnam  
Adam Klinger, Director of the Office of Radiation and Indoor Air, Center for Waste Management  
Mike Lloyd, Florida Institute of Phosphate Research