



NEWSLETTER

PUBLISHED BY THE FLORIDA SOCIETY OF ENVIRONMENTAL ANALYSTS

SPRING 1979

NAME CHANGE

The Florida professional organization for environmental analysts is now entitled the Florida Society of Environmental Analysts (FSEA). For additional information on the name change, see the President's Message.

PRESIDENT'S MESSAGE

Our organization has been in existence for less than one year. These past months have been a mixed bag of progress and setbacks. For those new to FSEA let me bring you up to date. A most significant step was taken in June 1978 when a few of our colleagues, meeting in West Palm Beach, agreed on the need for a society to promote the professional status and interests of environmental analysts in Florida. A second organizational meeting held in Orlando in September 1978 resulted in the adoption of by-laws and the election of a Board of Directors. At this point the Board of Directors began the major task of converting an idea into a viable organization.

A major setback occurred when we learned from the Secretary of the State that our chosen name, "Environmental Analysts of Florida", was not available for purposes of incorporation. Certain deficiencies in the by-laws were also revealed at this time. This identity crisis temporarily brought to a halt the momentum which we had begun to build.

As of this writing, the Board of Directors has selected a new name, "Florida Society of Environmental Analysts", amended the by-laws as required and is now in the process of resubmitting articles of incorporation to the Secretary of the State. It was felt that incorporation was too important to wait. However, the name change and amendments to the by-laws will be presented to the general session on May 18 for ratification.

In the next weeks and months we will be applying for tax exempt status, developing a logo, letter head, formal membership certification and most importantly continuing with our membership recruitment. We have already retained the services of an attorney in Tallahassee to represent our interests in the legislative and rule-making processes. A detailed report of this activity appears elsewhere in this newsletter.

As you can see, the Board of Directors has been active and FSEA is alive and kicking. However, we are still very much in the formative stages. Your participation is required if the society is to live up to its potential. I am looking forward to meeting each of you in Tampa on May 18. See you then.

Roger A. Yorton
President, FSEA

TALLAHASSEE TURMOIL

The Florida Safe Drinking Water Act (SDWA), Section 403.863, F.S. designated the Department of Health and Rehabilitative Services (DHRS) Central Laboratory as the "principal state laboratory" with responsibility for certification of all other laboratories performing analyses pursuant to the Act. However, the Florida Legislation also decreed that the certification program be self supporting. An opinion rendered by the Florida Legislative Joint Administrative Procedures Committee indicated that DER had the authority to promulgate a rule regarding fees. Accordingly DER was requested to promulgate such a rule. Subsequently rule 17-22.115, F.A.C. was proposed to establish fees for use by DER in conducting its public water supply functions.

As proposed, rule 17-22.115 would establish a fee schedule for the analyses of samples taken from public water supply systems. The rule did not limit fees for certification purposes only. In effect, the rule would allow the State Laboratory to compete with private enterprise. In spite of repeated assurances by officials of both DER and DHRS that the state had no intention of competing with the private sector, the Board of Directors of FSEA felt that a precedent would be set whereby the State could in fact expand its activities in this area at any time. Thus, FSEA Board of Directors retained the services of John H. French, Jr., an attorney specializing in administrative and governmental law to represent FSEA at a hearing held on February 6, 1979 in Tallahassee. At the hearing Mr. French pointed out that the proposed rule was contrary to generally accepted public policy in that it purported to place an agency of government in direct competition with private enterprise. He also raised the question of the constitutionality of the statute which allows DER to establish fees in the first place. It was further suggested that the rule be written in a manner to provide private labs some degree of protection against unfair competition from the state. Representatives at both departments expressed an interest in pursuing this approach and committed themselves to a thorough examination of the possibility. Mr. French's full report along with his recommendations for continued action can be obtained upon request from any FSEA officer.



GENERAL INFORMATION

LABORATORY CERTIFICATION: The Department of Health and Rehabilitative Services has proposed a rule, 10D-41, on certification of water testing laboratories, as authorized by Section 403.863 of the Florida Safe Drinking Water Act. The public hearing was conducted on March 12, 1979 at which FSEA was represented by two members of the Board of Directors. A copy of the proposed rule may be obtained by writing to: Dr. Nathan J. Schneider, Director, Office of Laboratory Services, Post Office Box 210, Jacksonville, FL 32231.



NEW EPA MANUAL AVAILABLE: "*Microbiological Methods for Monitoring the Environment-Water and Wastes*", the first EPA manual on microbiology, is now available. Single copies can be obtained from the Quality Assurance Branch, EMSL - Cincinnati, USEPA, Cincinnati, OH 45268.

MEETING INFORMATION
FLORIDA SOCIETY OF ENVIRONMENTAL ANALYSTS PRESENTS
"The Status of Water Quality Surveillance in Florida: Past, Present and Future"

DATE: May 18, 1979

SPEAKERS:

Dr. Patton (DER)

Dr. Schneider (DHRS)

Ben Breedlove (Breedlove Assoc., Inc.)

PLACE: Stones Travelodge in Tampa (2501 East Fowler, Tampa, FL 33612 - phone: 813/971-3900)

SCHEDULE:

Coffee and Registration (There is a \$12.00 Registration Fee.) 8:00 - 9:00

Speaker Presentations and Audience Participation 9:00 - 12:00

Luncheon (Provided by FSEA) 12:00 - 1:30

Business Meeting 1:30 - 2:30

Fisher Technical Presentation 2:30 - 4:00

Informal Gathering 4:00 on

☆☆☆
FSEA POLICY STATEMENT
AN EDITORIAL

It is not the intention of the FSEA leadership to be a thorn in the side of progress. We have no objection to a central state laboratory. A strong certification program would be most welcome. Indeed, such a program would be a major step toward our goal of enhancing the professional status of analysts in Florida. However, we do strongly oppose any policy which allows the state to compete directly and unfairly with free enterprise. Such a policy is particularly repulsive when one considers that the requisite services are already available in the private sector. Further, history has shown us repeatedly that government agencies cannot supply services better or more efficiently than free enterprise. The proper function for the state laboratory would be to:

- Administer the certification program
- Serve as a clearing house for new methods
- Assist deficient labs in meeting certification requirements

Certainly it would be proper for the state to collect a fee to support these endeavors. BUT, the fee schedule proposed by Rule 17-22.115 would most certainly open the door to direct competition, not only in the area of potable water analyses, but eventually in other areas as well. Already there is evidence that certain government labs, including DER and USGS, are contracting for work which would otherwise go to the private sector. We feel that this trend must not be allowed to continue unchecked. FSEA has taken only the first very small step. We cannot continue without significant support. Let your State Representative and the Governor know where you stand. Support FSEA with your time, energy and dues. Businesses are encouraged to make tax deductible contributions to the FSEA legal funds. Several thousand dollars will be needed to carry out an effective campaign. Let us know where you stand.

MEMBERSHIP STATUS

As of April, 1979 there are 55 active members of FSEA. Our members range from laboratory technicians to laboratory directors, with commercial and governmental. Anyone interested in the field of environmental analyses is invited to join FSEA by mailing the enclosed newsletter reply form.



FSEA BOARD OF DIRECTORS

The Board of Directors is composed of the four Elected Officers and 1 Directors. (The regions are delineated by the Florida Department of Environment). The Board of Directors is as follows:

PRESIDENT

Roger Yorton
CH2-M Hill
P.O. Box 1647
Gainesville, FL 32602
904/377-2442

SECRETARY

Sandra Fettes
Briley, Wild & Associ
P.O. Box 607
Ormond Beach, FL 3
904/672-5660

PRESIDENT-ELECT

Lloyd Chesney
South Florida Water Management District
P.O. Box V
West Palm Beach, FL 33406
305/686-8800 (1-800/432-2045)

TREASURER

Hugh Prentice
Environmental Scienc
P.O. Box 13454
Gainesville, FL 3260
904/372-3318

SOUTH FLORIDA SUBDISTRICT

Alan Benson
2844 Indian Street
Stuart, FL 33494
305/287-3444 ext. 228

SOUTH FLORIDA DISTRICT

Jack Thomas
Rt. 2 Box 37
Summerland Key, FL
305/745-1758

ST. JOHNS RIVER SUBDISTRICT

Leon Larson
Water and Air Research, Inc.
6821 S.W. Archer Road, P.O. Box 1121
Gainesville, FL 32602
904/378-1500

NORTHWEST DISTRICT

William Leseman
City of Tallahassee, V
3805 Springhill Rd.
Tallahassee, FL 3230
904/575-5907

ST. JOHNS RIVER DISTRICT

Steve Slasor
414 Live Oaks Blvd.
Casselberry, FL 32707
305/834-3911

SOUTHWEST DISTRICT

Position not filled