

Navarre residents file suit against Coyote Landfill

BY FRANKLIN HAYES Gulf Breeze News

Holley-Navarre residents filed a lawsuit Aug. 21 against the owners of the Coyote Landfill - a facility they believe is responsible for allowing environmental contamination they say is destroying their quality of life. The suit contains 83 plaintiffs who live and work in the area and alleges the landfill has "directly caused off-site air, groundwater, soil and odor pollution creating a public and private nuisance." The lawsuit cites a recent health study analyzed by the Santa Rosa County Health Department and claims residents were exposed to "toxic and noxious odors at their homes" and their properties may be "contaminated with excessive levels of particulate matter including arsenic, benzene, hydrogen sulfide, sulfur dioxide, carbon monoxide, smoke, objectionable odors, and or other toxic chemicals emanating from the Coyote- Navarre Landfill."

Robert Grant is one of the plaintiffs named in the lawsuit who once lived less than 500 feet from the site. "I'm not living there now; it stinks too bad," Grant said, adding that he suffered from nausea before he moved. The Florida Department of Environmental Protection (FDEP) found benzene in Grant's groundwater well at 21 times above the federally allowable limit.

"I was using well water for irrigation and to top off my above ground swimming pool.

Last summer we began having trouble keeping the chemicals balanced and I didn't put two and two together at first," Grant said.

It could be 18 months before the suit goes before a judge, and legal representatives are asking the circuit court to respond to clean up requests within one month. Plaintiffs want the landfill to stop taking additional debris until the source of contamination has been determined. Plaintiffs also want landfill operators to pay for pollution testing and have requested an injunction for management to contain odors allegedly coming from the facility. According to the lawsuit, the dump has been in operation since December 2001, and has collected over 600,000 tons of construction and demolition debris, generating over \$19 million in revenue.

"We want to have the situation made right. We want the air and water pollution to be stopped and cleaned up at the expense of the polluter. We want our quality of life restored because it's been robbed from us," said Howard Jones, who lives about one mile from the Coyote Landfill.

Plaintiffs are also seeking damages, but an amount has not been set because it "is dependent on the amount of contamination, the nature and permanency of health problems that can be documented," said Jacksonville attorney Van Kirk McCombs II, who specializes in environmental law. McCombs is one of the lawyers representing the 83 Navarre plaintiffs and has 13 years of experience with similar environmental issues.

Coyote Landfill General Manager John Warren maintains his facility is compliant with environmental regulations.

"People don't understand what regulations we do have to live under and abide by. We abide by what's in our permit," Warren said.

Warren also invites any interested parties to tour the facility. "We're trying to be a good neighbor and we feel we're going to be vindicated in this lawsuit. When people come out to the site they can get a different perspective of the situation," Warren said.

Earlier this month Santa Rosa County Commissioners agreed to fund medical, air and groundwater testing in the area to determine the cause and source of contamination. Coyote Landfill's management pledged an additional \$5,000 for testing conducted by the county.

"Whoever does the study (Santa Rosa County, FDEP or private firms); we hope they look at other sources of the odor or contamination. We hope a true nonbiased study is done of the area," said Warren, pointing out that there are other facilities in the area that may have contributed to the contamination.

"The hydrogeology of the area supports the inference that the (groundwater) contamination is coming from the landfill. In other words, groundwater is running from north to south," McCombs said. "The north end wells (north of Coyote Landfill) are clean and the south end wells (south of Coyote Landfill) are dirty."