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NTC ORLANDO
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LETTER REGARDING REGULATORY REVIEW AND CONCURRENCE FOR REMEDIATION
ACTION PLAN BUILDING 7241 NTC ORLANDO FL
8/22/1998
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Department of Environmental Protection

09,01-00.0015
00621

Lawton Chiles
Governor

Twin Towers Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

August 22, 1998

Mr. Nick Ugolini
Code 184(PVC)
Southern Division
Naval Facilities Engineering Command
2155 Eagle Drive
P.O. Box 190010
North Charleston, South Carolina 29419-9010

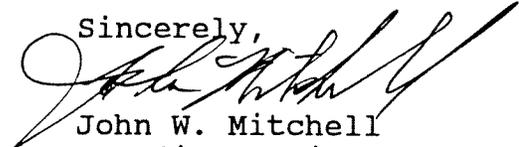
RE: Remediation Action Plan, Site 7241
McCoy Annex, Naval Training Center Orlando, Florida
FDEP #488840202

Dear Mr. Ugolini:

I have completed the technical review of the above referenced document dated August 1998 (received August 11, 1998). As per the attached Remedial Action Approval Order and memorandum from Greg Brown, P.E., a remediation system should be initiated within 120 days.

If I can be of any further assistance with this matter, please contact me at (904) 921-9989.

Sincerely,



John W. Mitchell
Remedial Project Manager

cc: Wayne Hansel, Navy SouthDiv
Richard Allen, ABB Jacksonville
Bob Cohose, Bechtel
Nancy Rodriguez, USEPA Region IV
Lt. Gary Whipple, NTC Orlando
Steve McCoy, Brown and Root, Oak Ridge
Bill Bostwick, FDEP Central District

TJB P JJC for JC ESN ESN

Memorandum

Florida Department of Environmental Protection

TO: John Mitchell, Remedial Project Manager, Technical Review Section

THROUGH: Tim Bahr, P.G., Supervisor, Technical Review Section **B**

FROM: Greg Brown, P.E., Professional Engineer II, Technical Review Section **AB**

DATE: August 17, 1998

SUBJECT: Remedial Action Plan, Site 7241, McCoy Annex, NTC Orlando, Florida.

I reviewed the subject document dated August 1998 (received August 11, 1998). It is adequate for its intent. I have one minor comment. A RAP does not appear necessary for this site based on the extent of contamination. The Navy could have removed the source in accordance with Chapter 62-770.300, Florida Administrative Code, and then submit a monitoring only proposal with natural attenuation. Submitting a RAP does not appear to me to be the most cost-effective strategy. Regardless, my engineering certification and RAP approval order are attached, and I hope the Navy will progress quickly to remove the contamination source from this site.

Enclosures (2)



Department of Environmental Protection

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Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Commanding Officer
Naval Training Center
Orlando, Florida

Subject: Remedial Action Plan
Approval Order
Remedial Action Plan, Site 7241, McCoy Annex, NTC
Orlando, Florida.

Dear Commanding Officer:

The Bureau of Waste Cleanup has reviewed the Remedial Action Plan (RAP) dated August 1998 (received August 11, 1998), submitted for this site. We found all the documents submitted to date to be adequate to meet the RAP requirements of Rule 62-770.700, Florida Administrative Code (F.A.C.). The Department has determined that the actions proposed in this RAP provide reasonable assurance that the concentrations of petroleum products' chemicals of concern at the site will be reduced to the levels set forth in Chapter 62-770, F.A.C. Pursuant to Rule 62-770.700(8), F.A.C., the Department approves the RAP as described in this RAP Approval Order (Order). The operation of the active remediation system should be initiated within 120 days, as required by Rule 62-770.700(9), F.A.C.

You are also required to submit to the Department record drawings (as-built drawings) of the treatment system within 120 days of initiating operation of the active remediation system(s). These drawings must be certified by a professional engineer.

Persons affected by this Order have the following options:

If you choose to accept the above decision by the Department about this Order you do not have to do anything. This Order is final as of the date on the top of the first page of this Order.

"Protect, Conserve and Manage Florida's Environment and Natural Resources"

Printed on recycled paper.

Commanding Officer
NTC Orlando
Building 7241, McCoy Annex
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If you disagree with the decision, you may do one of the following within 21 days after receipt of this Order:

1. File a petition for administrative hearing with the Office of the General Counsel of the Department within 21 days after receipt of this Order;

OR

2. File a request for an extension of time to file a petition for hearing with the Office of the General Counsel of the Department within 21 days after receipt of this Order. Such a request should be made if you wish to meet with the Department in an attempt to informally resolve any disputes without first filing a petition for hearing.

Please be advised that mediation of this decision, pursuant to Section 120.573, Florida Statutes (F.S.), is not available.

How to Request an Extension of Time to File a Petition for Hearing

A request for an extension of time to file a petition for hearing must be filed (received) in the Office of the General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000, within 21 days after receipt of this Order. Pursuant to Rule 28-106.111(3), F.A.C., a request for extension of time shall contain a certificate that the moving party has consulted with all other parties, if any, concerning the extension and that the Department and any other parties agree to said extension. Petitioner, if different from Commanding Officer, NTC Orlando, shall mail a copy of the petition to Commanding Officer, NTC Orlando, at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for administrative hearing must be filed until the request is acted upon.

How to File a Petition for Administrative Hearing

A person whose substantial interests are affected by this Order may petition for administrative hearing in accordance with Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) in the Office of the General Counsel of the Department at 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000,

Commanding Officer
NTC Orlando
Building 7241, McCoy Annex
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within 21 days after receipt of this Order. Petitioner, if different from Commanding Officer, NTC Orlando, shall mail a copy of the petition to Commanding Officer, NTC Orlando, at the time of filing. Failure to file a petition within this time period shall waive the right of anyone who may request an administrative hearing under Sections 120.569 and 120.57, F.S.

Pursuant to Rules 62-103.155 and 28-106.201, F.A.C., a petition for administrative hearing shall contain the following information:

- a) The name, address, and telephone number of each petitioner, the name, address, and telephone number of the petitioner's representative, if any, the site owner's name and address, if different from the petitioner, the FDEP facility number, and the name and address of the facility;
- b) A statement of how and when each petitioner received notice of the Department's action or proposed action;
- c) A statement of how each petitioner's substantial interests are affected by the Department's action or proposed action;
- d) A statement of the material facts disputed by the petitioner, if any;
- e) A statement of facts which petitioner contends warrant reversal or modification of the Department's action or proposed action;
- f) A statement of which rules or statutes petitioner contends requires reversal or modification of the Department's action or proposed action; and
- g) A statement of the relief petitioner seeks, stating precisely what petitioner wants the Department to do regarding the Department's action or proposed action.

This Order is final and effective as of the date on the top of the first page of this Order. Timely filing a petition for administrative hearing postpones the date this Order takes effect until the Department issues either a Final Order pursuant to an administrative hearing or an Order Responding to Supplemental Information provided pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of this Order pursuant to Section 120.68, F.S., by filing

Commanding Officer
NTC Orlando
Building 7241, McCoy Annex
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a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Department clerk in the Office of the General Counsel, 3900 Commonwealth Boulevard, MS 35, Tallahassee, Florida 32399-3000. Simultaneously with filing a Notice of Appeal with the Department, petitioner must file a copy of the Notice of Appeal with the applicable filing fees, with the appropriate District Court of Appeal. The Notice of Appeal must be received by the Department clerk within 30 days from the date this Order was signed by the Department clerk (see below).

Questions

Should you have any questions regarding the legal processes, please contact the Office of the General Counsel at (850) 488-9730. Any questions regarding the Department's review of your Remedial Action Plan should be directed to Gregory M. Brown, P.E., at (850) 488-3935. Contact with any of the above does not constitute a petition for administrative hearing.

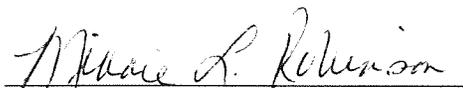
Sincerely,

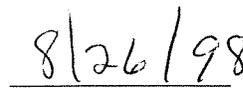


John M. Ruddell, Director
Division of Waste Management

JMR/gb

FILING AND ACKNOWLEDGMENT
FILED, on this date, pursuant to
§120.52 Florida Statutes, with the
designated Department Clerk, receipt
of which is hereby acknowledged.


Clerk
(or Deputy Clerk)


Date



Department of Environmental Protection

Lawton Chiles
Governor

Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Virginia B. Wetherell
Secretary

August 17, 1998

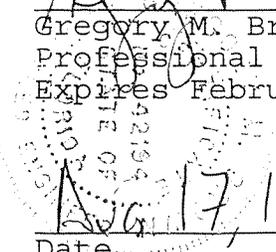
CERTIFICATION OF APPROVAL

RE: Remedial Action Plan, Site 7241, McCoy Annex, NTC Orlando, Florida.

I hereby certify that in my professional judgment, the components of this remedial action plan satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the engineering design features incorporated in this plan provide reasonable assurances of achieving the objectives stated in Chapter 62-770, F.A.C., for remedial action subject to adequate air emissions monitoring and treatment. However, I have not evaluated and do not certify aspects of this plan that are outside the limits of my review responsibilities and outside my area of expertise (including but not limited to electrical, mechanical, and structural features). I personally completed this review.



Gregory M. Brown, P.E.
Professional Engineer No. 42194
Expires February 28, 1999


Aug 17, 1998
Date

Encl. (2)