

N65928.AR.000782
NTC ORLANDO
5090.3a

LETTER REGARDING REGULATORY REVIEW AND NO FURTHER ACTION FOR SITE
REHABILITATION COMPLETION REPORT FOR BUILDING 218 NTC ORLANDO FL
8/26/1998
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION

Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

August 26, 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

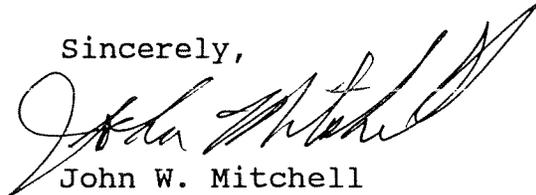
RE: Site Rehabilitation Completion Report, Building 218
Naval Training Center Orlando
Orlando, Florida
FDEP #488840202

Dear Mr. Ugolini:

I have completed the technical review of the Site Rehabilitation Completion Report (SRCR) and No Further Action Proposal (NFAP) dated July 20, 1998 (received July 27, 1998), submitted for this site. Based upon my review, the enclosed Site Rehabilitation Completion Order was signed by Mr. John M. Ruddell, Director of the Division of Waste Management. The No Further Action Proposal was incorporated by reference in the Site Rehabilitation Completion Order.

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

Sincerely,



John W. Mitchell
Remediation Project Manager

cc: Wayne Hansel, Navy SouthDiv
Lt. Gary Whipple, NTC Orlando
Richard Allen, HLA Orlando
Bob Cohose, Bechtel
Nancy Rodriguez, USEPA Region 4
Steve McCoy, Tetra Tech, Oak Ridge
Bill Bostwick, FDEP Central District

TJB JB

JJC JB

ESN JB



Department of Environmental Protection

Lawton Chiles
Governor

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

Virginia B. Wetherell
Secretary

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

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

Subject: Site Rehabilitation
Completion Order
Building 218
Naval Training Center Orlando
Orlando, FL, Orange County
FDEP Facility ID# 488840202

Dear Mr. Ugolini:

The Bureau of Waste Cleanup has reviewed Site Rehabilitation Completion Report (SRCR) dated July 20, 1998 (received July 27, 1998) submitted for this site. Documentation submitted with the SRCR confirms that criteria set forth in Rule 62-770.680(1), Florida Administrative Code (F.A.C.), have been met. The SRCR is hereby incorporated by reference in this Site Rehabilitation Completion Order (Order). Therefore, you are released from any further obligation to conduct site rehabilitation at the site, except as set forth below.

1. In the event concentrations of petroleum products' chemicals of concern increase above the levels approved in this Order, or if a subsequent discharge of petroleum or petroleum product occurs at the site, the Department may require site rehabilitation to reduce concentrations of petroleum products' chemicals of concern to the levels approved in the {{NFAP OR SRCR}} or otherwise allowed by Chapter 62-770, F.A.C.

2. Additionally, you are required to properly abandon all monitoring wells, except compliance wells required by Chapter

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

Printed on recycled paper.

Mr. Nick Ugolini
Navl Facilities Engineering Command
Page two of 2

62-761, F.A.C., for release detection, within 60 days after receipt of this Order. The monitoring wells must be abandoned in accordance with the requirements of Rule 62-532.500(4), F.A.C.

Persons affected by this Order have the following options:

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

If you disagree with the decision, you may do one of the following:

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 the U.S. Naval Facilities Engineering Command, shall mail a copy of the petition to the U.S. Naval Facilities Engineering Command at the time of

Mr. Nick Ugolini
Navl Facilities Engineering Command
Page three of 3

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, within 21 days after receipt of this Order. Petitioner, if different from the U.S. Naval Facilities Engineering Command, shall mail a copy of the petition to the U.S. Naval Facilities Engineering Command 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

Mr. Nick Ugolini
Navl Facilities Engineering Command
Page four of 4

- 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

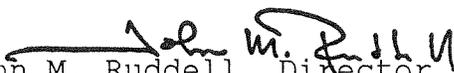
Any party to this Order has the right to seek judicial review of this Order pursuant to Section 120.68, F.S., by filing a Notice of Appeal pursuant to Rule 9.110, Florida Rules of Appellate Procedure, with the Department clerk in the Office of the General Counsel, 3900 Commonwealth Boulevard, MS 35, 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).

The FDEP Facility Number for this site is 488840202. Please use this identification on all future correspondence with the Department.

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 Site Rehabilitation Completion Report should be directed to Mr. David Grabka 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/dg

Mr. Nick Ugolini
Navl Facilities Engineering Command
Page five of 5

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

Minaie R. Robinson 8/27/98
Clerk Date
(or Deputy Clerk)

c: Bill Bostwick, FDEP Central District Office
Rick Allen, Harding Larson Associates, 1080 Woodcock Road,
Suite 100, Orlando, FL 32803
Wayne Hansel, U.S. Navy, Southern Division
Lt. Gary Whipple, Naval Training Center Orlando
Nancy Rodriguez, USEPA, Region 4
Steve McCoy, Tetra Tech, Oak Ridge
Bob Cohose, Bechtel, Knoxville

Mr. Nick Ugolini
Navl Facilities Engineering Command
Page six of 6

P.G. CERTIFICATION

SRCR/NFAP for Building 218
FDEP Facility #488840202

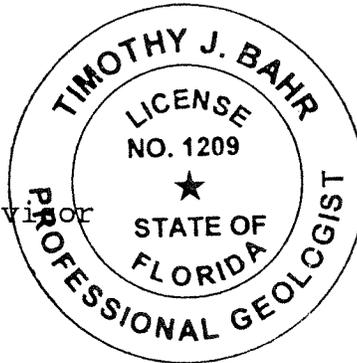
I hereby certify that in my professional judgement, the components of this Site Rehabilitation Completion Report and No Further Action Proposal for Building 218, Naval Training Center Orlando, Orlando, Florida, satisfy the requirements set forth in Chapter 62-770, F.A.C., and that the geological interpretations in this report provide reasonable assurances of achieving the Assessment objectives stated in Chapter 62-770, F.A.C.

I personally completed this review.

This review was conducted by Mr. David Grabka working under my supervision.



Timothy J. Bahr, P.G.
Professional Geologist Supervisor
Technical Review Section



8/26/98
Date