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NAS CECIL FIELD, FL
5090.3a

LETTER AND INDUSTRIAL WASTEWATER DISCHARGE PERMIT EXEMPTION FOR
TAXIWAY BRAVO TWO DRAINAGE PIPE REPLACEMENT NAS CECIL FIELD FL
5/11/2010
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Florida Department of Environmental Protection

Northeast District
7825 Baymeadows Way, Suite B-200
Jacksonville, Florida 32256
Phone: 904-807-3300 ♦ Fax: 904-448-4366

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Michael W. Sole
Secretary

ELECTRONIC MAIL

May 11, 2010

Rusty Chandler
Cecil Field Airport Manager
Jacksonville Aviation Authority
PO Box 18018
Jacksonville, Florida 32229

Re: Jacksonville Aviation Authority
Taxiway Bravo Two - Drainage Pipe Replacement Dewatering Discharge
Duval County
Permit Exemption

Dear Mr. Chandler:

Reference is made to your April 30, 2010, request for an industrial wastewater discharge permitting exemption for the individual discharge locations designated for the subject project to remove and replace 200 feet of 36-inch airfield drainage piping to the south of Environmental Site 36/37. Your proposed operation is an activity as described in Rule 62-620.200(1), Florida Administrative Code (FAC), and will generate industrial wastewater as described in Rule 62-620.200(21), FAC.

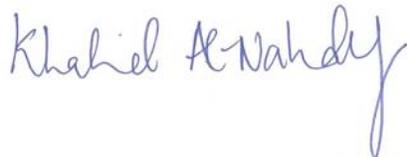
In accordance with Rules 62-4.040 and 62-620.300, FAC, the Department has evaluated your request and determined your proposed activity and discharge of industrial wastewater exempt from industrial wastewater permitting requirements. The granting of this exemption is based upon your adhering to the Best Management Practices for dewatering discharges to uplands as described in your April 30, 2010 request, specifically infiltration back into the site area.

This exemption shall be terminated and the discharge re-evaluated under the applicable portions of Chapters 62-4, 62-620, 62-520, 62-522, and 62-660, FAC, if the facility or activity is substantially modified, or should the discharge be subsequently found to be materially incorrect or pose a threat to the environment or public health. Please note that the failure to conduct your activities as described in your April 30, 2010 request may result in enforcement action and civil penalties.

This exemption relates only to industrial wastewater permitting requirements of the Department and does not relieve you from the responsibility of obtaining any required permits from other program areas within the Department, or required permits from other state, federal, or local agencies.

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under sections 120.569 and 120.57 of the Florida Statutes. Please see Attachment 1, "Notice of Rights" for additional information. If you have any questions regarding this matter, please call Kim Pearce at 904-807-3327.

Sincerely,



Khalid Al-Nahdy, P.E.
Wastewater Manager

Enclosures: Notice of Rights

cc: Bob Simpson, Senior Director, Cecil Field JAA
Larry Elkins, Project Manager, LPA Group
David Grabka, FDEP, Cecil Field Base Clean-Up Team
David Dunkley, Environmental Coordinator, JAA

Jeff Martin PE, Khalid Al-Nahdy PE, Tom Kallemeyn, Drew Brown, Kimberly Pearce

CERTIFICATE OF SERVICE

The undersigned hereby certifies that this NOTICE OF PERMIT EXEMPTION and all copies were mailed before the close of business on **May 11, 2010**, to the listed persons.



Clerk

NOTICE OF RIGHTS

A person whose substantial interests are affected by the Department's proposed permitting decision may petition for an administrative proceeding (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. The petition must contain the information set forth below and must be filed (received by the Clerk) in the Office of General Counsel of the Department at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida 32399-3000.

Petitions by the applicant or any of the parties listed below must be filed within 14 days of receipt of this written notice. Petitions filed by any persons other than those entitled to written notice under section 120.60(3) of the Florida Statutes must be filed within fourteen days of publication of the notice or within 14 days of receipt of the written notice, whichever occurs first.

Under Section 120.60(3) of the Florida Statutes, however, any person who has asked the Department for notice of agency action may file a petition within fourteen days of receipt of such notice, regardless of the date of publication.

The petitioner shall mail a copy of the petition to the applicant at the address indicated above at the time of filing. The failure of any person to file a petition within the appropriate time period shall constitute a waiver of that person's right to request an administrative determination (hearing) under Sections 120.569 and 120.57 of the Florida Statutes. Any subsequent intervention (in a proceeding initiated by another party) will be only at the discretion of the presiding officer upon the filing of a motion in compliance with Rule 28-106.205 of the Florida Administrative Code.

A petition that disputes the material facts on which the Department's action is based must contain the following information:

- (a) The name, address, and telephone number of each petitioner; the Department permit identification number and the county in which the subject matter or activity is located;
- (b) A statement of how and when each petitioner received notice of the Department action;
- (c) A statement of how each petitioner's substantial interests are affected by the Department action;
- (d) A statement of the material facts disputed by the petitioner, if any;
- (e) A statement of facts that the petitioner contends warrant reversal or modification of the Department action;
- (f) A statement of which rules or statutes the petitioner contends require reversal or modification of the Department action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action that the petitioner wants the Department to take.

A petition that does not dispute the material facts on which the Department's action is based shall state that no such facts are in dispute and otherwise shall contain the same information as set forth above, as required by Rule 28-106.301.

Because the administrative hearing process is designed to formulate final agency action, the filing of a petition means that the Department's final action may be different from the position taken by it in this notice. Persons whose substantial interests will be affected by any such final decision of the Department have the right to petition to become a party to the proceeding, in accordance with the requirements set forth above.

Mediation under Section 120.573 of the Florida Statutes is not available for this proceeding.

This action is final and effective on the date filed with the Clerk of the Department unless a petition is filed in accordance with the above. Upon the timely filing of a petition this order will not be effective until further order of the Department.

Any party to the order has the right to seek judicial review of the order under Section 120.68 of the Florida Statutes, by the filing of a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Clerk of the Department in the Office of General Counsel, 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000; and by filing a copy of the Notice of Appeal accompanied by the applicable filing fees with the appropriate district court of appeal. The Notice of Appeal must be filed within 30 days from the date when the final order is filed with the Clerk of the Department.