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NAS CECIL FIELD, FL
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LETTER OF TRANSMITTAL AND NATURAL ATTENUATION MONITORING PLAN
APPROVAL ORDER FOR NORTH-SOUTH APRON PLUME NAS CECIL FIELD FL
12/29/2010
FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION



Florida Department of Environmental Protection

Bob Martinez Center
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Charlie Crist
Governor

Jeff Kottkamp
Lt. Governor

Mimi A. Drew
Secretary

December 29, 2010

BRAC PMO SE
Attn: Mr. Art Sanford
4130 Faber Place Drive
Suite 202
North Charleston, SC 29405

RE: Semi-Annual Groundwater Monitoring Report, 2nd Semi-Annual, 5th Year, July 2010, North-South Apron Plume, Naval Air Station Cecil Field, Jacksonville, Florida.

I have completed my review of the Semi-Annual Groundwater Monitoring Report, 2nd Semi-Annual, 5th Year, July 2010, North-South Apron Plume, Naval Air Station Cecil Field, dated October 8, 2010 (received October 12, 2010), prepared and submitted by Tetra Tech NUS, Inc. Based upon my review, the enclosed Natural Attenuation Monitoring Plan Approval Order (NAMPAO) was signed by Mr. Doug Jones, Chief, Bureau of Waste Cleanup.

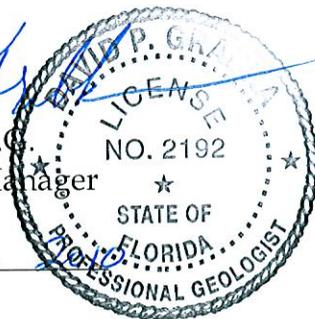
If you have any concerns regarding this letter, please contact me at (850) 245-8997.

Sincerely,

David P. Grabka, P.G.
Remedial Project Manager

29 December

Date



CC: Greg Fraley, USEPA, Atlanta
John Flowe, City of Jacksonville
Rob Simcik, TtNUS, Pittsburgh
Mike Halil, CH2M Hill, Jacksonville
Mike Fitzsimmons, FDEP, Northeast District

JJC ESN



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December 28, 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Art Sanford
BRAC Program Management Office Southeast
4130 Faber Place Drive
Suite 202
North Charleston, South Carolina 29405

Subject: Natural Attenuation Monitoring Plan Approval Order
North-South Apron Plume
Naval Air Station Cecil Field
Jacksonville, Duval County

Dear Mr. Sanford:

The Bureau of Waste Cleanup has reviewed the Semi-Annual Groundwater Monitoring Report, 2nd Semi-Annual, 5th Year - July 2010 for the North-South Apron Plume, Naval Air Station Cecil Field, dated October 8, 2010, (received October 12, 2010), prepared and submitted by Tetra Tech NUS, Inc., for the petroleum product discharge discovered at this site. Because the cleanup objectives have not been attained in five years after issuance of the Natural Attenuation Monitoring Plan Approval Order issued October 21, 2005, in accordance with Subsection 62-770.690(8)(f), Florida Administrative Code (F.A.C.), the groundwater monitoring report includes a request that a new Natural Attenuation Monitoring Plan Approval Order be issued for this site. Pursuant to Paragraph 62-770.690(5)(a), F.A.C., the Department of Environmental Protection (Department) approves the Natural Attenuation Monitoring Plan. Pursuant to Rule 62-770.690(8), F.A.C., you are required to complete the monitoring program outlined below. The first sampling event must be performed within 60 days of receipt of this Order; or as otherwise approved in a Site Management Plan. Water-level measurements must be made immediately prior to each sampling event. The analytical results (laboratory report), chain of custody record form, cumulative summary tables as required by Subparagraph 62-770.600(8)(a)25., F.A.C. (updated as applicable), site map(s) that illustrate the most recent analytical results, and the water-level elevation information (cumulative summary table and most recent flow interpretation map), must be submitted to the Department within 60 days of sample collection.

The monitoring wells to be sampled, the sampling parameters, and the sampling frequency are as follows:

<u>Monitoring Wells</u>	<u>Contaminant of Concern</u>	<u>Frequency</u>	<u>Duration</u>
CEF-M18-04I, CEF-M18-05I	Benzene	Semi-Annual	One year

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The approved Remedial Action by Natural Attenuation monitoring period is five years. The sampling frequency will be evaluated following the submittal of the first annual report to determine whether to continue quarterly or whether a different sampling frequency may be appropriate.

If concentrations of contaminants of concern in any of the designated wells increase above the action levels listed below, the well or wells must be re-sampled no later than 30 days after the initial positive results are known. If the results of the re-sampling confirm the initial sampling results, then the monitoring report referenced in Paragraph 62-770.690(8)(d), F.A.C., must be signed and sealed by an appropriate registered professional pursuant to Rule 62-770.490, F.A.C., and must include a proposal as described in Paragraph 62-770.690(8)(e), F.A.C.

Contaminated wells:

CEF-M18-04l: 100 µg/L benzene.

Perimeter wells (temporary points of compliance):

CEF-M18-05l: 1 µg/L benzene.

If the applicable No Further Action criteria of Rule 62-770.680, F.A.C., are met for two consecutive sampling events, a Site Rehabilitation Completion Report with a No Further Action Proposal, that summarizes the monitoring program and contains documentation to support the opinion that the cleanup objectives have been achieved, must be submitted as required in Subsection 62-770.690(10), F.A.C. If the applicable No Further Action criteria of Rule 62-770.680, F.A.C., are not met following five years of monitoring, then the monitoring report must include a proposal as described in Subsection 62-770.690(8)(f), F.A.C.

Legal Issues

The Department's Order shall become final unless a timely petition for an administrative hearing is filed under Sections 120.569 and 120.57, Florida Statutes (F.S.), within 21 days of receipt of this Order. The procedures for petitioning for an administrative hearing are set forth below.

Persons affected by this Order have the following options:

- (A) If you choose to accept the Department's decision regarding the Second Quarter 2006 Operations and Maintenance Status Report, 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.
- (B) If you choose to challenge the decision, you may do the following:
 - (1) File a request for an extension of time to file a petition for an administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of 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 an administrative hearing; or
 - (2) File a petition for an administrative hearing with the Department's Agency Clerk in the Office of General Counsel within 21 days of receipt of this Order.

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

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

For good cause shown, pursuant to Subsection 62-110.106(4), F.A.C., the Department may grant a request for an extension of time to file a petition for an administrative hearing. Such a request must be filed (received) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Art Sanford/BRAC Program Management Office Southeast, shall mail a copy of the request to Art Sanford/BRAC Program Management Office Southeast at the time of filing. Timely filing a request for an extension of time tolls the time period within which a petition for an administrative hearing must be made.

How to File a Petition for an Administrative Hearing

A person whose substantial interests are affected by this Order may petition for an administrative hearing under Sections 120.569 and 120.57, F.S. The petition must contain the information set forth below and must be filed (received) by the Department's Agency Clerk in the Office of General Counsel at 3900 Commonwealth Boulevard, Mail Station 35, Tallahassee, Florida, 32399-3000, within 21 days of receipt of this Order. Petitioner, if different from Art Sanford/BRAC Program Management Office Southeast, shall mail a copy of the petition to Art Sanford/BRAC Program Management Office Southeast 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 Subsection 120.569(2), F.S. and Rule 28-106.201, F.A.C., a petition for an 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 facility 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 when and how each petitioner received notice of the Department's action or proposed action;
- (c) An explanation of how each petitioner's substantial interests are or will be affected by the Department's action or proposed action;
- (d) A statement of the disputed issues of material fact, or a statement that there are no disputed facts;
- (e) A statement of the ultimate facts alleged, including a statement of the specific facts the petitioner contends warrant reversal or modification of the Department's action or proposed action;
- (f) A statement of the specific rules or statutes the petitioner contends require reversal or modification of the Department's action or proposed action; and
- (g) A statement of the relief sought by the petitioner, stating precisely the action petitioner wishes the Department to take with respect to the Department's action or proposed action.

This Order is final and effective on the date filed with the Clerk of the Department, which is indicated on the last page of this Order. Timely filing a petition for an 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 to the Department pursuant to meetings with the Department.

Judicial Review

Any party to this Order has the right to seek judicial review of it under Section 120.68, F.S., by filing a notice of appeal under Rule 9.110 of the Florida Rules of Appellate Procedure with the Department's Agency Clerk in the Office of General Counsel at 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 after this Order is filed with the Department's clerk (see below).

Questions

Any questions regarding the Department's review of your Site Assessment Report Addendum should be directed to David Grabka at (850) 245-8997. Questions regarding legal issues should be referred to the Department's Office of General Counsel at (850) 245-2242. Contact with any of the above does not constitute a petition for administrative hearing or request for an extension of time to file a petition for administrative hearing.

Sincerely,



Douglas A. Jones, Chief
Bureau of Waste Cleanup
Division of Waste Management

DAJ/dpg

cc: David Grabka, DEP – BWC
File

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)

December 28, 2010
Date