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NCBC GULFPORT
5090.3a

DRAFT ADMINISTRATIVE ORDER FOR WORK PLAN AT THREE PREVIOUSLY IDENTIFIED
SITES WITH TRANSMITTAL NCBC GULFPORT MS
3/16/1990
MISSISSIPPI DEPARTMENT OF NATURAL RESOURCES

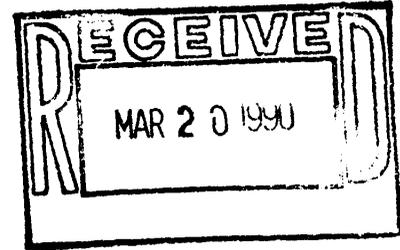


MISSISSIPPI DEPARTMENT OF NATURAL RESOURCES
Bureau of Pollution Control
P. O. Box 10385
Jackson, Mississippi 39209
(601) 961-5171



March 16, 1990

CERTIFIED MAIL NO. P 045 205 857



Mr. G. H. Horman
Planning Officer
Naval Construction Battalion Center
Gulfport, Mississippi 39501-500

Dear Mr. Horman:

Re: Commission Order
Draft Copy

Please find enclosed a draft Order from the Mississippi Department of Environmental Quality for your facility. We invite you to review this Order and contact us if you have any comments. We will expect any written response within two (2) weeks of receipt of this letter. If no comments are received from you within this period, the Order will be issued as written.

Please note that you may appeal the Order to the Mississippi Commission on Environmental Quality within thirty (30) days after issuance if you have any objections.

If you have any questions or if we can be of any assistance, please do not hesitate to contact us.

Sincerely,

Jim Hardage for

William A. Stewart, P.E., Esq.
Superfund Branch Coordinator

WAS:JH=54
Enclosures

cc: Mr. Tom Sarros
Mr. Richard Byrd

← THIS COPY FOR



BEFORE THE MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

IN THE MATTER OF:

MISSISSIPPI COMMISSION ON
ENVIRONMENTAL QUALITY

COMPLAINANT

VS.

ORDER NO. _____

NAVAL CONSTRUCTION BATTALION CENTER
GULFPORT, MISSISSIPPI

RESPONDENT

ADMINISTRATIVE ORDER

Under the authority of Section 49-2-13, Mississippi Code of 1972, the above styled cause came on this date for consideration and the Executive Director, having heard and considered the same, and having determined that an Administrative Order should issue prefatory to any evidentiary hearing and without making adjudication of fact or law finds as follows:

1.

The provisions of the Laws of this State govern the disposal of solid waste and the pollution of the waters of the State, as more particularly set forth in Section 17-17-1, et seq, and Section 49-17-1, et seq, Mississippi Code of 1972; and, the rules and regulations of the Mississippi Commission on Environmental Quality.

2.

The Naval Construction Battalion Center (NCBC) owns, operates, or disposes of or has disposed of solid waste in the site(s) identified in the Phase II Final Verification Report for the NCBC located in Harrison County, Gulfport Mississippi.

3.

The site is listed in EPA's CERCLIS as a potential hazardous substance disposal site.

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DRAFT



FINDINGS CONSIDERED, the Executive Director orders that Respondent shall develop, and submit, the information outlined below to facilitate the evaluation of the potential for release of contaminants to the air and waters of the state.

IT IS, THEREFORE, ORDERED that the Respondent, the Naval Construction Battalion Center execute the following on or before the dates specified.

1. Within 30 days of the effective date of this Order, submit a work plan and schedule for a Phase III IRP investigation of those sites identified for further investigation in the Final Verification Report for NCBC, Gulfport. The plan should address but not be limited to the comments on the Phase II Final Verification Report that were provided to NCBC, Gulfport by the Mississippi Department of Environmental Quality on August 23, 1989, included herein as Attachment 1.
2. Execute the Phase III IRP investigation in accordance with the work plan and schedule approved by the Mississippi Bureau of Pollution Control.

IT IS FURTHER ORDERED AND ADJUDGED that Respondent, if aggrieved by this Order, shall file a sworn petition with the Mississippi Department of Environmental Quality in a timely manner as provided by Section 49-17-41, Mississippi Code Annotated (1972), in which Respondent shall set forth the grounds and reasons for said complaint and shall ask for a hearing thereon.

SO ORDERED, this the _____ day of _____, 1990, by the Executive Director of the Mississippi Commission on Environmental Quality.

MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY

BY: _____
J. I. PALMER, JR.
EXECUTIVE DIRECTOR